# Madhya Pradesh Civil Judge (Prelims) 2016

High Court of Madhya Pradesh, Jabalpur · Civil Judge Class II (Entry Level) · 11 December 2016 · 100 questions · English version

## Law

1. In which case an amendment in the constitution, shall also be required to be ratified by the Legislatures of not less than one half of the States to that effect, where such an amendment is in respect of :-
(a) Article 54, 55, 73, 162, or Article 241
(b) Any of the lists in the seventh schedule
(c) Representation of states in parliament
(d) Provisions relating to part XII chapter-I
(1) Only (a) & (b)
(2) (a), (b) & (c)
(3) Only (c) & (d)
(4) (b), (c) & (d)

2. Which among the following is not a fundamental right-
(a) Right to equality
(b) Right to freedom of religion
(c) Right to constitutional remedies
(d) Equal justice & free legal aid
(1) (a), (b) & (C)
(2) Only (a)
(3) Only (d)
(4) Only (b)

3. In the Sixth schedule of the Indian Constitution, provisions with regard to administration of tribal areas of some states have been made. Which of the following states is not included therein-
(1) Meghalaya
(2) Mizoram
(3) Tripura
(4) Manipur

4. Article 17 of Indian constitution deals with...
(1) Education
(2) Health
(3) Abolition of untouchability
(4) Food guarantee

5. Criminal Procedure Code is subject of which list of Constitution of India ?
(1) Central list
(2) State list
(3) Concurrent list
(4) Residual list

6. Under Civil Procedure Code, a Court may not issue a commission -
(1) For elucidating any matter in dispute
(2) For ascertaining the market value of any property
(3) For the assessing the amount of any mesne profits or damages
(4) For framing of issue

7. Under which of the following Orders of C.P.C., provisions regarding a suit by indigent persons has been given -
(1) Order-XXXII(A)
(2) Order-XXXIII
(3) Order-XXXII
(4) Order-XXXIV

8. Under order 43 of Civil Procedure Code, against which order an appeal shall not lie-
(1) An order to set aside or refusing to set aside a sale
(2) An order rejecting an application for permission to sue as an indigent person
(3) An order on an objection to the draft of a document
(4) When the subordinate court has exercised its jurisdiction illegally or with material irregularity

9. Which Provision (Order) of Civil Procedure Code deals with summons and attendance of witness ?
(1) Order 5 CPC
(2) Order 10 CPC
(3) Order 16 CPC
(4) Order 21 CPC

10. Which Provision (Order) of Civil Procedure Code deals with production, impounding and return of documents ?

(1) Order 13 CPC
(2) Order 5 CPC
(3) Order 17 CPC
(4) Order 24 CPC

11. Under Civil Procedure Code, a litigant having a grievance of Civil nature has a right to institute a Civil suit if cognizance is .....

(1) Not expressly barred
(2) Impliedly barred
(3) Expressly and Impliedly barred
(4) None of these

12. Under Civil procedure code, defendant can ask for temporary injunction against the plaintiff if .....

(1) plaintiff threatens the defendant to dispossess him from the suit property
(2) The plaintiff threatens to dispose off the property with a view to defrauding his creditors
(3) If property in dispute in a suit is in danger of being wasted, damaged or alienated by the plaintiff
(4) If defendant threatens the plaintifee to dispose off the property

13. Under C.P.C. 1908, on death of either parties to the suits between the conclusion of the hearing and the pronouncing of the judgment, the suit .....

(1) shall abate
(2) shall not abate
(3) May abate with the permission of the Court
(4) May abate with the consent of the other party

14. Under Civil procedure code, who is not exempted from personal appearance in the Civil Court ?

(1) Vice-President of India.
(2) Ministers of Union and States.
(3) Judges of Supreme Court and High Courts.
(4) Chairman Union Public service Commission.

15. Under order 32 Rule 1 of Civil Procedure Code a minor means a person who has not attained his majority within the meaning of .....

(1) Juvenile Justice Act
(2) Civil Procedure Code
(3) Indian Majority Act
(4) Hindu Minority and Guardianship Act

16. Transfer of Property Act :- Which among the following is false statement about the term "Clog On Redemption"

(1) It is an absolute right
(2) It is a statutory right
(3) It can be fettered by any condition
(4) Any condition contained in mortgage deed, which obstructs the right of redemption will be null and void.

