Uttarakhand Civil Judge (Prelims) 2014

Uttarakhand Public Service Commission · General Knowledge & Law · Series A · 200 questions

Part I — General Knowledge

1. Which of the Articles of the Constitution of India empowers the President to appoint acting Chief Justice of a High Court?
   (a) Article - 223
   (b) Article - 224
   (c) Article - 224-A
   (d) Article - 225

2. Who shall be the Chairman of the Council of States in accordance with the provisions of the Constitution of India?
   (a) President of India
   (b) Vice-President of India
   (c) Prime Minister of India
   (d) None of the above

3. The Andhra Pradesh Reorganisation Act was passed in the year?
   (a) 2012
   (b) 2013
   (c) 2014
   (d) None is correct

4. The Lokpal and Lokayuktas Act was enacted in India in the year:-
   (a) 2014
   (b) 2013
   (c) 2012
   (d) 2011

5. The National Food Security Act was passed in the year:-
   (a) 2012
   (b) 2013
   (c) 2014
   (d) None of the above

6. Territorial water limit of India is-
   (a) 3 Nautical miles
   (b) 6 Nautical miles
   (c) 12 Nautical miles
   (d) None of the above

7. Which one of the following rules is related to Extradition?
   (a) Rule of Speciality
   (b) Rule of Double Criminality
   (c) Both (a) and (b)
   (d) None of the above

8. Who defined Neutrality as "The attitude of impartiality adopted by Third States towards belligerents and recognized by belligerents, such attitude creating rights and duties between the impartial states and the belligerents"?
   (a) J. G. Starke
   (b) L. Oppenheim
   (c) J. L. Brierly
   (d) Hall

9. Which of the following is not a specialised agency of the United Nations?
   (a) UNESCO
   (b) International Labour Organisation
   (c) Economic and Social Council
   (d) All the above

10. On whom the members of United Nations confer primary responsibility for the maintenance of International peace and security?
   (a) Security Council
   (b) International Court of Justice
   (c) Secretary General
   (d) None of the above

11. Vienna Convention on Diplomatic Relations, 1961 came into force on:-
   (a) April 18, 1961
   (b) April 24, 1961
   (c) April 24, 1964
   (d) None of the above

12. Who made the observation "Jurisprudence is Lawyer's extraversion"?
   (a) Jhon Austin
   (b) Stone
   (c) Cicero
   (d) C.K. Allen

13. Which is not jural-correlative in the following pairs?
(a) Right-Duty
(b) Liberty-No-right
(c) Immunity-Disability
(d) Power-Disability

14. The commission on the status of women was established by the:-
(a) Economic and Social Council
(b) General Assembly
(c) United Nations Secretariat
(d) Security Council

15. Which of the following can enforce the judgement of the International Court of Justice?
(a) General Assembly on the recommendation of the Security Council
(b) Secretary General
(c) Security Council on the request of the International Court of Justice
(d) None of the above

16. National Human Rights Commission in India came into force from:-
(a) 28th September, 1993
(b) 18th December, 1993
(c) 1st January, 1994
(d) 12th October, 1993

17. The recommendations of the National Human Rights Commission is:-
(a) Binding
(b) Advisory
(c) Both (a) and (b)
(d) None of the above

18. The head quarter of World Bank is situated at:-
(a) Geneva
(b) New York
(c) Paris
(d) Washington D.C.

19. Who among the following was hanged by the British Government in regard to the 'Kakori Conspiracy'?
(a) Bhagat Singh
(b) Chandra Shekhar Azad
(c) Ram Prasad Bismil
(d) Batukeshwar Dutt

20. On whose recommendation amongst the followings the Constituent Assembly was constituted?
(a) Crips Mission
(b) Webel Mission
(c) Lord Mountbatten
(d) Cabinet Mission Plan

21. Ashok Mehta Committee was related to the:-
(a) Centre-State Relations
(b) Economic Reforms
(c) Panchayati Raj
(d) None of the above

22. Power to constitute new states and its determination of boundary vests in:-
(a) Parliament
(b) Vice-President
(c) Governor
(d) None of the above

23. Who is the Chairman of National Development Council?
(a) President
(b) Prime Minister
(c) Finance Minister
(d) None of the above

24. 'Carry Forward Rule' was held as ultra-vires in the case of:-
(a) Maneka Gandhi Vs. Union of India
(b) Devadasan Vs. Union of India
(c) Pradeep Tandon Vs. State of U.P.
(d) None of the above

25. 'Hicklin Test' under Article 19(2) is related to:-
(a) Decency and morality
(b) Defamation
(c) Integrity of India
(d) None of the above

26. Dispute between states in India comes to the Supreme Court under:-
(a) Appellate Jurisdiction
(b) Original Jurisdiction
(c) Advisory Jurisdiction
(d) None of the above

27. Which amendment under the Indian Constitution provides for the reservation in Panchayats to the Women?
(a) 77th Amendment
(b) 75th Amendment
(c) 74th Amendment
(d) 73rd Amendment

28. To whom the President of India tenders his resignation?
(a) Prime Minister
(b) Vice-President
(c) Chief Justice of India
(d) Parliament

29. In which organ of United Nations, the membership has been enlarged twice by amending U.N. Charter-
(a) International Court of Justice
(b) Security Council
(c) Trusteeship Council
(d) Economic and Social Council

