Madhya Pradesh Civil Judge (Prelims) 2013 · Shift II

High Court of Madhya Pradesh, Jabalpur · Civil Judge Class II (Entry Level) · Held 1 December 2013 · Shift II · 100 questions · English version

Law

1. Under Indian Constitution, to whom the president addresses his resignation ?

(1) To the Government
(2) To the Prime Minister
(3) To the Chief Justice of India
(4) To the Vice President

2. Under Indian Constitution, what is not included in freedom to manage religious affairs ?

(1) To establish and maintain institutions for charitable and religious purposes
(2) To own and acquire immovable property
(3) To manage its own affairs in matters of religion
(4) To construct a religious place on government land

3. Can fundamental rights, under Indian Constitution, be waived by a person ?

(1) Yes, by every person
(2) Yes, but only by a group of persons
(3) Only right conferring a benefit on the individual can be waived
(4) Fundamental rights cannot be waived

4. Sixth schedule of the Indian constitution contains provisions with regard to administration of tribal areas of some states which of the following state is not included in it?

(1) Meghalaya
(2) Mizoram
(3) Tripura
(4) Manipur

5. President's Rule under Article 356 of Constitution remains valid in the State for the maximum period of ?

(1) One year
(2) Two Year
(3) Six months
(4) Nine months

6. Which writ can be issued when appointment is contrary to the statutory provisions ?

(1) Mandamus
(2) Certiorari
(3) Quo warranto
(4) Prohibition

7. Section 9 of the Transfer of Property Act, 1882 provides that -

(1) Transfer can only be done through a Transfer deed
(2) Transfer can be oral also
(3) Transfer can only be done through a registered deed
(4) All are true

8. In respect of transfer of property, under Transfer of Property Act, which of the following statements is not true ?

(1) Transfer can be done immediately or in future
(2) Transfer of property can be done to one or more living persons
(3) One cannot transfer property to one self
(4) None of them

9. Within the meaning of Section 3 of the Transfer of Property Act, the immovable property does not include ?

(1) Only standing timber & grass
(2) Only standing timber, house and crops
(3) Only standing timber, growing crops or grass
(4) Only grass

10. Under Section 104 of Transfer of Property Act on whom the power of making Rules is conferred ?

(1) Central Government
(2) State Government
(3) Supreme Court
(4) High Court

11. Section 44 of the Transfer of Property Act deals with -

(1) Transfer by two co-owners
(2) Transfer by one co-owner
(3) Transfer by three co-owners
(4) Transfer by all co-owners

12. Under section 148 of C.P.C., the Court can enlarge the time not exceeding in total -

(1) 90 days
(2) 60 days
(3) 45 days
(4) 30 days

13. Where a Caveat has been lodged under section 148A of C.P.C., what is the period after expiry of which such Caveat shall not remain in force ?

(1) 20 days
(2) 90 days
(3) 60 days
(4) 30 days

14. Under Civil Procedure Code, in which of the following case the Court cannot reject the plaint ?

(1) Where the relief claimed is undervalued, and the plaintiff, on being required by the court to correct the valuation within a time to be fixed by the Court, fails to do so
(2) Where the suit appears from the statement in the plaint to be barred by any law
(3) When the plaint is insufficiently stamped and the plaintiff on being required by the court to supply the requisite stamp-paper within a time to be fixed by the court, fails to do so
(4) Where the plaint discloses a Cause of Action

15. Under Civil Procedure Code, which of the following statements are true regarding a decree ?

(1) Conclusively determines the rights of parties with regard to all or any of the matters in controversy in the suit
(2) Decree can be partly preliminary and partly final
(3) This would not include any adjudication from which an appeal lies as an appeal from an order
(4) All of them

16. Under Civil Procedure Code, defendant can ask for temporary injunction against the plaintiff if-

(1) There appears to be a danger that plaintiff would waste or alienate the suit property
(2) The plaintiff threatens to dispose off the property with a view to defrauding his creditors
(3) Plaintiff threatens the defendant to dispossess him from the suit property.
(4) All of them

17. Under Civil Procedure Code, when application for review is dismissed-

(1) appeal can be filed against the order
(2) no appeal lies
(3) with the permission of Court, appeal can be filed against the order
(4) none of them

18. An order passed without jurisdiction, attains finality in favour of some parties. Whether principle of res judicata, under C.P.C., would apply to such an order, between same parties?

