Uttarakhand Civil Judge Prelims 2012

Uttarakhand Public Service Commission · 200 questions · Series A

Part I · General Knowledge

1. Which of the following Amendments of the Constitution made it mandatory for the President to accept the advice given by Council of Ministers ?
(a) 39th Amendment
(b) 42nd Amendment
(c) 49th Amendment
(d) 44th Amendment

2. The President of India may be removed from his office on which of the following grounds ?
(a) Proved misbehaviour
(b) Incapacity
(c) Violation of the Constitution
(d) All of the above

3. In law 'whistle blower' means
(a) A person who blows whistle to make a game over.
(b) A person who gives an information about corruption.
(c) A person who blows whistle to start running.
(d) None of the above.

4. In which case it was laid down that the "amendment in the Constitution is exercise of legislative functions of the Parliament" ?
(a) Shankari Prasad Vs. Union of India
(b) Golak Nath Vs. State of Punjab
(c) Sajjan Singh Vs. State of Rajasthan
(d) Keshvanand Bharti Vs. State of Kerala

5. When was the Constitution of India enacted ?
(a) 15th August, 1947
(b) 26th January, 1950
(c) 26th November, 1949
(d) 2nd October, 1947

6. Which of the following became the first lady advocate of Indian origin appointed as legal advisor of the Queen of England ?
(a) R. Menon
(b) R. Anthony
(c) K. Kaul
(d) None of the above

7. Which of the following Article of the Constitution declares the Supreme Court shall be a Court of Record ?
(a) Article 127
(b) Article 129
(c) Article 128
(d) Article 130

8. The Uttarakhand Police Act was enacted in which of the following year ?
(a) 2009
(b) 2008
(c) 2007
(d) None of the above

9. Which of the following is not correctly matched ?
(a) The Sale of Goods Act – 1927
(b) The Arbitration & Conciliation Act – 1996
(c) The Copyright Act – 1957
(d) The Right to Information Act – 2005

10. In which of the following case compensation was first time awarded for violation of Fundamental Rights ?
(a) Sunil Batra Vs. Delhi Administration
(b) Rudal Sah Vs. State of Bihar
(c) Dharam Singh Vs. State of Jammu & Kashmir
(d) None of the above

11. By which of the following Constitutional Amendment Clause (4-B) was added to Article 16 of the Constitution ?
(a) 80th
(b) 82nd
(c) 81st
(d) 85th

12. The President of India shall be elected by
(a) Members of electoral college.
(b) the elected members of both Houses of Parliament.
(c) the elected Members of Legislative Assemblies of States.
(d) None of the above.

13. Where any information sought under the Right to Information Act concerns the life or liberty of a person, the same shall be provided within the receipt of the request

(a) 24 Hours
(b) 72 Hours
(c) 96 Hours
(d) 48 Hours

14. In which of the following case the Supreme Court held that Article 16(4-A) providing for reservation in promotions is a enabling provision ?

(a) Keshvanand Bharti Vs. State of Kerala
(b) M. Nagraj Vs. Union of India
(c) State of Kerala Vs. N.M. Thomas
(d) T.M. Pai Foundation Vs. State of Karnataka

15. 'Diarchy' was established in India by which of the following ?

(a) The Indian Council Act, 1909
(b) The Government of India Act, 1935
(c) The Government of India Act, 1919
(d) None of the above

16. Which of the following statements is not correct ?

(a) Judgement of a High Court is not binding on other High Courts.
(b) Judgement of a High Court is binding on all courts within its jurisdiction.
(c) Judgement of a same Bench is not binding on the later Bench of the co-equal strength.
(d) Judgement of the Double Bench is binding on Singh Bench.

17. Judicial Review of the 9th Schedule of the Constitution has been made permissible by which of the following case decided by the Supreme Court ?

(a) Keshvanand Bharti Vs. State of Kerala
(b) M. Nagraj Vs. Union of India
(c) Minerva Mills Ltd. Vs. Union of India
(d) I.R. Coelho Vs. State of Tamil Nadu

18. Which of the following Articles of the Constitution relates to creation of All India Judicial Service in India common to Union and the States ?

(a) Article 312
(b) Article 312-A
(c) Article 313
(d) Article 315

19. Which one of the following Indian political leaders was awarded by the 'International Jurists Award, 2012' ?

(a) Sushama Swaraj
(b) Lalu Prasad Yadav
(c) Pranab Mukherjee
(d) Mulayam Singh Yadav

20. Which one of the following Acts was recently passed by the Parliament ?

(a) The Sexual Offences Act
(b) The Domestic Violence Act
(c) The Prohibition of Dowry Act
(d) The Right to Information Act

21. The action required to carry out the decision of the Security Council for the maintenance of international peace and security shall be taken by which of the following ?

(a) All the Members of the United Nations or some of them as the Security Council may determine.
(b) All the Members of the Security Council.
(c) The General Assembly by its majority vote.
(d) All of the above.