30. The first meeting of the Constituent Assembly was held on:-
(a) 9th December, 1946
(b) 15th August,1947
(c) 26th November, 1949
(d) 10th January, 1948

31. Which one of the following is not a permanent member of the U.N. Security Council?
(a) Britain
(b) United States of America
(c) Japan
(d) China

32. Who was the Constitutional Advisor to the Constituent Assembly?
(a) Dr. B.R. Ambedkar
(b) Pt. Jawahar Lal Nehru
(c) Sri. B.N. Rau
(d) Dr. Rajendra Prasad

33. The present Lok Sabha is:-
(a) Thirteenth
(b) Fourteenth
(c) Fifteenth
(d) Sixteenth

34. Which of the following Amendments Act of the Constitution provided for the appointment of one person as Governor of two or more states?
(a) 2nd Amendment
(b) 3rd Amendment
(c) 5th Amendment
(d) 7th Amendment

35. Who amongst the following has drafted the Preamble to the Indian Constitution:-
(a) Mr. Rajendra Prasad
(b) Mr. Jawahar Lal Nehru
(c) Mr. B.R. Ambedkar
(d) Mr. Vallabh Bhai Patel

36. In which of the following subjects India has recently in 2014 signed an agreement with Russia:-
(a) Environment
(b) Defence
(c) Atomic Energy Co-operation
(d) Health

37. In which of the following countries 8th 'SAARC' summit was held in 2014?
(a) India
(b) Bangladesh
(c) Nepal
(d) Pakistan

38. In which of the following cases Supreme Court held that an amendment of the Constitution under Article 368 is a 'law' under Article 13?
(a) Sajjan Singh Vs. State of Rajsthan
(b) Shankari Prasad Vs. Union of India
(c) Kesvanand Bharti Vs. State of Kerala
(d) Goloknath Vs. State of Punjab

39. Doctrine of Prospective over-ruling was approved for the first time in Constitutional interpretation in the case of:-
(a) Kesvanand Bharti Vs. State of Kerala
(b) Goloknath Vs. State of Punjab
(c) A.K. Gopalan Vs. State of Madras
(d) Charanjitlal Vs. Union of India

40. The General Assembly of the U.N. cannot be said to be a "World Parliament", because:-
(a) It cannot legislate for the States of the World;
(b) Its resolutions do not have binding force upon the member states;
(c) It cannot intervene in the matters of domestic jurisdiction of any state member;
(d) All of the above

41. In which section of the Protection of Women from Domestic Violence Act, 2005 the word 'Domestic Violence' has been defined?
(a) Section - 4
(b) Section - 3
(c) Section - 6
(d) Section - 5

42. By which amendment Act schedule-IX was inserted in Indian Constitution?
(a) 44th Amendment Act
(b) 25th Amendment Act
(c) 42nd Amendment Act
(d) 1st Amendment Act

43. Where the G-7 summit in June 2014 was held?
(a) Oofa
(b) Brussels
(c) Durban
(d) Loskebas

44. Which convention was related to Prisoners of War, cruelty and collective penalties and formulated for providing medical and other facilities to the prisoners of war?
(a) Kellog-Briand Paris Pact - (1928)
(b) Geneva Convention - (1929)
(c) Declaration of Paris - (1856)
(d) Hague Conference - (1907)

45. Who has been awarded by highest award of Japan as "The Grand Carden of the order of Palonia flowers" recently?
(a) Mr. Narendra Modi
(b) Dr. Manmohan Singh
(c) Mr. Nawaz Sharif
(d) None of the above

46. "A person convicted by the court may be punished, only in accordance with the statute", is the meaning of which maxim amongst the below?
(a) Nullum Crimen Sine lege
(b) Nemo propria causa judex csse debet
(c) Nulla poena sine lege
(d) None of the above

47. What is the right sequence of the followings-
(1) The United Nations declarations
(2) The Atlantic Charter
(3) The Declaration of St. Jemes Palace
(4) Sanfrancisco Conference
(a) 3, 2, 1, 4
(b) 2, 4, 3, 1
(c) 1, 2, 3, 4
(d) 4, 3, 2, 1

48. Which Articles amongst the following were added by the 97 th Amendment Act of Indian Constitution?
(a) Art 243(P) to Art 243 (ZG)
(b) Art 243 (ZH) to Art 243 (ZT)
(c) Art 243 (A) to Art 243 (O)
(d) Art 243 (ZG) to Art 243 (ZR)

49. In which of the following cases it has been observed that Prime Minister and Chief Ministers of the States are subject to the Doctrine of Constitutional Trust?
(a) Dr. Subramaniyam Swami Vs. Director, CBI (2014)
(b) Manoj Narula Vs. Union of India (2014)
(c) Ashraf Kokur Vs. K.V. Abdul Qudir (2014)
(d) Vishwajeet Bhattacharya Vs. Union of India (2014)

50. Auto limitation theory is related to:-
(a) Succession
(b) Recognition
(c) State jurisdiction
(d) Regarding the basis of International Law

Part II — Law

51. Under Indian Evidence Act, 1872, the maxim "SALUS POPULI SUPREMALEX" is related to-
(a) Section 121
(b) Section 122
(c) Section 123
(d) Section 124

