UP PCS-J (Preliminary) 2015

Uttar Pradesh Judicial Service Civil Judge (Junior Division) Preliminary Examination 2015 · Paper 2 (Law) only; the General Knowledge paper could not be found in any public copy

Paper 2: Law

1. In which one of the following Articles of the U.N. Charter provides for the expulsion of a member State?
   (a) Article 5
   (b) Article 6
   (c) Article 7
   (d) Article 1

2. Number of Principal organs of United Nations are:
   (a) 7
   (b) 6
   (c) 5
   (d) 4

3. Which one of the following states is not a permanent member of Security Council?
   (a) China
   (b) United Kingdom
   (c) United States of America
   (d) Japan

4. What is the term of office of the judges of International Court of Justice?
   (a) 5 years
   (b) 7 years
   (c) 9 years
   (d) 15 years

5. The first Indian appointed as a judge of International Court of Justice was:
   (a) Justice P.N. Bhagwati
   (b) Justice Nagendra Singh
   (c) Justice Krishna Iyer
   (d) None of the above

6. Whereis the headquarters of International Court of Justice situated?
   (a) Geneva
   (b) New York
   (c) Hague
   (d) London

7. In which one of the following Article of U.N.O. the principles of self-determination has been provided:
   (a) Article 1
   (b) Article 2
   (c) Article 3
   (d) Article 4

8. 'A time-barred debt' is a typical example of:
   (a) Positive Right
   (b) Negative Right
   (c) Perfect Right
   (d) Imperfect Right

9. U.N. Member States have agreed on August 3, 2015 on sustainable development goals by:
   (a) Majority vote
   (b) Consensus
   (c) Convention
   (d) (a) and (c) above

10. World climate summit 2015 scheduled to be held in:
   (a) New York
   (b) New Delhi
   (c) Paris
   (d) Hongkong

11. Which one of the following is often termed as "a child of war"?
   (a) Security Council
   (b) United Nations Organization
   (c) League of Nations
   (d) International Court of Justice

12. "Purpose of United Nations is world peace". It was observed by:
   (a) Oppenheim
   (b) Kelson
   (c) Anzilotti
   (d) Cardova

13. The headquarters of Universal Postal Union is situated in:
(a) Geneva
(b) New York
(c) Rome
(d) Berne

14. How many members are there in Security Council of U.N.O.?
(a) 5
(b) 10
(c) 15
(d) 20

15. The first session of UNO General Assembly was held on:
(a) January 19, 1945
(b) January 19, 1946
(c) January 19, 1947
(d) January 19, 1948

16. Which one of the following is the official language of International Court of justice:
(a) Spanish and English
(b) Russian and English
(c) French and English
(d) Arabic and English

17. What is the term of non- permanent members of Security Council of U.N.O.?
(a) 2 years
(b) 3 years
(c) 4 years
(d) 5 years

18. Which one of the following is the member of Non- Proliferation Treaty (NPT)?
(a) Israel
(b) China
(c) North Korea
(d) India

19. In January 2015 Edgar Lunga was elected as President of:
(a) Italy
(b) Zambia
(c) Greece
(d) New York

20. 68th World Health Assembly took place in:
(a) Delhi
(b) London
(c) Geneva
(d) Egypt

21. World Future Energy Summit 2015 took place in:
(a) Dubai
(b) Tehran
(c) Abu Dhabi
(d) New York

22. Which one of the following countries has become 161st member of World Trade Organization
(a) Seychelles
(b) Latvia
(c) Nepal
(d) Yemen

23. The third U.N. World Conferences Disaster Risk Reduction was held in March, 2015 in:
(a) China
(b) Bangladesh
(c) Japan
(d) India

24. World Refugee Day is observed every year on:
(a) 20th June
(b) 20th July
(c) 20th August
(d) 20th September

25. With which country India has signed inter-governmental agreement on “Foreign Account Tax Compliance Act” on 9th July, 2015:
(a) France
(b) Germany
(c) America
(d) England

26. Total number of members in the European union is
(a) 27
(b) 28
(c) 35
(d) 30

27. Which one of the following is not correctly matched?
(a) Trygve Lie - Norway
(b) Kurt Waldheim - Sweden
(c) U Thant - Myanmar
(d) Kofi Annan - Ghana