22. Where is the seat (headquarter) of International Court of Justice ?

(a) New York
(b) The Hague
(c) New Delhi
(d) Geneva

23. Who wrote "The Limits of Jurisprudence Defined" ?

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

24. An empowered committee constituted on Mullaperiyar Dam headed by which of the following ?

(a) Justice Arijit Pasayat
(b) Former Chief Justice A.S. Anand
(c) Former Chief Justice Y.K. Sabarwal
(d) Justice P.K. Bala Subramanyam

25. Tick the correct citation of Nagraj Vs. Union of India :

(a) AIR 2006 SC 71
(b) AIR 2008 SC 71
(c) AIR 2007 SC 71
(d) None of the above

26. Who is Chairman of Law Commission of India whose tenure ended on 31st August 2012 ?

(a) Justice A.R. Lakshman
(b) Justice J.S. Verma
(c) Justice P.V. Reddy
(d) None of the above

27. Supreme Court Rules, 1966 have been framed under which of the following Articles of the Constitution ?

(a) Article 146
(b) Article 143
(c) Article 144
(d) Article 145

28. Which of the following is not correctly matched ? High Courts Seat

(a) Chhattisgarh – Bilaspur
(b) Rajasthan – Jaipur
(c) Orissa – Cuttack
(d) Kerala – Ernakulam

29. Which of the following is/are not within the jurisdiction of Right to Information Act ? (1) The Supreme Court of India (2) Rajiv Gandhi Foundation (3) President of India Choose the correct answer :

(a) All of the above
(b) Only (1)
(c) Only (2)
(d) Only (3)

30. Bar Council of India is a statutory body constituted under which of the following ?

(a) The Supreme Court Rules, 1966
(b) The Constitution of India
(c) The Advocates Act, 1961
(d) Union Ministry of Law & Justice

31. Omita Paul appointed as President's Secretary belongs to which of the following cadres ?

(a) Indian Administrative Service
(b) Indian Information Service
(c) Indian Police Service
(d) Indian Foreign Service

32. Which of the following Committee related to revamping of the Motor Vehicles Act ?

(a) The Mashalekar Committee
(b) The Naresh Chandra Committee
(c) The S. Sunder Committee
(d) None of the above ?

33. Which of the following is "State" within the definition of Article 12 of the Constitution ?

(a) National Book Trust
(b) State Council of Educational Research and Training (SCERT)
(c) Rajiv Gandhi Board
(d) Institute of Constitutional & Parliamentarian Studies

34. "Judges not only discover law but they also make law." Who among the following was supporter of this view ?

(a) Gray
(b) Diecy
(c) Salmond
(d) Blackstone

35. Which of the following is not principal organ of the United Nations ?

(a) The International Court of Justice
(b) The Secretariat
(c) The Trusteeship Council
(d) The International Monetary Fund

36. Consider the following and choose the correct answer given below : (1) Tonga (2) Vatican City (3) East Timur (4) Montenegro

(a) All are Members of the U.N.
(b) Only (1) and (2) are Members of the U.N.
(c) Only (3) and (4) are Members of the U.N.
(d) Only (1), (2) and (3) are Members of the U.N.

37. "The Initiative of Five" is associated with which of the following ?

(a) NAM (Non-Aligned Movement)
(b) BRIC (Brazil, Russia, India and China)
(c) U.N.O. (United Nations Organization)
(d) League of Nations

38. Who among the following has been sentenced by United Nation backed War Crimes Court for war crimes against humanity ?

(a) Charles Taylor
(b) Fasih Mohemood
(c) Adolfo Calero
(d) None of the above

39. "Catch up" rule established by the Supreme Court of India relates to which of the following Article of the Constitution ?

(a) Article 14
(b) Article 16(4)
(c) Article 15(4)
(d) Article 16(4A)

40. Which of the following pair is not correctly matched ?

(a) Declaration of Atlantic Charter – 1941
(b) Moscow Declaration – 1943
(c) Dumbarton Oakes Conference – 1944
(d) Kellog-Briand Pact – 1938

41. The short title of our Constitution is the 'Constitution of India'. Under which of the following Articles of the Constitution it has been mentioned ?

(a) Article 394
(b) Article 394A
(c) Article 393
(d) Article 1

42. Name of the first Chief Justice of Supreme Court of India was

(a) Justice H.L.J. Kania
(b) Justice Patanjali Shastri
(c) Justice S.R. Das
(d) Justice A.N. Ray

43. The first Constituent Assembly's Meeting held on 9-12-46 was presided over by

(a) Dr. Rajendra Prasad
(b) Shri S.N. Sinha
(c) Shri Jawahar Lal Nehru
(d) None of the above

44. 'Public Interest Litigation' is filed in

(a) Subordinate Courts
(b) High Courts or Supreme Court
(c) only Supreme Court
(d) Central Administrative Tribunal

45. "Right to Education" as Fundamental Right was added in the Constitution by which of the following Constitutional Amendment ?

(a) 42nd
(b) 44th
(c) 84th
(d) 86th

46. The Reserve Bank of India was established in which of the following years ?

(a) 1930
(b) 1934
(c) 1935
(d) 1920

47. The Supreme Court of India issued directive in July 2012 to protect which of the following wild animal ?

(a) Tiger
(b) Lion
(c) Leopard
(d) Elephant

48. Which one of the following is correct in respect of Justice Saumitra Sen, former Judge of Calcutta High Court ?

(a) He was removed through impeachment.
(b) He resigned before impeachment motion started.
(c) He resigned after impeachment motion was passed by Lok Sabha.
(d) He resigned after impeachment motion was withdrawn.

