Odisha Judicial Service (Prelims) 2022

Odisha Public Service Commission · Series A · 21 May 2023 · 100 questions

Preliminary Examination

1. Match List–I with List–II and select the correct answer using the code given below the Lists. List–I: (a) A. D. M. Jabalpur v. Shukla (b) M. S. M. Sharma v. S. K. Sinha (c) R. C. Cooper v. Union of India (d) R. K. Garg v. Union of India. List–II: (i) Bearer Bonds case (ii) Habeas Corpus Case (iii) Bank Nationalisation case (iv) Searchlight case. Code (a), (b), (c), (d):

(A) (ii), (i), (iv), (iii)
(B) (iv), (ii), (i), (iii)
(C) (ii), (iv), (i), (iii)
(D) (ii), (iv), (iii), (i)

2. Article 141 of the Constitution lays down that the law declared by the Supreme Court shall be binding on all Courts within the territory of India. Therefore, the Supreme Court:

(A) Is bound by its earlier decisions as the expression 'all Courts' includes Supreme Court also
(B) Is not bound by its own decisions and may reverse a previous decision
(C) Can reverse a previous decision only when a new legislation is enacted having the effect of abrogating decision
(D) Can reverse a previous decision only when that previous decision was given as a result of overlooking another previous decision.

3. The State of J & K enjoys a special status under Article 370 of the Constitution, but under Article 370 (3), the President may declare that Article 370 shall cease to be operative. Consider the following statements in this regard. This power of the President is subject to: (i) Public Notification (ii) Recommendation of Parliament (iii) Advice of the Union Council of Ministers (iv) Recommendation of the Constituent Assembly of J & K. Of these statements

(A) (i) and (iii) are correct
(B) (i) and (ii) are correct
(C) (ii) and (iv) are correct
(D) (i) and (iv) are correct

4. Right to Life emanates from:

(A) Article 21 and includes Right to Die
(B) Article 19. and does not include Right to Die
(C) Article 19 and 20 does not include Right to Die
(D) Article 21 and does not include Right to Die

5. That "no person accused of an offence shall be compelled to be a witness against himself' is a/ an:

(A) Directive principle which the State should apply while enacting criminal law
(B) Human right under Universal Declaration of Human Rights to which India is a party
(C) Fundamental right
(D) Ordinary constitutional right

6. Bijoe Emmanual v. State of Kerala case is also known as:

(A) National Anthem Case
(B) Resonable Classification Case
(C) Backward Classes Case
(D) Right to Life Case

7. The law declared by the Supreme Court is binding on all the Courts within the territory of India, but Supreme Court is not bound by its own decisions, was declared by the Supreme Court itself in:

(A) Indira Nehru Gandhi v. Rajnarian
(B) Madhav Rao Schindia v. Union of India
(C) Bengal Immunity Co. Ltd v. State of Bihar
(D) Both (A) and (B)

8. In which case it was held that taking specimen fingerprints and hand writing from accused is not hit by Article 20(3) as being witness against himself:

(A) State through SPE and CBI,AP vs M. Krishna Mohan
(B) Jaya Sinha vs State of Karnataka
(C) Oriental Insurance Co. Ltd. vs Raj Kumari
(D) None of these

9. The Directive Principles of State Policy are fundamental for the:

(A) Upliftment of backward classes
(B) Protection of individual rights
(C) Administration of justice
(D) Governance of state

10. Consider the following judgements delivered by the Supreme Court of India: (i) Keshvananda Bharati v. State of Kerala (ii) Re Berubari Case (iii) Excel Wear v. Union of India The chronological sequence of the above judgements is:

(A) (i), (iii), (ii)
(B) (i), (ii), (iii)
(C) (iii), (i), (ii)
(D) (ii), (i), (iii)

11. In which of the following cases the Supreme Court held that FIR was not substantive evidence and could only be used to corroborate its maker?

(A) Union of India v.A. Kumar, AIR 2010 SC 2735
(B) C. Magesh v. State of Karnataka, AIR 2010 SC 2768
(C) Anil Kumar v. B. S. Neelakanta, AIR 2010 SC 2715
(D) Viietn Gazm v. State, AIR 2010 SC 2712

12. Under which of the following Sections of the Indian Evidence Act, the evidence of the dumb witness is taken into consideration?

