Madhya Pradesh Civil Judge (Prelims) 2015

Civil Judge Class II (Entry Level) · Preliminary examination held 20 December 2015 · 100 questions · English version

Constitution of India

1. The appropriate writ issued by the Court to quash the appointment of a person to a public office is that of

(A) Prohibition
(B) Quo Warranto
(C) Certiorari
(D) Mandamus

2. Where a law is made by a State Legislature on the subject enumerated in the concurrent list, with assent of the President, repugnant to the earlier law made by Parliament, then the law so made by the state-

(A) Shall prevail in the State
(B) Shall not prevail in the State
(C) Shall prevail with the permission of Supreme Court
(D) Shall prevail with the permission of High Court

3. According to the Constitution of India the term "District Judge" shall not include

(A) Chief Presidency Magistrate
(B) Session Judge
(C) Chief Judicial Magistrate
(D) Chief Judge of Small Cause Court

4. Which right is a constitutional right but not a fundamental right?

(A) Right to life and personal liberty
(B) Right to move freely throughout the territory of India
(C) Right to form associations
(D) Right to hold property

5. Equality of opportunity in matters of public employment

(A) is available to all citizens of India
(B) is available to all residents of India
(C) is available to persons of Indian origin irrespective of their citizenship
(D) is not provided in the Constitution to anyone

Code of Civil Procedure

6. According to C.P.C., in connection with a suit by an indigent person, the suit is deemed to be instituted on the date

(A) When the application for leave to sue as a pauper is made
(B) When such application is admitted
(C) When such application is rejected
(D) When the issues are framed

7. Whether the pendency of a suit in a foreign court will preclude the courts in India from trying a suit founded on the same cause of action?

(A) Yes
(B) No
(C) It will depend on the nature of the suit
(D) Finding will be based on valuation of the suit

8. The provisions of Res judicata also apply to the execution proceedings of a decree

(A) Yes
(B) No
(C) Only applies to the suit
(D) Not apply if objection raised by judgment Debtor

9. In the case of a public nuisance, a suit for declaration and injunction may be instituted by

(A) Two persons, with the leave of the Court
(B) Two persons, having obtained oral consent of the Advocate General
(C) Two persons, having obtained the written consent of the Advocate General
(D) Two persons, without the leave of the Court

10. Where the appellant has withdrawn the appeal preferred against a decree passed exparte, the application under Order 9 Rule 13 of CPC, shall be

(A) Rejected
(B) Returned
(C) Maintainable
(D) Referred for opinion to the Appellate Court

11. Whether a minor on attaining majority may, if a sole plaintiff, apply that a suit instituted in his name by next friend be dismissed on the ground that it was unreasonable or improper?

(A) No
(B) With the consent of next friend
(C) Yes
(D) Joint applications will lie with next friend

12. Where the decree is for the partition of an undivided estate assessed to the payment of revenue to the government, the partition of the estate, in accordance with the law for the time being in force, shall be made by-

(A) The Patwari
(B) The Nazir
(C) The Collector
(D) The Commissioner appointed by the court

13. No order for detention of the judgment debtor in civil prison in execution of a decree for the payment of money shall be made where the total amount of the decree does not exceed

(A) Five hundred rupees
(B) One hundred rupees
(C) Two thousand rupees
(D) Five thousand rupees

14. Pleading means

(A) Plaint or rejoinder
(B) Plaint or written statement
(C) Plaint or written statement or rejoinder
(D) Plaint alone

15. Order rejecting plaint under Order 7 Rule 11 of CPC

(A) is a decree
(B) is an order
(C) is a deemed decree
(D) is an interim order

Transfer of Property Act

16. Provision of Section 53A of the Transfer of Property Act, 1882 the rights of following transferee for consideration, shall not be affected

(A) Who is a gratuitous transferee
(B) Who has notice of the contract
(C) Who has no notice of the contract
(D) Whether he has notice of the contract or no notice of the contract

17. A lets a farm to B on condition that he shall walk hundred miles in an hour-

(A) The lease is void
(B) Lease can be executed if B walks 100 miles in an hour
(C) Lease can be executed
(D) Conditional transfer can be made

18. If the tenancy of an immovable property is monthly, then in order to terminate the lease of it, a notice of which period shall be given

(A) One month
(B) Two months
(C) Six months
(D) Fifteen days

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

(A) Transfer can only be done through a transfer deed
(B) Transfer can be oral/without writing also
(C) Transfer can only be done through a registered deed
(D) Transfer can be done only by writing