28. On January 15, 2015 India has signed a Motor Vehicles Agreement with which of the following three SAARC countries:

(a) Bhutan, Sri Lanka, Bangladesh
(b) Sri Lanka, Pakistan, Nepal
(c) Bhutan, Bangladesh Nepal
(d) Bhutan, Bangladesh Maldives

29. Who has described International law as "positive morality"?

(a) Halland
(b) Austin
(c) Stark
(d) Oppenheim

30. Which of the following elects the judges of International Court of Justice?

(a) The General Assembly of United Nations
(b) Security Council of United Nations
(c) International Court of United Nations
(d) Both (a) and (b)

31. Why says International law is a vanishing point of jurisprudence

(a) Biely
(b) Holland
(c) Pollok
(d) Stark

32. National Judicial Appointments Commission Act, 2014 came into force:

(a) on April 13, 2015
(b) on December 31, 2014
(c) is not enforce, yet
(d) on January 31, 2015

33. Under which one of the following Articles of our Constitution an accused person has been guaranteed the right to be informed of the nature and cause of accusation

(a) Article 22 (1)
(b) Article 22 (3)
(c) Article 21
(d) Article 22 (4)

34. How many representatives of the Anglo-Indian Community can be nominated to the State Legislative Assembly by the Governor of the State:

(a) Three
(b) Two
(c) One
(d) Nill

35. The 'equal protection of Laws' in Article 14 has been taken from:

(a) British Constitution
(b) American Constitution
(c) Australian Constitution
(d) None of the above

36. The Supreme Court of India hastraced the"Right of Privacy" in:

(a) Article 14
(b) Article 19
(c) Article 21
(d) Article 22

37. 'Right to Life' under Article 21 of the Constitution does not include 'right to die' has been held by Supreme Court in:

(a) Ratiram v. Union of India
(b) Gian Kaur v. State of Punjab
(c) State of Maharashtra v. Maruti Sripan Dubal
(d) All of the above

38. In which one of the following cases the Supreme Court has declared Article 15 (5) as Constitutional

(a) Indra Sawhney v. Union of India
(b) Ashok Kumar Thakur v. Union of India
(c) State of Madras v. Champakam Dorairajan
(d) T.M.A. Pai Foundation v. State of Karnataka

39. Article 15 of the Constitution prohibits discrimination between citizens on the basis of:

(a) Religion and caste only
(b) Religion, race and caste only
(c) Religion, caste and sex only
(d) Religion, race, caste, sex, place of birth or any of them

40. The President may under Article 56 (1) be remove from his office by a process of impeachment on the ground of:

(a) proved misbehavior
(b) incapacity
(c) violation of the Constitution
(d) All of the above

41. Part IV-A of the Indian Constitution dealing with Fundamental Duties' was added in the Constitution by:

(a) 24th Constitutional (Amendment) Act, 1971
(b) 25th Constitutional (Amendment) Act, 1971
(c) 42nd Constitutional (Amendment) Act, 1976
(d) 44th Constitutional (Amendment) Act, 1978

42. Which one of the following is considered as a Supreme Source of power:

(a) Supreme Court of India
(b) Parliament of India
(c) President of India
(d) Constitution of India

43. Article 142 of the Constitution

(a) is supplementary in nature
(b) gives preference to equity over law
(c) decisions under it do not constitute precedence under Article 141
(d) All of the above

44. For how much period, the President can appoint additional and acting judges in High Courts?

(a) Not exceeding 2 years
(b) Not exceeding 3 years
(c) Not exceeding 1 year
(d) Not exceeding 5 years

45. Who amongst the following has said that "Indian Constitution is a federation with strong centralizing tendency"?

(a) K.C. Wheare
(b) A.v. Dicey
(c) Sir Ivor Jennings
(d) None of the above

46. "Right to work" in the Constitution can be traced in

(a) Fundamental Rights
(b) Directive principles of State Policy
(c) Preamble of the Constitution
(d) None of the above

47. Which one of the following pair is correctly matched?

(a) Universal donee -Section 128-A
(b) Mortgaged debt Section 134
(c) Exchange of Money --Section 120
(d) All of the above

48. Immovable property not includes-

(a) Grass
(b) Growing crops
(c) Standing timber
(d) All of the above

49. Which one of the following sections of Transfer of Property Act, 1882 relates to oral transfer? 1

(a) Section 5
(b) Section 7
(c) Section 8
(d) Section 9

50. Which one of the following sections of Transfer of Property Act, 1882 is concerned with the transfer of benefit to unborn child?

