Telangana Civil Judge (Mains) 2019

Paper-I (Civil Laws) · compulsory paper

HIGH COURT FOR THE STATE OF TELANGANA

Written Examination for Recruitment of Junior Civil Judges

Dated: 17th August, 2019

Time: 3 Hours, from 10:00 am to 1:00 pm · Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 10 questions. Answer all the questions. Each question carries total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.

2. Questions must be answered only in English. If the answers are not legible, such answers will not be evaluated.

3. Write your hall ticket number only in the space provided in the first page of the main answer booklet. Do not write either your name, or hall ticket number, or any mark, anywhere in the main answer booklet/additional answer sheets.

4. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.

5. No candidate will be permitted to leave the examination room/hall before 11:00 am.

1. (a) Who are competent to contract? Define 'Free consent' and 'Coercion'. Under what circumstances a contract becomes voidable? (5 marks)

(b) Define 'Easement' and 'Licence'. What are customary easements, and when Licence is transferable? (5 marks)

2. (a) Narrate the amendments made to the Specific Relief Act, 1963, by Act No.18 of 2018, w.e.f. 1-10-2018? (5 marks)

(b) What are the provisions under 'The Limitation Act, 1963, governing the computation of period of limitation to file a suit, appeal or application? How such period is to be reckoned? (5 marks)

3. Answer the following: (2 marks each)

(i) Define “mesne profits”?

(ii) What is “Probate”?

(iii) What is “intestate succession”?

(iv) Who is a “testamentary guardian”?

(v) Name any two fundamental duties under the Constitution of India.

4. (a) In a suit, who may be joined as plaintiffs and defendants? Whether the Court has power to strike down the parties to the suit, if so under what circumstances? (5 marks)

(b) Whether the court has power of disposal of Suit at the first hearing? If so, narrate the circumstances. (5 marks)

5. (a) Narrate the circumstances under which the marriage can be declared as null and void, and further state the legitimacy of children born of void or voidable marriage, with reference to the Hindu Marriage Act, 1955? (4 marks)

(b) Write a short note on:

i) Interpleader Suit. (3 marks)

ii) Essential requirements of a valid sale. (3 marks)

6. Answer the following (2 marks each)

(a) What is "lis pendens"?

(b) What is "Holding Over" under Transfer of Property Act?

(c) What is a 'leading question'?

(d) When is the 'opinions of third persons' relevant in Law?

(e) What are the differences between 'primary evidence' and 'secondary evidence'.

7. Define the principle of "res judicata". Explain the difference between "res judicata" and "estoppel". (10 marks)

8. (a) When can a Mandatory injunction and damages in lieu of, or in addition to, injunction be granted under Specific Relief Act, 1963? (5 marks)

(b) What is a judgment? What is a decree? Whether the judgment, decree or order be reviewed, amended or corrected by the same Court? (5 marks)

9. (a) How shall the property of a female Hindu dying intestate devolve? (5 marks)

(b) What are the rights of a minor in the ancestral property? (5 marks)

10. 'A' borrowed Rs.3000/- from 'B' against a promissory note. He acknowledged the debt within three years. He refused to pay the debt. 'B' wants to sue 'A'. Draft a 'plaint', and a 'written statement' taking all possible defences. (10 marks)