20. Under Transfer of Property Act, if the donor dies before acceptance of the gift by donee?

(A) The gift is valid
(B) The gift is void
(C) The gift is voidable
(D) None of these

Indian Contract Act

21. Under Indian Contract Act, an agreement which is enforceable by law at the option of one or more of the parties thereto, but not at the option of the other or others, is

(A) an illegal agreement
(B) a void agreement
(C) a valid agreement
(D) a voidable contract

22. If the time of performance of the contract is the essence of the contract and the promisor fails to perform the contract by the specified time

(A) The contract becomes un-enforceable
(B) The contract becomes void
(C) The contract remains valid and enforceable
(D) The contract becomes voidable at the option of the promisee

23. Under Indian Contract Act, an agreement to remain unmarried is

(A) Valid
(B) Voidable
(C) Void
(D) Unenforceable

24. 'A' hires a carriage of 'B'. The carriage is unsafe though 'B' is not aware of it, and A is injured

(A) 'B' is not responsible to 'A' for the injury
(B) 'B' is responsible to 'A' for the injury
(C) Both are contributory negligent
(D) 'A' himself is responsible

25. A proposal when accepted becomes

(A) Promise
(B) Agreement
(C) Contract
(D) Acceptance

Specific Relief Act

26. Under the Specific Relief Act, a suit for recovery of possession can be filed

(A) Only in respect of movable property
(B) Only in respect of immovable property
(C) In respect of both movable and immovable property
(D) Neither movable nor immovable property

27. Under section 6 of the Specific Relief Act suit by person dispossessed of immovable property shall not be brought

(A) After the expiry of one year from the date of dispossession
(B) After the expiry of six months from the date of dispossession
(C) After the expiry of three months from the date of dispossession
(D) After the expiry of six weeks from the date of dispossession

28. An injunction granted during the pendency of a suit, under section 37 of Specific Relief Act 1963 is known as a

(A) Permanent Injunction
(B) Mandatory Injunction
(C) Temporary Injunction
(D) Perpetual Injunction

29. An order or decree under Section 6 of the Specific Relief Act, is –

(A) Appealable
(B) Reviewable
(C) Neither appealable nor reviewable
(D) Both appealable and reviewable

Limitation Act

30. Under Limitation Act, the Period of limitation for a suit by a landlord to recover possession from a tenant after determination of tenancy is

(A) 30 years
(B) 2 years
(C) 3 years
(D) 12 years

31. Any suit for which no period of limitation is provided elsewhere in the schedule of the Act, the limitation would be

(A) One year
(B) Three years
(C) Three months
(D) Twelve years

32. Under Limitation Act, period of limitation for setting aside an ex-parte decree is .....

(A) 1 month
(B) 30 days
(C) 60 days
(D) 90 days

M.P. Accommodation Control Act

33. Under M.P. Accommodation Control Act, essential supply enjoyed by a tenant in respect of the accommodation let to him is cut off by the land lord. Who will make an order to restore such supply?

(A) Collector
(B) Civil Court
(C) Rent Controlling Authority
(D) Municipal corporation or municipality as the case may be

34. Under M.P. Accommodation Control Act, an Appeal shall lie against the order passed by Rent Controlling Authority to the

(A) High Court
(B) District Judge
(C) Collector
(D) State Government

35. Under M.P. Accommodation Control Act, the landlord gets entitled to get the house vacated from the tenant if he did not use it continuously for .....

(A) 12 months
(B) 3 months
(C) 6 months
(D) 9 months

36. Where a landlord has acquired any accommodation by transfer, he cannot bring a suit for eviction on the ground specified in clause (e) or (f) sub-section (1) of Section 12 of M.P. Accommodation Control Act until

(A) One year has not elapsed
(B) Six months has not elapsed
(C) Three months has not elapsed
(D) Two months has not elapsed

37. The provisions of Chapter 2 of M.P. Accommodation Control Act, 1961 will not be applicable to a newly constructed house for a period of

(A) Five Years
(B) Seven Years
(C) Three Years
(D) One Year

M.P. Land Revenue Code

38. Where a dispute arises between State Government & a person with regard to the subject mentioned in Section 57 of MP Land Revenue Code, from the date 30.12.2011, it shall be decided by

(A) State Government
(B) Tahsildar
(C) Sub Divisional Officer
(D) Collector

39. Under M.P. Land Revenue Code, who will decide the disputes relating to demarcation and maintenance of boundary lines?