17. Transfer of Property Act :- What is the effect of "Holding over" ?

(1) The lease becomes illegal
(2) The lease is renewed
(3) The lease becomes extinguished
(4) The lease becomes void

18. Transfer of Property Act :- Which of the following do not convey title ?

(1) Registered exchange deed
(2) Registered will
(3) Registered gift deed
(4) Registered sale deed

19. Within the meaning of section 51 of the Transfer of Property Act, 1882, the transferee:

(1) is not entitled to value of improvements.
(2) is entitled to value of improvements.
(3) has conditional entitlement to value of improvements.
(4) None of these

20. Which Section of T.P. Act preserves the rule of Mohammedan Law and excludes the applicability of S. 123 of T.P. Act which mandates that the gift of immovable property must be effected by a registered instrument as stated therein -

(1) S. 126
(2) S. 127
(3) S. 128
(4) S. 129

21. Which of the following is not a quasi contract ?

(1) Obligation of person enjoying benefit of non gratuitous act.
(2) Responsibility of finder of goods
(3) Quantum meruit
(4) Novation

22. Indian Contract Act :- 'A' contracts to sell and deliver 500 bales of cotton to 'B' on a fixed day. 'A' knows nothing of B's mode of conducting his business. 'A' breaks his promise and 'B', having no cotton is obliged to close his mill. Is 'A' responsible for the loss caused to 'B' by the closing of Mill ?

(1) Yes
(2) No
(3) To the extent of the loss caused
(4) None of these

23. Indian Contract Act :- 'X' hires a carriage of 'Y'. The carriage is unsafe, though 'Y' is not aware of it and 'X' is injured. For the injury to 'X', 'Y' is--

(1) Liable
(2) Not liable
(3) Liable to the extent of 50%
(4) None of these

24. Indian Contract Act :- 'A' enters into a contract with 'B' to sell him 100 bales of cotton, and afterwards discovers that 'B' was acting as agent for 'C'. For the price of the cotton 'A' may sue .....

(1) Only Against 'C'
(2) Only Against 'B'
(3) against 'B' or 'C' or both
(4) neither against 'B' nor 'C'

25. Under Indian Contract Act, goods displayed in a shop window with a prize label will amount to -

(1) An offer
(2) An acceptance
(3) An invitation to offer
(4) Counter offer

26. An injunction granted during the pendency of the suit u/s 37 of Specific Relief Act, 1963 is :

(1) Perpetual injunction
(2) Mandatory injunction
(3) Temporary Injunction
(4) Permanent injunction

27. Under Specific Relief Act, when Injunction can be granted

(1) to prevent the breach of a contract the performance of which would be specifically enforced;
(2) to prevent, on the ground of nuisance, an act of which it is not reasonably clear that it will be a nuisance;
(3) to prevent a continuing breach in which the plaintiff has acquiesced;
(4) when the plaintiff has no personal interest in the matter.

28. As per section 40 of the Specific Relief Act, where an instrument is evidence of different rights or different obligations the court may in a proper case -

(1) cancel it in part and allow it to stand for the residue
(2) cancel it in whole
(3) cannot cancel its any part
(4) None of these

29. The grant of decree of specific performance for the court is :

(1) Discretionary
(2) Mandatory
(3) Arbitrary
(4) Obligatory

30. Under Limitation Act, which of the following shall not be counted for computation of period of limitation :-

(1) The day from which the period is to be counted
(2) Time taken by the advocate to prepare memorandum of appeal
(3) Time taken to obtain copy of judgment/order/award
(4) Time taken for obtaining leave to sue as an indigent person

31. A fresh period of limitation shall be computed from the time when the acknowledgement was.....

(1) Signed before expiration of prescribed period
(2) Signed after expiration of prescribed period
(3) Oral agreement before expiration of prescribed period
(4) Oral agreement after expiration of prescribed period

32. Whether a court can grant extension of period of limitation under section 5 on the ground of 'sufficient cause' in case of an application under order XXI of the C.P.C.

(1) No.
(2) Yes.
(3) With the permission of High Court .
(4) with the consent of both parties.

33. If after the tenant has delivered possession on or before the date specified in the order under clause (g) or clause (h) of sub section (1) of section 12 of the M.P. Accommodation Control Act, landlord fails to commence the work of repairs or building or rebuilding within ..... of the specified date on an application made to it, Court may order landlord to place the tenant in occupation of the accommodation or part thereof.

