Madhya Pradesh Civil Judge (Prelims) 2013, 17 November sitting

High Court of Madhya Pradesh · Civil Judge Class-II (Entry Level) Online Preliminary Examination · 17 November 2013 · 100 questions

Preliminary Examination

Constitution

1. Under Indian Constitution, In performance of his duties, Attorney General for India, shall have right of audience-

(1) Only in Supreme Court
(2) Only in All the High Courts
(3) In All Courts of India
(4) Only in Supreme Court and Tribunals established by Central Government

2. Under Indian Constitution, Fundamental duties enshrined under Article 51 A does not includes the duty-

(1) To uphold and protect sovereignty of India
(2) To defend the country when called upon to do so
(3) To value and preserve rich heritage of our composite culture
(4) To protect monuments, places and objects of national importance

3. Which Article of Indian Constitution provides for reservation in matters of promotion in services under the state in favour of Scheduled Castes and Scheduled Tribes -

(1) Article 16 (4-A)
(2) Article 16 (4-B)
(3) Article 16 (4)
(4) Article 15 (4)

4. Under Indian Constitution, the Supreme Court may make rules for regulating the practice and procedure of the Court with the approval of

(1) Parliament
(2) President
(3) Government of India
(4) None of the above

5. “Indian National Anthem is a reflection of the real India as a country - a confluence of many religions, races, communities and geographical entities. It is a message of unity in diversity.” The above phrase of the Supreme Court was taken from which of the following judgment-

(1) Sanjeev Bhatnagar v. Union of India
(2) Union of India v. Naveen Jindal
(3) Sushanta Tagore v. Union of India
(4) Aruna Roy v. Union of India

6. Right to vote is a -

(1) Statutory right
(2) Constitutional right
(3) Fundamental right
(4) Customary Right

Transfer of Property Act

7. Section 41 of the T.P. Act, 1882 is the statutory application of the law of -

(1) Waiver
(2) Estoppel
(3) res judicata
(4) res subjudice

8. Under Transfer of Property Act, in the absence of a Contract or local Law, monthly lease is terminable--

(1) By 15 days notice expiring with the end of a month of the tenancy
(2) By One month's notice
(3) By Three month's notice to the opposite party
(4) By Sixty days notice

9. Under Transfer of Property Act, which of the following is not transferable-

(1) salary of a public officer after it has become payable
(2) right to receive offerings
(3) right to receive verified compensation amount
(4) right to repurchase

10. Under Transfer of Property Act, in which of the following matter, the doctrine of lis pendens does not apply-

(1) Court sales
(2) property included in the plaint by an amendment subsequent to sale
(3) property belonging to a minor
(4) all the above

11. According to Sec. 54 of Transfer of Property Act, a contract for the sale of immovable property-

(1) Create any interest in the property
(2) Create charge on the property
(3) Confer title on the property
(4) A contract that a sale of such property shall take place on terms settled between the parties

Civil Procedure Code

12. Under Section-151 of Civil Procedure Code, inherent powers can be exercised by the -

(1) Supreme Court
(2) High Court
(3) District Court
(4) Any Court

13. Under C.P.C. 1908, on death of either parties to the suit after conclusion of hearing and pronouncement of judgment, the suit -

(1) Shall abate
(2) Shall not abate
(3) May abate with the permission of court
(4) None of the above

14. Under C.P.C. 1908, if the court finds at any stage that it has no pecuniary jurisdiction with respect to the subject matter of the suit, it will-

(1) dismiss the suit
(2) proceed with the suit
(3) amend the suit
(4) return the suit

15. Under C.P. Code, which of following is not a decree ?

(1) Dismissal of suit in default
(2) Rejection of a plaint
(3) Dismissal of suit in default & Rejection of a plaint Both
(4) None

16. According to Order 20 Rule 7 of Civil Procedure Code the decree shall bear the date of -

(1) The day on which the judgement was pronounced
(2) The day on which the decree was made
(3) The day on which plaint was filed
(4) The day on which final argument was heard

17. In a summary suit presented under Order 37 Civil Procedure Code it is necessary for the defendant to appear before the court within how many days of the service of the summon of appearance ?

(1) 10 days
(2) 15 days
(3) 30 days
(4) Two Month

18. Under C.P.C., which of the following is not a suit of a civil nature?

(1) suit for correcting the date of birth in the service record
(2) suit for declaration of the right to worship
(3) suit for vindication of a mere dignity connected with an office
(4) suit for a religious office.

