Uttarakhand Civil Judge Prelims 2013

Uttarakhand Public Service Commission · SCL · 200 questions · Series A

Part I · General Knowledge

1. Which of the following is not mentioned in the Indian Constitution ?
(a) Election Commission
(b) Finance Commission
(c) Planning Commission
(d) Union Public Service Commission

2. By which Constitutional Amendment the number of ministers have been limited to 15% of the total number of members of the lower house ?
(a) Ninety First Amendment
(b) Ninety Second Amendment
(c) Ninetieth Amendment
(d) None of the above

3. Point out the mismatched pair :
(a) Power of Parliament to legislate on a matter in the State list in the national interest – Article 249
(b) Power of Parliament to legislate with respect to any matter in the State List if a proclamation of emergency is in operation – Article 250
(c) Power of Parliament to legislate for two or more States by consent – Article 251
(d) Legislation for giving effect to international agreements – Article 253

4. Which one of the following is not an essential elements of a State in international law ?
(a) Population
(b) Armed forces
(c) Territory
(d) Capacity to enter into relation with other States

5. The name of the first woman judge of the International Court of Justice is
(a) Rosalyn Higgins
(b) Rosa E. Oturnbayeva
(c) Gertrude Mongella
(d) Sadako Ogata

6. Point out the mismatched pair :
(a) Chiranjitlal V/s Union of India (1950) – Article 14
(b) Dinesh Trivedi V/s Union of India (1997) – Article 19
(c) Sunil Batra V/s Delhi Administration (1978) – Article 21
(d) Bhim Singh V/s State of J & K (1986) – Article 29

7. Read the following carefully : Statement (1) : Recognition is a process through which a political community acquires international personality by becoming a member of family of nation. Statement (2) : Hegel, Anzilloti and Oppenheim are chief exponents of Constitutive theory of recognition. Of the above :
(a) Only (1) is true.
(b) Only (2) is true.
(c) Both (1) and (2) are true.
(d) Both (1) and (2) are false.

8. Who said “Inclusion of any matter in the agenda of General Assembly, discussion on it, its study or the passing of a General Resolution would not amount to intervention” ?
(a) Prof. Hans Kelsen
(b) Prof. Quincy Wright
(c) Oppenheim
(d) None of the above

9. A Member of Parliament of India or Member of Legislative Assembly of a State cannot be arrested in a civil action within a period of _____ before or after the session.
(a) 40 days
(b) 45 days
(c) 50 days
(d) 55 days

10. ‘Zonal Council’ in India is
(a) Dispute Settling Agency
(b) Law Making Body
(c) Advisory Body
(d) Administrative Body

11. In which among the following States in India, Legislative Council does not exist ?
(a) State of Bihar
(b) State of Maharashtra
(c) State of Rajasthan
(d) State of Karnataka

12. Who among the following is not a legal person ?
(a) The Kumaon University
(b) State Bank of India
(c) The President of India
(d) The State of Uttarakhand

13. The Headquarters of world Food and Agricultural Organisation (FAO) is at
(a) Rome
(b) Paris
(c) New York
(d) Ohio

14. The readjustment of current strength of the Lok Sabha and the State Assemblies in India has been freezed upto
(a) year 2026
(b) year 2016
(c) year 2018
(d) year 2020

15. The Father of 'Local Self Government' in India was
(a) Lord Dalhousie
(b) Lord Canning
(c) Lord Curzon
(d) Lord Ripon

16. Who is known as the Father of International Law ?
(a) Hugo Grotius
(b) Oppenheim
(c) Edward Collins
(d) Philip C. Jessup

17. Voltaire was a
(a) Greek Philosopher
(b) British lawyer
(c) French writer and philosopher
(d) American jurist

18. The year of the Hague Convention for the Pacific Settlement of International Disputes, is
(a) 1900
(b) 1903
(c) 1905
(d) 1907

19. The tenure of every Panchayat in India is five years from the
(a) date appointed for its first meeting
(b) date of notification of election
(c) date of declaration of election results
(d) date of oath of office by members

20. The World Conference on Human Rights and Peace, 2013 was held in
(a) China
(b) Pakistan
(c) United States
(d) Bangladesh

21. Setu Samudram ship Channel Project is approved by
(a) Government of Tamil Nadu State
(b) Government of Sri Lanka
(c) Government of India
(d) Government of India and Sri Lanka

22. In which case the Supreme Court observed that Central Bureau of Investigation is a 'caged parrot' ?
(a) Rail Board bribery case
(b) Vineet Narayan V/s Union of India
(c) 2G Spectrum Scam case
(d) Coal-gate Scam case

23. The World Chairman of International Human Rights Commission is
(a) Dr. Muhammad Shahid Amin Khan
(b) H. E. Adnan Mansour
(c) Dr. Prathavi Ravish Singh
(d) Rafal Marcin Wasik

24. National Green Tribunal Act was passed in the year
(a) 2008
(b) 2010
(c) 2011
(d) 2009

25. Under which Article of the United Nations Charter the Security Council has power to use force against a State ?
(a) Article 24
(b) Article 2(4)
(c) Article 41
(d) Article 42

26. Where is the World Trade Centre situated in India ?
(a) Noida
(b) Mumbai
(c) New Delhi
(d) Chennai

27. Justice Dalveer Bhandari is
(a) a judge in Supreme Court of India
(b) Chief Justice of Delhi High Court
(c) Chief Justice of Bombay High Court
(d) a judge in the International Court of Justice