52. Which of the following sections of the Indian Evidence Act, 1872 does not deal with the criminal matters:-
(a) Section 23
(b) Section 27
(c) Section 53
(d) Section 133

53. The term "Judicial notice" under the Indian Evidence Act, 1872, means:-

(a) Notice given by the court
(b) Information given to the court
(c) To ask for evidence
(d) To recognise without proof something as existing

54. Court can presume about the legality of digital signature on electronic record under Indian Evidence Act, 1872 when it is:-

(a) 30 years old
(b) 15 years old
(c) 5 years old
(d) 12 years old

55. "Presumption of fact" under the Indian Evidence Act, 1872:-

(a) is based on logic, human experience and natural events and law of nature
(b) is based on provisions of law
(c) cannot be ignored by the court
(d) is of certain and uniform position

56. The contents of electronic records may be proved under Indian Evidence Act, 1872 in accordance with the provisions of:-

(a) Section 65 C
(b) Section 65 B
(c) Section 66 B
(d) Section 66 C

57. Electronic record presented for inspection of the court under Indian Evidence Act, 1872 is-

(a) Electronic evidence
(b) Documentary evidence
(c) Oral evidence
(d) Modern evidence

58. Which of the following is correctly matched according to Indian Evidence Act, 1872-

(a) Refreshing memory : Section 158
(b) Identification parade : Section 10
(c) Admission : Section 24
(d) None of the above

59. "Written document must be proved by writing only", this maxim has been incorporated under which of the following sections of Indian Evidence Act, 1872-

(a) Section 87
(b) Section 91
(c) Section 121
(d) None of the above

60. Where the court has to form an opinion as to electronic signature of any person, the opinion of the certifying authority which has issued the electronic signature certificate is:-

(a) Fact in issue
(b) Relevant fact
(c) Proved fact
(d) None of the above

61. Which kind of agreement can be presumed by the court under section 85-A of the Indian Evidence Act, 1872:-

(a) Written agreement
(b) Oral agreement
(c) Electronic agreement
(d) None of the above

62. Presumption of dowry death which is mentioned under section113-B of Indian Evidence Act, 1872 has been incorporated by the Amendment Act of:-

(a) 1983
(b) 1984
(c) 2000
(d) 1986

63. Under Indian Evidence Act, 1872 a declaration made in course of business is admissible under:-

(a) Section 32 (7)
(b) Section 32 (2)
(c) Section 32 (4)
(d) Section 32 (1)

64. Under Indian Evidence Act, 1872 questions relating to a matter not relevant to the suit or proceedings may be asked under:-

(a) Section 146
(b) Section 147
(c) Section 148
(d) Such questions cannot be asked

65. Which kind of jurisdiction is not mentioned under section 41 of the Indian Evidence Act, 1872:-

(a) Probate
(b) Admirality
(c) Insolvency
(d) Revenue

66. Kaushal Rao Vs. State of Bombay A.I.R-1958 S.C. 22 is related with which topic of the law of evidence:-

(a) Confession
(b) Admission
(c) Dying declaration
(d) Estoppel

67. Indian Evidence Act, 1872 does not expressly mention about:-

(a) Oral Evidence
(b) Documentary Evidence
(c) Secondary Evidence
(d) Circumstantial Evidence

68. The question is whether "A" was ravished? The fact that without making a complaint, she said that she has been ravished is:-

(a) Relevant as conduct
(b) Admissible as conduct
(c) Not relevant as conduct
(d) A subject matter of enquiry

69. Where a document is executed in several parts, there:-

(a) each part is a primary evidence of the document
(b) each part cannot be primary evidence of the document
(c) each counter part is secondary evidence
(d) only main part is primary while rest is secondary evidence of the document

70. "Nothing in section 23 of the Indian Evidence Act, 1872 shall be taken to exempt any barrister, pleader, attorney or vakil from giving evidence of any matter of which he may be compelled to give evidence" is provided by the Indian Evidence Act, 1872, under:-

(a) Section 127
(b) Section 128
(c) Section 129
(d) Section 126

71. The fact of which the court will take judicial notice under Indian Evidence Act, 1872:-

(a) need to be proved
(b) is optional to be proved
(c) need not to be proved
(d) is better to be proved

72. As per preamble of the Indian Evidence Act, 1872, the purpose of this Act is:-

(a) to provide, define and amend the law of evidence
(b) to provide, consolidate the law of evidence
(c) to define and amend the law of evidence
(d) to consolidate, define and amend the law of evidence

73. In criminal proceedings against any person, the husband or wife of such person, shall be:-

(a) Competent witness
(b) Incompetent witness
(c) Competent witness only if they are major and with the consent of other
(d) Competent witness only if they are sane and with the consent of other

74. A contingent of police led by Sub-Inspector is on patrolling duty at night. They are attacked by two criminals in which one constable is severely injured and criminals escaped with their property. Here, a case can be made under Indian Penal Code 1860 for the offence of:-

(a) Theft
(b) Dacoity
(c) Robbery
(d) Mischief

75. Revealing the identity or name of victim of rape is punishable under which of the following sections of the Indian Penal Code 1860:-