(1) Yes
(2) No
(3) Depends upon the nature of suit
(4) It is discretion of Court

19. The object of oral examination under Order 10 R. 2 of C.P.C. is -

(1) To elucidate the matters in controversy in the suit
(2) To record evidence
(3) To secure admissions
(4) None of the above

20. Under Indian Contract Act, which of the following contracts is not a valid contract ?

(1) By a written registered document A promises to give Rs. 5000/- to B for natural love and affection
(2) By an oral agreement B agrees to pay time barred debt of A
(3) A went on a pilgrimage. B paid his electricity bills A agrees to pay back the amount paid by B to him
(4) A supports B's infant son, B promises to pay A's expenses in so doing

21. A consigns goods to B for sale and gives him instructions not to sell under a fixed price. C, being ignorant of instructions, given to B, enters into a contract with B, to buy the goods at a price lower than the reserved price-

(1) A is not bound by that contract
(2) A is bound by that contract
(3) A has the right to honour the contract or not.
(4) The contract is void for A

22. Under Indian Contract Act - Publication of notice inviting tender is -

(1) A Proposal
(2) Notice inviting proposal
(3) A promise
(4) Agreement

23. Under Indian Contract Act, Contract of betting is
(1) Voidable
(2) Against the law
(3) Void
(4) Void and against the law

24. Proviso to section 34 of Specific Relief Act, 1963, relates to-
(1) Suit relating to specific performance of contract
(2) Declaratory suit
(3) Injunction suits
(4) All of them

25. U/s 37 of Specific Relief Act, 1963 a temporary injunction can be granted-
(1) After settlement of the issues
(2) Before the conclusion of plaintiffs evidence
(3) Before the conclusion of defendant's evidence
(4) At any stage of the suit

26. A is minor, who poses himself as major and executes a mortgage before B for Rs. 10000/-. B files a suit for recovery of loan. A takes a defence that he was not competent to contract when he took loan. In such a situation which of the following statement is correct?
(1) Contract was obtained by fraud hence voidable at the option of A
(2) Contract cannot be rescind. No one can be allowed to take benefit of his own fraud
(3) Contract is void but minor may be ordered to pay Rs. 10000/- back
(4) Contract is void but minor cannot be ordered to pay Rs. 10000/- back

27. When, due to fraud played by the parties, a contract in writing does not express its real intention, then appropriate remedy would be a suit for-
(1) specific performance
(2) declaration
(3) rectification of instrument
(4) perpetual injunction

28. Section 6 of Limitation Act does apply in case of?
(1) Illness
(2) Poverty
(3) Minority
(4) None of the above

29. Any suit for which no period of limitation is provided elsewhere in the Schedule of the Limitation Act, the limitation would be -
(1) One year
(2) Three years
(3) Five years
(4) Twelve years

30. Under Limitation Act, the period of limitation for any suit or application shall be deemed to be extended for a maximum period of.....from the death of the person affected by disability-
(1) one year
(2) two years
(3) three years
(4) twelve years

31. Under section 21 of Limitation Act, 1963 when the suit shall be deemed to have been instituted as against the newly impleaded defendant-
(1) From the date of filing of the suit
(2) From the date of filing of application to implead him as defendant
(3) The date on which he was impleaded
(4) None of them

32. Where decree is passed against a tenant on the ground of bona fide need under Sec. 12(1)(e) of M.P. Accommodation Control Act, the landlord would get possession of the premises after of the date of order-
(1) Two months
(2) Three months
(3) Six Months
(4) None of them

33. To whom appeal lies, against an order passed by Rent Controlling Authority under section 23-A of the M.P. Accommodation Control Act?
(1) High Court
(2) District Court
(3) Collector
(4) No appeal lies

34. Under M.P. Accommodation Control Act, landlord can institute a suit for eviction against tenant for accommodation let for non-residential purpose if required bona fide by the landlord-
(1) For hotel business
(2) For temple construction
(3) For opening orphanage
(4) On all of the above grounds

35. Under M.P. Accommodation Control Act, the ground for eviction that the tenant has built accommodation suitable for his purpose is available only where the purpose of letting is -

(1) residential
(2) non-residential
(3) Composite
(4) Immoral

36. Under Sec. 13(2) of M.P. Accommodation Control Act, the fixing of provisional rent is necessary where the dispute relates to-

(1) Arrears of rent only
(2) Amount of Rent
(3) Arrears of rent & Amount of Rent both
(4) Neither Arrears of rent nor Amount of Rent