28. Which of the following declaration deals exclusively with the peaceful settlement of International disputes ?
(a) Paris Declaration, 1856
(b) Manila Declaration, 1982
(c) U.N. Declaration, 1943
(d) Moscow Declaration, 1943

29. Which of the following method of settlement of International Disputes has been expressedly recognised in the Constitution of India ?
(a) Arbitration
(b) Negotiation
(c) Conciliation
(d) None of the above

30. Read the following carefully Statement (1) : Right to Vote in an election is a Fundamental Right of every person in India. Statement (2) : Right to contest in an election is a Fundamental Right of every citizen. Of the above
(a) (1) is true but (2) is false.
(b) (1) is false, but (2) is true.
(c) Both (1) and (2) are true.
(d) Both (1) and (2) are false.

31. Which of the following case is related to Right to Information Act, 2005 ?
(a) Lily Thomas V/s Union of India
(b) Nandini Sundaram V/s Union of India
(c) Namit Sharma V/s Union of India
(d) None of the above

32. Balaji Raghwan V/s Union of India AIR 1996 SC 770 is related with which of the following Article of the Constitution of India ?
(a) 25
(b) 29
(c) 18
(d) 12

33. Article 239 AB of the Constitution provides
(a) Power of administrator to promulgate ordinances during recess of legislature.
(b) Power of the President to make regulations for certain Union Territories.
(c) Provision in case of failure of constitutional machinery of National Capital Territory.
(d) None of the above

34. Article 371 E of the Constitution deals with
(a) Establishment of Central University in Andhra Pradesh
(b) Special provisions with respect to the State of Sikkim
(c) Special provision with respect to State of Mizoram
(d) None of the above

35. Medha Kotwal Lele V/s Union of India 2012 S.C. is related with
(a) Mercy Killing
(b) Sexual Harassment of Women at work place
(c) Domestic violence
(d) Fake encounter

36. “International Law may be defined as the body of law which is composed for its greater part of the principles and rules of conduct which the States feel themselves bound to observe.” Defined by
(a) Charles Cheney Hyde
(b) Kent
(c) Oppenheim
(d) Westlake

37. Which of the following case is associated with the issue of ‘domicile’ in the State concerned for getting elected to the Council of States ?
(a) Rameshwar Prasad V/s Union of India
(b) Kuldip Nayar V/s Union of India
(c) S.R. Bommai V/s Union of India
(d) Satwant Singh V/s Asst. Passport Officer

38. In which Article of the Constitution of India, provision has been made for "Finance Commission" ?

(a) 366 (12)
(b) 280
(c) 265
(d) None of the above

39. Read the following : Assertion (1) : Parliament has passed the National Food Security Act, 2013. Assertion (2) : The Supreme Court has held that it is the duty of the State to provide food to every needy. Of the above

(a) Only (1) is true.
(b) Only (2) is true.
(c) Both (1) and (2) are true.
(d) Both (1) and (2) are false.

40. 'Full faith and credit shall be given throughout the territory of India to public acts, records, and judicial proceedings of the Union and of every State,' is provided under which Article of the Constitution of India ?

(a) Article 261
(b) Article 260
(c) Article 32 (3) and Article 226 (3)
(d) Article 226 (2)

41. Which one of the following cases is not related with Article 19 (1) (a) of the Indian Constitution ?

(a) Prakash Jha International Ltd. V/s Union of India
(b) Secretary, Ministry of I & B V/s C.A.B.
(c) Communist Party of India V/s Bharat Kumar
(d) Kathi Ranning V/s State of Saurashtra

42. Under Article 338A of the Indian Constitution 'There shall be a Commission known as _____'.

(a) National Commission for Women
(b) National Commission for Minorities
(c) National Commission for Scheduled Tribes
(d) None of the above

43. Article 15(5) was declared as the 'basic structure' of Indian Constitution in which of the following case by the Supreme Court ?

(a) Ashok Kumar Thakur V/s Union of India
(b) Indian Medical Association V/s Union of India
(c) Bachpan Bachao Andolan V/s Union of India
(d) All of the above

44. Who was awarded Bharat Ratna in 2013 ?

(a) Raghu Nath Mahapatra
(b) Sharmila Tagore
(c) Sachin Tendulkar
(d) None was awarded Bharat Ratna.

45. Untouchability in any form has been abolished by which of the following articles of Constitution of India ?

(a) Article 14
(b) Article 16
(c) Article 17
(d) Article 15

46. Read the following : Statement (A) : The Supreme Court in February 2012, in the famous '2G-Spectrum Scam' case, quashed the 2-G Spectrum allotment and directed for its public auction. Reason (R) : Article 39(b) of the Constitution of India provides that the ownership and control of material resources of the community are so distributed as best to subserve the common good. Now answer using the codes given below :

(a) (A) and (R) both are true and (R) is the reason of (A).
(b) (A) and (R) both are true, but (R) is not the reason of (A).
(c) (A) is true, but (R) is false.
(d) (A) is false, but (R) is true.

47. Who can seek advisory opinion from the International Court of Justice according to U.N. Charter ?

(a) Security Council
(b) General Assembly
(c) Other organs and specialised Agencies of the United Nations duly authorised by the General Assembly
(d) All of the above

48. Who can expel any State from the membership of the United Nations ?

(a) General Assembly
(b) Security Council
(c) General Assembly on the recommendation of the Secretary General
(d) General Assembly on the recommendation of the Security Council

49. Which Article of the Untied Nations Charter empowers the Security Council to implement the judgements of the International Court of Justice ?