49. The number of Articles and Schedules in original Indian Constitution was

(a) 395 Articles and 8 Schedules
(b) 394 Articles and 9 Schedules
(c) 396 Articles and 10 Schedules
(d) 395 Articles and 7 Schedules

50. The concept of Public Interest Litigation originated in which of the following countries ?

(a) Australia
(b) U.S.A.
(c) U.K.
(d) India

Part II · Law

51. Which one of the following is not a ground for determining a Meher-e-Misl ?
(a) Age of a lady
(b) Charming beauty
(c) Education and intellect
(d) Before marriage, lady was a beloved girl friend

52. Who cannot be appointed as 'Mutawalli" of a wakf ?
(a) Waqif
(b) Waqif's son
(c) A woman
(d) A non-Muslim where religious acts are to be performed

53. Which one of the following conditions is not essential for a valid gift (Hiba) under Muslim Law ?
(a) Registration
(b) Acceptance
(c) Delivery of possession
(d) Declaration

54. A "dower debt" is
(a) a secured debt
(b) an actionable claim
(c) a preferential debt
(d) a mere right to sue

55. Govind Dayal Vs. Inayatullah (1885) – All 775 (F.B.) is a leading case on which of the following ?
(a) Wakf
(b) Pre-emption
(c) Wills
(d) Guardianship

56. Under Dissolution of Muslim Marriage Act, 1939 the option of puberty is available to
(a) the husband only
(b) the wife only
(c) both the husband and wife
(d) both the husband and wife with prior approval of the guardian

57. Where the wife is not pregnant, the period of iddat in case of death of husband is
(a) three months
(b) three months and ten days
(c) four months and ten days
(d) there is no iddat period in such cases

58. A marriage with a woman undergoing iddat is
(a) illegal
(b) irregular
(c) void
(d) voidable

59. Under Muslim Law insanity is a ground for
(a) getting the marriage as voidable
(b) judicial separation
(c) divorce
(d) All of the above

60. 'A' sells a house to 'B' directing 'B' that he cannot reside in it but can use it only as a godown or shop. The condition is
(a) valid
(b) void
(c) irregular
(d) voidable

61. Which one of the following Sections defines "transfer of property" ?
(a) Section 2
(b) Section 3
(c) Section 4
(d) Section 5

62. Where a decree provides for a future decree, it is not actionable claim. It was decided in which of the following case ?
(a) Govindarajulu Vs. Ranga Rao
(b) Jugulkishore Saraf Vs. Raw Cotton Co. Ltd.
(c) Lloyds Vs. Banks
(d) None of the above

63. Which one of the following is not related to Transfer of Property Act ?
(a) Gift
(b) Exchange of money
(c) Partition
(d) Lease of immovable property

64. Which of the following is not correctly matched ?
(a) Contingent interest – Section 21
(b) Direction for accumulation – Section 17
(c) Fulfilment of condition subsequent – Section 30
(d) Priority of rights created by transfer – Section 48

65. Generally, a lease of immovable property for agricultural purposes shall be a lease from

(a) year to year
(b) month to month
(c) both (a) and (b)
(d) None of the above

66. Which of the following Section/Sections deals/deal with accession to mortgaged property ?

(a) Section 63
(b) Section 70
(c) Section 63 and Section 70 both
(d) Section 63A

67. A gift comprising both existing and future property is

(a) valid
(b) void
(c) voidable
(d) valid for existing property and void for future property

68. Doctrine of holding out shall not be applied

(a) during Lis Pendens
(b) without consideration
(c) to Section 47 of Registration Act
(d) All of the above

69. A lease can be made

(a) for a certain period only
(b) for perpetuity only
(c) None of the above
(d) (a) and (b) both

70. Which of the following gift is not governed by Transfer of Property Act ?

(a) Onerous gift
(b) Mortis causa gift
(c) Universal gift
(d) Gift to disqualified person

71. How many exceptions are mentioned under Section 6 of Transfer of Property Act ?

(a) 11
(b) 9
(c) 10
(d) 8

72. Which one of the following pairs is not correctly matched ?

(a) Immovable property – Section 2
(b) Charges – Section 100
(c) Marshalling by subsequent purchaser – Section 56
(d) Mortgaged Debt – Section 134

73. Under which of the following Sections of Transfer of Property Act provisions regarding English mortgage is found ?

(a) Section 58(b)
(b) Section 58(c)
(c) Section 58(e)
(d) Section 58(a)

74. Which of the following is a case involving Section 41 of Transfer of Property Act ?

(a) Suraj-Ratan Thirani Vs. Azamabad Tea Co.
(b) Belamy Vs. Sabine
(c) Prabodhkumar Vs. Dantmara Tea Co.
(d) Tulk Vs. Moxay

75. Which of the following case decided by the Privy Council relates to 'fraudulent transfer' ?

(a) Musahar Sahu Vs. Hakim Lal
(b) Middleton Vs. Pollock
(c) Union of India Vs. Rajeshwari & Co.
(d) All of the above

76. Which one of the following case is the latest case on Section 6(a) of T.P. Act ?

(a) Gulam Abbas Vs. Kayyum Ali
(b) Sheshammal Vs. Hassan Khan
(c) Mt. Khanam Jan Vs. Mt. Jon Bibi
(d) Kochunni Vs. Kunju Pillai

77. Which one of the following is correct in respect of a gift under Transfer of Property Act ?

(a) There cannot be a gift of moveable property.
(b) Only immovable property can be given in gift.
(c) The gift must be accepted by the donee only.
(d) If the donee dies before acceptance, the gift is void.