(A) Section 116
(B) Section 117
(C) Section 118
(D) Section 119

13. A Court cannot compel the parties to undergo blood test, to establish the legitimacy of the child because it would amount to declaring the mother as unchaste and child as illegitimate. This view was laid down in which of the following cases?

(A) Pawan Kumar v. Mukesh Kumara
(B) Subash v. Lata Shah
(C) Ningamma v. Chikkaiah
(D) Gautam Kundu v. State of West Bengal

14. "Facts not otherwise relevant are relevant if they are inconsistent with any fact in issue of relevant fact". Which of the following Sections of the Indian Evidence Act contains the aforesaid principle of law?

(A) Section 9
(B) Section 10
(C) Section 11
(D) Section 12

15. Mode of proof of a custom is contained in:

(A) Section 32(4) of Indian Evidence Act
(B) Section 32(7) of Indian Evidence Act
(C) Section 48 of Indian Evidence Act
(D) All of these

16. Hearsay evidence becomes relevant:

(A) When it is ratified by admission or confession
(B) When it comes under the ambit of Section 6 of the Indian Evidence Act, 1872
(C) When it is mentioned in any public document or is presumed by the Court
(D) In all of the categories mentioned

17. Under Indian Evidence Act, 1872 a copy compared with a copy of a letter made by a copying machine is:

(A) Primary evidence
(B) Oral evidence
(C) Secondary evidence
(D) Any of the evidence

18. Under which one of the following Sections of the Indian Evidence Act, 1872, the previous conviction of a person is relevant:

(A) Explanation I to Section 14
(B) Explanation II to Section 14
(C) Explanation III to Section 14
(D) Explanation IV to Section 14

19. Maxim 'omnia praesumuntur rite esse acta' means:

(A) All facts are presumed to be rightly done
(B) All facts are presumed to be not rightly done
(C) All facts are presumed to be wrongly done
(D) All facts are presumed to be not wrongly done

20. The right to private defence is available with respect to:

(A) Harm to body
(B) Harm to movable property
(C) Harm to immovable property
(D) All of these

21. In which Provision of Indian Penal Code the definition of 'valuable security' is explained?

(A) Section 29
(B) Section 30
(C) Section 31
(D) Section 13

22. For the application of Section 149 of IPC:

(A) Active participation of each of person is required
(B) A person should be a member of unlawful assembly
(C) Both (A) and (B) are correct
(D) None of these

23. 'X', a doctor informs his patient 'Y' that he has cancer which is in its last stage. 'X' requests 'Y' to arrange his family affairs as he cannot survive for more than a couple of weeks. "Y' dies because of shock on hearing this, 'X' is:

(A) Guilty of murder as he knew that such a disclosure will cause death
(B) Not guilty since communication was made in good faith for the benefit of 'Y'
(C) Guilty of causing death by negligence
(D) Guilty of culpable homicide not amounting to murder as he knew that such a disclosure is likely to cause of death

24. Match List–I with List–II and select the correct answer using the code given below the Lists. List–I: (a) Death is caused to safeguard property (b) Death caused by a child of six years (c) Death by an act with the intention of causing bodily injury which is sufficient ordinarily to cause death (d) Death of trespasser of the house who was escaping. List–II: (i) Exception 2 to Section 300 (ii) Murder (iii) No offence (iv) Right of Private defence. Code (a), (b), (c), (d):

(A) (ii), (i), (iv), (ii)
(B) (i), (iii), (ii), (iv)
(C) (iv), (ii), (iii), (i)
(D) (iv), (iii), (ii), (i)

25. Which one of the following is associated with Common Intention?

(A) Similar intention
(B) Pre-meditated concert
(C) Same intention
(D) Unanimous decision in a meeting to do a particular act

26. 'X' and 'Y' agree to commit theft in 'Z's house but no theft is actually committed. They are guilty of:

(A) No offence
(B) Criminal conspiracy
(C) Abetment by conspiracy
(D) Abetment by instigation