(A) Tahsildar
(B) Sub-divisional Officer
(C) Collector
(D) Commissioner

40. Under M.P. Land Revenue Code, a Bhumiswami cannot lease any land comprised in his holding for more than one year

(A) During any consecutive period of Five years
(B) During any consecutive period of Three years
(C) During any consecutive period of Two years
(D) During any consecutive period of Four years

41. Under M.P. Land Revenue Code, wajib-ul-arz of a village is maintained by the.....

(A) Tahsildar
(B) Kotwar
(C) Sub-Divisional Officer
(D) Patwari

42. Under Section 11 of MPLRC, 1959 who is not Revenue Officer?

(A) Settlement Officer
(B) Revenue Inspector
(C) Asstt. Suptd. Land Records
(D) Naib Tahsildar

Indian Evidence Act

43. Under Indian Evidence Act, 1872 the provision of relevancy of oral admission as to contents of electronic records is provided under

(A) Section 22 of Indian Evidence Act
(B) Section 22A of Indian Evidence Act
(C) Section 23 of Indian Evidence Act
(D) Section 23A of Indian Evidence Act

44. Under Indian Evidence Act,1872 which one of the following is not essential condition for admissibility of dying declaration?

(A) The statement as to any of the circumstances of the transaction which resulted in his death
(B) Person making statement must be under expectation of death at the time of making such statement
(C) Death of the person making dying declaration is must
(D) The statement must be to the cause of his death

45. Section 159 of Evidence Act provides for

(A) The credit of a witness may be impeached
(B) Court's power to disallow indecent or scandalous question
(C) Witness can refresh his memory
(D) To put any question which might be put in cross-examination by party to his own witness

46. A is tried for the murder of B by poison. The fact that before the death of B, A produced poison similar to that which was administered to B, is

(A) Not relevant
(B) Relevant
(C) Partly relevant
(D) Neither relevant nor irrelevant

47. Exception to admissibility of Hearsay evidence is

(A) Section 62 Evidence Act
(B) Section 32 Evidence Act
(C) Section 21 Evidence Act
(D) Section 72 Evidence Act

48. Under Section 27 of the Evidence Act the 'Fact discovered' means.....

(A) The object produced only
(B) The place from where the object is produced only
(C) The knowledge of the accused as to the object and the place
(D) None of these

49. Under Indian Evidence Act, 1872 "Motive" becomes more relevant in a case based on

(A) Direct evidence
(B) Circumstantial evidence
(C) Documentary evidence
(D) Without any evidence

50. Under Indian Evidence Act, 1872, evidence of "hostile witness"

(A) Cannot be taken into consideration for any purpose
(B) It cannot be relied on by the prosecution
(C) It can be relied only by the defence
(D) It can be relied on by the prosecution as well as the defence

51. Under Indian Evidence Act, 1872, the Rule of "Res gestae" is applicable in

(A) Civil cases only
(B) Criminal cases only
(C) Civil as well as Criminal cases
(D) Not applicable in any case

52. In prosecution for an offence under section 376 of IPC, where the question of consent is an issue, it shall not be permissible to adduce evidence or to put questions in the cross examination of the victim as to the general immoral character, or previous sexual experience, of such victim with any person for proving such consent or the quality of consent is provided in which Section of Indian Evidence Act.

(A) 145
(B) 146
(C) 147
(D) 148

Indian Penal Code

53. "A" Puts his hand in the pocket of "B" for stealing money but he found nothing in B's pocket as it was empty. "A" has committed offence of

(A) Mischief
(B) Attempt to commit theft
(C) Theft
(D) No offence

54. Under Indian Penal Code, 1860, which Ingredient is not necessary to constitute an offence of abetment

(A) Conspiracy
(B) Intentional aid
(C) Instigation
(D) Act abetted should be committed

55. Two persons, A & B fight with each other. A was having a blade with which 'A' inflicts injury on the face of 'B' leaving a permanent scar on the face of B. A is guilty of offence of causing

(A) Grievous hurt by sharp cutting object
(B) Grievous hurt by rash or negligent act
(C) Simple hurt by sharp cutting object
(D) Simple hurt by rash or negligent act

56. In which of the section of the Indian Penal Code 'Stalking' of a woman by any man is punishable?

(A) 354-A
(B) 354-B
(C) 354-D
(D) 354-C

57. 'X' finds a Government promissory note belonging to 'C' bearing a blank endorsement. 'X' knowing that the note belongs to 'C', pledged it with a banker as a security for loan, intending to restore it to 'C' within a week. 'X'

(A) is not guilty of any offence
(B) is guilty of criminal breach of trust
(C) is guilty of cheating
(D) is guilty of criminal misappropriation

58. 'A' finds the key to Y's house door, which 'Y' had lost and commits house trespass by entering Y's house having opened the door with that key. What offence has 'A' committed?