78. Where possession of mortgaged property is not delivered to the mortgagee, it is called

(a) Simple mortgage
(b) Usufructuary mortgage
(c) English mortgage
(d) Mortgage by conditional sale

79. Which of the following Sections of the Transfer of Property Act provides for subrogation ?
(a) Section 90
(b) Section 92
(c) Section 91
(d) Section 93

80. Under which Section of the Criminal Procedure Code, the term "Offence" has been defined ?
(a) Section 40
(b) Section 2(n)
(c) Section 2(m)
(d) Section 2(d)

81. First Information Report is not a substantive evidence, it can be used during trial for the following :
(a) Only to corroborate the evidence of the informant
(b) Only to contradict the evidence of the informant
(c) For both (a) and (b) above
(d) For neither (a) nor (b)

82. A proclaimed person whose property has been attached can claim the property or the sale proceeds on appearance within
(a) 6 months of attachment
(b) 2 years of attachment
(c) 3 years of attachment
(d) 1 year of attachment

83. A declaration of forfeiture under Section 95 of Cr. P.C. can be set aside by
(a) Magistrate issuing search warrant
(b) Chief Judicial Magistrate
(c) the Session Court
(d) the High Court

84. Point out most accurate response : Under Section 125(4) of Cr. P.C., who among the following cannot claim maintenance ?
(a) Only a wife living in adultery.
(b) Only a wife living separately by mutual consent.
(c) Both (a) and (b) are correct.
(d) Neither (a) nor (b) is correct.

85. Jurisdiction to grant anticipatory bail under S. 438 Cr. P.C. vests with
(a) the Court of Magistrate
(b) only the Court of Session
(c) only the High Court
(d) both the Court of Session and the High Court

86. Under Section 313 of the Cr. P.C., the statement of the accused has to be taken by the Court
(a) on Oath
(b) not on Oath
(c) either on Oath or without Oath as per discretion of the Court
(d) either on Oath or without Oath as per discretion depending on whether the case is summons trial or warrant trial

87. Which one of the following is not correctly matched ?
(a) Reference to High Court – Section 395
(b) High Court's power of revision – Section 401
(c) Abatement of appeal – Section 393
(d) Appeals from conviction – Section 374

88. Which of the following is not correctly matched ?
(a) Conditional order for removal of nuisance – Section 133
(b) Security for keeping the peace on conviction – Section 106
(c) Place of inquiry or trial – Section 176
(d) Power to issue order in urgent cases of nuisance – Section 144

89. The provision relating to health and safety of arrested person have been prescribed under which of the following sections of the Cr. P.C., 1973 ?
(a) Section 50A
(b) Section 53A
(c) Section 55A
(d) Section 60A

90. Under Section 167 of the Cr. P.C. the Magistrate can authorise detention for a total period of 90 days during investigation in cases of offences punishable
(a) with death.
(b) with imprisonment for life.
(c) with imprisonment for a term not less than 10 years.
(d) All the above.

91. Section 197 of Cr. P.C. provides protection from prosecution to which of the following ?
(a) Private individuals
(b) Employees of Public Sector Undertaking
(c) Judge
(d) None of the above

92. Under Section 439 of Cr. P.C. jurisdiction to cancel the bail vests with
(a) the Court of Session.
(b) the High Court.
(c) the Court of Magistrate.
(d) only (a) and (b) of the above.

93. Minimum number of judge(s) of High Court are required to sign a confirmation of sentence of death
(a) one
(b) two
(c) three
(d) five

94. Section 25 of the Cr. P.C. makes provision for the appointment of
(a) Public Prosecutor
(b) Assistant Public Prosecutor
(c) Public Authority
(d) Government representative

95. What does the expression "transit remand" denote ?
(a) It is a transfer of prisoner from one Jail to another.
(b) It is a transfer of criminal case from one Court to another.
(c) It is taking out an accused by police from one State to another State.
(d) It is taking out of the accused from Court to Prison.

96. An Executive Magistrate can order to execute a bond as security for good behaviour from suspected person for a period not exceeding
(a) one year
(b) six months
(c) two years
(d) one month

97. Which one of the following offences a Chief Judicial Magistrate cannot try in a summary way ?
(a) Theft, where the value of the property does not exceed two thousand rupees.
(b) Theft, where the value of the property stolen exceeds three thousand rupees.
(c) A complaint made under Cattle Trespass Act.
(d) Offences under Sections 454 and 456 of the Indian Penal Code.