(a) Article 24
(b) Article 25
(c) Article 94
(d) None of the above

50. Which of the following case is related to the Prize Courts ?

(a) The Zamora case
(b) Dr. Babu Ram Saxena V/s State
(c) S.S. Lotus case
(d) Re Castioni

Part II · Law

51. Alimony under Section 25 of the Hindu Marriage Act, 1955 can be ordered by

(a) a civil court
(b) a court exercising jurisdiction under Hindu Marriage Act, 1955
(c) Both (a) and (b)
(d) Neither (a) nor (b)

52. A Father Karta can alienate a part of joint family property out of love and affection to

(a) Daughter
(b) Son
(c) Wife
(d) All of the above

53. By 2005 Amendment of the Hindu Succession Act, 1956, a son is liable to pay which of the following ?

(a) Untainted debt of father
(b) Tainted debt of father
(c) Untainted debt procured by father before the amendment in the Act
(d) None of the above

54. In the absence of class I heir who inherits the property of a Hindu male ?

(a) Father
(b) Brother
(c) Sister
(d) All of the above

55. In case of 'desertion' the wife has to prove which of the following facts ?

(a) The husband has abandoned her.
(b) That he has done so without any reasonable cause and against her wish and without her consent.
(c) That he has wilfully neglected her.
(d) All the above

56. Which of the following is not a ground of divorce under the Special Marriage Act, 1954 ?

(a) Adultery
(b) Cruelty
(c) Conversion
(d) Desertion

57. Under Muslim Law the following are guardians for marriage of a minor : (i) Father (ii) Mother (iii) State (iv) Brother Choose the correct order in which their guardianship accrues :

(a) (i), (ii), (iii), (iv)
(b) (ii), (i), (iv), (iii)
(c) (i), (iv), (ii), (iii)
(d) (iii), (iv), (ii), (i)

58. Muta marriage comes to an end by

(a) Talaq
(b) Hiba-i-Muddat
(c) Talaq-i-Tafweez
(d) None of the above

59. A Muslim woman need to observe iddat in which of the following ?

(a) Muta marriage
(b) Irregular marriage
(c) Valid marriage
(d) All of the above

60. Dissolution of Muslim Marriage Act, 1939 is based on the principles of which school of Muslim law ?

(a) Hanafi School
(b) Shafei School
(c) Maliki School
(d) Zaidi School

61. Khilwat or Sahida connotes

(a) valid retirement
(b) apostasy
(c) consent under compulsion
(d) option of puberty

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

63. Which of the following is of the legal consequences of divorce under Muslim Law ?
(a) The parties acquire the right to contract another marriage.
(b) Cohabitation becomes unlawful.
(c) Mutual rights of inheritance ceases.
(d) All of the above

64. When a Muslim mother loses her right of Hizanat (custody) ?
(a) By her apostasy
(b) By her misconduct
(c) By marrying within degree of prohibited relationship
(d) All of the above

65. Among Muslims which school does not mention minimum amount of dower ?
(a) Hanafi
(b) Maliki
(c) Shafei
(d) None of the above

66. Who is the natural guardian of a Muslim female child ?
(a) Father
(b) Mother
(c) Grandfather
(d) Grandmother

67. Implied and contingent Talaq is not approved by
(a) Maliki
(b) Shia
(c) Shafei
(d) All of the above

68. A Muslim woman can seek divorce if the husband is not traceable for a period of
(a) 7 years
(b) 5 years
(c) 4 years
(d) 3 years

69. Under the Muslim Woman (Protection of Rights on Divorce) Act, the option to be governed by the provision of S. 125 Cr. P.C. may be given by the parties
(a) either jointly or separately
(b) separately
(c) jointly
(d) None of the above

70. A Muslim divorced woman can apply directly to the Wakf Board when there is no relative to support her. This was held in which one of the following cases ?
(a) Yusuf V/s Sowramma
(b) A.A. Abdullah V/s A.B. Mohmuna Syed Bhai
(c) Secretary, T.N. Wakf Board V/s Syed Fatima Nachi
(d) Mohd. Ahmad Khan V/s Shah Bano Begum

71. 'M', the mother of a Muslim minor daughter contracted her in marriage in the life time of the father who had become an apostate. The marriage is
(a) Bad in law
(b) Valid
(c) Void
(d) Irregular

72. A marriage of a Mahomedan, who is of sound mind and has attained puberty, is brought about without his consent. The marriage will be
(a) Valid
(b) Irregular
(c) Unlawful
(d) Void

73. The rules against perpetuity do not apply to which of the following ?
(a) Movable properties
(b) Charities
(c) Immovable properties
(d) All of the above

74. The provision as to 'exchange of money' has been provided under which of the following sections of T.P. Act ?
(a) Section 118
(b) Section 119
(c) Section 121
(d) None of the above

75. Persons competent to transfer a property have been defined under which of the following sections of the T.P. Act ?
(a) Section 6
(b) Section 7
(c) Section 8
(d) Section 9

76. Under which one of the following sections of the T.P. Act, English mortgage has been defined ?
(a) Section 58(e)
(b) Section 58(d)
(c) Section 58(g)
(d) Section 58(f)