37. A retired servant of a.....is covered within the meaning of landlord as defined under Section 23-J (ii) of the M.P. Accommodation Control Act -

(1) Municipal Corporation
(2) Any Company
(3) Company owned or controlled by the State or Central Govt.
(4) Corporation

38. Under the provisions of M.P. Accommodation Control Act, with respect to fixation of standard rent, exclusive jurisdiction has been conferred on-

(1) District Judge
(2) Rent Controlling Authority
(3) Civil Judge
(4) Dy. Collector

39. Under Section 12(1)(f) of M.P. Accommodation Control Act, for whose need, Landlord cannot obtain decree of eviction against a tenant ?

(1) For himself
(2) For unmarried daughter
(3) For major son
(4) For his wife

40. Under M.P. Land Revenue Code, in respect of Government lessee, which statement is correct ?

(1) Land can be transferred any time with permission of Collector
(2) Land cannot be transferred.
(3) Land can be transferred after 10 years
(4) None of them

41. Under M.P. Land Revenue Code, a bhumiswami can transfer his land on lease only for a period.....

(1) For any number of years
(2) For one year in three consecutive years
(3) For two years in three consecutive years
(4) He cannot transfer his land on lease

42. Under M.P. Land Revenue Code, who is the owner of all lands of the State ?

(1) Union Government
(2) State Government
(3) Bhumiswami
(4) Who carries on agriculture

43. Under which Section of M.P. Land Revenue Code, appointment of Kotwars and their duties are prescribed ?

(1) Section 222
(2) Section 225
(3) Section 230
(4) Section 232

44. Under Section 113 of the M.P. Land Revenue Code, clerical errors made in the record of rights may, at any time, be corrected or cause to be corrected by the –

(1) Tahsildar
(2) Collector
(3) Tahsildar with the permission of Collector
(4) Sub Divisional Officer

45. Under M.P. Land Revenue Code, how many adjournments may be granted by the Revenue Officer to each party for the hearing of a case or proceedings before him ?

(1) Not more than two
(2) Not more than three
(3) Not more than four
(4) No Limit

46. Under M.P. Land Revenue Code, Collector cannot review an order, which has not been passed by himself, without prior permission

(1) Board
(2) Commissioner
(3) State government
(4) High Court

47. Under M.P. Land Revenue Code, Tahsildar can rectify wrong entry made in khasra if application is filed within -

(1) Two years of the date of such entry
(2) One year of the date of such entry
(3) Six months of the date of such entry
(4) Any time

48. Under M.P. Land Revenue Code, after publication of Wajib-u-Arz within which period it can be challenged in a Civil Court ?

(1) 1 Year
(2) 6 Months
(3) 3 Months
(4) 3 Years

49. Ram is charged with travelling on a railway without a ticket. Under Evidence Act the burden of proving that Ram had a ticket is on ?

(1) Ticket Checker
(2) Prosecution
(3) Police Evidence
(4) Ram

50. Evidence Act - An estate called "the Rampore tea estate" is sold by a deed, which contains a map of the property sold. The fact that land not included in the map had always been regarded as part of the estate and was meant to pass by the deed, this fact -

(1) Can be proved
(2) Cannot be proved
(3) Proved by the court's permission
(4) Proved as secondary evidence

51. Statement of an injured person is recorded as dying declaration, however he survives. His statement is admissible under which section of the Evidence Act ?

(1) Section 32
(2) Section 60
(3) Section 85
(4) Section 157

52. Under Evidence Act, confession of one accused is admissible in evidence against co-accused -

(1) if they are tried jointly for the same offences
(2) if they are tried jointly for different offences
(3) if they are tried for the same offences but not jointly
(4) if they are tried for different offences and also not jointly

53. Under S. 68 of Evidence Act, for proving execution of a registered will it is -

(1) necessary to call at least two attesting witness
(2) necessary to call, at least one attesting witness
(3) not necessary to call any attesting witness
(4) necessary to call the Registrar

54. Under Evidence Act, which of the following facts need not be proved ?

(1) All laws in force in India
(2) All public Acts
(3) Proceedings of Parliament and Legislative Assemblies of India
(4) All of them

55. A dying declaration under Sec. 32 of the Evidence Act is admissible in evidence -

(1) only when it is reduced in writing
(2) even when it is made to a police officer
(3) only when it is made to a Magistrate
(4) only when it is made in immediate presence of a Doctor

56. In which of the following sets of sections of the I.P.C. even death can be caused in exercise of right of private defence of person and property ?