27. The distinction between Section 299 and Section 300 was first elaborately discussed in the case:

(A) Vasudev v. State of U. P.
(B) Om Prakash v. State of Punjab
(C) Deo Narain v. State of U. P.
(D) Reg v. Govinda

28. Which Section of the IPC provides for an 'attempt to dacoity'?

(A) Section 393
(B) Section 394
(C) Section 395
(D) Section 396

29. Every State Government in co-ordination with the Central Government shall formulate Victim Compensation Scheme (VCS) for providing fund for compensation to victims falls under Section 357-A of Cr.P.C. with effect from 31-12-2009. This Section was inserted by:

(A) Code of Criminal Procedure (Amendment) Act, 2008 (5 of 2009)
(B) Code of Criminal Procedure (Amendment) Act, 2005 (25 of 2005)
(C) Criminal Procedure Law (Amendment) Act, 2005 (2 of 2006)
(D) Code of Criminal Procedure (Amendment) Act, 2001 (50 of 2001)

30. The person seeking suspension of conviction should specifically draw the attention of the Appellate Court to the consequences that may arise if the conviction is not stayed as held by the Supreme Court in:

(A) Sheo Prasad Bhor v. State of Assam, AIR 2007 SC 918
(B) P.V. George v. State of Kerala, AIR 2007 SC 1034
(C) Navjot Singh Sidhu v. State of Punjab, AIR 2007 SC 1003
(D) Kuldip Nayar v. Union of India, (2006) 7 SCC 1

31. When there is a dispute between two Courts relating to exercise of jurisdiction in a criminal matter and said Courts are under subordination of different High Courts, the matter shall be decided under Section 186 of Cr PC by the:

(A) Supreme Court
(B) High Court of the larger State
(C) High Court having more judges
(D) High Court within whose local limits of appellate jurisdiction the proceeding first commenced

32. Warrant case has been defined under Section 2(x) of Cr PC as a case relating to an offence punishable with death, imprisonment for life or imprisonment for a term:

(A) Exceeding three years
(B) Exceeding two years
(C) Exceeding one year
(D) Exceeding one year but less than two years

33. An arrested person has a Right to Consult a legal practitioner of his choice. The consultation with the lawyer:

(A) May not be in the presence of the police officer
(B) May be in the presence of the police officer but not within his hearing
(C) May be in the presence of the police officer and within his hearing
(D) Both (A) and (B)

34. In cases of consecutive sentence on conviction of several offences at one trial by a Metropolitan Magistrate, the aggregate punishment:

(A) Shall not exceed twice the amount of punishment which the Magistrate is competent to inflict for a single offence
(B) Shall not exceed the amount of punishment which the Magistrate is competent to inflict for a single offence as prescribed under Section 29 of Cr PC
(C) Shall not exceed three times the amount of punishment which the Magistrate is competent to inflict for a single offence
(D) Shall not exceed 14 years

35. Period of limitation of filing claims and objections to the attachment of any property attached under Section 83 of Cr PC, by any person other than the proclaimed person, as provided under Section 84 of Cr PC:

(A) Within three months of attachment
(B) Within six months of attachment
(C) Within one year of attachment
(D) Within two months of attachment

36. Under Section 91 of Cr PC, a person who is summoned to produce a document(s) on appearance before the Court:

(A) Becomes a witness and can be subjected to cross-examination
(B) Does not become a witness and cannot be subjected to cross-examination
(C) Becomes a witness but cannot be subjected to cross-examination
(D) Does not become a witness but can be subjected to cross-examination

37. Objection to the attachment of a property in execution can be raised:

(A) By the parties to the suit
(B) By the stranger / third party
(C) Both (A) and (B)
(D) None of these

38. After dismissal of a suit under Order IX, Rule 8 of C. P. C., a fresh suit on the same cause of action, under Order IX, Rule 9 of C. P. C.:

(A) Is barred
(B) Is not barred under any circumstance
(C) Is not barred subject to law of limitation
(D) None of these