(a) Section 354 D
(b) Section 376 E
(c) Section 229
(d) Section 228 A

76. Which of the following factors separate robbery from dacoity:-

(a) Time
(b) Property
(c) Number
(d) Place

77. "A" gave poisioned "Halwa" (sweet dish) to "B" with intention to kill him. "B" ate one spoon and kept it on the side. "C" who was sitting there, picked up and ate it. "C" dies. Here "A" is guilty of:-

(a) Culpable homicide not amounting to murder
(b) Offence of murder of "C"
(c) Here "A" is not guilty of murder as he never intended to kill "C"
(d) Causing grievous hurt

78. The maxim " ignorantia juris non excusat" means:-

(a) Ignorance of law is no excuse
(b) Ignorance of fact is no excuse
(c) Ignorance of law is an excuse
(d) Ignorance of fact is an excuse

79. The plea of "sudden and grave provocation" under Section 300 Exception (1) of the Indian Penal Code 1860 is a:-

(a) Question of law
(b) Question of fact
(c) Mixed question of law and fact
(d) Presumption under law

80. "Common Intention" and "similar intention" was distinguished in the famous case of-

(a) Barendra K. Ghosh Vs. King 1925 P.C. 1
(b) Mehboob Shah Vs. Emperor 1943 P.C. 118
(c) Kripal Singh Vs. State of U.P. 1954 S.C. 706
(d) Rishidev Pandey Vs. State of U.P. 1955 S.C. 331

81. The "appropriate government" may commute the sentence of death of an accused person to any other sentence:-

(a) With the consent of the accused
(b) With the consent of relatives of accused
(c) With the consent of advocate of the accused
(d) Without the consent of the accused

82. "Necessity" as a defence cannot be claimed when the act has been done:-

(a) With good faith
(b) Without criminal intent
(c) With inherent risk of causing harm
(d) For avoiding other greater harm

83. "X" who stole jewellery from a jeweller's shop caused fear of instant hurt to "Z" who tried to stop him while carrying away the stolen watch. Here "X" can be held liable for the offence of:-

(a) Extortion
(b) Robbery
(c) Theft
(d) Dacoity

84. Transgender has been recognised as third gender with all rights and a right to reservation by the Supreme Court in the case of:-

(a) NAZ Foundation Vs. Govt. of NCT (Delhi)
(b) Baljit Singh Vs. State of Haryana
(c) NALSA Vs. Union of India
(d) Vajresh Venkatray Anvekar Vs. State of Karnataka

85. A demand or request for sexual favour from a woman is punishable offence under Indian Penal Code 1860, under:-

(a) Section 354 A
(b) Section 354 C
(c) Section 354 B
(d) Section 354 D

86. Voluntarily throwing or attempting to throw acid is an offence punishable under Indian Penal Code 1860, under:-

(a) Section 326 A
(b) Section 326 B
(c) Section 228 A
(d) Section 228

87. Which of the following is an offence of continuing under Indian Penal Code, 1860?

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

88. The offence of destruction of electronic record to prevent it's production as an evidence is punishable under Indian Panel Code 1860 under-

(a) Section 201
(b) Section 204
(c) Section 203
(d) Section 202

89. The term "Harbour" defined under Indian Penal Code 1860, does not include-

(a) Supplying a person with shelter
(b) Supplying a person means of conveyance
(c) Assisting a person to evade apprehension
(d) Prior to the commission of the offence, facilitating the commission therof

90. "A" incites a dog to spring upon "Z" without "Z" consent with intention to annoy "Z". Here "A" has committed the offence of:-

(a) Criminal force
(b) Assault
(c) Attempt to cause hurt
(d) Defamation

91. "A" a police officer tortures "Z" in order to induce "Z" to confess that he has committed a crime. Here "A" is guilty of the offence of:-

(a) Assault
(b) Causing hurt to extort confession
(c) Causing criminal force
(d) Attempt to cause hurt

92. Which of the following sections have been inserted in the Indian Penal Code, 1860 by the Criminal Law (Amendment) Act, 2013, namely:-

(a) Section 376 A
(b) Section 376 B
(c) Section 166 A, 166 B, 354 C
(d) All of the above

93. The right of private defence does not extend to cause death of the offender, in which of the following offences:-

(a) Rape
(b) Kidnapping
(c) Gratifying un-natural lust
(d) Causing miscarriage

94. When a women was taking bath in her bathroom, "X" captures the image in his mobile and upload it on her facebook page. What offence has been committed by "X":-

(a) Sexual assault
(b) Insulting the modesty of a woman
(c) Voyeurism
(d) Stalking

95. Which of the following is not a "sine qua non" for making a person criminally liable:-

(a) Actus reus
(b) Mens rea
(c) Motive
(d) All the above

96. "A" under the influence of unsoundness attempt to kill "B". "B" in attempting to defend himself caused grievous hurt to "A". Here:-

(a) "A" is liable for attempt to murder and "B" is liable for causing hurt
(b) "A" commits no offence and "B" is liable for grievous hurt
(c) "B" commits no offence and "A" is liable for attempt to murder
(d) Both "A" and "B" are excused from liability

97. Statements under section 161 of the Code of Criminal Procedure 1973 are recorded by the police:-

(a) During trial
(b) Before investigation
(c) During investigation
(d) During inquiry