(A) Lurking house trespass
(B) Criminal misappropriation
(C) Attempt to commit theft
(D) House breaking

59. A prepares a mark sheet with an intention to get a job thereby he committed the offence of

(A) Mischief
(B) Cheating
(C) Forgery
(D) Misrepresentation

60. Nothing is an offence which is done by a child who is

(A) under 9 years of age
(B) under 7 years of age
(C) under 12 years of age
(D) under 16 years of age

61. Under Indian Penal Code, 1860, what must be the age of a minor with regard to the offence of kidnapping from lawful guardianship?

(A) Under sixteen years of age male or under eighteen years of age female
(B) Under eighteen years of age male or under twenty one years of age female
(C) Under twenty years of age male or under twenty one years of age female
(D) Under eighteen years of age male or under sixteen years of age female

62. Under Indian Penal Code, 1860, if the offence is punishable with fine only and accused has been awarded with fifty rupees fine the period of imprisonment in default shall

(A) not exceeding one month
(B) not exceeding two month
(C) not exceeding three month
(D) not exceeding four month

Code of Criminal Procedure

63. Under Criminal Procedure Code, 1973, if a person is arrested by Police Officer without warrant, whether such person, has been admitted to bail or otherwise, the officer in- charge of the police station shall report to

(A) The District Magistrate only
(B) The sub-divisional Magistrate only
(C) The District Magistrate or if he so directs, to the Sub-divisional Magistrate
(D) The Judicial Magistrate having jurisdiction

64. Under Criminal Procedure Code, 1973, no court shall take cognizance of an offence punishable with fine only, after the expiry of a period of

(A) Six months
(B) Twelve months
(C) Thirty six months
(D) No limitation

65. Who can not tender pardon to an accomplice under section 306 of the Code of Criminal Procedure

(A) Chief Judicial Magistrate
(B) Metropolitan Magistrate
(C) The Judicial Magistrate First Class inquiring into or trying the offence
(D) Executive Magistrate

66. When can a trial court release an accused on bail under Section 389(3) Cr.P.C. after conviction?

(A) Where accused is on bail and imprisonment is not exceeding 3 years
(B) Where accused is on bail and imprisonment is not exceeding 5 years
(C) Where accused is on bail and imprisonment is not exceeding 7 years
(D) Where offence is exclusively bailable whether accused is on bail or not

67. Under Criminal Procedure Code, 1973, "Summons Case" means a case relating to an offence

(A) Imprisonment for a term exceeding two years
(B) Punishable with death
(C) Imprisonment for life
(D) Imprisonment which may extend to two years

68. An application filed under section 257 of Criminal Procedure Code is allowed so the accused will be-

(A) Released
(B) Discharged
(C) Convicted
(D) Acquitted

69. On completion of investigation, the officer Incharge of a police station shall forward the police report under section 173(2) Cr.P.C. to

(A) Sessions Court
(B) Chief Judicial Magistrate
(C) Any Judicial Magistrate
(D) Magistrate empowered to take cognizance of the offence

70. Under Section 125 Cr.P.C., a Magistrate of the First Class can order a person to make a monthly allowance for the maintenance of his

(A) Married daughter who has attained majority
(B) Brother
(C) Sister
(D) Father

71. Under Criminal Procedure Code, 1973, what is effect of trial conducted in wrong place?

(A) Vitiate itself
(B) Vitiate if caused failure of justice
(C) Seriousness has to be seen
(D) Is to be referred to Session Judge

72. Under Criminal Procedure Code, 1973, whether an accused may be a competent witness in his own defence?

(A) On his own request in writing
(B) On mere oral request
(C) With the leave of Court of Session
(D) With the leave of CJM only

Negotiable Instruments Act

73. In order to rebut the presumption under Section 138 & 118 of N.I. Act accused

(A) Must prove the absence of consideration by direct evidence
(B) Must prove absence of consideration beyond reasonable doubt
(C) Must give some evidence in defence
(D) May rebut the presumption on the principle of preponderance of probability

74. Under Negotiable Instrument Act, 1881, an instrument in writing containing an unconditional undertaking, signed by the maker, to pay a certain sum of money only to, or to the order of, a certain person, or to the bearer of the instrument is a .....