(1) Two months
(2) Three months
(3) one month
(4) six months

34. Under Which section of M.P. Accommodation Control Act 1961 is provided for fixation of provisional rent ?

(1) Section 12 (1)
(2) Section 12 (2)
(3) Section 13 (2)
(4) Section 13 (6)

35. M.P. Accommodation Control Act :- If a landlord receives any rent in excess of the standard rent as fixed by the Rent Controlling Authority he shall be punished with simple imprisonment for a term which may extend to -

(1) Three months.
(2) Six Months.
(3) One year.
(4) One month.

36. Which one is not the correct answer :- The Government may, by notification, exempt any accommodation from all or any of the provisions of the M.P. Accommodation Control Act -

(1) which is owned by any educational institution.
(2) which is owned by any religious institution.
(3) which is owned by any charitable institution.
(4) which is owned by any cultural institution.

37. M.P. Accommodation Control Act :- No suit for the eviction of a tenant shall be maintainable on the grounds specified under 12(1)(e) or 12(1)(f), unless a period of ..... has elapsed from the date of acquisition.

(1) One year
(2) Two year
(3) Three years
(4) Five years

38. Which Revenue Officer is competent to take action under section 248, 250 M.P. L R C.

(1) Tahsildar Revenue
(2) Sub Divisional officer revenue
(3) Collector
(4) Civil Judge class-II

39. Under M.P. Land Revenue Code, what rights of village entered in Wajib-ul-arz record ?

(1) Only the right to irrigation
(2) Only Right of way
(3) Only other easement
(4) All of these

40. Under Section 113 of M.P. Land Revenue Code, clerical errors which have been made in the record of rights may at any time be corrected by the .....

(1) Tahsildar
(2) Sub Divisional Officer
(3) Revenue Inspector
(4) Collector

41. According to Section 57 of M.P. Land Revenue Code, where a dispute arises between the State Government and any person in respect of any right under sub-section (1) such dispute shall be decided by the -

(1) Sub-divisional Officer
(2) Collector
(3) Civil Court
(4) State Government.

42. According to M.P. Land Revenue Code, Who is not a Revenue Officer ?

(1) Naib Tahsildar
(2) Revenue Inspector
(3) Settlement Officer
(4) Assistant Superintendents Land Records

43. Under Indian Evidence Act 1872, which among the following does not come under the category of privileged communications ?

(1) Communications made during marriage
(2) Communications made by a witness who is unable to communicate verbally
(3) Official communications
(4) Professional Communications

44. Which section of Indian Evidence Act principle of "Res gestae" is enshrined ?

(1) Section-6
(2) Section-7
(3) Section-8
(4) Section-9

45. Under Indian Evidence Act 1872, what is not a Primary Evidence ?

(1) Document made by printing
(2) Document made by Lithography
(3) Document made by Photography
(4) Document copies of common original

46. Indian Evidence Act 1872 :-
(A) 'A' agrees absolutely in writing to pay 'B'. Rs. 1,000 on the 1st March, 2010. The fact that, at the same time an oral agreement was made that the money should not be paid till the thirty-first March, cannot be proved.
(B) 'A' Sells 'B' a horse and verbally warrants him sound. 'A' gives 'B' a paper in these words “Bought of 'A', a horse for Rs. 500”. 'B' may prove the verbal warranty.

(1) (A) incorrect, (B) correct
(2) (B) Incorrect, (A ) Correct
(3) Both correct
(4) Both Incorrect

47. Under section 45 of Evidence Act Opinion of expert witness is..

(1) A Conclusive proof.
(2) Is not relevant.
(3) Is not admissible.
(4) Is not a conclusive proof.

48. Presumption as to electronic agreements is provided in section.....of Evidence Act.

(1) 85
(2) 85-A
(3) 85-B
(4) 85-C

49. A dying declaration under Sec. 32 of the Indian 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 Judicial Magistrate.
(4) Only when it is made to a Executive Magistrate.

50. 'A' is charged with travelling on a railway without a ticket. Under the Indian Evidence Act, the burden of proving that he had a ticket, is on -

(1) Prosecution
(2) Accused
(3) Complainant
(4) Prosecution witness

51. Under Indian Evidence Act, 1872 the statement of hostile witness -

(1) is irrelevant
(2) can be acted upon
(3) cannot be acted upon
(4) has no evidentiary value

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

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

53. Under Section-230 of the Indian Penal Code, 1860 which of the following is not or has not been a "Coin" :-

(1) The coin denominated as the company's rupee.
(2) The 'Farrukhabad Rupee'
(3) A metal used for the time being as money and stamped and issued by the authority of some state or sovereign power.
(4) Lumps of unstamped Metal used as money

54. Under Indian Penal Code, which of the following amounts to defamation :-

(1) To convey a caution intended for good of person, to whom conveyed or for public good.
(2) To make an imputation concerning a company or an association or collection of persons as such.
(3) Censure passed in good faith by person having lawful authority over others
(4) Publication of reports of proceedings of court.