98. Under section 190 of the Code of Criminal Procedure 1973, cognizance of offence is taken by the:-

(a) Judicial Magistrate
(b) Session Judge
(c) High Court
(d) District Magistrate

99. During trial, statements of an accused person are recorded by the court under Code of Criminal Procedure 1973, under:-

(a) Section 311
(b) Section 312
(c) Section 313
(d) Section 314

100. Under Code of Criminal Procedure 1973, charges may be added or altered under:-

(a) Section 211
(b) Section 212
(c) Section 215
(d) Section 216

101. Under Code of Criminal Procedure, 1973 in a warrant case instituted on police-report, the trial begins when:-
(a) Charges are framed
(b) Accused appears
(c) Witnesses are examined
(d) None of the above

102. In which of the following trials under Code of Criminal Procedure 1973, hearing of the accused on sentence is not necessary:-
(a) In Session Trial
(b) In trial of warrant case
(c) In trial of summon case
(d) In all of the above

103. "A" commits robbery on "B" and in doing so voluntarily causes hurt to him. Whether "A" may be separately charged under section 323, 392, and 394 of the Indian Penal Code 1860?
(a) Yes
(b) No
(c) With the permission of Session Court
(d) Depends upon the discretion of the court

104. Criminal Law (Amendment) Act 2013, came into effect on:-
(a) 6th April 2013
(b) 3rd February 2013 th
(c) 7 January 2013
(d) 5th March 2013

105. Any dispute relating to the possession of immovable property under Code of Criminal Procedure 1973, is decided by the-
(a) Judicial Magistrate
(b) High Court Judge
(c) Session Judge
(d) Executive Magistrate

106. An accused person may be a competent witness in his own defence under the Code of Criminal Procedure 1973, in:-
(a) Section 312
(b) Section 313
(c) Section 315
(d) Section 316

107. The classification of offences has been given under the Code of Criminal Procedure 1973, under:-
(a) Section 320
(b) I Schedule
(c) II Schedule
(d) Section 482

108. Section 91 of the Code of Criminal Procedure 1973, does not apply to:-
(a) The complainant
(b) The witness
(c) The accused
(d) A person who is neither a complainant or accused or a witness

109. A person can be summoned as a witness under section 160 of the Code of Criminal Procedure 1973, by:-
(a) Any police officer
(b) The station police officer
(c) The police officer investigating the case
(d) None of the above

110. Under which section of the Code of Criminal Procedure 1973, a District Magistrate or Sub-Divisional Magistrate may prevent environmental pollution?
(a) Under section 151
(b) Under section 133
(c) Under section 145
(d) Under section 107

111. Treatment of the victim has been incorporated under Code of Criminal Procedure 1973 by Criminal Law (Amendment) Act, 2013, under:-
(a) Section 198 B
(b) Section 357 B
(c) Section 357 C
(d) None of the above

112. In a First-Information-Report, an offence is cognizable and other is non-cognizable, the whole case shall be deemed to be:-
(a) Cognizable
(b) Non-Cognizable
(c) It is to be seen whether it is a warrant case
(d) It is to be seen whether it is a summon case

113. Which of the following statements is true:-
(a) State Government shall establish a Court of Session with the consultation of High Court
(b) State Government shall establish a Court of Session
(c) The High Court shall establish a Court of Session
(d) The Supreme Court shall establish a Court of Session

114. The provisions of Code of Criminal Procedure 1973, other than those relating to Chapter VIII, X and XI, thereof shall not apply in which of the following:-
(a) State of Tripura
(b) State of Assam
(c) State of Meghalya
(d) State of Nagaland

115. Under Code of Criminal Procedure 1973, a charge shall be written in the:-
(a) Language which accused understands
(b) Language which witnesses understands
(c) Language of the Court
(d) Hindi language

116. What is the maximum default sentence that can be awarded in case of non-payment of compensation under section 358 of the Code of Criminal Procedure, 1973:-
(a) 60 days
(b) 30 days
(c) 90 days
(d) 120 days

117. An order passed by a Magistrate under section 446 of the Code of Criminal Procedure 1973, is appealable to:-
(a) Session Judge
(b) District Magistrate
(c) High Court
(d) Supreme Court

118. If a person against whom an order under section 133 of Code of Criminal Procedure, 1973 is made, appears and show cause against the order, the Magistrate shall:-
(a) Take evidence in the matter as in a summon case
(b) Take evidence in the matter as a warrant case
(c) Take evidence in the matter as an extraordinary case
(d) Take no evidence

119. Which of the following is not an essential procedural requirement of section 164 of the Code of Criminal Procedure, 1973 namely:-
(a) Warning to the accused
(b) Confession to be made voluntarily
(c) Recording of statement in presence of advocate of the accused
(d) Memorandum at the foot of confession

120. Which section of the Code of Criminal Procedure 1973, provides for confirmation by the High Court an order of death penalty passed by Session Court prior to it's execution:-
(a) Section 366
(b) Section 371
(c) Section 369
(d) Section 368

121. The term "Res Sub Judice" means:-
(a) Stay of suit
(b) Stay of appeal
(c) Stay of application
(d) Stay of execution

122. Under section 100 of Civil Procedure Code 1908, "Second appeal" lies to the High Court only on the ground of:-
(a) Question fact
(b) Substantial question of law
(c) Both on question of fact and law
(d) Mixed question of law and fact

