Telangana Civil Judge (Mains) 2022

Paper-I (Civil Laws) · compulsory paper

Date: 26th November, 2022

Time: 3 Hours, from 9:30 am to 12:30 pm · Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 12 questions. Answer all the questions. Marks are indicated against each question.

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 10:30 am.

1. Write a brief note on any two of the following: (5 × 2 = 10 marks)
a) Probation of will;
b) Easement;
c) Precept;
d) Garnishee.

2. Explain the relevant provisions under the Specific Relief Act, 1963 relating to recovery of possession of immovable property. (5 marks)

3. What is the difference between 'symbolic possession' and 'actual possession'? Briefly explain. (5 marks)

4. Explain and distinguish between the following: Answer any two questions: (6 × 2 = 12 marks)
a) Counter claim and set-off;
b) Res judicata and Constructive Res Judicata;
c) Vested Interest and Contingent Interest;
d) Estoppel and Promissory Estoppel.

5. What is an ex parte decree? Can an ex parte decree be set aside? If so, under what provision of law? (7 marks)

6. Briefly explain the concept of 'lis pendens' and 'part performance' with reference to relevant provisions of the Transfer of Property Act, 1882. (8 marks)

7. Define 'Sale' under the Transfer of Property Act, 1882. How a 'Sale' is made? Does an agreement of sale create any right or title in favour of the intending buyer? (8 marks)

8. Briefly explain the grounds on which attachment before judgment can be granted under Order XXXVIII Rule 5 of the Civil Procedure Code, 1908. (8 marks)

9. Define 'contract'? Explain the essentials of a valid contract. (8 marks)

10. Who is a 'landlord' and who is a 'tenant' under the Telangana State Rent (Lease, Rent and Eviction) Control Act, 1960? Under what circumstances can a 'tenant' be evicted under the aforesaid Act? (9 marks)

11. Explain the difference between 'Return of Plaint' and 'Rejection of Plaint' with reference to relevant provisions of the Civil Procedure Code, 1908. Elucidate your answer with case law. (10 marks)

12. What is 'Written Statement'? Can a 'Written Statement' be amended and under what provision? After amendment of Civil Procedure Code, 1908, what is the limitation period for filing Written Statement? Can limitation for filing Written Statement be extended by the Court? Discuss with case law. (10 marks)

De Facto IAS