(a) Section 13
(b) Section 14
(c) Section 15
(d) Section 16

51. Under Transfer of Property Act, 1882 which one of the following is correctly matched?

(a) Condition restraining alienation Section 9
(b) Rule against perpetuity-Section 14
(c) Conditional Transfer-Section 25
(d) None of the above

52. The Transfer of Property Act, 1882 cane into force on:

(a) 1st March, 1881
(b) 1st April, 1881
(c) 1st July, 1882
(d) 1st August, 1882

53. A transfer Rs. 5,000 to B on condition that he shall marry with the consent of C, D, and E. B marries without the consent of C, D, and E. But obtains their consent after the marriage. Has B fulfilled the conditions

(a) Yes
(b) No
(c) Cannot say
(d) None of the above

54. A transfer a farm to B for his life with a proviso that in case B cuts down a certain wood, the transfer shall cease to have any effect. B cuts down the word What will be effect of his life interest on farm?

(a) Loses
(b) Secures
(c) Conditional loss
(d) Conditional secure

55. Under Transfer of Property Act, 1882 which one of the following is not correctly matched?

(a) Transfer by ostensible - Section 41
(b) Doctrine of part performance Section 53-B
(c) Fraudulent transfer - Section 53
(d) Doctrine of Lis pendens-Section 52

56. A vested interest is not defeated by the death of the transferee before he obtains possession is provided in which one of the following sections of the Transfer of Property Act, 1882.

(a) Section 18
(b) Section 19
(c) Section 20
(d) Section 21

57. Wherethe principal money secured is one hundred rupees or upwards, a mortgage other than a mortgage by deposit of the deed can be effected only by:

(a) registered instrument
(b) signed by the mortgagor
(c) attested by at least two witnesses
(d) all of the above

58. Right to fore-closure or sale has been provided in which of the following sections of the Transfer of Property Act, 1882:

(a) Section 65
(b) Section 66
(c) Section 67
(d) Section 68

59. The case of Jayadayal Poddar v. Bibi Hazara is related to:

(a) Doctrine of election
(b) Doctrine of part performance
(c) Transfer by unauthorised person
(d) ostensible owner

60. Section 35 of the Transfer of Property Act, 1882 is applicable to:

(a) movable property
(b) immovable property
(c) every kind of property
(d) All of the above

61. In which one of the following cases, it was held that partition is not a transfer of property?

(a) V.N. Sarin v. Ajeet Kumar, AIR 1986
(b) Roked Chand v. Smt. Rajeshwari Devi, AIR 2009 NOC 3009
(c) Abdul Jabbar v. Venkata Sastri, AIR 1969 SC 1147
(d) None of the above

62. Identification parade can be held by:

(a) Police Officer only
(b) Magistrate only
(c) Public Servant Only
(d) Any person

63. Which one of the following sections of the Indian Evidence Act, 1872 provides that evidence may be given of facts in issue and relevant facts?

(a) Section 3
(b) Section 4
(c) Section 5
(d) Section 60

64. “Character as affecting damages” has been discussed in which one of the following sections?

(a) Section 55 of the Indian Evidence Act, 1872
(b) Section 56 of the Indian Evidence Act, 1872
(c) Section 57 of the Indian Evidence Act, 1872
(d) Section 58 of the Indian Evidence Act, 1872

65. Which one of the following sections of the Indian Evidence Act, 1872 is related to presumption as to electronic agreement?