39. For the application of the principle res subjudice, which of the following is essential?

(A) Suits between the same parties or litigating under the same title
(B) The two suits must be pending disposal in a Court
(C) The matter in issue in the two suits must be directly and substantially the same
(D) All of these

40. On default in filing of written statement under Order VIII, pronouncement of judgement is:

(A) Mandatory
(B) Discretionary
(C) Directory
(D) None of these

41. Under Section 114 of C. P. C., Review is maintainable:

(A) When an appeal is provided, but no appeal preferred
(B) When no appeal is provided
(C) Both (A) and (B)
(D) Neither (A) nor (B)

42. In which of the following cases it was held that "The second appeal is permissible only if finding is perverse"?

(A) Dinesh Kumar v. Yusuf Ali, AIR 2010 SC 2679
(B) State v. M. L. Keshari, AIR 2010 SC 2587
(C) Bimlesh v. New india Assurance Co. Ltd., AIR 2010 SC 2591
(D) Dasmth v. State of Madhya Pradesh, AIR 2010 SC 2592

43. Under which Provision of CPC, the court has jurisdiction to reject the plaint, which does not disclose a cause of action or where there is suppression of material fact?

(A) Order 7 Rule 11
(B) Order 8 Rule 11
(C) Order 7 Rule 1
(D) Order 5 Rule 1

44. The Supreme Court in which among the following cases observed that CPC Amendment Acts of 1999 and 2002 are Constitutionally valid?

(A) Salem Advocate Bar Association, Tamil Nada v. Union of India
(B) Delhi High Court Bar Association v. Union of India
(C) Allahabad High Court Bar Association v. Union of India
(D) Punjab and Haryana High Court Bar Association v. Union of India

45. In which case the Supreme Court held that Section 100-A of CPC which is substituted by CPC Amendment Act, 2002 will not have retrospective effect even though it brings within its fold those appeals preferred prior to coming into force of the said Amendment Act?

(A) M. George v. State of Kerala, AIR 2007 SC 1034
(B) Jagjit Singh v. State of Haryana, AIR 2007 SC 59
(C) Meetu v. State of Punjab, AIR 2007 SC 758
(D) Kamla Devi v. Khushal Kanwar, AIR 2007 SC 663

46. Which of the following Section provides the definition of shared household under the Protection of Women from Domestic Violence Act, 2005?

(A) Section 2 (d)
(B) Section 2 (f)
(C) Section 2 (s)
(D) Section 3

47. The Supreme Court in Satish Chander Ahuja vs Sheha Ahuja (2020) held that the following needs to be established for the determination of whether a suit property was shared household or not:

(A) The aggrieved person under the said Act resided or was residing in the premise during the period when the domestic relationship existed
(B) The property was required to belong to the joint family of which the aggrieved person is a part
(C) Only (A)
(D) Both (A) and (B)

48. In the Protection of Women from Domestic Violence Act, 2005 violence includes:

(A) Economic violence
(B) Sexual violence
(C) Both (A) and (B)
(D) None of these

49. Where a Protection Officer fails to discharge his duties as directed by Magistrate without any sufficient cause, there he shall be liable:

(A) For dismissal
(B) To pay compensation
(C) To be punished with imprisonment or with fine or with both
(D) To be punished with fine only

50. Match the following as per the Sections of Domestic Violence Act, 2005. (a) Section 6 (b) Section 7 (c) Section 9 (d) Section 11. (i) Duties and functions of Protection Officers (ii) Duties of Government (iii) Duties of shelter homes (iv) Duties of medical facilities. Code (a), (b), (c), (d):

(A) (iii), (iv), (i), (ii)
(B) (i), (ii), (iii), (iv)
(C) (iv), (ii), (i), (iii)
(D) (iii), (ii), (i), (iv)

51. When did the Domestic Violence Act 2005, come into force?

(A) 1 April, 2005
(B) 11 March, 2006
(C) 21 May, 2005
(D) 26 October, 2006

52. A notice of date of hearing fixed under Section 12 of the Domestic Violence Act, 2005 shall be given by the Magistrate to the:

(A) Respondent
(B) Protection Officer
(C) Service Provider
(D) Incharge of Police Station