(1) Sections 100 and 101
(2) Sections 100 and 102
(3) Sections 100 and 103
(4) Sections 100 and 105

57. A prepares a marksheet with an intention to use it as original to secure a job. Under I.P.C., he is said to have committed offence of -

(1) forgery
(2) cheating
(3) mischief
(4) none of the above.

58. A throws acid on B and causes grievous hurts to him. Under I.P.C., A is liable for minimum punishment of ?

(1) 7 Years
(2) 5 Years
(3) 10 Years
(4) 3 Years

59. A who was previously convicted under section 376 I.P.C. and is again convicted under same section for life imprisonment. Here imprisonment for life means

(1) Remainder of A's natural life
(2) 20 Years
(3) 14 Years
(4) 30 Years

60. Where no sum is expressed to which a fine may extend, under I.P.C. in such a case, the amount of fine to which the offender is liable is -

(1) Up to the power of the magistrate sentencing
(2) Unlimited but not excessive
(3) Up to Rs. 10000/
(4) All of them

61. Under I.P.C., deceit is ingredient of -

(1) Criminal breach of trust
(2) Forgery
(3) Cheating
(4) All of the above

62. 'A' makes an attempt to steal some jewels by breaking open a box, and finds after so opening the box, that there is no jewel in it. Under I.P.C., A' has committed

(1) No offence
(2) theft
(3) attempt to theft
(4) house breaking

63. 'A' incites a dog to spring upon Z, without Z's consent, intending to cause injury, fear or annoyance to Z, 'A' has, under I.P.C., committed -

(1) Use of criminal force
(2) Assault
(3) Attempt to assault
(4) Defamation

64. In case of non-bailable offence under section 437 Cr.P.C, the Magistrate can release the person produced before him on bail-

(1) if the offence is punishable with imprisonment up to 10 years
(2) if the person does not appear to be guilty of offence punishable with death or imprisonment for life
(3) if the person is not previously convicted of a cognizable offence punishable with death or imprisonment for life or imprisonment for 7 years or more
(4) all of them

65. If person, identifying the person arrested, is mentally and physically disabled, who will supervise the process of identification, under Cr.P.C. ?

(1) Any executive Magistrate
(2) Judicial Magistrate
(3) District Magistrate
(4) Chief judicial Magistrate

66. If any woman against whom an offence under section 326A IPC is alleged to has been committed gives information, under Cr.P.C., such information should be recorded by -

(1) By a woman police officer or any woman officer
(2) By a judicial magistrate
(3) By chief judicial magistrate
(4) By sub-division a magistrate

67. Under Cr.P.C., for which offence it is mandatory for all Government and private hospitals to provide first aid to the victim and inform the police of such incident-

(1) Sec. 326A IPC
(2) Sec. 376A IPC
(3) Sec. 376C IPC
(4) All of them

68. Under Cr.P.C., application for plea bargaining can be filed by-

(1) Accused
(2) Complainant
(3) Investigating Officer
(4) Public Prosecutor

69. Which of the following persons can not claim maintenance u/s 125 Cr.P.C. ?

(1) A legitimate child who after attaining majority cannot maintain himself by reason of economic hardship
(2) Divorced wife who is living in adultery
(3) Wife who takes divorce by mutual consent
(4) All of the above

70. An offence is committed outside India by a citizen of India such offence shall be inquired or tried in India with the previous sanction of-

(1) Supreme Court
(2) State Government
(3) Central Government
(4) Permission not needed

71. Can a person discharged under sec. 258 of Cr.P.C. be tried again for the same offence ?

(1) No he cannot be tried
(2) He can be tried with the consent of the court by which he was discharged
(3) No since principle of double jeopardy would be applicable
(4) Yes by the consent of the state government

72. Which of the following circumstances will attract the provisions of Section 138 Negotiable Instruments Act?

(1) Cheque dishonour due to insufficiency of funds
(2) Cheque returned by the Bank unpaid on the ground that the account is closed
(3) Cheque returned by the Bank unpaid due to stop payment instruction by drawer
(4) In all of the above circumstances

73. What is the presumption u/s 139 of the Negotiable Instruments Act ?

(1) That the cheque was signed by the person who holds the account
(2) That the cheque was issued for discharge of any debt or liability
(3) That the cheque was issued after ensuring that there is sufficient funds in the account
(4) None of above

74. Under Negotiable Instruments Act, how many days after service of notice of demand on drawer, the cause of action arises against drawer, if he fails to make payment -

(1) 30 days
(2) 45 days
(3) 15 days
(4) 90 days

75. Under Negotiable Instruments Act, for filing a complaint under 138 of the Act essential condition is -

(1) The cheque was returned as signature on it not matched
(2) The cheque was returned for insufficient funds in the account
(3) The cheque was returned as it was presented after expiry
(4) In all of above.