(A) Promissory Note
(B) Bill of Exchange
(C) Currency Note
(D) Truncated Cheque

75. Under Section 143 of the N.I. Act, 1881 the trial shall be made to conclude after filing of complaint within ..... period?

(A) 2 months
(B) 4 months
(C) 6 months
(D) 8 months

General Knowledge

76. "My Own Boswell" is the Autobiography of

(A) Justice M. Hidayatullah
(B) Justice Fathima Beevi
(C) Justice J.S. Verma
(D) Justice A.M. Ahmadi

77. Who was the first Indian to receive a Nobel Prize?

(A) C.V. Raman
(B) Hargobind Khurana
(C) Mother Teresa
(D) Rabindranath Tagore

78. In first battle of Panipat, Babar defeated which Lodi ruler to establish Mughals Dynasty in India?

(A) Ibrahim Lodi
(B) Bahlul Lodi
(C) Daulat Lodi
(D) Sikandar Lodi

79. Which Movement was launched along with the Khilafat Movement?

(A) Swadeshi movement
(B) Home rule movement
(C) Civil Disobedience movement
(D) Non-cooperation Movement

80. Who is the first Prime Minister of INDIA to address The British Parliament?
(A) Jawaharlal Nehru
(B) Indira Gandhi
(C) Dr. Manmohan Singh
(D) Narendra Modi

81. Microsoft has selected which city for its pilot project in Digital India initiative?
(A) Allahabad
(B) Kolkata
(C) Bengaluru
(D) Varanasi

82. Who is also known as Chanakya?
(A) Rajasekhara
(B) Vishnugupta
(C) Vishakhadatta
(D) Bhattasvamin

83. Who amongst the following is starting the "Project Loon" in India?
(A) Microsoft
(B) Amazon
(C) Google
(D) Facebook

84. National legal literacy day is celebrated on
(A) 7th November
(B) 9th November
(C) 14th November
(D) 16th November

85. How many states are in India?
(A) 24
(B) 26
(C) 28
(D) 29

86. Tapti river is originated from
(A) Kakri bardi
(B) Multai
(C) Amarkantak
(D) Kamoor pahadi

87. Who built the Sanchi Stupa?
(A) Chandra Gupt
(B) Kautilya
(C) Gautam Buddha
(D) Ashoka

88. Where is the Samadhi of Maharani Laxmibai situated?
(A) Shivpuri
(B) Mandu
(C) Jabalpur
(D) Gwalior

89. Which site is not included in World Heritage List?
(A) Temples of Khajuraho
(B) Sanchi Stup
(C) Bhimbetka Caves
(D) Marble Rocks, Jabalpur

90. In which district of M.P. Birth Place of Chandra Shekhar Azad is situated?
(A) Alirajpur
(B) Jhabua
(C) Dhar
(D) Badwani

Computer Knowledge

91. Portrait and Landscape are
(A) Page Layout
(B) Page Orientation
(C) Page Edit
(D) Page Size

92. Binary language consists of
(A) 2 Digits
(B) 3 Digits
(C) 4 Digits
(D) 10 Digits

93. Which one of the following is not an operating system
(A) Ubuntu
(B) Windows
(C) Linux
(D) Word processor

94. Full form of URL is?
(A) Uniform Resource Locator
(B) Uniform Resource Link
(C) Uniform Registered Link
(D) Unified Resource Link

95. Which one works as an output and input device?

(A) Modem
(B) Scanner
(C) Mouse
(D) Monitor

English Knowledge

96. A person who has committed such an ..... crime must get the most severe punishment.

(A) Unworthy
(B) Injurious
(C) Uncharitable
(D) Abominable

97. Select the word which is most nearly the same in meaning as the word "DEFIANCE"

(A) Insult
(B) Denial
(C) Degradation
(D) Resistance

98. Select the word which is most nearly opposite in meaning as the word "FORBID"

(A) Forgive
(B) Allow
(C) Refuse
(D) Deprive

99. I didn't..... T.V. last night.

(A) Not watched
(B) Watch
(C) Watching
(D) Watched

100. I think I've got a cold; I can't stop ....

(A) Sneeze
(B) The sneezing
(C) To sneeze
(D) Sneezing