Telangana Civil Judge (Prelims) 2023

High Court for the State of Telangana · Computer-based screening test · 23 April 2023 · 100 questions

Screening Test

1. Is there any limitation prescribed for filing application under section 47 of CPC before executing Court?

(1) There is no limitation prescribed and application can be filed at any point of time after decree is passed
(2) It is governed by provisions of Limitation Act
(3) The issue of limitation can be decided only if such objection is raised
(4) The executing Court can suo motu frame issue of limitation

2. The following properties cannot be attached and sold in execution of decree under Section 60 of CPC:

(1) Dwelling house
(2) Promissory notes
(3) Shares in company
(4) House of agriculturist

3. A plaint can be returned under Order VII Rule 10 CPC only:

(1) at the pre numbering stage
(2) at any stage of the suit
(3) at any time before settlement of the issues
(4) at any time before the defendant files the written statement

4. A decree of restitution of conjugal rights can be enforced:

(1) by attachment of the property of judgement debtor
(2) by detaining the judgement debtor in civil prison
(3) by attachment of property of judgement debtor or by detaining him in civil prison
(4) initiating criminal prosecution against the judgement debtor

5. When order directing deposit of rents during pendency of rent Court proceedings is not complied with, then the Rent Controller can order summary eviction of tenant under:

(1) Section 11(2)
(2) Section 11(1)
(3) Section 11(4)
(4) Section 11(3)

6. For the purpose of cheating under Section 420 IPC, it is necessary that the victim or aggrieved person:

(1) Need not to suffer unlawful loss
(2) Necessarily has to suffer unlawful loss
(3) May or may not suffer unlawful loss
(4) Mere inducement with dishonest intention is enough

7. Under which among the following Sections alternative charge can be framed?

(1) Section 306 and Section 34 IPC
(2) Section 306 and Section 120(b) IPC
(3) Section 306 and Section 109 IPC
(4) Section 306 and Section 304-B IPC

8. To constitute an offence of unlawful assembly it is necessary that:

(1) There should be physical presence of five persons or more persons to do any act enumerated under the provision
(2) There need not be any physical presence of five or more persons
(3) There should be at least one person who is physically present and others need not be physically present
(4) There may be several persons but at least five persons should have common object whether they are physically present or not

9. A person is deemed to be dead under Section 108 of the Indian Evidence Act:

(1) if he is not heard to be alive for the last 7 years
(2) If he is not heard to be alive for the last 30 years
(3) If he is not heard to be alive for the last 12 years
(4) If he is not heard to be alive after 7 years after attaining majority

10. Under Section 116 of the Indian Evidence Act:
(1) A tenant is debarred from denying the title of the landlord
(2) A tenant is entitled to deny the title if the landlord's title is doubtful
(3) A tenant has the option to deny the title of the landlord
(4) A tenant can deny the title of the landlord after expiry of the lease period

11. A petition for mutual divorce under Section 13 of the Hindu Marriage Act can be filed:
(1) At any time after marriage
(2) Only after one year of marriage
(3) Only after two years of marriage
(4) Only when there is no resumption of cohabitation between the parties to the marriage for a period of one year or upwards

12. Interim maintenance under Section 24 of the Hindu Marriage Act can be granted by the Family Court:
(1) Only when main relief of maintenance is sought for
(2) In any proceeding under the Hindu Marriage Act irrespective of main relief of maintenance is sought for or not
(3) Only in a divorce case
(4) Only in a case for restitution of conjugal rights

13. Agreement which is voidable can become a contract:
(1) At the option of promisor or promisee
(2) With the consent of promisor or promisee
(3) At the option of promisee
(4) At the option of promisor

14. Limitation for filing suit for damages for act of defamation is:
(1) 3 years
(2) 2 years
(3) 5 years
(4) 1 year

15. Under Section 145 Cr.P.C when there is a dispute regarding land or water which is likely to cause breach of peace, an order passed by the concerned Magistrate is:
(1) Final
(2) Subject to order that may be passed by competent Courts in due course of law
(3) Valid for a period of two months
(4) Valid for a period of six months