19. Under C.P.C., a plaint can be rejected; where the suit is instituted in a Court having -

(1) no inherent jurisdiction
(2) no pecuniary jurisdiction
(3) no territorial jurisdiction
(4) all the above

Indian Contract Act

20. Under Indian Contract Act, when does an agreement becomes a contract ?

(1) It is enforceable by law
(2) It is between parties competent to contract
(3) It is by the free consent of parties
(4) All of the above

21. "A' agree with „B" to discover treasure by magic. Under Indian Contract Act, the agreement is

(1) Void
(2) Illegal
(3) Legal
(4) Valid agreement

22. A sent his servant B to trace his lost nephew. When the servant had left A' announced a reward of Rs. 501/- to anyone who traces the boy. B found the boy and brought him home. Then he came to know about the reward. Under Indian Contract Act, can he claim the reward ?

(1) Yes because offer is open for all
(2) Yes after knowing the offer he could accept it
(3) No, because he did not know about the offer when he found the missing boy
(4) No, because he is the servant of A

23. A hires a carriage of B. The carriage is unsafe, though B is not aware of it, and A is injured. Under Indian Contract Act, B is-

(1) responsible to A for the injury.
(2) not responsible to A for the injury
(3) not responsible for A 's injury because the injury was not caused by B
(4) not responsible for A's injury because A should have been alert himself

Specific Relief Act

24. Under Specific Relief Act, 1963, Specific Relief may be granted -

(1) For enforcing individual civil rights
(2) For enforcing a Penal law
(3) For enforcing both Civil law and a Penal law
(4) For enforcing public rights.

25. The declaration given U/S 34 of the Specific Relief Act is binding on whom ?

(1) Only on the parties to the Suit
(2) On the persons claiming through parties to the Suit.
(3) Trustee of the trust which is party to the Suit.
(4) All of the above.

26. Which of the following contract cannot be specifically enforced as per the provisions of section 14 of the specific relief act ?

(1) A contracts to marry B
(2) A contracts with B, that, in consideration of Rs. 1000 to be paid to him by B, he will paint a picture for B
(3) A, an author, contracts with B, A publisher, to complete a literary work.
(4) All of the above

27. An order or decree passed in a suit presented u/s 6 of the Specific Relief Act is

(1) Appealable
(2) Re-viewable
(3) Neither Appealable nor Re- viewable
(4) Appealable & Re-viewable Both

Limitation Act

28. Under Limitation Act 1963, in computing the period of limitation for any suit, the day from which such period is to be reckoned -

(1) Shall be excluded
(2) Shall be included
(3) May not be excluded
(4) May be included

29. As per Section 5 of Limitation Act 1963, prescribed period of limitation may not be extended in case of

(1) Any appeal
(2) Any application
(3) An application under Order 21 of the Code of Civil Procedure
(4) None of the above.

30. Under Limitation Act 1963, the prescribed period of limitation for suit for compensation for a malicious prosecution is -

(1) one year
(2) two years
(3) three years
(4) five years

31. Law of Limitation ordinarily bars a remedy, but does not extinguish a right. Which of the following Section of the Limitation Act, 1963, provides for exception to the said rule ?

(1) Section 5
(2) Section 9
(3) Section 25
(4) Section 27

M.P. Accommodation Control Act

32. Under M.P. Accommodation Control Act, 1961, when the defence against eviction of the tenant can be struck out?

(1) On non payment of amount as per Section 13
(2) When tenant is not personally present in the court
(3) When tenant has not filed his written submission within prescribed time
(4) On furnishing false information in the application.

33. Under which provision of M.P. Accommodation Control Act, 1961, penalties can be imposed on a landlord and tenant ?

(1) Section 42
(2) Section 43
(3) Section 44
(4) Section 45

34. The Provisions of M.P. Accommodation Control Act applies to -

(1) Only Municipal corporation area
(2) Only Municipal corporation and Nagar Palika area
(3) Only those areas as specified in the first schedule
(4) Whole of Madhyapradesh

35. Under M.P. Accommodation Control Act, 1961, what is the maximum period for which standard rent shall be fixed for a tenancy ?

(1) Six month
(2) One Year
(3) Two Year
(4) Three Year

36. Which of the following is not a "member of the family" for the purpose of M.P. Accommodation Control Act, 1961-

(1) married daughter
(2) major unmarried sister
(3) brother's major unmarried daughter
(4) all of the above

37. Under M.P. Accommodation Control Act, 1961, where a landlord has acquired any accommodation by transfer, no suit for the eviction of tenant shall be maintainable on the ground of bonafide need for residence, unless a period of ..... has elapsed from the date of the acquisition-

(1) six months
(2) one year
(3) two years
(4) three years

38. Under M.P. Accommodation Control Act, 1961, in a suit for eviction, the tenant shall deposit in the Court or pay to the landlord the arrears of rent within which period from the service of writ of summons-

(1) fifteen days
(2) one month
(3) two months
(4) six months

39. Under M.P. Accommodation Control Act, 1961, where shall the tenant file a complaint when the landlord with holds the essential supply?