(a) Section 81A
(b) Section85C
(c) Section 88A
(d) Section 85A

66. By which one of the following amendments Section 53-A has been inserted in the Indian Evidence Act, 1872?

(a) Information Technology (Amendment) Act, 2008
(b) Indian Evidence (Amendment) Act, 2002
(c) Criminal Law amendments Act, 2005
(d) Criminal amendments Act, 2013

67. Which one of the following dates of enforcement of Indian Evidence Act, 1872 is correct?

(a) 15th March, 1872
(b) 1st September, 1872
(c) 1st July, 1872
(d) 1st February, 1872

68. Which one of the following sections of the Indian Evidence Act, 1872 has been inserted by the dowry Prohibition (Amendment) Act, 1986?
(a) Section 111-A
(b) Section 113-A
(c) Section 113-B
(d) None of the above

69. Which one of the following does not fall within the definition of the term Court under Indian Evidence Act, 1872?
(a) All Judges
(b) All Magistrates
(c) All Consumer Forums
(d) All persons legally authorizd to take evidence

70. Under Indian Evidence Act, 1872 relevancy of facts forming part of the same transaction has been discussed in:
(a) Section 6
(b) Section 7
(c) Section 8
(d) Section 11

71. The law of evidence under the Indian Evidence Act, 1872 is:
(a) Substantive Law
(b) Procedural Law
(c) Substantive and Procedural Law
(d) None of the above

72. In which of the following sections of the Indian Evidence Act, 1872 provision as to refresh memory has been given:
(a) Section 141
(b) Section 149
(c) Section 159
(d) Section 158

73. Which one of the following is not inclusive in Section 8 of the Indian Evidence Act, 1872 for relevancy?
(a) Intention
(b) Motive
(c) preparation
(d) Conduct

74. Under Indian evidence Act, 1872 which one of the following sections defines admission:
(a) Section 17
(b) Section 18
(c) Section 19
(d) Section 20

75. Which one of the following sections of the Indian Evidence Act, 1872 deals with the relevancy of statement as to any law contained in law books?
(a) Section 37
(b) Section 38
(c) Section 36
(d) Section 39

76. A party can ask Question to his own witness under which section of the Indian Evidence Act, 1872?
(a) Section 156
(b) Section 154
(c) Section 158
(d) Section 160

77. Under Indian PenalCode, 1860 the offence of affray has been defined in:
(a) Section 146
(b) Section 148
(c) Section 159
(d) Section 149

78. Section 34 of the Indian Penal Code, 1860:
(a) Creates a Substantive offence
(b) is a rule of evidence
(c) both (a) and (b)
(d) None of the above

79. The principle of doli incapax under Indian Penal Code, 1860 is an exception to criminal liability in which one of the following sections?
(a) Section 81
(b) Section 82
(c) Section 84
(d) Section 87

80. A hangman who hangs the prisoner pursuant to the order of the court is exempted from criminal liability by virtue of-
(a) Section 77 of the Indian Penal Code, 1860
(b) Section 78 of the Indian Penal Code, 1860
(c) Section 79 of the Indian Penal Code, 1860
(d) Section 76 of the Indian Penal Code,1860

81. Under Indian Penal Code, 1860 the defence of 'Consent' is not available in cases of:
(a) Consent to cause death
(b) Consent to cause grievous hurt
(c) Both (a) and (b)
(d) None of the above

82. In exercise of right of private defence even death of the accused can be caused under:

(a) Section 100 of the Indian Penal Code
(b) Section 102 of the Indian Penal Code
(c) Section 103 of the Indian Penal Code
(d) Both (a) and (c)

83. Section 498-A of the Indian Penal Code, 1860 came into force from:

(a) 25th December, 1983
(b) 26th December, 1986
(c) 25th December, 1987
(d) 25th December, 1988

84. In which one of the following Sections of the Indian Penal Code, 1860 punishment for wrongful confinement has been provided?

(a) Section 340
(b) Section 341
(c) Section 342
(d) Section 350

85. Under Indian Penal Code, 1860 the Criminal Law (Amendment) Act, 2013 has:

(a) Amended Section 375
(b) Substituted Section 375
(c) Abolished Section 375
(d) Weakened Section 375

86. In which one of the following sections of the Indian Penal Code, 1860 Lurking House Trespass has been defined?

(a) Section 442
(b) Section 444
(c) Section 445
(d) Section 443

87. 'A' incites a dog to spring upon 'Z' without 'Z's consent with the intention to annoy 'Z'. Here'A' has committed an offence of:

(a) Criminal force
(b) Criminal assault
(c) Grievous hurt
(d) Defamation

88. Which one of the following sections of the Indian Penal Code, 1860 defines the word 'Act'?

(a) Section 32
(b) Section 33
(c) Section 23
(d) Section 24

89. Which one of the following sections of the Indian Penal Code, 1860 is an extension of the principle of respondent superior' to criminal law?