77. Which one of the following group of sections deals with lease under T.P. Act ?
(a) Sections 102 to 119
(b) Sections 105 to 119
(c) Sections 102 to 117
(d) Sections 105 to 117

78. In which one of the following cases Lord Sumner said, "they also serve who stand and wait" ?
(a) Mahboob Shah V/s Emperor
(b) Inder Singh V/s Emperor
(c) Barendra Kumar Ghosh V/s Emperor
(d) None of the above

79. "Local Law" mentioned under Section 42 of the Indian Penal Code, 1860 means a law applicable to
(a) whole of India
(b) a particular part of India
(c) any part of India
(d) None of the above

80. "Good faith" within the meaning of the I.P.C. means
(a) an act done with due care and attention
(b) an actual belief that the act done is not contrary to law
(c) an act in fact done honestly
(d) an act done under bonafide belief

81. Who prepared the first draft of Indian Penal Code ?
(a) Canning
(b) Stephen
(c) Bentinck
(d) Macaulay

82. In which of the following Sections of I.P.C. 'preparation' is punishable ?
(a) Sections 121, 125, 398
(b) Section 122, 125, 399
(c) Sections 122, 126, 399
(d) Sections 121, 126, 398

83. Mc Naughten case is related to which of the following Section of the I.P.C ?
(a) Section 83
(b) Section 84
(c) Section 85
(d) Section 86

84. Which of the following case is known as Nasik Conspiracy case ?
(a) Vinayak Damodar Savarkar's case
(b) Bal Gangadhar Tilak's case
(c) Madhu Limaye's case
(d) None of the above

85. Which of the following is not correctly matched under I.P.C ?
(a) Furnishing false information – S. 177
(b) Giving false evidence – S. 191
(c) Causing disappearance of evidence of offence – S. 205
(d) Counterfeiting coin – S. 231

86. Which one of the following set of Sections of I.P.C. provides for the right of private defence ?
(a) Sections 107 to 120
(b) Sections 121 to 133
(c) Sections 76 to 105
(d) Sections 96 to 106

87. 'A' having joint property with Z in a horse, intending thereby to cause wrongful loss to Z, shoots the horse. Under what section of I.P.C. 'A' shall be charged with ?
(a) Section 426
(b) Section 429
(c) Section 437
(d) Section 438

88. To which one of the following section of I.P.C., Hicklin rule is related to ?
(a) Section 292
(b) Section 291
(c) Section 290
(d) Section 294

89. 'A' fires on a crowd for no reason. As a result of which 'B' dies. What offence has 'A' committed ?

(a) Culpable homicide not amounting to murder
(b) Grievous hurt
(c) Murder
(d) None of the above

90. Which of the following is/are essential element/s of offence of grievous hurt ?

(a) Emasculation
(b) Privation of any member or joint
(c) Permanent disfiguration of head or face
(d) All of the above

91. 'A' voluntarily throws into a river a ring belonging to 'Z' with the intention to cause loss to 'Z'. 'A' has committed the offence of

(a) theft
(b) robbery
(c) cheating
(d) mischief

92. What should be the age of minor to constitute the offence of kidnapping ?

(a) 16 years
(b) 18 years
(c) Below 16 years in case of male and below 18 years in case of female
(d) Below 18 years in case of male and below 21 years in case of female

93. Which one of the following is a case decided by Federal Court on S. 124A of I.P.C ?

(a) Kedar Nath V/s State
(b) Niharendu Dutt V/s Emperor
(c) Q. Empress V/s Bal Gangadhar Tilak
(d) Emperor V/s Sadashivanarayan

94. To which of the following offences the Apex Court judgement in Abhayanand Mishra V/s State of Bihar is related to ?

(a) Sections 420 and 511 of I.P.C.
(b) Section 511 of I.P.C. only
(c) Section 420 of I.P.C. only
(d) None of the above

95. Under which one of the following Sections of I.P.C. rash and negligent driving of vehicle on a public way is an offence ?

(a) Section 278
(b) Section 279
(c) Section 273
(d) Section 280

96. 'Unlawful assembly' is defined in which of the following section of the I.P.C ?

(a) Section 34
(b) Section 149
(c) Section 146
(d) None of the above

97. Section 153-AA has been inserted in the I.P.C. 1860, by which of the following Criminal Law Amendment Act

(a) Act of 2001
(b) Act of 2003
(c) Act of 2005
(d) Act of 2006

98. 'X' along with four other armed hoodlums seizes the child of 'Y' and threaten to kill him unless 'Y' parts with his watch and diamond ring. 'X' has committed the offence of

(a) robbery
(b) dacoity
(c) attempt to murder
(d) theft

99. In which one of the following cases Section 303 of I.P.C. was declared unconstitutional ?

(a) Mithu V/s State of Punjab
(b) Bachan Singh V/s State of Punjab
(c) Jagdish V/s State of M.P.
(d) None of the above

100. A mixed sugar in B's food knowing it to be arsenic. 'B' did not take that food. What offence has 'A' committed ?

(a) A has committed no offence.
(b) A is guilty for assault.
(c) A is not guilty for assault.
(d) A is guilty for attempt to murder.