(1) Sub Divisional Officer
(2) Collector
(3) Rent Controlling Authority
(4) Civil Court

M.P. Land Revenue Code

40. Under M.P. L.R.C., 1959, on all lands on which the assessment has not been made, the assessment of land revenue shall be made by--

(1) Tahsildar
(2) Sub Divisional Officer
(3) Collector
(4) State government

41. Under M.P. L.R.C., 1959, within how many days can the non tribal Bhumiswami may apply for restoration of possession of his land from where he has been illegally dispossessed?

(1) 2 years
(2) 1 year
(3) 6 months
(4) 3 months

42. Any dispute between the state government and any person in respect of any right under Sec. 57(1) of the M.P. Land Revenue Code shall be decided by the -

(1) Sub divisional officer
(2) Collector
(3) Commissioner
(4) State government

43. The offence under Section 250-B of the M.P. Land Revenue Code, is

(1) Non-cognizable and bailable offence
(2) Cognizable and non-bailable offence
(3) Cognizable and bailable offence
(4) Non-cognizable and non-bailable offence

44. Under M.P. L.R.C., 1959, which of the following Revenue Officer is empowered, after the closure of the revenue surveys and during the term of settlement, to correct any errors in the area of any holding due to mistake of arithmetical miscalculation-

(1) Sub-Divisional Officer
(2) Collector
(3) Settlement Commissioner
(4) Commissioner

45. A person who, at the time of coming into force of the M.P. Land Revenue Code, 1959, held a land as a pattedar tenant in the Vindhya Pradesh region, shall be called-

(1) Bhumiswami
(2) Government lessee
(3) Occupancy tenant
(4) bonafide agriculturist

46. Under M.P.L.R.C.,1959, which of the following matter is not in exclusive juristiction of revenue authorities ?

(1) Any claim to modify a decision determining abadi made by a Settelement Officer or Collector
(2) The amount of Land Revenue assessed or reassessed under this Code or any other enactment for the time being in force
(3) Any claim against the State Government to have any entry made in any land records or to have any such entry omitted or amended
(4) Any dispute to which the State Government is not a party relating to any right which is recorded in the record of rights

47. Under which section of M.P.L.R.C. occupancy tenants defined ?

(1) Section 158
(2) Section 181
(3) Section 183
(4) Section 185

48. Any right lawfully acquired by a person in any land shall be reported by the person u/s 109 of the M.P. Land Revenue Code to -

(1) Patwari
(2) Tahsildar
(3) Sub Divisional Officer
(4) Settlement Officer

Indian Evidence Act

49. Under Indian Evidence Act, the evidence given by dog squad is -

(1) Not admissible
(2) Not admissible because dependent on the canine inference
(3) Dogs cannot give evidence on oath
(4) Admissible

50. If an accused voluntarily consents for brain mapping and narco-analysis, then such information is relevant under which section of Evidence Act ?

(1) Sec 7
(2) Sec 17
(3) Sec 27
(4) Sec 30

51. An, accused of murder, alleges that, by grave and sudden provocation, he was deprived of the power of self-control. Under Indian Evidence Act, the burden of proof is on --

(1) Prosecution
(2) Accused
(3) Victim
(4) None of the above

52. A prosecutes B for adultery with C, A's wife. B denies that C is A's wife, but the Court convicts B of adultery. Afterwards, C is prosecuted for bigamy in marrying B during A's lifetime. C says that she never was A's wife. Under Indian Evidence Act, the judgment against B is -

(1) Irrelevant
(2) Relevant
(3) Conclusive proof
(4) Taking effect of estoppel

53. A, agrees, in writing, to sell a horse to B for "Rs. 1,000 or Rs. 1,500". To show which price was to be given, under Indian Evidence Act -

(1) Evidence can be given
(2) Evidence can not be given
(3) Evidence can be given by the Court's permission
(4) Can be proved as secondary evidence

54. A sues B for Rs. 1000 and shows entries in his account - books showing B to be indebted to him to this amount. Under Indian Evidence Act -

(1) The entries are relevant but are not sufficient, without other evidence, to prove the debt.
(2) The entries are sufficient without other evidence, to prove the debt.
(3) The entries are not relevant but are sufficient, without other evidence, to prove the debt.
(4) The entries are neither relevant nor sufficient, to prove the debt.