16. The following provisions of law in Cr.P.C deal with period of limitation for taking cognizance of offence:
(1) Section 448
(2) Section 458
(3) Section 468
(4) Section 478

17. Sanction from Government for prosecution of Public Servants under Section 197 Cr.P.C means:
(1) Sanction for lodging FIR
(2) Only sanction before filing charge sheet
(3) Sanction after filing charge sheet and before judgement
(4) Sanction only before judgement

18. Shared household under Section 17 of the Domestic Violence Act:
(1) Includes tenanted property of the respondent
(2) Only own property of the respondent
(3) Only joint property of the respondent
(4) Does not include tenanted property of the respondent

19. A child in conflict with law convicted for the offence under Section 302 IPC:
(1) Can be sentenced to imprisonment for life after he attains majority
(2) Cannot be sentenced to imprisonment for life
(3) Can be sentenced to imprisonment to life subject to gravity of offence
(4) Can be sentenced to imprisonment for life in rescue homes

20. Every offence under the Telangana Gaming Act, 1974 is:
(1) Cognizable and bailable
(2) Cognizable and compoundable
(3) Non-cognizable and non-bailable
(4) Cognizable and non-bailable

21. Easement is a right related to:
(1) Only land
(2) Land and building
(3) Land and water
(4) Land and water channel

22. Assault or criminal force to deter public servant from discharging his duty is punishable under Section:

(1) 352 of IPC
(2) 353 of IPC
(3) 346 of IPC
(4) 342 of IPC

23. The power to review judgement in criminal cases under Section 362 Cr.P.C lies with:

(1) High Court only
(2) Sessions Court and High Court
(3) The Court which passes the judgement
(4) None of the above

24. Which one among the following provisions deal with the power of the Court to add an accused during trial or inquiry:

(1) Section 219 Cr.P.C
(2) Section 319 Cr.P.C
(3) Section 419 Cr.P.C
(4) Section 209 Cr.P.C

25. The Jurisdiction of the Court for filing the cases will be on the basis of:

(1) Subject matter regarding the cause of action
(2) Territorial jurisdiction
(3) Pecuniary jurisdiction
(4) All the above

26. A Court can pass a preliminary decree in a suit for:

(1) Dissolution of partnership firm
(2) for possession and mesne profits
(3) declaration of title
(4) partition suit

27. Under Code of Civil Procedure, 1908 a plaint can be rejected under:

(1) Order VII Rule 8
(2) Order VII Rule 9
(3) Order VII Rule 11
(4) None of the above

28. In a suit defendant after service of notice can file a written statement within a period of:

(1) 45 days
(2) 90 days
(3) 30 days
(4) 60 days

29. Pleadings in a suit consist/s of:

(1) Plaint only
(2) Written Statement only
(3) Plaint and Written Statement
(4) None of the above

30. Order IX Rule 13 of the Code of Civil Procedure, 1908, provides grounds:

(1) For reopening of evidence
(2) For filing written statement
(3) For setting aside ex parte decree
(4) For issuing summons afresh

31. Under the provisions of the Code of Civil Procedure, 1908, an Executing Court has the power to:

(1) modify the terms of the decree
(2) modify and vary the terms of the decree
(3) cannot either modify or vary the decree
(4) modify the judgment and terms of the decree

32. An Executing Court under the provisions of the Code of Civil Procedure, 1908, in execution of a decree can impose on the judgment debtor:

(1) rigorous imprisonment
(2) simple imprisonment
(3) civil imprisonment
(4) none of the above

33. Section 100 of the Code of Civil Procedure, 1908, provides for filing of a second appeal in the:

(1) District Court
(2) High Court
(3) Supreme Court
(4) None of the above

34. Section 148A of the Code of Civil Procedure, 1908, provides for:

(1) Enlargement of time
(2) Filing of caveat
(3) Review application
(4) Filing First Appeal

35. The doctrine of res judicata is based on the principle that

(1) Prohibiting the parties from filing suits against each other
(2) Parties should not file successive suits against each other
(3) Two suits on the same cause of action are prohibited
(4) One should not be vexed twice for the same cause of action and there should be a finality to the litigation