101. The offence of Section 361 of the I.P.C. is basically against

(a) family
(b) society
(c) any person
(d) lawful guardian

102. 'A' has consensual sexual relations with 'Z's wife. She gives to 'A' a valuable property which 'A' knows to belong to her husband 'Z' and she has no authority from 'Z' to give. 'A' takes the property dishonestly. Which one of the following offences has been committed by 'A' ?

(a) Criminal breach of trust
(b) Theft and criminal breach of trust
(c) Theft
(d) Criminal misappropriation

103. Which of the following is not correctly matched ?

(a) Inquiry – Section 2(g)
(b) Judicial proceedings – Section 2(i)
(c) Police Station – Section 2(o)
(d) Pleader – Section 2(q)

104. Classification of 'compoundable and non-compoundable offences' has been provided under

(a) 1st Schedule of Cr. P.C.
(b) 2nd Schedule of Cr. P.C.
(c) Section 320 of Cr. P.C.
(d) Section 321 of Cr. P.C.

105. Section 25A was inserted in Cr. P.C. by which of the following Amendment Act ?

(a) Cr. P.C. Amendment Act, 2008
(b) Cr. P.C. Amendment Act, 2005
(c) Cr. P.C. Amendment Act, 2009
(d) Cr. P.C. Amendment Act, 1978

106. Which of the following is correct answer ? (i) Provisions of Cr. P.C. do not apply to the State of Jammu and Kashmir. (ii) All provisions of Cr. P.C. do not apply to the State of Nagaland. Choose the correct answer :

(a) Only (i) is correct.
(b) Only (ii) is correct.
(c) Both (i) and (ii) are incorrect.
(d) Both (i) and (ii) are correct.

107. Inquiry is conducted by

(a) Magistrate only
(b) Police officer only
(c) Session Court only
(d) Magistrate or court

108. Which of the following is not a Criminal Court ? (i) Executive Magistrate (ii) Children's court under Juvenile Justice Act, 2000 (iii) Panchayati Adalats

(a) All of the above
(b) only (ii)
(c) only (iii)
(d) (ii) and (iii) both

109. Which one of the following sections of the Cr. P.C. provides that a person once convicted or acquitted shall not be tried again for the same offence ?

(a) Section 303
(b) Section 20(3)
(c) Section 300(1)
(d) None of the above

110. Who among the following may withdraw prosecution of any person at any time before the judgement is pronounced ?

(a) The State Government
(b) The Public Prosecutor
(c) The aggrieved person
(d) The Writer of F.I.R.

111. Which one of the following Sections of Cr. P.C. provides free legal aid to the accused ?

(a) S. 304
(b) S. 306
(c) S. 301
(d) S. 302

112. Under Cr. P.C., which of the following is correctly matched ?

(a) Procedure where judges of Court of appeal are equally divided – Section 392
(b) Finality of judgement and orders on appeal – Section 394
(c) Reference to the High Court – Section 396
(d) Arrest of accused in appeal from acquittal – Section 391

113. An accused may apply for plea-bargaining where he has committed :

(a) an offence for which the punishment extends for imprisonment exceeding seven years.
(b) An offence which affects socio-economic condition of the country.
(c) an offence against a woman.
(d) an offence of theft.

114. Which one of the following group of sections of Cr. P.C. deals with proclamation and attachment ?

(a) Sections 80 to 85
(b) Sections 82 to 86
(c) Sections 82 to 90
(d) Sections 80 to 86

115. Which one of the following sections of the Cr. P.C. provides as to security for good behaviour from habitual offenders ?

(a) Section 110
(b) Section 109
(c) Section 108
(d) None of the above

116. In which of the following cases a wife is not entitled to maintenance ?

(a) If she is living in adultery.
(b) If without sufficient reasons refuses to live with her husband.
(c) If the parties are living separately by mutual consent.
(d) All of the above.

117. 'Victim Compensation Scheme' has been provided under Criminal Procedure Code by which of the following amendment ?

(a) Cr. P. Code (Amendment) Act, 2008
(b) Cr. P. Code (Amendment) Act, 2009
(c) Cr. P. Code (Amendment) Act, 2005
(d) None of the above

118. Which one of the following sections of Cr. P.C. provides power of the High Court to confirm sentence or annul conviction ?

(a) Section 366
(b) Section 367
(c) Section 369
(d) Section 368

119. The State Government may by notification declare any city or town for the purposes of Cr. P.C. as a 'Metropolitan', whose population :

(a) exceeds ten lakhs
(b) below ten lakhs
(c) is five lakhs
(d) None of the above

120. Which one of the following section of Cr. P.C. provides public to give information of certain offences to the police officer ?

(a) Section 38
(b) Section 40
(c) Section 39
(d) All of the above

121. Which one of the following Section of Cr. P.C. provides identification of arrested person ?

(a) Section 54
(b) Section 54A
(c) Section 55A
(d) Section 60A

122. Who of the following may order for maintenance of wives, children and parents under Cr. P.C. 1973 ?

(a) Only Executive Magistrate
(b) Judicial Magistrate 2nd Class
(c) Magistrate of the 1st Class
(d) All of the above

123. Consider the following statement and choose the correct answer with the help of code given below : (i) Investigation is conducted by police officer (ii) Magistrate cannot interfere in investigation (iii) Investigation is a judicial proceeding (iv) Investigation is not a judicial proceeding Codes :

(a) (i) and (iv) are correct.
(b) (i), (ii) and (iv) are correct.
(c) (ii) and (iv) are correct.
(d) (ii), (iii) and (iv) are correct.