(a) Section 121
(b) Section 159
(c) Section 120-A
(d) Section 154

90. Which one of the following recognizes the 'principle of vicarious criminal liability under Indian Penal Code, 1860?

(a) Section 34
(b) Section 149
(c) Both (a) and (b)
(d) None of the above

91. Saria Mudgal, President Kalyani v. Union of India is a case on which one of the following?

(a) Rape
(b) Adultery
(c) Bigamy
(d) Kidnapping

92. In a case of breach of terms on which injunction was granted under Civil Procedure Code, 1908 the court may pass an order of:

(a) attachment and sale of property
(b) attachment of property and detention in civil prison
(c) arrest and detention in civil prison for 3 months
(d) (a) and (c) both

93. How much salary of a person can be attached in execution of a decree for maintenance

(a) First one thousand rupees and 1/3 of the remainder
(b) First one thousand rupees and 2/3 of the remainder
(c) 2/3 of the salary
(d) 1/3 of the salary

94. Which one of the following sections of the Code of Civil Procedure, 1908 embraces the principle of restitution

(a) Section 134
(b) Section 144
(c) Section 148A
(d) Section 151

95. Acourt can returnthe plaint for presentation to the court in which the suit should have been instituted

(a) At the time of institution of suit
(b) Before framing of issues
(c) Before the trial begins
(d) At any stage of the suit

96. 'Prisons' as defined in Order 16-A of the Code of Civil Procedure, 1908 includes:

(a) Any place which has been declared by the government by general or special order, to be subsidiary jail
(b) Any reformatory Borstal institution or other institution of a like nature
(c) both (a) and (b)
(d) only (a) is correct

97. Under Civil Procedure Code, 1908 "every suit shall be instituted by presenting a plaint in duplicate to the court or such officer as it appoints in this behalf." This is provided under:

(a) Section 26
(b) Section 20
(c) Order 3, Rule 1
(d) Order 4, Rule 1

98. Which one of the following is not a decree under Civil Procedure Code, 1908?

(a) Rejection of a plaint for non- payment of court fee
(b) Any order of dismissal for default
(c) Both (a) and (b)
(d) None of the above

99. Documents which are meant for cross examination of a witness of the other party may be produced?

(a) till settlement of issues
(b) after settlement of issues
(c) any time when required
(d) along with the pleading

100. Under which one of the following provisions of the Civil Procedure Code, 1908 a plaint is rejected by the court in absence of cause of action?

(a) Order 7 rule 11 (a)
(b) Order 7 rule 11 (b)
(c) Order 7 rule 11 (c)
(d) Order 7 rule 11 (d)

101. Under which of the following provision of the Civil Procedure Code 1908 attachment before judgment is provided?

(a) Order 38 Rule 5 to13
(b) Order 39 Rule 1 and 2
(c) Order 40 Rule 1
(d) Section 96

102. On which one of the following grounds under Civil Procedure Code, 1908 a warrant of arrest against a "judgment debtor" may be cancelled by the Court?

(a) serious illness
(b) appearance in marriage of his son
(c) to cast vote in general elections
(d) None of the above

103. A decree against government of India or State Government shall not be executed unless it remains unsatisfied for the period of:

(a) one month
(b) two months
(c) three months
(d) six months

104. Under Civil Procedure Code, 1908 copy of plaint:

(a) shall be attached with every summons
(b) is not necessary to attach with every summons
(c) may be attached with the summons when court permits
(d) is attached with summons on the request of the plaintiff

105. Which one of the following is not suit of Civil Nature?

(a) Suits for rights to hereditary offices
(b) suits for rights of franchise
(c) suits for recovery of voluntary payments of offerings
(d) suits relating to right of worship