123. Which of the following person may not file an application for execution under Civil Procedure Code, 1908 namely:-
(a) A decree holder
(b) Legal representative, if the decree holder is dead
(c) A person claiming under decree holder
(d) Judgement-debtor

124. Who may apply for reference under section 113 of the Code of Civil Procedure 1908:-
(a) A party to suit
(b) Court
(c) Both (a) and (b)
(d) None of the above

125. "It is a statement of claim, a document by presentation of which the suit is instituted". It is called as:-
(a) Affidavit
(b) Written-statement
(c) Counter-claim
(d) Plaint

126. Order 42 of the Civil Procedure Code 1908 deals with the:-
(a) Appeal to Supreme Court
(b) Appeal by indigent person
(c) Appeal from appellate decrees
(d) Appeal against orders

127. Which one of the following provision of Civil Procedure Code 1908 is related to affidavit:-
(a) Order 17
(b) Order 19
(c) Order 26
(d) Order 39

128. Under which provision of CPC a plaint is rejected by the courts in the absence of cause of action:-
(a) Order 7 Rule 11 (a)
(b) Order 7 Rule 11 (b)
(c) Order 7 Rule 11 (d)
(d) Order 7 Rule 11 (c)

129. A "Caveat" shall not remain inforce after the expiry of:-
(a) 30 days of it's filing
(b) 60 days of it's filing
(c) 90 days of it's filing
(d) 120 days of it's filing

130. Under which provision of CPC attachment before judgement is provided:-
(a) Order 39 Rule 1, 2
(b) Order 40 Rule 1
(c) Section 96
(d) Order 38 Rules 5-13

131. Execution of decree for specific performance for restitution of conjugal rights or for an injunction is provided under Civil Procedure Code 1908, under:-
(a) Order 21 Rule 30
(b) Order 21 Rule 31
(c) Order 21 Rule 32
(d) Order 21 Rule 34

132. Maximum amount which a court may order for payment of compensatory cost in case of false or vexations claims or defences under Civil Procedure Code 1908, is:-
(a) Rs 10,000/-
(b) Rs. 3,000/-
(c) Rs. 25,000/-
(d) Any amount

133. A "Garneeshe order" under Civil Procedure Code, 1908 is issued to:-
(a) Judgement debtor
(b) Judgement debtor's creditor
(c) Decree holder
(d) Judgement debtor's debtor

134. Which of the following order of CPC is related to "Set-off" and "counter-claims":-
(a) Order VI
(b) Order VIII
(c) Order VII
(d) Order IX

135. Which of the following is not correctly matched according to Civil Procedure Code, 1908:-
(a) Legal Representative : Section 50
(b) Letter of Request : Section 77
(c) Notice : Section 80
(d) Res-Sub-Judice : Section 11

136. Civil Procedure Code (Amendment) Act 2002, was enforced from:-
(a) 1st April, 2002
(b) 1st June, 2002
(c) 1st July, 2002
(d) 6th June, 2002

137. During proceedings for execution of a decree, if question arises as whether any person is or is not the representative of a party, such question must be determined by:-
(a) The court which passed the decree
(b) The court executing the decree
(c) The appellate court
(d) None of the above

138. Supplementary proceedings under Section 94 of the Civil Procedure Code, 1908 does not include:-
(a) Arrest before judgement
(b) Attachment before judgement
(c) Temporary injunctiojn
(d) Appointment of executor

139. Under Civil Procedure Code, 1908 "Foreign Court" means:-

(a) A court situated outside India
(b) A court situated outside India and not established under the authority of Government of India
(c) A court situated in India, applying foreign law
(d) All of the above

140. "Guardian at litem" used under Civil Procedure Code, 1908 means:-

(a) A local commissioner
(b) A court
(c) A person defending a suit on behalf of a insane person
(d) A person defending a suit on behalf of a minor

141. Under which of the following section of Hindu Marriage Act, 1955, divorce by mutual consent has been provided:-

(a) Section 13 A
(b) Section 13 B
(c) Section 11
(d) Section 15

142. In which of the following reports, the Law Commission recommended the "Breakdown Principle" to be accepted as the additional ground for divorce:-

(a) In 70th report
(b) In 72nd report th
(c) In 71 report
(d) In none of the above

143. When a child of opposite sex is proposed to be adopted, the adopter must be senior to it in age by at least:-

(a) 18 years
(b) 21 years
(c) 16 years
(d) 14 years

144. Under Hindu Adoption & Maintenance Act, 1956 mandatory requirement for adoption of a child is:-

(a) Giving and taking
(b) Duttak homan (Hawan)
(c) Both (a) and (b)
(d) None of the above

145. Which of the following is not a ground for divorce under Hindu Marriage Act, 1955:-

(a) Insanity
(b) Leporsys
(c) Epilipsy
(d) Veneral disease

146. According to court rulings, custody of a Hindu child upto the age of 5 years shall ordinarily be with the:-

(a) Father
(b) Sister
(c) Grand Father
(d) Mother

147. During the pendency of appeal against the decree of divorce, the parties:-

(a) Are competent to solumnise second marriage
(b) May contract another marriage with the leave of the court
(c) Are not competent to contract another marriage and their incapacity to do so is absolute
(d) None of the above