124. Under Cr. P.C. where two or more courts have taken cognizance of the same offence and question arises as to which of them ought to try that offence, the question shall be decided (i) by the Supreme Court (ii) if the Courts are subordinate to the same High Court by that High Court (iii) if the Courts are not subordinate to the same High Court, by the High Court within the local limits of whose appellate criminal jurisdiction the proceedings were first commenced Chose the correct answer :

(a) Only (i) is correct.
(b) (ii) and (iii) are correct.
(c) (i), (ii) and (iii) all are correct.
(d) (i) and (iii) are correct.

125. A High Court under its inherent powers conferred under Section 482 of Cr. P.C. passes the following orders : (i) It quashes the F.I.R. (ii) It quashes proceeding of case pending before a criminal court. (iii) It expunges the derogatory remarks against a member of subordinate court. Having in view the validity of above order choose the correct answer given below :

(a) Only (i) is valid.
(b) (i) and (ii) are both valid.
(c) (i), (ii) and (iii) all are valid.
(d) (i) and (iii) are valid.

126. In which of the following cases it was held that a person has a right to protection under Section 161(2) of Cr. P.C. against questions, the answers of which would have a tendency to a criminal charge ?

(a) Nandini Satpathy V/s P.L. Dani
(b) Gian Singh V/s State
(c) Rupan Deol Bajaj V/s K.P.S. Gill
(d) R.K. Dalmia V/s Delhi Administration

127. Under which of the following sections of the Cr. P.C. the magistrate shall dismiss the complaint ?

(a) Section 202
(b) Section 201
(c) Section 203
(d) None of the above

128. Which one of the following Sections of the C.P.C. deals with institution of suits ?

(a) Section 29
(b) Section 13
(c) Section 27
(d) Section 26

129. Which one of the following is NOT a suit of civil nature ?

(a) Suit relating to rights of worship
(b) Suit involving purely religious rights
(c) Suit for rent
(d) Suit for rights to hereditary office

130. A residing in Dehradun, beats B in Lucknow. B may sue A under C.P.C :

(a) either in Lucknow or in Dehradun
(b) only in Lucknow
(c) only in Dehradun
(d) anywhere else

131. The Sections in the Code of Civil Procedure can be amended by

(a) the Parliament
(b) a High Court
(c) the Court hearing the suit
(d) the parties to the suit

132. Inherent powers of the court can be exercised under C.P.C.

(a) for the ends of justice or to prevent abuse of the process of the court
(b) to help the plaintiff
(c) to help the defendant
(d) to grant interim relief

133. Under C.P.C. the provision of notice before instituting a suit against the Government is given in

(a) Section 180
(b) Section 6
(c) Section 80
(d) Section 21

134. Under C.P.C. the Court may not issue commissions in the following matter :

(a) to examine any person
(b) to examine accounts
(c) to make a partition
(d) for execution of a decree

135. Under C.P.C. which one of the following is liable to attachment and sale in execution of a decree ?

(a) Necessary wearing-apparel
(b) Promissory Notes
(c) Tools of artisans
(d) Books of accounts

136. Which section of the C.P.C. prohibits the arrest or detention in the civil prison of a woman in execution of a decree for the payment of money ?

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

137. Under C.P.C. a decree may be executed by

(a) Tehsildar
(b) Collector
(c) District Judge
(d) the Court which passed it or by the Court to which it is sent for execution

138. Does the pendency of a civil suit in a foreign Court preclude the courts in India from trying a suit founded on the same cause of action ?

(a) Yes.
(b) No.
(c) Will depend on the nature of the suit.
(d) Will depend on the pecuniary valuation of the suit.

139. 'Mesne profits' has been defined in which of the following Sections of the C.P.C. ?

(a) Section 2(4)
(b) Section 2(8)
(c) Section 2(12)
(d) Section 2(14)

140. Which one of the following sections of the Code of Civil Procedure provides for the trial in open Courts where public may have access ?

(a) Section 153A
(b) Section 153B
(c) Section 153C
(d) Section 153D

141. Under which one of the following Sections of the C.P.C. the Court may ask parties to a dispute to go for mediation ?

(a) Section 88
(b) Section 89
(c) Section 87
(d) Section 86A

142. By which one of the amendments of C.P.C. scope of summary trial was substantially widened ?

(a) CPC (Amendment) Act, 1999
(b) CPC (Amendment) Act, 2002
(c) CPC (Amendment)Act, 1976
(d) None of the above

143. Under which provision of C.P.C. an Ambassador can be sued ?

(a) Section 86
(b) Section 88
(c) Section 88A
(d) He cannot sued

144. Morgan Stanley Mutual Fund V/s Kartik Das case related to which of the following ?

(a) Issuance of Commission
(b) Attachment before judgement
(c) Interim injunction
(d) Affidavits

145. When a Court can reject a plaint ?

(a) Where plaintiff fails to comply with Rule – 9.
(b) Where suit is barred by law.
(c) Where plaint is not in duplicate.
(d) All of the above.