98. No member of the Armed Forces of the Union shall be arrested for anything done in the discharge of his official duties except after attaining the consent of
(a) the Defence Minister
(b) the Finance Minister
(c) the concerned State Government
(d) the Central Government

99. Under which Section of the Cr. P.C. a Magistrate has the power to enquire into the cause of death ?
(a) Section 176
(b) Section 179
(c) Section 276
(d) Section 76

100. "Delay in examining witnesses by investing officer does not ipso facto make prosecution version suspect. Investigating officer should be categorically questioned in aspect of delayed examination." was held in which of the following cases ?
(a) State of U.P. Vs. Satish
(b) Megha Singh Vs. State of Haryana
(c) State of NCT, Delhi Vs. Ravikant Sharma
(d) Balakrishna Vs. State of Orissa

101. Which of the following is not an essential element of First Information Report ?
(a) It is an information given to the police officer.
(b) Information must relate to a cognizable offence.
(c) It is an information first in point of time.
(d) Information may relate to any offence whether cognizable or non-cognizable.

102. In which of the following sections of the Cr. P.C. the term "investigation" has been defined ?
(a) Section 2(h)
(b) Section 2(g)
(c) Section 3
(d) None of the above

103. "When the confession of the accused person is not recorded in the manner provided in Section 164 of the Cr. P.C. oral evidence of the Magistrate is not admissible to prove that the confession was so made" was held in
(a) State of U.P. Vs. Singhara Singh
(b) State of Rajasthan Vs. Rahman
(c) Ammini Vs. State of Kerala
(d) Dhananjay Reddy Vs. State of Karnataka

104. In which of the following case the Supreme Court held that Section 125 of the Cr. P.C. applicable to all irrespective of their religion ?

(a) Mohd. Tajuddin Vs. Qamruddin Begum
(b) Teja Singh Vs. Chhatto
(c) Mohd. Ahmad Khan Vs. Shah Bano Begum
(d) Mst. Zohra Khattoan Vs. Mohd. Ibrahim

105. Which one of the following is not a suit of civil nature ?

(a) Suits relating to right of worship
(b) Suits relating to partnership.
(c) Suits relating to common law rights.
(d) Suits relating to political questions.

106. 'A' residing in Mumbai publishes statements defamatory against 'B' in Delhi. Where can 'B' file a suit for compensation against 'A' ?

(a) Only at Delhi
(b) Only at Mumbai
(c) Either in Delhi or Mumbai
(d) Where 'B' himself resides

107. A plaint can be rejected under

(a) Order VII Rule 10 C.P.C.
(b) Order VII Rule 10A CPC
(c) Order VII Rule 11 CPC
(d) All of the above

108. Pleadings must be signed

(a) by the party only.
(b) by the pleader only.
(c) by the pleader and the party both.
(d) by the pleader and successor of the pleader.

109. Courts of small causes, under Section 3 of C.P.C. is subordinate to which of the following ?

(a) High Court only
(b) District Court only
(c) Neither (a) nor (b)
(d) Both (a) and (b)

110. Constructive res-judicata is contained in which of the following ?

(a) Explanation III to Section 11
(b) Explanation IV to Section 11
(c) Explanation VI to Section 11
(d) Explanation VIII to Section 11

111. The provision of inter-pleader suit is given in Section

(a) 88 CPC
(b) 89 CPC
(c) 90 CPC
(d) 91 CPC

112. 'Set-off' can be claimed

(a) in any suit
(b) in a recovery of money suit
(c) in a suit for possession
(d) in both (a) and (b)

113. Judgement and decree have been dealt in which of the following order in C.P.C ?

(a) Under Order XX
(b) Under Order XIX
(c) Under Order XXA
(d) Under Order XXI

114. Notice under Section 80 of C.P.C., when it relates to Railways, has to be served on which of the following ?

(a) Minister of Railways
(b) Secretary of Railway Ministry
(c) General Manager of concerned Railway
(d) Prime Minister of India

115. Where the local limits of jurisdiction of Courts are uncertain, the place of institution of suit shall be decided according to the provisions of

(a) Section 16 of C.P.C.
(b) Section 17 of C.P.C.
(c) Section 18 of C.P.C.
(d) Section 19 of C.P.C.

116. Who amongst the following is not "a public officer" within the meaning of Section 2 (17) of C.P.C ?

(a) A Judge
(b) Sarpanch of a Gram Panchayat
(c) A person in the service getting pay from the Government
(d) None of the above

117. In which of the following Sections of the C.P.C. provisions for suits relating to public charities is found ?

(a) Sections 90 – 91
(b) Sections 92 – 93
(c) Sections 94 – 95
(d) Sections 96 – 100

118. Which one of the following pairs is not correctly matched under C.P.C ?

(a) Section 2(5) – Foreign Court
(b) Section 2(6) – Foreign judgement
(c) Section 2(11) – Legal representative
(d) Section 2(10) – Mesne profit

119. Section 25 of the C.P.C. provides for which of the following ?

(a) Power of the Supreme Court to transfer suits
(b) Power of the High Courts to transfer suits
(c) Power of District Courts to transfer suits
(d) Power of Commissioner to transfer suits

120. Section 152 of the C.P.C. empowers the Court to amend judgements, decrees, or orders in respect of

(a) Clerical or arithmetical mistakes only
(b) Accidental slips or omissions only
(c) (a) and (b) both
(d) None of the above

121. Which one of the following Orders and Rules under the C.P.C. provide that in every case of the examination-in-chief of a witness shall be on affidavit ?

(a) Order 18 Rule 4(1)
(b) Order 18 Rule 3
(c) Order 18 Rule 2
(d) Order 18 Rule 1

122. Which of the following Sections of the C.P.C. provide grounds for second appeal ?

(a) Section 96
(b) Section 100
(c) Section 100A
(d) Section 101

123. Which one of the following Sections of the C.P.C. provides exemption of certain women from personal appearance in the court ?