53. 'Child' under the Protection of Women from the Domestic Violence Act, 2005 includes:

(A) Adopted Child
(B) Step Child
(C) Foster Child
(D) All of these

54. Breach of Protection Order under Section 31 and 32 of the Domestic Violence Act, 2005 shall be an offence which is:

(A) Cognizable and bailable
(B) Cognizable and non-bailable
(C) Non-cognizable and bailable
(D) Non-cognizable and non-bailable

55. Protection of Women from Domestic Violence Act, 2005 derives its support from _____ of the Constitution of India.

(A) Article 14
(B) Article 14, 15 and 21
(C) Article 15 and 21
(D) Article 14 and 21

56. Section 6 of the Limitation Act, 1963 does not apply in case of:

(A) Suits
(B) Execution of a decree
(C) Appeal
(D) Suits and execution of a decree

57. Section 5 of the Limitation Act, 1963 applies for condonation of delay. To apply this provision

(A) Length of the delay is the only criterion
(B) Length of the delay does not matter, acceptability of the explanation is the only criterion
(C) Length of the delay certainly matters apart from the acceptability of the explanation
(D) Both (A) and (B)

58. For term Loan, the period of limitation is three years from:

(A) Date of payment
(B) Date of default
(C) Due date of payment of each installment
(D) Date of default in payment in each installment

59. The fraud is contemplated by Section 17 of the Limitation Act, 1963 is that of:

(A) The plaintiff
(B) The defendant
(C) Stranger to the contract
(D) Either (A), (B) or (C)

60. Under the law of limitation, suits can be filed within three years in cases relating to:

(A) Accounts
(B) Contracts
(C) Declarations
(D) All of these

61. Section 11 of the Limitation Act, 1908 deals with suits:

(A) On foreign contracts
(B) On local contracts
(C) Banking contracts
(D) None of these

62. Second Appeal to Central Public Information Officer before Central information Commission can be filed within:

(A) 90 days
(B) 30 days
(C) 45 days
(D) 60 days

63. Time limit for filing application to become legal representative due to death of defendant or respondent is:

(A) 30 days
(B) 90 days
(C) 45 days
(D) 60 days

64. Temporary injunction may be granted:

(A) To restrain any election.
(B) To restrain dispossession from property
(C) To restrain any intended disciplinary action against public servant
(D) To restrain the result of any adverse entry against the public servant

65. Which of the following can be transferred under the Provision of the Transfer of Property Act, 1882?

(A) The right to mesne profit
(B) A decree for mesne profit
(C) A transfer of property to a prostitude for future co- habitation
(D) A sub-lease of a farm for the retail sale of opium

66. Which of the following can be considered implied surrender of the lease?

(A) Non-acceptance of a new lease taking effect during the continuance of the existing lease
(B) Abandonment of possession by the lessee
(C) A-surrender by one of the two joint lessee's implied surrender on the part second lessee
(D) None of these

67. Under the Provisions of the TP Act, 1882, the seller is duty bound to disclose:

(A) Patent defects in the property
(B) Latent defects in the property
(C) Both (A) and (B)
(D) Neither (A) nor (B)

68. Under the Provisions of the TP Act, 1882, the benefits of a contract can be assigned as an actionable claim and transferred unless:

(A) The contract is one which had been induced by personal qualifications or considerations as to the parties to it
(B) The benefit is coupled with an obligation which the assignor is bound to discharge
(C) Either (A) or (B)
(D) Neither (A) nor (B)

69. Under the Transfer of Property Act, 1882 vested interest is:

(A) Defeated by the death of the transferor
(B) Defeated by the death of the transferee
(C) Either or both (A) and (B)
(D) Neither (A) nor (B)

70. What is the default interest payble under Section 63 and 63A of the Transfer of Property Act, 1882?

(A) 8% per annum
(B) 9% per annum
(C) 10% per annum
(D) Interest rate is not mentioned in the Section

71. Where the mortgage is illegal for want of registration but the mortgage continues in possession of the mortgaged property, a valid mortgage comes in existence after the expiry of:

(A) 5 years
(B) 10 years
(C) 12 years
(D) 20 years

72. Which of the following are valid illustrations of an anamolous mortgage?

(A) A possessory mortgage without a conditional sale
(B) A possessory mortgage with a right to cause the mortgaged property to sale in the event of default in payment
(C) Both (A) and (B)
(D) Neither (A) nor (B)

73. Which of the following instruments have been excluded by the application of Section 137 of the Transfer of Property Act, 1882?