146. Under C.P.C. find the incorrect match of the following :

(a) Revenue Courts – Section 5
(b) Provincial Small Causes Courts – Section 7
(c) Pecuniary Jurisdiction of Courts – Section 9
(d) Presidency Small Causes Courts – Section 8

147. Under Section 13 of CPC which of the following judgements shall not be conclusive ?

(a) Judgement not on merit.
(b) Judgement founded on breach of Indian law.
(c) Judgement against International law.
(d) All of the above

148. Rules 6 to 10 of order 39 of C.P.C. deal with

(a) attachment of property
(b) arrest of persons
(c) plaints
(d) interlocutory orders

149. Rules relating to interpleader suit have been provided in the C.P.C, under which of the following orders ?

(a) Order 50
(b) Order 35
(c) Order 55
(d) Order 40

150. In which of the following case Sir Lawrence Jenkins has observed that "the rule of res judicata, while founded on account of precedent, is directed by a wisdom which is for all times" ?

(a) Lal Chand V/s Radha Kishan
(b) Sheopersan V/s Ramanand Singh
(c) Sulochana Amma V/s Narayanan Nair
(d) Pandurang Ramchandra V/s Shantibai

151. What is the essence of pleadings ?

(a) Plead facts not law
(b) Plead law not facts
(c) Plead facts and law
(d) All the above

152. The Bill of Evidence Act was prepared by
(a) Fourth Law Commission
(b) Sir Henry Maine
(c) Sir James Stephen
(d) None of the above

153. Rule of Res Gestae which means facts forming the part of the same transactions which is the facts in issue is discussed in
(a) Section 6
(b) Section 7
(c) Section 5
(d) Section 8

154. The principle of 'res judicata' is provided in which of the following section of the Indian Evidence Act ?
(a) Section 140
(b) Section 40
(c) Section 160
(d) Section 164

155. The principle which preclude a person from denying some statement previously made by him is known as
(a) Admission
(b) Confession
(c) Res subjudice
(d) Estoppel

156. Which one of the following is correctly matched under the Indian Evidence Act ?
(a) Burden of proof – Section 101
(b) Dowry Death – Section 122
(c) Dumb witness – Section 107
(d) Accomplice – Section 119

157. Rules relating to 'identification of parade' are contained in which of the following section of Indian Evidence Act ?
(a) Section 9
(b) Section 19
(c) Section 29
(d) Section 39

158. Section 74 of the Indian Evidence Act, 1872 deals with
(a) Testamentary document
(b) Non-Testamentary document
(c) Personal document
(d) Public document

159. Under which section of Evidence Act legitimacy of a child born during the lawful wedlock is presumed ?
(a) Section 112
(b) Section 113
(c) Section 114
(d) Section 115

160. Any question suggesting the answer is called
(a) Oral question
(b) Special question
(c) Leading question
(d) Hearsay question

161. 'Not proved' means
(a) It is not proved.
(b) It has been disproved.
(c) It is neither proved nor disproved.
(d) It is denied.

162. 'Proof' is the result of
(a) Inquiry
(b) Evidence
(c) Investigation
(d) Statement

163. "A fact in personal knowledge of the judge can not be taken in evidence." In which case this had been held ?
(a) Har Prasad V/s Shiva Dayal (1876) 3IA 259
(b) Kashmira Singh V/s State of M.P. 1952 ACR 536
(c) Virendra Kumar Ghosh V/s Emperor ILR (1910) 37 Cal, 474
(d) Pushpa Devi Ramjatia V/s M.L. Wadhwa AIR 1987 SC 1748

164. 'H' says that 'Y' told him that 'A' killed 'B'. This is
(a) Primary evidence
(b) Best evidence
(c) Hearsay evidence
(d) Admission

165. "An accomplice is a competent witness against an accused" is provided in which of the following Section of Indian Evidence Act ?
(a) Section 130
(b) Section 131
(c) Section 132
(d) Section 133

166. Among the following which is not a public document ?

(a) An unregistered family partition deed
(b) A registered sale deed
(c) A decision of High Court
(d) A decision of Civil Court

167. Which one of the following is not privileged communication ?

(a) Matrimonial communication
(b) Paternal communication
(c) Professional communication
(d) Official communication

168. Under which one of the following Sections of the Indian Evidence Act, a witness under examination gets the right to refresh his memory ?

(a) Section 158
(b) Section 159
(c) Section 160
(d) Section 162

169. Under which of the following Sections of the Indian Evidence Act, the judge determines as to admissibility of fact ?

(a) Section 54
(b) Section 148
(c) Section 136
(d) Section 23

170. The fact sought to be proved is called

(a) Factum probana
(b) Factum probandum
(c) Lex Fori
(d) Lex Loci

171. The affidavit given to the Court is

(a) not an evidence
(b) an evidence
(c) merely a written statement
(d) a proof

172. Which one of the following sections of the Transfer of Property Act provides that 'mere- right to sue' can not be transferred ?

(a) Section 5
(b) Section 6
(c) Section 7
(d) None of the above

173. Which of the following are actionable claims ?
(i) A share in partnership (ii) A decree (iii) Claim for arrears of rent (iv) Right to get damages for breach of contract

(a) Only (i)
(b) Only (ii)
(c) Only (iv)
(d) Only (i) and (iii)

174. The test to decide whether something attached to the earth has to be regarded as immovable or not, depends on any one of the following ?

(a) The degree or mode of annexation
(b) Place of annexation
(c) The object of annexation
(d) Both (a) and (c)

175. A transfers property to B in trust for C and directs B to give possession of the property to C when he attains the age of 25. C's interest in the property is

(a) Contingent
(b) Vested
(c) Neither contingent nor vested
(d) Public interest

176. If a property is transferred with the conditions that an interest created therein for the benefit of the transferee shall cease on his becoming insolvent, such a condition is void under which of the following sections of the Transfer of Property Act ?