55. The term “Court”, as defined in the Indian Evidence Act, 1872, does not include-

(1) Presiding Officer of a Labour Court
(2) Tahsildar
(3) Arbitrator
(4) Commissioner appointed by a Civil Court

Indian Penal Code

56. Which section of IPC is based on the maxim "de minimis non curat lex" (the law takes no account of trifles) ?

(1) Section 91
(2) Section 92
(3) Section 94
(4) Section 95

57. Under which provision of the IPC appropriate Government may commute the punishment of imprisonment for life ?

(1) Section 52
(2) Section 53
(3) Section 54
(4) Section 55

58. According to Indian Penal Code, taking property dishonestly from the dead body -

(1) Does not amount any offence
(2) Amount to the offence of theft
(3) Amount to the offence of Criminal misappropriation
(4) Amount to the offence of criminal breach of trust

59. According to Indian Penal Code, Any man who monitors the use by a woman of the internet, email or any other form of electronic communication commits the offence of

(1) Voyeurism
(2) Stalking
(3) Watching
(4) Searching

60. Under Indian Penal Code, the imprisonment, which the Court imposes in default of payment of fine, may be of the following description -

(1) only simple
(2) rigorous
(3) of either description
(4) depends on the quantum of fine

61. A holds B down and fraudulently takes B's cell phone from B‟s trouser without his consent. Under Indian Penal Code, A commits the offence of -

(1) robbery
(2) extortion
(3) dacoity
(4) criminal misappropriation

62. A obtains a decree against B for a sum not due. It may be an offence under I.P.C. if A‘ has done so -

(1) negligently
(2) fraudulently
(3) in good faith
(4) none of the above.

63. Under I.P.C., sexual intercourse by a man with a woman who is not his wife with her consent is a rape, if she is below the age of -

(1) 16 years
(2) 17 years
(3) 18 years
(4) 19 years

Criminal Procedure Code

64. Under Criminal Procedure Code, 1973, who empowers the Judicial Magistrate First Class for summary trials ?

(1) The State Government
(2) The High Court
(3) The Sessions Court
(4) Chief Judicial Magistrate

65. Under Criminal Procedure Code, 1973, who shall record the information of rape being given by a rape victim ?

(1) Officer in-charge of the police station
(2) Deputy Superintendent of Police
(3) Officer not below the rank of a Sub Inspector
(4) Woman Police Officer or any Woman Officer

66. Who can record statement and confession U/S 164 of the Cr.PC.

(1) Police Officers
(2) Judicial Magistrate
(3) Executive Magistrate
(4) Investigating Officer

67. Under Criminal Procedure Code, 1973, a magistrate can commit a case to Court of Session which is not exclusively triable by the Court of Session if it appears to him that the case is such that-

(1) Which could not be adequately punished by him
(2) Some question of law of unusual difficulty is likely to arise.
(3) He has no jurisdiction to try the case.
(4) The case is one which ought to be tried by the court of session.

68. Under Criminal Procedure Code, when the inquiry or trial relates to an offence u/s 376 to 376 D of the Indian Penal Code within which period the inquiry or trial shall as far as possible be completed from the date of filling of the charge sheet ?

(1) One month
(2) Two month
(3) Three month
(4) Sixth month

69. Under Cr.P.C., a Magistrate First Class may order to make a monthly allowance for the maintenance at the monthly rate of ?

(1) five hundred rupees
(2) three thousand rupees
(3) five thousand rupees
(4) as Magistrate thinks fit

70. Inherent power under section 482 of the Code of Criminal Procedure, 1973 can be exercised by?

(1) Sessions Court
(2) High Court
(3) Chief Judicial Magistrate
(4) Any Judicial Magistrate

71. When may an accomplice be tendered pardon under Section 306 of Criminal Procedure Code ?

(1) Only at the stage of investigation
(2) Only at the stage of enquiry
(3) Only at the stage of trial
(4) At any stage of enquiry or investigation or the trial

Negotiable Instruments Act

72. To Constitue an offence under section 138,Negotiable Instrument Act, within how many days the cheque should be presented to the bank from the date on which it is drawn ?

(1) No limit
(2) 1 Month
(3) 3 Months
(4) 6 Months or within the period of its validity

73. Under Section 118 of Negotiable Instrument Act, 1881, what presumption shall not be made ?

(1) the holder of a cheque received the cheque for the discharge of any debt or other liability
(2) consideration
(3) time of acceptance
(4) order of indorsements

74. The maximum amount of fine which can be imposed u/s 138 of Negotiable Instrument Act is -

(1) Ten Thousand Rupees
(2) One Lakh Rupees
(3) Equal to the cheque's amount
(4) Twice of the cheque's amount

75. Under Negotiable Instrument Act 1881, how many times, a holder of a cheque can present it before a bank during the period of its validity ?