36. Which of the below mentioned statements is incorrect?

(1) An agreement opposed to public policy is enforceable under law
(2) There cannot be any valid contract between minors
(3) All valid agreements are enforceable through Courts
(4) An agreement entered by the guardian of minor is enforceable

37. Consent of a party entering into a contract is said to be free when it is not caused by

(1) coercion or undue influence
(2) misrepresentation
(3) fraud
(4) All the above

38. A Hindu woman can file for a petition interim maintenance under

(1) Section 125 Cr.P.C. and Section 18 of the Hindu Adoption & Maintenance Act, 1956
(2) Section 24 of the Hindu Marriage Act, 1955
(3) Section 20 of the Protection of Women from Domestic Violence Act, 2005
(4) All the above

39. Section 13B of the Hindu Marriage Act, 1955 provides for

(1) Restitution of Conjugal Rights
(2) Divorce on the ground of cruelty
(3) When the marriage was a void marriage
(4) Divorce by mutual consent

40. Section 5 of the Limitation Act, 1963, applies to only

(1) Interlocutory applications and appeals
(2) Suits
(3) Execution Petitions
(4) All the above

41. Section 6 of the Specific Relief Act, 1963, provides for filing a suit for possession of immovable property within a period of

(1) one year from the date of dispossession
(2) Six months from the date of dispossession
(3) Three years from the date of dispossession
(4) Twelve years from the date of dispossession

42. In a suit filed for declaration of title based on adverse possession, the burden of proof is on

(1) Plaintiff
(2) Defendant
(3) Both on the plaintiff and defendant
(4) Court

43. When the witness is not having personal knowledge of a fact and merely repeats the statement made by another person, such evidence is called

(1) Secondary evidence
(2) Hearsey evidence
(3) Hearsay evidence
(4) Direct evidence

44. Section 45 of the Indian Evidence Act, 1872, which provides for opinion of an Expert is

(1) Conclusive proof
(2) Not conclusive proof
(3) Supportive and corroborative
(4) None of the above

45. Estoppel is a rule of

(1) Civil Action
(2) Criminal Action
(3) Both civil and criminal actions
(4) None of the above

46. Privileged information under the Indian Evidence Act, 1872, is the communication between

(1) Police officer and Advocate
(2) Advocate and client
(3) Magistrate and Accused
(4) None of the above

47. For determination of age of a person, the Court can rely on the following:

(1) Affidavit of father/mother
(2) Evidence from third parties
(3) Ossification test
(4) No such proof is required

48. Section of the Indian Evidence Act, 1872, provides for admissibility of the Electronic records
(1) 65
(2) 66
(3) 65B
(4) 65A

49. The burden of proof in a criminal proceedings lies on
(1) Prosecution to prove the guilt of the accused
(2) Accused to prove his innocence
(3) Both on the Prosecution and the Accused
(4) On the Magistrate

50. Basic structure theory was first propounded by the Hon'ble Supreme Court in the case of
(1) Maneka Gandhi vs. Union of India
(2) Minerva Mills vs. Union of India
(3) Keshavanand Bharathi vs. State of Kerala
(4) Golaknath vs. State of Punjab

51. A Writ Petition can be filed in a High Court under Article of the Constitution of India
(1) 326
(2) 226
(3) 32
(4) 256

52. Under the Constitution of India, the term of the President is
(1) 6 years
(2) 5 years
(3) life
(4) 10 years

53. The oath of the Office of the President is administered by
(1) The President himself
(2) The outgoing President
(3) The Prime Minister
(4) The Chief Justice of India

54. The Upper House of the Parliament is called
(1) Lok Sabha
(2) Praja Sabha
(3) Rajya Sabha
(4) Intellectual Sabha

55. The Constitution of India came into force on
(1) 15.08.1947
(2) 26.01.1947
(3) 26.01.1950
(4) 15.08.1950

56. The Preamble of the Constitution of India is
(1) a part of the Constitution
(2) not a part of the Constitution
(3) a part of fundamental rights
(4) none of the above

57. Article 21 of the Constitution of India guarantees
(1) Protection of right to life and personal liberty
(2) Right to Education
(3) Protection against arrest and detention
(4) Right to property

58. Article 20 of the Constitution of India deals with
(1) Estoppel
(2) Res judicata
(3) Double jeopardy
(4) Per incuriam