106. Under Civil Procedure Code, 1908 pleading can be amended:

(a) before the 1st appellate court
(b) before the trial court
(c) before the 2nd appellate court
(d) before (a) and (c) only

107. Which one of the following sections of Criminal Procedure Code, 1973 provides that "no Judge or Magistrate shall try any case in which he is personally interested

(a) Section 478
(b) Section 477
(c) Section 479
(d) Section 481

108. Which one of the following sections of Criminal Procedure Code, 1973 has defined the word 'offence'?

(a) Section 2 (f)
(b) Section 2 (i)
(c) Section 2 (n)
(d) Section 2 (p)

109. Under the Criminal Procedure Code, 1973 who can file an application for plea bargaining

(a) The Public Prosecutor
(b) The Investigating Officer
(c) The Victim of the offence
(d) The accused of the offence

110. Under Criminal Procedure Code, 1973 what is the period of limitation prescribed for taking cognizance of an offence which is punishable with imprisonment for a term exceeding 3 years?

(a) 3 years
(b) 2 years
(c) 5 years
(d) No limit of period prescribed

111. Recently in which of the following the Supreme Court has held that there shall be no mediation in rape cases?

(a) Hardeep v. Punjab State
(b) State of M.P. v. Madan Lal
(c) Prahlad v. State of Haryana
(d) None of the above

112. Which one of the following sections of the Criminal Procedure Code, 1973 provides that "no appeal to lie unless otherwise provided"?

(a) Section 372
(b) Section 373
(c) Section 375
(d) Section 377

113. Under Criminal Procedure Code, 1973 the irregularities which do not vitiate proceedings have been stated in:

(a) Section 460
(b) Section 461
(c) Section 462
(d) Section 466

114. Recently in which one of the following cases the Supreme Court has given directions for the medical treatment of the victim of acid attack?

(a) State of M.P. v. Madan Lal
(b) Laxmi v. Union of India
(c) Jagdar Singh v. State of Haryana
(d) None of the above

115. The subject of Criminal Procedure falls in which one of the following lists of the Constitution of India?

(a) Union list
(b) State list
(c) Concurrent list
(d) Either (a) or (b)

116. Under Criminal Procedure Code, 1973 the irregularities with vitiate trial have been stated in:

(a) Section 460
(b) Section 461
(c) Section 466
(d) Section 467

117. Complaint as defined under Section 2 (d) of the Criminal Procedure Code, 1973 is concerned with:

(a) Cognizable offence only
(b) Non Cognizable offence only
(c) Both (a) and (b)
(d) None of the above

118. In which one of the following sections of the Criminal Procedure Code, 1973 it is mandatory to produce the person arrested before the Magistrate within 24 hours of arrest?

(a) Section 51
(b) Section 56
(c) Section 57
(d) Section 59

119. Under which one of the following sections of the Criminal Procedure Code, 1973 monthly allowances or the interim allowances for maintenance can be altered?

(a) Section 125
(b) Section 126
(c) Section 127
(d) Section 128

120. Anticipatory Bail under Section 438 of the Criminal Procedure Code, 1973 can be invoked in case of:

(a) Bailable offences
(b) Non-bailable offences
(c) Both (a) and (b)
(d) None of the above

121. In which one of the following sections of the Criminal Procedure Code, 1973 the Cognizable offence' has been defined?

(a) Section 2 (a)
(b) Section 2 (b)
(c) Section 2 (c)
(d) Section 2 (i)

122. A contracts to B Rs. 10,000 if B's house is burnt, the contract is:

(a) simple
(b) contingent
(c) Conditional
(d) None of the above

123. An agreement to do an act impossible in itself is:

(a) void
(b) voidable
(c) valid
(d) None of the above

124. A, for natural loveand affection, promiseto givehis son, B, Rs. 1,000. A puts his promise to B in writing and registers it. This is a:

(a) Contract
(b) Voidable contract
(c) Void contract
(d) None of the above

125. In the following cases which case relates to general offers:

(a) Lalman Shukla v. Gauri Datt
(b) Carlill v. Carbolic Smoke Ball Comp
(c) Both (a) and (b)
(d) None of the above

126. Who said that "An offer need not be made to an ascertained person, but no contract can arise until it has been accepted by an ascertained person"?