(a) Section 133
(b) Section 135
(c) Section 135A
(d) Section 132

124. Which of the following Orders and Rules of the C.P.C. provide for "Framing of issues" ?

(a) Order XIII Rule 1
(b) Order XIV Rule 1
(c) Order XIV Rule 2
(d) Order XIV Rule 5

125. The Civil Procedure Code, 1908 extends to the whole India except

(a) the State of Jammu & Kashmir.
(b) the State of Nagaland and Tribal Areas.
(c) (a) and (b) both.
(d) None of the above.

126. A Caveat lodged under Section 148A of C.P.C. will remain in force from the date it was lodged for

(a) 15 days
(b) 30 days
(c) 60 days
(d) 90 days

127. A decree may be executed under Section 38 of C.P.C. by which of the following Courts ?

(a) High Court
(b) District Court
(c) Either by the Court which passed it or by the Court to which it is sent for execution
(d) All of the above

128. The Court may at any stage of the proceedings allow either party to alter or amend his pleadings under which of the following of the C.P.C ?

(a) Order VI Rule 14
(b) Order VI Rule 15
(c) Order VI Rule 16
(d) Order VI Rule 17

129. Which one of the following modes of settlement of disputes outside the Court has not been provided in Section 89 of C.P.C ?

(a) Arbitration
(b) Conciliation
(c) Negotiation
(d) Mediation

130. Under Section 8 of the Indian Evidence Act

(a) Motive is relevant
(b) Preparation is relevant
(c) Conduct is relevant
(d) All of the above are relevant

131. In the Indian Evidence Act previous conviction of a person is relevant under which of the following Sections ?

(a) Section 14 Explanation I
(b) Section 14 Explanation II
(c) Section 15
(d) Section 16

132. Admissions bind the maker in so far as it relates to

(a) facts
(b) question of law
(c) both question of facts and of law
(d) neither (a) nor (b)

133. Facts of which judicial notice has to be taken by the Court are stated under which of the following Sections of the Indian Evidence Act ?

(a) Section 56
(b) Section 57
(c) Section 58
(d) Section 55

134. Section 105 of Evidence Act is intended to apply to which of the following ?

(a) Criminal trials
(b) Civil suit
(c) Both (a) and (b)
(d) Neither (a) nor (b)

135. Section 121 of Indian Evidence Act provides for privileges in respect of which of the following ?

(a) Husband and wife
(b) Judges and Magistrate
(c) Affairs of the State
(d) Official Communications

136. Section 154 of the Indian Evidence Act deals with which of the following ?

(a) Compellable witness
(b) Interested witness
(c) Hostile witness
(d) Accomplice

137. The evidence unearthed by the sniffer dog falls under

(a) oral evidence
(b) documentary evidence
(c) hearsay evidence
(d) scientific evidence

138. By which Amendment, Section 114–A was inserted in the Indian Evidence Act, 1872 ?

(a) Criminal Laws (Amendment) Act, 1986
(b) Criminal Laws (Amendment) Act, 1984
(c) Criminal Laws (Amendment) Act, 1983
(d) None of the above

139. 'A' gives 'B' a receipt for money paid by 'B' to 'A'. Oral evidence is offered of the payment. What is the status of evidence under Section 91 of the Indian Evidence Act ?

(a) It is admissible
(b) It is not admissible
(c) It is irrelevant
(d) It is secondary evidence

140. Birth during subsistence of marriage is a conclusive proof of legitimacy. This provision is found which following sections of the Indian Evidence Act ?

(a) Section 110
(b) Section 112
(c) Section 112 A
(d) Section 121

141. Section 114 of the Indian Evidence Act provides which of the following ?

(a) The Court may ask questions to parties.
(b) The Court may stop proceedings.
(c) The Court may presume existence of certain facts.
(d) The Court may call upon extra proof.

142. What is the nature of a statement given in NARCO Test ?

(a) It is not an evidence.
(b) It is a scientific evidence.
(c) It is an oral evidence.
(d) It is a circumstantial evidence.

143. Under which Section of Evidence Act the provision as to who could be a witness may be found ?

(a) Section 116
(b) Section 118
(c) Section 119
(d) Section 120

144. Law of Evidence is

(a) lex tallienis
(b) lex loci solutionis
(c) lex fori
(d) lex situs

145. Which of the following Courts passed the judgement of the leading case of Pakala Narain Swami Vs. King Emperor ?

(a) Bombay High Court
(b) Privy Council
(c) Federal Court of India
(d) Supreme Court of India

146. Under which of the following Sections of the Indian Evidence Act, opinion as to digital signature has been considered to be relevant ?