(a) Section 10
(b) Section 11
(c) Section 12
(d) Section 13

177. A gives a field to B, reserving to himself, with B's assent, the right to take back the field in case B and his descendants die before A. B dies without descendants in A's life time. Can 'A' take back the field ?

(a) Yes
(b) No
(c) Condition is void
(d) None of the above

178. Every transfer of immovable property made with intent to defeat or delay the creditors of the transferor shall be

(a) Voidable at the option of such creditors
(b) Not void
(c) Void
(d) None of the above

179. In the light of provisions of the T.P. Act, a minor
(a) Can transfer a property
(b) Can not transfer a property
(c) Can accept transfer of property in his favour
(d) Both (b) and (c)

180. 'Redemption is the heart of mortgage' was observed by
(a) Lord Develin
(b) Lord Davey
(c) Lord Halsburry
(d) None of the above

181. In which of the following sections of T.P. Act 'transfer by ostensible owner' is provided :
(a) Section 39
(b) Section 41
(c) Section 40
(d) Section 42

182. In which of the following sections of T.P. Act, transfer in favour of unborn person can be made :
(a) Section 13
(b) Section 12
(c) Section 14
(d) Section 15

183. Which one of the following sections of the T.P. Act provides that when there is a conflict between marshalling and contribution, marshalling shall prevail ?
(a) Section 80
(b) Section 81
(c) Section 82
(d) Section 83

184. Muhammad Afzal V/s Ghulam Kasim (1903) ILR Cal 843 is a leading case on which of the following ?
(a) Rule against perpetuity
(b) Equity of redemption
(c) Doctrine of election
(d) Doctrine of holding over

185. In case of transfer of property for the benefit of the public which of the following restrictions shall not apply ?
(a) Rule against perpetuity
(b) Transfer to take effect on failure of prior interest
(c) Direction of accumulation
(d) All of the above

186. Which of the following is not correctly matched under T.P. Act ? A. Universal donee – S. 128 B. Doctrine of Part performance – S. 53A C. Marshalling by subsequent purchaser – S. 65 D. Mortgagee's right to forclosure or sale – S. 67 Choose the right answer :
(a) Only (A)
(b) Both (A) and (B)
(c) Only (C)
(d) Both (C) and (D)

187. The following leading cases are related to which of the following subjects ? A. Gopal V/s Parsottam B. Santely V/s Wilde C. Kedar Lal V/s Hari Lal D. Ali Hussain V/s Nilla Kandan Choose the correct answer :
(a) Lease
(b) Gift
(c) Mortgage
(d) None of the above

188. Under the Constitution of India all aspects of family law are provided in the
(a) Union List
(b) State List
(c) Concurrent List
(d) None of the above

189. A marriage under Hindu Law between Sapindas parties shall be valid
(a) If the custom or usage governing each of them permits.
(b) If the custom or usage governing any of them permits.
(c) Either (a) or (b).
(d) Neither (a) nor (b).

190. Adultery is a ground under Hindu Marriage Act, 1955 for
(a) judicial separation
(b) divorce
(c) judicial separation and divorce both
(d) only divorce and not judicial separation

191. A Hindu wife can adopt a boy and a girl simultaneously
(a) without consent of husband
(b) with the consent of husband
(c) cannot adopt
(d) None of the above

192. Disposal of immovable property of a minor by his natural guardian is

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

193. In India a decree of restitution of conjugal rights can be executed by

(a) attachment of the property of respondent
(b) arrest of the respondent
(c) attachment of property and arrest of respondent, both
(d) either attachment of property or by arrest of respondent and fine

194. Bigamous marriage under the Hindu Marriage Act, 1955 is

(a) Valid
(b) Void
(c) Voidable
(d) Irregular

195. Punishment for violation of condition as to age as provided under Section 5(III) of the Hindu Marriage Act, 1956, has been provided under which of the following section of the Hindu Marriage Act, 1956 ?

(a) Section 18(b)
(b) Section 17
(c) Section 18(a)
(d) None of the above

196. Hanuman Prasad V/s Mst. Babooee Mumraj case is related to which of the following ?

(a) Adoption
(b) Guardianship
(c) Marriage
(d) Maintenance

197. A Hindu husband converting to Islam and marrying again will be guilty of bigamy. It was held in which of the following case ?

(a) Bahurao V/s State of Maharashtra
(b) Dr. A.N. Mukherji V/s State
(c) Sarla Mudgal V/s Union of India
(d) P.V. Venkatraman V/s State

198. Under Hindu law where the husband creates a condition in which the wife is compelled to leave the conjugal home and live separately

(a) the husband may sue for divorce
(b) the wife will be held guilty of desertion
(c) the marriage is irretrievably broken down
(d) the husband is guilty of constructive desertion

199. An illegitimate minor child under Section 20 of the Hindu Adoptions and Maintenance Act is entitled to claim maintenance during his minority from

(a) Father
(b) Mother
(c) Grandfather
(d) Both (a) & (b)

200. A Hindu father-in-law is bound to maintain widow daughter-in-law if

(a) she is having no property or income
(b) she is unable to obtain maintenance out of estate of deceased husband
(c) she cannot obtain maintenance from children
(d) All of the above