148. A boy of 16 years of age may validly be taken into adoption:-

(a) By law
(b) By contract between parties
(c) By consent of father of child
(d) If customar usage applicable to parties so permits

149. Laxmikant Pandey Vs. Union of India, A.I.R. 1984 S.C. lays down the rule regarding:-

(a) Inter-country adoption
(b) Inter-caste marriage
(c) Inter-religion adoption
(d) Rights of maintenance

150. Registration of marriage has been made compulsory by Hindu Marriage Act, 1955 under:-

(a) Section 12
(b) Section 14
(c) Section 8
(d) Section 6

151. Section 14 of Hindu Marriage Act, 1955 imposes a ban for filing petition for:-

(a) Judicial Separation
(b) Divorce
(c) Viodable marriage
(d) Void marriage

152. Every appeal from decrees or orders under section 28 of Hindu Marriage Act, 1955 shall be preferred within how many days from the date of decree or order:-

(a) Within 90 days
(b) Within 60 days
(c) Within 45 days
(d) Within 30 days

153. Who is natural guardian of a married minor girl:-

(a) Father-in-law
(b) Mother
(c) Father
(d) Husband

154. Which of the following ceremonies is/are obligatory under Hindu Marriage Act, 1955 for a valid marriage:-

(a) Kanyadan
(b) Saptapadi
(c) Customary rites and ceremories of either party
(d) All of the above

155. Children born out of void or voidable marriage under sections 11 and 12 of Hindu Marriage Act, 1955 are deemed to be:-

(a) Illegitimate
(b) Illegitimate but can inherit the property of their parents
(c) Legitimate and can inherit all family property
(d) Legitimate but can inherit the property of their parents only

156. A "Divorced" Hindu wife can claim maintanence under which of the following Acts:-

(a) Hindu Marriage Act only
(b) Hindu Marriage Act and Criminal Procedure Code 1973
(c) Hindu Adoption & Maintenance Act, 1956 and Hindu Marriage Act
(d) In all of the above

157. Rules relating to "Sapinda relationship" are based on the principle of:-

(a) Endogamy
(b) Exogamy
(c) Polygamy
(d) Monogamy

158. The "Breakdown theory" of divorce is reflected by which section of the Hindu Marriage Act, 1955:-

(a) Section 13 (1)
(b) Section 13 (2)
(c) Section 13 (1A)
(d) Section 13 B

159. The petition for divorce by mutual consent may be presented according to Hindu Marriage Act, 1955, if the spouses have been living separately for a period of:-

(a) 1 year
(b) 2 years
(c) 3 years
(d) None of the above

160. The property of a Hindu woman dying intestate shall devolve firstly upon:-

(a) Heirs of mother
(b) Heirs of father
(c) Hiers of husband
(d) Sons and daughters and the husband

161. Contingent interest in the property becomes a vested interest, on the happening of an uncertain event or when the happening of the event becomes:-

(a) Possible
(b) Impossible
(c) Probable to happen
(d) All of the above

162. Section 12 of the Transfer of Property Act, 1882 is not applicable:-

(a) Where the transfer is by way of sale
(b) Where the transfer is by way of gift
(c) Where the transfer is by way of exchange
(d) Where the transfer is by way of lease

163. Which one of the following section of the Transfer of Property Act 1882, deals with the "direction for accumulation":-

(a) Section 14
(b) Section 17
(c) Section 19
(d) Section 18

164. Transfer of ownership of immovable property in exchange for a price paid or promised or partly paid or partly promised is called as:-

(a) Mortgage
(b) Lease
(c) Sale
(d) Exchange

165. Section 56 of the Transfer of Property Act, 1882 deals with:-
(a) Marshalling by subsequent purchaser
(b) Contract for sale
(c) Discharge of encumbrance on sale
(d) None of the above

166. If the donee dies before the acceptance of the gift, the gift is:-
(a) Voidable
(b) Valid
(c) Illegal
(d) Void

167. Chapter VII of the Transfer of Property Act, 1882 does not apply to transfers of property under:-
(a) Christian Law
(b) Parsi Law
(c) Mohemmadan Law
(d) Hindu Law

168. Which one of the following is not a ground for determination of a lease:-
(a) Effuse of the time limited
(b) Implied surrender
(c) Expiration of notice of determination of lease
(d) Death of the lessee

169. Which one of the following is not an essential condition for applicaton of rule of "lis pendens" under Section 52 of the Transfer of Property Act, 1882:-
(a) Pendency of a suit or proceeding
(b) Pendency in a competent court
(c) Suit must be collusive
(d) Alienation must affect the rights of other party

170. Find out the incorrect answer from the following:-
(a) Gift is the transfer of ownership without consideration
(b) Gift should be accepted during the lifetime of the owner
(c) If donee dies before acceptance, the gift is void
(d) Gift may be made only of movable property

171. The Transfer of Property Act, 1882 came into force on:-
(a) 1st August 1882
(b) 1st July 1882 st
(c) 1 September 1882
(d) 1st October 1882

172. According to Section 5 of the Transfer of Property Act, 1882 the term "living person" includes:-
(a) A human being only
(b) Only important company or associations
(c) Company or associations or body of individuals
(d) None of the above