(a) Section 47A
(b) Section 113B
(c) Section 85A
(d) Section 114A

147. Identification of the accused person is related to which of the following Sections of the Indian Evidence Act ?

(a) Section 6
(b) Section 9
(c) Section 11
(d) Section 27

148. Chapter XXA of I.P.C. is related to which of the following ?

(a) Offences relating to marriage
(b) Cruelty by husband or relatives of husband
(c) Criminal Breach of Contract of Service
(d) Defamation

149. Pallvinder Kaur Vs. State of Punjab is related to which of the following ?

(a) Leading Question
(b) Secondary Evidence
(c) Confession
(d) Admission

150. The case of R.M. Malkani V. State of Maharashtra is related to which of the following ?

(a) Relevancy of facts forming part of same transaction.
(b) Documentary evidence
(c) Leading question
(d) Accomplice

151. Which of the following case is not related to estoppel ?

(a) Sri Krishna Vs. Kurukshetra University
(b) Shiv Shyam Vs. State of U.P.
(c) Banwari Lal Vs. Sukhdarshan
(d) Union of India Vs. Mokshi Builders

152. Which one of the following is a continuing offence ?

(a) Abduction
(b) Rape
(c) Abetment
(d) Kidnapping

153. Which of the following case lays down the principles relating to the defence of unsoundness of mind ?

(a) R Vs. Prince
(b) Mc Naghten case
(c) R Vs. Dudley and Stephen
(d) Mahboob Shah Vs. Emperor

154. In which of the following offences mens rea is not an essential element ?

(a) Assault
(b) Bigamy
(c) Defamation
(d) Criminal conspiracy

155. Section 73 of I.P.C. provides for the maximum limit of solitary confinement to be

(a) one year
(b) two years
(c) three months
(d) six months

156. 'A' says – 'Z' is an honest man, he never stole 'B's watch; intending to cause to be believed that 'Z' did steal B's watch. 'A' is liable for

(a) No offence
(b) Breach of trust
(c) Defamation
(d) Theft

157. The right to private defence is available to which of the following ?

(a) Harm to body
(b) Harm to movable property
(c) Harm to immovable property
(d) All of the above

158. Culpable homicide is not murder, if it is committed under

(a) Grave and sudden provocation
(b) self intoxication
(c) irresistible impulse
(d) None of the above

159. 'A' is the seventeen years old daughter of 'B'. 'C' without consent of 'B' takes 'A' for a tour of South India. 'C' has committed the offence of

(a) Kidnapping
(b) Abduction
(c) Wrongful confinement
(d) Wrongful restraint

160. 'A' introduces water into the ice-house belonging to 'B' and thus causes the ice to melt intending wrongful loss to 'B'. 'A' has committed offence of

(a) Extortion
(b) Cheating
(c) Mischief
(d) Theft

161. Which of the following is not an offence ?

(a) Suicide
(b) Attempt to commit suicide
(c) Murder
(d) Attempt to murder

162. Nothing is an offence which is done by a child if he is at the time of commission of the offence

(a) under seven years of age
(b) between seven and twelve years of age
(c) between twelve and eighteen years of age
(d) All of the above

163. Which one of the following is not an illustration of grievous hurt ?

(a) Emasculation
(b) Dislocation of bone
(c) Permanent disfiguration of face
(d) Hurt which causes the sufferer in severe bodily pain for the period of 15 days

164. Which one of the following case is related to the defence on the ground of intoxication ?

(a) A Vs. D.P.P.
(b) Director of Public Prosecution Vs. Beard
(c) R Vs. Lipman
(d) Veed Menezes Vs. Yusuf Khan

165. Which of the following is not correct in respect to the definition of theft ?

(a) Removal of moveable property of another
(b) Out of ownership of that person
(c) Without his consent
(d) With intent to take away that property

166. Which of the following does not constitute an offence of Affray ?

(a) Five or more persons
(b) by fighting
(c) in a public place
(d) disturb the public peace

167. Which offence is defined in Section 124-A of the I.P.C ?

(a) Waging war against the State
(b) Conspiracy to wage such war
(c) Armed rebellion
(d) Sedition

168. 'A' a school teacher with a view to maintain discipline punishes an 11 year old student with simple punishment.

(a) 'A' can take defence under section 89 of the I.P.C.
(b) 'A' is guilty of simple hurt
(c) 'A' can take defence under section 88 of I.P.C.
(d) A is guilty of using criminal force

169. Section 498A of IPC was enacted

(a) to meet the cases of child marriage
(b) to meet the cases of dowry deaths
(c) to meet the cases of sexual harassment
(d) All the above

170. Which of the following Section of Hindu Marriage Act, 1955 provides as to registration of marriage ?

(a) Section 13–A
(b) Section 8
(c) Section 13–B
(d) None of the above

171. Which one of the following Sections of the Hindu Marriage Act, 1955 provides conditions of marriage ?

(a) Section 2
(b) Section 3
(c) Section 5
(d) Section 4

172. According to Manu, which of the following are the sources from which knowledge of Hindu Law is to be derived ?

(a) Shruti
(b) Smriti
(c) Approved usage
(d) Purans

173. What is the consequence when the age of a Hindu girl at her time of marriage under Hindu Marriage Act, 1955 is less than 18 years ?
(a) The marriage is valid but punishable
(b) The marriage is void
(c) The marriage is invalid
(d) The marriage is illegal

174. Which of the following pairs is correctly matched ?
(a) Cruelty – Yamunabai Vs. Anant Rao (1988)
(b) Desertion – Sobha Rani Vs. Madhukar Reddy (1988)
(c) Judicial Separation – Dastane Vs. Dastane (1975)
(d) Divorce on Ground of Conversion – Sarla Mudgal Vs. Union of India (1995)