General Knowledge

76. Which foreign musician performed in Kashmir for peace ?

(1) Zubin Mehta
(2) Shakira
(3) Zustin Timberlin
(4) Sunny Leon

77. With which game Jwala Gutta is associated -

(1) Table Tennis
(2) Boxing
(3) Kabaddi
(4) Badminton

78. Which country agreed to cooperate India in its mission of sending unmanned space crafts to Moon and Mars ?

(1) America
(2) France
(3) Russia
(4) Germany

79. In M.P. which national park would get lions from Gujrat ?

(1) Pench National Park, Seoni
(2) Badhavgarh National Park, Umaria
(3) Kuno National Park, Sheopur
(4) Panna Tiger Reserve, Panna

80. Who is the author of the book “A Passage to India” ?

(1) Charls Dickens
(2) John Ruskin
(3) Denniel Defoe
(4) E.M. Forster

81. India's newly constructed longest rail tunnel is –

(1) Pirpanjal Banihal Tunnel
(2) Banihal Quajigund Tunnel
(3) Jawahar Tunnel
(4) Gandhi Tunnel

82. Which is the largest state of India area wise ?
(1) Rajasthan
(2) Madhya Pradesh
(3) Uttar Pradesh
(4) Bihar

83. Which of the following was the capital city of Raja Bhoj ?
(1) Bhopal
(2) Dhar
(3) Uijain
(4) Mandav

84. In India Tropical deciduous forests are found in -
(1) Andman & Nicobar Island
(2) Sundarbans
(3) Madhya Pradesh
(4) Rajasthan

85. Which of the following sections of the Representation of People Act was declared unconstitutional by the Supreme Court in a recent judgment -
(1) S. 8(4)
(2) S. 33a
(3) S. 33b
(4) S. 61

86. Shakuntala devi who died recently was famous for ?
(1) Acting
(2) Playing Sitar
(3) For Social service
(4) For rare ability to calculate mentally

87. Which of the following effect is not caused by the rotation of Earth around its axis ?
(1) Day & Night
(2) Ocean Current
(3) Seasons
(4) Tides

88. Parkinson's disease relates to -
(1) Nervous System
(2) Bones
(3) Eyes
(4) Chest

89. In which State 'Khap Panchayat' is more prevalent ?
(1) Madhya Pradesh
(2) Tamil Nadu
(3) Maharashtra
(4) Haryana

90. To whom amongst the following, Man Booker Prize for year-2013 was conferred ?
(1) Jhumpa Lahiri
(2) Eleanor Catton
(3) Alicane Betle
(4) Bane Ocery

Computer Knowledge

91. In Computer CD-RW is -
(1) Compact Disk Readable
(2) Compact Disk-Re Writable
(3) Compact Disk Writable
(4) Read Write Compact Disk

92. The correcting errors in a programme of Computer is called -
(1) Interpreting
(2) Translating
(3) Debugging
(4) Compiling

93. Which of the following is not a type of computer virus -
(1) Polymorphic
(2) Worms
(3) FAT
(4) Retro

94. Amongst following, which is the smallest unit of storage-
(1) GB
(2) TB
(3) MB
(4) KB

95. Android is an operating system based on -
(1) Windows
(2) Linux
(3) IBM
(4) MS-Word

English Knowledge

96. What is the antonym of the word optimist -
(1) Antagonist
(2) Pessimist
(3) Hypocrate
(4) opportunist

97. Make the correct answer choice for the blank in the following sentence - "The cat has.....the bird"
(1) Eated
(2) ate
(3) eaten
(4) eat

98. Give the meaning of the word Ecstatic -
(1) dead
(2) Very sad
(3) Very Happy
(4) Trembling

99. A phrase generally used for the words "to care for somebody or oneself" is -
(1) look at
(2) look for
(3) look good
(4) look after

100. Pragmatic means –
(1) Analytical
(2) Diplomatic
(3) Acceptable
(4) Practical