(1) Only once
(2) Twice
(3) Thrice
(4) Any number of times

General Knowledge

76. UN Security Council by a resolution, decided to destroy the chemical weapons of which country ?

(1) Libya
(2) Egypt
(3) Syria
(4) Somalia

77. First woman Chairperson of the State Bank of India is
(1) Chanda Kochhar
(2) Arundhati Bhattacharya
(3) Kiran Mazumdar Shaw
(4) Arundhati Roy

78. Name of scientists who discovered 'God Particle' and were awarded Nobel Prize for this in 2013 are :-
(1) Alice Munro
(2) Martin Karplus, Michael Levitt and Arieh Warshel
(3) Serge Haroche and David J. Wineland
(4) Peter Higgs and Francois Englert

79. Khajuraho Festival is a culturally enriched show of--
(1) Folk dance
(2) Classical dance
(3) Classical music
(4) Indian classical vocal music

80. Bhimbetka is known for -
(1) Buddha statue
(2) Archaeological treasure
(3) Rich diversity of bird life
(4) None of the above

81. Name of India's first defence satellite, launched on 30 Aug 2013 is :
(1) GSLV-D 5
(2) GSAT-7
(3) IRNSS-1A
(4) INSAT-3D

82. Daman and Diu comes under the jurisdiction of which of the following High Court ?
(1) Gujarat
(2) Bombay
(3) Goa
(4) Rajasthan

83. The Kudankulam Nuclear Power Plant is established in -
(1) Kerala
(2) Andhra Pradesh
(3) Tamil Nadu
(4) Arunachal Pradesh

84. Who is the Chairperson of Unique Identification Authority of India ?
(1) Dr. M. S. Swaminathan
(2) Nandan Nilekani
(3) E.Shreedharan
(4) M. N. Buch

85. Kshipra is the tributary of which River -
(1) Narmada
(2) Sindh
(3) Chambal
(4) Betwa

86. "Chand Ka Muh Teda hai" - Is the work of
(1) Gajanan Madhav Muktibodh
(2) Mohan Rakesh
(3) Balkrishna Sharma Naveen
(4) None of the above

87. Mid-Day-Meal Scheme presently covers students up to class ?
(1) 5th
(2) 8th
(3) 10th
(4) 12th

88. In addition to India Nepal and Pakistan, following countries are also included in Indian Sub continent.. ?
(1) Bhutan & Bangladesh
(2) China & Afganistan
(3) Sri Lanka & Afganistan
(4) Bhutan & Afganistan

89. The gas which traps the heat of the sun and prevents it from going back into space is -. ?
(1) oxigen
(2) Nitrogen
(3) Helium
(4) Carbon di oxide

90. In which district of Madhya Pradesh 'Bori wild life Sanctuary' is situated ?
(1) Umariya
(2) Hoshangabad
(3) Panna
(4) Sheopur

Computer Knowledge

91. A Storage system for small amount of data is ?
(1) Magnetic Tape
(2) Magnetic Card
(3) Punched Card
(4) Optical Mark Reader

92. A Stand-alone system which produces one page of printout at a time is ?
(1) Page Printer
(2) Line Printer
(3) Laser Printer
(4) Dot Matrix Printer

93. Which of the following is not a type of touch screen technology
(1) Capacitive
(2) Resistive
(3) RAW
(4) Strain Gauge

94. What is true about Ubuntu
(1) It is developed by Google
(2) It is developed by Apple
(3) It is an open source software
(4) It is developed by Microsoft

95. 'www' stands for
(1) World Word Web
(2) World Wide Web
(3) World White Web
(4) World Work Web

English

96. Antonym for "MARVELLOUS" is
(1) Awful
(2) Contentious
(3) Fictitious
(4) Malacious

97. Synonym of "BLEMISH" is
(1) Evil
(2) Attraction
(3) Blot
(4) Virtue

98. Choose the word which best expresses the meaning of 'veracity'
(1) Truth
(2) Freedom
(3) Wisdom
(4) Loyalty

99. Monkey are able to move quickly they are very..... (which is most appropriate word to complete the sentence)
(1) hasty
(2) agile
(3) prompt
(4) rapid

100. (Select the appropriate word to complete the sentence) ..... most important event in India's history was the revolution of 1857
(1) The
(2) It was the
(3) That the
(4) There was a