175. 'X' a Hindu aged 28 years marries 'Y' aged 25 years according to Hindu rites. It turns out that at the time of marriage 'Y' was pregnant by someone other than 'X'. The marriage between 'X' and 'Y' is
(a) illegal
(b) void
(c) voidable
(d) not a marriage at all under Hindu Marriage Act

176. A marriage between a Hindu boy aged 23 years and a Hindu girl aged 19 years, both of the same gotra, is
(a) voidable
(b) void
(c) valid
(d) illegal

177. Under which of the following Section of the Hindu Adoption and Maintenance Act, 1956 a Hindu is bound to maintain his or her aged or infirm parents ?
(a) Section 19
(b) Section 20
(c) Section 21
(d) Section 18

178. Which one of the following Sections of the Hindu Adoptions and Maintenance Act, 1956 defines "dependants" ?
(a) Section 24
(b) Section 23
(c) Section 22
(d) Section 21

179. Which one of the following Acts has fixed the minimum age of marriage of boys and girls ?
(a) The Child Marriage Restraint Act
(b) The Hindu Marriage Act
(c) The Special Marriage Act
(d) All of the above

180. Which one of the following Sections of the Hindu Marriage Act, 1955 provides that every proceeding under the Act shall be conducted in camera ?
(a) Section 21–C
(b) Section 23
(c) Section 22
(d) Section 21–B

181. Who is not a guardian according to Section 4 of the Hindu Minority and Guardian Act ?
(a) Natural Guardian
(b) Testamentary Guardian
(c) Ad-hoc Guardian
(d) A person empowered to act as guardian under any enactment relating to any court of ward

182. Adultery by a Hindu husband is
(a) ground of divorce only
(b) not a ground of divorce only
(c) ground of judicial separation only
(d) ground of divorce and judicial separation both

183. Which one of the following section of Hindu Marriage Act relates to divorce ?
(a) Section 10
(b) Section 12
(c) Section 13
(d) All of them

184. A married woman can adopt a child
(a) with the consent of her husband.
(b) without the consent of her husband.
(c) she cannot adopt.
(d) None of the above.

185. A petition to restitution of conjugal rights may be filed by the aggrieved party to the
(a) High Court only
(b) Family Court only
(c) District Court only
(d) Family and District Court both

186. A girl or boy of 15 years of age may validly be taken into adoption
(a) by operation of law.
(b) by contract between the parties.
(c) by consent of the child.
(d) if the custom or usage applicable to the parties so permit.

187. Which of the following pairs is correctly matched ?
(a) Real Brother and Sister – "Class – I" heir
(b) Father's widow – "Class – I" heir
(c) Widow of a predeceased grandson – "Class – II" heir
(d) Father – "Class – II" heir

188. Which Section of Hindu Marriage Act provides for divorce by mutual consent ?
(a) Section 13
(b) Section 13-B
(c) Section 13-A
(d) Section 13-D

189. Which Section of the Hindu Marriage Act, 1955 provides for maintenance pendente lite and expenses of proceedings ?
(a) Section 24
(b) Section 25
(c) Section 26
(d) Section 27

190. Who has observed "Muslim Marriage is both a civil contract and a religious sacrament" ?
(a) Amir Ali
(b) Dr. Jang
(c) Justice Sir Shah Suleiman
(d) Justice Mahmood

191. Which one of the following is correct in respect of marrying a fifth wife while the four wives are alive ?
(a) Void under Shia Law
(b) Void in Shia and Sunni Law both
(c) Irregular in Shia Law
(d) Valid in Sunni Law

192. What is the effect of a Muslim marriage where the age of the bride is below the age of puberty but consent was given by the guardian ?
(a) The marriage is voidable.
(b) The marriage is void.
(c) The marriage is irregular.
(d) The marriage is unlawful.

193. Which one of the following is not a secondary source of Muslim Law ?
(a) Custom
(b) Judicial decisions
(c) Ijma (Consensus of Opinions)
(d) Justice, Equity and Good Conscience

194. Mutta marriage is allowed in which one of the following Schools of Muslim Law ?
(a) Hanafi
(b) Ithna Ashari
(c) Ismailis
(d) Hanabali

195. A prompt dower is payable
(a) at the time of marriage itself.
(b) on a fixed date.
(c) when demanded by the wife.
(d) partly at the time of marriage and partly at a fixed date.

196. Which of the following is a requisite for a valid marriage under Muslim Law ?
(a) Consanguinity
(b) Affinity
(c) Proposal and acceptance at the time of marriage
(d) Fosterage

197. Which one of the following is not a ground of divorce under the Special Marriage Act ?
(a) Conversion
(b) Cruelty
(c) Adultery
(d) Desertion

198. Muslim jurisprudence is known as
(a) Fiqah
(b) Qiyas
(c) Quran
(d) Hadith

199. After divorce a Muslim woman can re-marry
(a) immediately after divorce
(b) has to wait till the period of iddat is over
(c) has to wait for one year
(d) None of the above

200. Under Muslim Law, which one of the following is entitled for maintenance ?

(a) A girl who lives separate from her father.
(b) Son's widow from her father-in-law.
(c) Wife absconded with some other person.
(d) A validly married Muslim girl who has attained puberty.

De Facto IAS