(A) Share
(B) Bill of Exchange
(C) Both (A) and (B)
(D) Neither (A) nor (B)

74. In which of the following cases, the Doctrine of Supervening Impossibility will apply?

(A) Difficulty in performance
(B) Commercial impossibility
(C) Impossibility known to the parties at the time of making of the contract
(D) Strikes, Lock-outs and civil disturbances

75. Under which of the following conditions can a proposal be revoked according to the Indian Contract Act, 1872? (i) By the Communication of notice of revocation by the proposar to the other party (ii) By the failure of the acceptor to fulfil a condition of proposal (iii) By the death or insanity of the proposer (iv) By the lapse of the time prescribed (v) By notice of revocation after the acceptance is communicated

(A) (i), (ii) and (iv) only
(B) (ii), (iii), (iv) and (v) only
(C) (i), (ii), (iii) and (iv) only
(D) All (i), (ii), (iii), (iv) and (v)

76. in the Contract of Agency, Implied agency may arise by: (i) Agency by Estoppel (ii) Agency of Necessity (iii) Agency by Ratification (iv) Agency by Holding out

(A) Both (i) and (ii)
(B) (i), (ii) and (iii)
(C) Both (ii) and (iv)
(D) Both (i) and (iii)

77. Which one of the following is a void contract?

(A) Unilateral contract
(B) A contract which ceases to be enforceable by law
(C) Implied contract
(D) Express contract

78. Which one is the correct sequence implied in the Indian Contract Act, 1872? (i) Officer of proposal (ii) Contract (iii) Promise (iv) Agreement (v) Acceptance Choose the correct answer from the options given below:

(A) (iii), (v), (i), (iv), (ii)
(B) (iv), (ii), (iii), (i), (v)
(C) (ii), (iv), (iii), (v), (i)
(D) (i), (v), (iii), (iv), (ii)

79. Statement (I): Agreement without consideration is always valid. Statement (II): All contracts are agreements but all valid agreements are not contracts. In the context of the above two statements, which one of the following codes is correct?

(A) Statement (I) and (II) both are correct
(B) Both Statements (I) and (II) are incorrect
(C) Statement (I) is incorrect and Statement (II) is correct
(D) Statement (I) is correct and Statement (II) is incorrect

80. Given below are two statements: Statement I: Display of goods by a shopkeeper with prices marked on them, is not an offer but an invitation to the public to make an offer to buy the goods. Statement II: Price quotations, catalogues and advertisements in newspaper for sale of an article do constitute a valid offer. In the light of the above statements, choose the most appropriate answer from the options given below:

(A) Both Statements (I) and (II) are correct
(B) Both Statement (I) and (II) are incorrect
(C) Statement (I) is correct but Statement (II) is incorrect
(D) Statement (I) is incorrect but Statement (II) is correct

81. What is consent under the Indian Contract Act, 1872?

(A) When acceptance of proposal is made by the party to whom the proposal is made
(B) When the acceptance is made by another person other than the person to whom the proposal is made
(C) When they agree upon the same thing is the same sense
(D) When both the parties agree upon a thing in the way it is understood by them

82. The Indian Contract Act, 1872 extends to:

(A) The State of Jammu and Kashmir
(B) The Union Territories of India
(C) The whole of India except the State of Jammu and Kashmir
(D) The whole of India

83. When did Hindu Succession Act come into force?

(A) 17 June, 1956
(B) 1 March, 1957
(C) 1 May, 1956
(D) 23 April, 1957

84. Which Section of the Hindu Succession Act, 1956 deals with the Order of Succession among heirs in the Schedule?

(A) Section 12 of Hindu Succession Act, 1956
(B) Section 9 of Hindu Succession Act, 1956
(C) Section 14 of Hindu Succession Act, 1956
(D) Section 20 of Hindu Succession Act, 1956