59. Article 300A of the Constitution of India deals with
(1) Right to Life
(2) Freedom of Trade and Commerce
(3) Contracts
(4) Right to Property

60. Fundamental duties enumerated in Article 51-A of the Constitution of India are
(1) enforceable
(2) not enforceable
(3) only enforceable when violated
(4) none of the above

61. A Writ of Habeas Corpus is available
(1) against Police brutality
(2) as Fundamental Right
(3) in cases of wrongful deprivation of personal liberty or wrongful detention
(4) in case of wrongful deprivation of property

62. The age of retirement of a Judge of Supreme Court of India is
(1) ten years
(2) till he/she attains the age of 65
(3) till he/she attains the age of 62
(4) for life

63. An implead petition can be allowed under Order 1 Rule 10 of CPC:
(1) Before framing of issues
(2) Before commencement of trial
(3) At any stage of the suit
(4) None of the above

64. Charge framed under Section 211 of Cr.P.C. shall contain:

(1) Time, place and person alleged to have committed the offence
(2) The law and the Section of the Law
(3) Shall be written in the language of the court
(4) All the above

65. A decree may be executed by -

(1) District judge
(2) Senior Civil Judge
(3) Junior Civil Judge
(4) Either by the Court which has passed the decree or to which the decree is sent for execution

66. Correction of judgment or final order is permissible

(1) To correct a clerical error
(2) To correct arithmetical error
(3) Both (a) and (b)
(4) None of the above

67. Which section of Negotiable Instruments Act, 1881 governs the dishonour of cheque for insufficiency of funds?

(1) section 132
(2) section 129
(3) section 138
(4) section 136

68. A time barred debt can be claimed by way of -

(1) Counter claim
(2) Fresh suit
(3) Set off
(4) None of the above

69. Grave and sudden provocation is -

(1) A question of law
(2) A question of fact
(3) A mixed question of fact and law
(4) A presumption of law

70. The remedies available to a 'person in conflict with law' as defined under Juvenile Justice Act involved in a criminal case -

(1) To obtain Regular bail
(2) To obtain Anticipatory bail
(3) To approach juvenile justice Board
(4) None of the above

71. Who has to administer oath to a witness -

(1) Counsel of the witness
(2) Bench Clerk
(3) Office Sub-ordinate on duty
(4) Presiding officer

72. Limitation prescribed for enforcement of a decree of mandatory injunction is -

(1) 6 years
(2) 9 years
(3) 10 years
(4) 12 years

73. The period prescribed under Section 148A of CPC-

(1) 30 days
(2) 90 days
(3) 60 days
(4) 120 days

74. "Former Suit" referred in Explanation I of Section 11 of C.P.C. connotes -

(1) A suit which has been decided prior to the suit in question
(2) A suit which was dismissed for default
(3) A suit dismissed as withdrawn
(4) All the above

75. To institute a suit against Government -

(1) Serve 2 months prior notice
(2) File an application to dispense with issuance of notice
(3) None of the above
(4) Both (a) and (b)

76. After completion of investigation and filing of final report, Magistrate shall -

(1) Take cognizance of the same and issue summons to the accused
(2) If the final report is filed stating that lack of evidence, false or civil in nature, send the notice to the complainant to enable him to file protest petition
(3) Both (a) and (b)
(4) None of the above

77. To cross examine one's own witness -

(1) On obtaining permission of the court
(2) By declaring the witness as Hostile
(3) By declaring the witness as Hostile and on obtaining permission from the court
(4) None of the above

78. The Magistrate shall dispose of a petition filed under Section 12 of The Protection of Women from Domestic Violence Act within -

(1) 3 years from the date of filing
(2) 60 days from the first date of hearing
(3) One year from the date of filing
(4) 180 days from the first date of hearing

79. The investigating officer can summon a person under Section 160 Cr.P.C. -

(1) An accused
(2) A suspect accused
(3) A witness
(4) All the above

80. The statement under Section 164 Cr.P.C shall be recorded by:

(1) Magistrate
(2) Investigating Officer
(3) Sessions Judge
(4) All the above

81. Pre-requisites for conducting identification parade:

(1) Requisition from the police to the Magistrate
(2) Witnesses who are summoned for parade shall be kept out of the view of the suspect/accused
(3) Presence of accused
(4) All the above