(a) Lord Atkin
(b) Lord Goddard
(c) Chashre and Fifoot
(d) Anson

127. A agrees to pay B Rs. 1,000 if B will marry to A's daughter C. C was dead at the time of the agreement. The agreement is:

(a) invalid
(b) voidable
(c) void
(d) valid

128. Minor's contract is:

(a) void
(b) voidable
(c) void at the option of minor
(d) valid at the option of the minor

129. Satyabrata Ghose v. Mangiram Bongur, (1954 SC) is a case on:

(a) Minor's contract
(b) Consideration
(c) Frustration
(d) contingent contract

130. Hadley v. Baxendale is a case on:

(a) Frustration of contract
(b) Damages for breach of contract
(c) Discharge of contract
(d) Contract is restraint of trade

131. An agreement entered into with free consent and lawful but with inadequate Consideration is

(a) unlawful
(b) lawful
(c) void
(d) voidable

132. Where both the parties to an agreement are under a mistake as to a matter of fact essential to the agreement, the agreement: is

(a) voidable
(b) void
(c) illegal
(d) None of the above

133. Nudum Pactum means
(a) Without Consideration
(b) invalid contract
(c) void contract
(d) voidable contract

134. In law of contract Bailor in pledge is called:
(a) Pawnor
(b) Pawnee
(c) Agent
(d) Bailee

135. Consider the following statements and point out which of them is correct?
1. An agreement made without Consideration is void
2. Consideration should have value in the eye of law
3. Consideration has to be adequate
(a) 1, 2 and 3
(b) 1 and 2
(c) 1 and 3
(d) 2 and 3

136. A having advanced money to his son, B, during his minority, upon B's coming of age obtains, by misuse of parental influence, a bond from B for a greater amount than the sum due in respect of the advance A employs:
(a) coercion
(b) fraud
(c) undue influence
(d) mis-representation

137. Austin's book "the province of jurisprudence Determined is:
(a) his autobiography
(b) the lectures delivered in the London University
(c) an answer to an essay by Gray on Parliamentary government
(d) None of the above

138. Which one of the following is not an essential element of Custom?
(a) A custom must be certain
(b) A custom must be reasonable
(c) A custom may not have been Practiced continuously
(d) A custom must be in conformity with statute law

139. Which one of the following is not a theory of punishment
(a) Preventive theory
(b) Social interest theory
(c) Deterrent theory
(d) Retributive theory

140. "Ownership is a plenary control over an object." This definition is given by:
(a) Austin
(b) Holland
(c) Salmond
(d) Pound

141. Legal order is a pyramid of norms" is the statement of:
(a) Austin
(b) Kelson
(c) Salmond
(d) Fuller

142. In law the Hart-Fuller controversy relates to:
(a) definition of law
(b) Classification of law
(c) Law and morality
(d) Sanction

143. "The movement of progressive societies has hitherto been a movement from status to contract it is said by:
(a) Henry Maine
(b) Hegal
(c) Savigny
(d) Cicero

144. The theory of lifting the veil of corporate personality was evolved in:
(a) Merry v. Green
(b) Solomon v. Solomon
(c) In re-Cohen
(d) Ancona v. Rosers

145. "Law is found not made" concept of law belongs to:
(a) Sociological school
(b) Analytical school
(c) Historical school
(d) Philosophical school

146. jurisprudence is the scientific synthesis of essential principles of law" has been said by:

(a) Allen
(b) Halland
(c) Bentham
(d) Austin

147. jurisprudence is the Philosophical aspect of the knowledge of law" has been said by:

(a) Salmond
(b) Dias
(c) Cicero
(d) Paton

148. jurisprudence is the knowledge of things, human and devine; the science of just and unjust." has been said by:

(a) Keeton
(b) Ulpian
(c) Julius Stone
(d) Austin

149. "Law grows with the nation, increases with it, and dies with its dissolution and it is a characteristic of it." It is said by:

(a) Salmond
(b) Savigny
(c) Henry Maine
(d) Buckland

150. "The theory of social solidarity has been propounded by:

(a) Duguit
(b) Ihering
(c) Lloyed
(d) Comte