85. Section 19 of the Hindu Succession Act, 1956 provides:

(A) Mode of a succession of two or more heirs
(B) Converts descendants disqualified
(C) Order of succesion among heirs in the Schedule
(D) Computation of degrees

86. Section 12 of Hindu Succession Act, 1956 deals with:

(A) Order of sucession among agnates and cognates
(B) Devolution of interest in coparcenary property
(C) Full blood preferred to half-blood
(D) Overriding effect of Act

87. Section 25 of the Hindu Succession Act, 1956 deals with:

(A) Right of a child in the womb
(B) Murderer disqualified
(C) Disease, defect, etc., not to disqualify
(D) Testamentary succession

88. Will means deposition of property which takes effect:

(A) After the birth of testator
(B) After the death of testator
(C) During the life of testator
(D) None of these

89. A will is liable to be revoked or altered by the:

(A) Maker of it
(B) Legatee of it
(C) Executor of it
(D) None of these

90. Who can apply for revocation of succession certificate?

(A) Interested person
(B) Uninterested person
(C) Minor
(D) None of these

91. Appeal shall lie in _____ against the order of District Judge under Indian Succession Act, 1925.

(A) Supreme Court
(B) High Court
(C) Both (A) and (B)
(D) None of these

92. The Specific Relief Act, 1963 extends to:

(A) The whole of India except the State of Jammu and Kashmir
(B) The whole of India
(C) Only to capital cities of the States
(D) The whole of India except the Union Territories

93. Specific Relief can be granted only for the purpose of:

(A) Enforcing individual civil rights and not for mere purpose of enforcing a penal law
(B) Enforcing individual fundamental rights
(C) Enforcing individual criminal rights only
(D) Enforcing individual civil rights as well as criminal rights

94. When an injunction cannot be granted?

(A) To restrain any person from instituting or prosecuting any proceeding in a criminal matter
(B) To prevent the Breach of a Contract the performance of which would not be specifically enforced
(C) To restrain any person from applying to any legislative body
(D) All the options are correct

95. How the preventive relief is granted under the Specific Relief Act, 1963 by the Court?

(A) At the discretion of the Court by perpetual
(B) At the discretion of the Court by injunction temporary
(C) Both (A) and (B) are correct
(D) None of these

96. The specific performance of a contract shall be enforced by the Court:

(A) Subject to the provisions of the Indian Contact Act, 1872
(B) Subject to the provisions of the I × B Xode, 2016
(C) Subject to the provisions contained in Section 11(2), Section 14 and Section 16 of the Specific Relief Act, 1963
(D) None of these

97. Any person interested in a contract may sue to have it rescinded, and such rescission may be adjudged by the Court in which case (s):

(A) Where the contract is unlawful for causes not apparent on its face and the defendant is more to blame than the plaintiff
(B) Where the contract is voidable or terminable by the plaintiff
(C) Both (A) and (B) are correct
(D) None of these

98. _____ injunctions are such as are to continue until a specific time or, until the further order of the Court, and they may be granted at any stage of a suit, and are regulated by the Code of Civil Procedure, 1908.

(A) Perpetual
(B) Temporary
(C) Both (A) and (B) are correct
(D) None of these

99. Whether any appeal is allowed against the order or decree passed in any suit instituted under Section 6 of the Specific Relief Act, 1963?

(A) Yes, appeal can be allowed
(B) No, appeal shall lie from any order or decree passed in suit instituted under this Section, nor shall any review of any such order or decree be allowed
(C) Appeal can be allowed, if permitted by the Court, who has given the order or decree
(D) None of these

100. A plaintiff instituting a suit for the specific peformance of a contract in writing may pray in the alternative that, if the contract cannot be specifically enforced:

(A) It may be declared as un-forceable
(B) It may be rescinded and delivered up to the cancelled ; and the Court, if it refuses to enforce the contract specifically, may direct it to be rescinded and delivered up accordingly
(C) It may be declared as void
(D) None of these

De Facto IAS