55. 'A' without any excuse fires a loaded cannon into a crowd of persons and kills one of them. Although he may not have had a premeditated design to kill any particular individual. 'A' committed offence of .....

(1) S.299 IPC
(2) S. 300 IPC
(3) S. 304 IPC
(4) S. 304A IPC

56. After Criminal Law (Amendment), 2013 to the Indian Penal Code the offence of Gang Rape is punishable under section -

(1) 376(2)(g)
(2) 376B
(3) 376C
(4) 376D

57. Removal of Ornaments dishonestly from the body of the deceased person is .....

(1) Robbery Under section 392 of I.P.C.
(2) Theft Under section 378 of I.P.C.
(3) An offence under section 404 of I.P.C.
(4) An offence under section 416 of I.P.C.

58. Section 511 of Indian Penal Code will applies to .....

(1) Attempt to commit murder.
(2) Attempt to commit suicide.
(3) Attempt to commit theft
(4) Attempt to commit robbery

59. Under Indian Penal Code, which of the statement represents the correct position of law ? To constitute abetment it is.....

(1) necessary that the act abetted must be committed.
(2) not necessary that the act abetted must be committed.
(3) necessary that the person abetted must have the same intention or knowledge as that of the abettor.
(4) None of these

60. Indian Penal Code :- 'A' cuts down a tree on 'B's land with the intention of dishonestly taking the tree out of 'B's possession, without 'B's consent. which offence is committed by 'A' ?

(1) Robbery
(2) Criminal breach of trust
(3) Extortion
(4) Theft

61. Under Indian Penal Code, a married man commits adultery if he has intercourse with a/an -

(1) Unmarried woman
(2) Married woman other than his wife
(3) Any woman except his wife
(4) Unmarried woman without her consent

62. Indian Penal Code :- 'A' prepares a mark sheet with an intention to get a job thereby he committed the offence of -

(1) mischief
(2) cheating
(3) forgery
(4) falsification of accounts

63. Under Criminal Procedure Code, the maximum term of imprisonment awardable in a "Summary Trial" is

(1) One Month
(2) Three Months
(3) Six Months
(4) One Year

64. Under Criminal Procedure Code, which irregularity vitiate proceedings & shall be void if any Magistrate, not being empowered by law .....

(1) demands security to keep the peace
(2) issues a search warrant under section 94 Cr.P.C.
(3) hold an inquest under section 176
(4) sells property under section 458 Or Section 459 Cr.P.C.

65. Under Criminal Procedure Code, the period of limitation for taking cognizance of any offence shall be three years.....

(1) If the offence is punishable with imprisonment for a term exceeding one year but not exceeding three years
(2) If the offence is punishable with imprisonment for a term exceeding three years but not exceeding seven years
(3) If the offence is punishable with imprisonment for a term exceeding one year but not exceeding ten years
(4) If the offence is punishable with imprisonment for a term not exceeding one year

66. In M.P. offence under section 317 & 318 of IPC is triable by which Court....

(1) Judicial Magistrate First Class
(2) Chief Judicial Magistrate
(3) Court of Session
(4) Chief Metropolitan Magistrate

67. Who among the following is not entitled to claim maintenance under section 125 of Cr.P.C. ?

(1) Wife living in adultery.
(2) Major married daughter who can not maintain herself.
(3) Both Husband and wife living separately by mutual consent.
(4) all of these

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

(1) Where accused is on bail and imprisonment is not exceeding 3 Years.
(2) Where accused is on bail and imprisonment is not exceeding 5 Years.
(3) Where accused is on bail and imprisonment is not exceeding 4 Years.
(4) Where accused is on bail and imprisonment is not exceeding 2 Years.