82. What is the period prescribed under Limitation Act to set-aside a decree passed ex-parte

(1) 30 days
(2) 90 days
(3) 120 days
(4) 3 years

83. What is the period prescribed to file a petition to set-aside an abatement?

(1) 30 days
(2) 60 days
(3) 90 days
(4) 120 days

84. Which of the following statements with regard to dying declaration is correct?

(1) Investigating officer cannot discard the dying declaration
(2) Conviction can be recorded on the sole basis of dying declaration
(3) Investigating officer can discard the dying declaration and file final report
(4) Both (a) and (b)

85. Under what circumstances a plaint can be rejected -

(1) Where it does not disclose cause of action
(2) Where it is not filed in duplicate
(3) Where the suit appears from the statement in the plaint to be barred by any law
(4) All the above

86. A suit can be instituted in a court within the local limits -

(1) Where plaintiff resides
(2) Where the defendant resides
(3) Where cause of the action wholly or in part arises
(4) (b) and (c)

87. A statement given before the police u/s 161 of Cr.P.C.:

(1) Admissible in evidence
(2) Inadmissible in evidence
(3) Admissible in part
(4) None of the above

88. To constitute an offence of 'Stalking'

(1) A man shall follow a woman
(2) A man shall contact or attempt to contact such woman to foster personal interaction
(3) Monitors the use by a woman of the internet, e-mail or any other form of electronic communication
(4) All the above

89. In an execution petition the following property cannot be attached

(1) land
(2) cheques
(3) part of the salary
(4) shares

90. In which of the following proceeding Anticipatory Bail petition is not maintainable -

(1) Offence under Section 498A of IPC
(2) Offences under provisions of JJ Act
(3) Offences under the provisions of POCSO Act
(4) Telangana Gaming Act

91. 'Cognizable offence' as defined in Section 2 (c) of Criminal Procedure Code means:

(1) offence of serious nature
(2) non bailable offence
(3) bailable offence
(4) an offence where police officer may arrest without warrant

92. Doctrine of lis pendense provided under Section 52 of the Transfer of Property Act lays down:

(1) pending suit, parties are prohibited to alienate the property
(2) parties are at liberty to alienate the property
(3) if alienation is made, it is subject to certain conditions
(4) the parties are bound by the decree passed by the court

93. Registration of multiple FIRs is permissible

(1) If the allegations are not same in all the FIRs
(2) If the complainants are different
(3) If cause of action is different
(4) All the above

94. 'Document' as per Indian Evidence Act means, matter expressed or described in the form of

(1) Letters
(2) Figures or marks
(3) (a) and (b)
(4) None of the above

95. Which of the properties that can be seized by a police officer by exercising powers under Section 102 Cr.P.C

(1) Bank Account
(2) Any property which may be alleged or suspected to be stolen
(3) Property found under circumstances which creates a suspicion of commission of any offence
(4) All the above

96. The Competent authority to pass confiscation order under Telangana Excise Act, 1968

(1) Commissioner of Prohibition and Excise
(2) Jurisdictional Dy. Commissioner of Prohibition & Excise
(3) Jurisdictional Asst. Commissioner of Prohibition & Excise
(4) Station House Officer of the Concerned Prohibition & Excise station

97. Filing of Vakalat is -

(1) On the request made by the presiding officer
(2) On the request made by the client
(3) Mandatory
(4) All the above

98. In execution of a decree, if a person is detained in a civil imprisonment, the subsistence allowance has to be paid by

(1) State Government
(2) jail authorities
(3) Central Government
(4) Decree holder

99. Under the provisions of the Code of Civil Procedure, 1908, which of the following injunctions are provided?

(1) permanent and temporary injunction
(2) permanent and mandatory injunction
(3) only temporary injunction
(4) all the above

100. Under Section 114 of the Civil Procedure Code, 1908, which Court has the power to review a judgement or order?

(1) High Court
(2) Supreme Court
(3) Appellate Court
(4) Same Court