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

(1) Released
(2) Discharged
(3) Convicted
(4) Acquitted

70. Who can withdraw a case from the prosecution under Section 321, Cr. P.C.?

(1) The State Government
(2) Public Prosecutor Incharge of a case with the permission of Court
(3) Public Prosecutor Incharge of a case even without permission of Court
(4) District Magistrate

71. Can a person discharged under section 258 of Criminal Procedure Code be tried again for the same offence

(1) No he can't 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. An Executive Magistrate is empowered to grant remand u/s 167 Cr.P.C. for a maximum period of -

(1) 15 days
(2) 7 days
(3) 60 days
(4) 90 days

73. Offences under the Negotiable Instrument Act are triable by -

(1) Sessions Judge
(2) Judicial Magistrate first Class
(3) Executive Magistrate
(4) Judicial Magistrate Second Class

74. Offence under Negotiable Instrument Act are :

(1) Cognizable & compoundable
(2) Non Cognizable & compoundable
(3) Cognizable & Non compoundable
(4) Non Cognizable & non compoundable

75. Which section provides that the offences under the Negotiable Instrument Act are compoundable-

(1) Section 137
(2) Section 141
(3) Section 147
(4) Section 149

## General knowledge

76. Which one is the 'Open Defecation Free State' in India ?

(1) M.P.
(2) Kerala
(3) Goa
(4) Sikkim

77. In which state Garampani sanctuary is located ?

(1) Gujarat
(2) Assam
(3) Nagaland
(4) Sikkim

78. Bansagar dam is situated on the river .....
(1) Sone
(2) Chambal
(3) Parvati
(4) Banganga

79. One Nautical Mile is equal to...
(1) 1005 Meter
(2) 1250 Meter
(3) 1575 Meter
(4) 1852 Meter

80. Who won the Gold Medal for Men's Javelin Throw in Rio Paralympics games 2016 for India ?
(1) Devendra Jhajharia
(2) Mariyappan Thangavelu
(3) Varun Singh Bhati
(4) Jitu Rai

81. What is 'TEJAS'
(1) Air to air missile
(2) Remote operated aircraft
(3) Space launching vehicle
(4) First Indian made fighter plane

82. What is 'Lithotripsy' ?
(1) Art of writing on stone
(2) Breaking of Kidney stone through waves
(3) Carbon dating of stone
(4) Branch of calligraphy

83. What is the maximum fixed strength of Rajya Sabha ?
(1) 220
(2) 230
(3) 238
(4) 250

84. World Consumer Right Day is observed every year on ...
(1) 9 November.
(2) 5 September.
(3) 15 March.
(4) 10 December.

85. Who among the following wrote Sanskrit grammar?
(1) Kalidasa
(2) Charaka
(3) Panini
(4) Aryabhat

86. Who won the first ever Olympic Medal for Women's Wrestling in Rio Olympic for India ?
(1) P.V. Sindhu
(2) Dipa Karmakar
(3) Sakshi Malik
(4) Saina Nehwal

87. Which one of the following Expressway is the longest in India ?
(1) Yamuna Expressway
(2) Mumbai-Pune Expressway
(3) Western Expressway
(4) Agra-Lucknow Expressway

88. What is not found in animal cell ?
(1) Cell wall of cellulose
(2) Nucleus
(3) Mitochondria
(4) Ribosome

89. Where in Madhya Pradesh All India Classical Dance Festival is organized every year ?
(1) Pachmarhi
(2) Khajuraho
(3) Orachha
(4) Gwalior

90. The Ozone Layer restricts
(1) Visible light
(2) Infrared rediation
(3) X-ray and gamma rays
(4) Ultraviolet radiation

## Computer knowledge

91. Full form of URL is -
(1) Uniform resource Locator
(2) Uniform resource Link
(3) Uniform registered link
(4) Uniform resource Lab

92. IC chips used in computers are made of-
(1) Silicon
(2) Chromium
(3) Lead
(4) Silver

93. 'Word Processing', 'Spread Sheet' and 'Photo Editing' are example of -

(1) Application Software
(2) System Software
(3) Operating System Software
(4) Platform Software

94. Computer Speed is measured in which of the following ?

(1) TB
(2) MB
(3) KB
(4) MIPS

95. Servers are computers that provide resources to other computers connected to a .....

(1) mainframe
(2) super computer
(3) network
(4) Client

## English

96. Find out the correct Antonym for the word 'Veracity' -

(1) Falsehood
(2) Heinous
(3) Ruined
(4) Composed

97. ..... the cover of darkness, the enemy crept .....

(1) in,over
(2) in,along
(3) under,up
(4) through,upon

98. Word which best express the meaning of the "Nebulous"

(1) Vague
(2) Tiny
(3) Insignificant
(4) Inadequate

99. What does the Phrase 'In one's true colours' mean -

(1) In point of
(2) In one's favour
(3) As distinct from what one pretends to be
(4) In the end

100. Find the correct spelt word-

(1) Aquisition
(2) Acquizition
(3) Acquisition
(4) Acquisision