173. Which one of the following condition is invalid according to Section 10 of Transfer of Property Act, 1882:-
(a) A condition not to sell outside the family
(b) A condition not to sell during the lifetime of the transferor
(c) A condition not to sell to a person of different religion
(d) A condition restraining sub-letting of leased property

174. Which one of the following is not an essential condition of Section 43 of the Transfer of Property Act, 1882:-
(a) The representation must necessarily be fraudulent
(b) The transferor makes a representation that he is competent to transfer
(c) Transfer is of immovable property
(d) Transfer is for consideration

175. "Once a mortgage, always a mortgage" means-
(a) Mortgagor has no right to assign right of redemption to any person
(b) Mortgagee has no right to assign the mortgagee debt to any other person
(c) Mortgage cannot be redeemed after the expiry of a fixed period
(d) Mortgage is always redeemable

176. Section 122 of the Transfer of Property Act, 1882 deals with which following kinds of gift, namely-
(a) Gift inter-vivos
(b) Gift moritis causa
(c) Gift by will
(d) All of the above

177. Which one of the following sections provides the statutory duties of a mortgage in possession-
(a) Section 77
(b) Section 78
(c) Section 79
(d) Section 76

178. The provisions relating to "Onerous gift" have provided under Transfer of Property Act, 1882 in:-
(a) Section 127
(b) Section 124
(c) Section 125
(d) Section 126

179. The Transfer of Property (Amendment) Act 2003, has amended which one of the following sections of the Transfer of Property Act, 1882:-
(a) Section 107
(b) Section 106
(c) Section 108
(d) Section 100

180. The transferee of an actionable claim shall take it subject to all the liabilities and equities and to which the transferor was subject in respect thereof:-
(a) At the date of transfer
(b) Before the date of transfer
(c) After 15 days from the date of transfer
(d) Before 15 days from the date of transfer

181. Section 52 of the Transfer of Property Act, 1882, does not apply to:-
(a) Post transfer rights
(b) Pecuniary rights
(c) Pre-existing rights
(d) Instant rights

182. Under which one of the following schools of Muslim Law "Muta Marriage" is recognised:-
(a) Hanifi school
(b) Shafii school
(c) Ismaili school
(d) Ithna Asheri school

183. Where the person who performed "Nikah" is dead, the proof of marriage will be given by the:-
(a) Husband
(b) Wife
(c) Witness
(d) Guardian

184. A Muslim widow remarries during the period of "iddat", the marriage is:-
(a) Valid
(b) Fasid
(c) Batil
(d) None of the above

185. "Musha" under Muslim Law means:-
(a) An undivided share in the property
(b) Share in a joint property after partition
(c) Compensation in lieu of share in the property
(d) None of the above

186. Under Muslim Law, a bequest can validly be made to a child in womb, so long it is born from the date of will within the period of:-
(a) 3 months
(b) 6 months
(c) 9 months
(d) 10 months

187. Creating a "Waqf" means dedication of property to:-
(a) State
(b) Himself
(c) Family members
(d) God

188. Shariat Act, 1937 contains only-
(a) 12 sections
(b) 6 sections
(c) 15 sections
(d) 9 sections

189. According to Hanafi Law, a mother is entitled to the custody (Hizanat) of a male child till the age of:-
(a) 12 years
(b) 18 years
(c) 7 years
(d) 21 years

190. "Khiyar-ul-bulug" means:-
(a) Option of puberty
(b) A form of dower
(c) A form of valid marriage
(d) Infidelity

191. Dissolution of Muslim Marriage Act, 1939 specifies certain grounds of divorce which are available to:-
(a) Husband as well as wife
(b) Husband only
(c) Wife only
(d) None of them

192. In which of the following cases, the Supreme Court, has recognized the validity of adoption of a child even by a Muslim:-

(a) Shabnam Hasmi Vs. Union of India & others
(b) Shabnam Bano Vs. Union of India
(c) Roshnara Khatoon Vs. Union of India
(d) Aisha Qureshi Vs. Asfaq Quereshi

193. A Muslim wife's right to 'dower' can be claimed as-

(a) A preferential debt
(b) An ordinary unsecured debt along with other creditors
(c) An ordinary debt but priority over other creditors
(d) A secured debt

194. How much time of abstinence is required in "Ila form" to enforce dissolution of marriage under Muslim Law:-

(a) 2 months
(b) 3 months
(c) 4 months
(d) 6 months

195. Under Muslim Law the term "Faskh" is used to denote:-

(a) Restitution of conjugal rights
(b) Dissolution of marriage by judicial decree at the instance of husband
(c) Judicial separation
(d) Dissolution of marriage by judicial decree at the instance of wife

196. Under Muslim Law, in the matter of marriage, if there is a conflict between the views of minor and guardian, the law gives priority to:-

(a) Minor
(b) Guardian
(c) State
(d) Court

197. A sickman makes a bequest, and being unable to speak from weakness gives a nod with his head, and he dies without regaining the power of speech, the bequest is:-

(a) Void
(b) Irregular
(c) Valid
(d) None of the above

198. A right of divorce by "Lian" is available to the wife when the husband accuses the wife:-

(a) of re-embracing her initial faith
(b) of cruelty
(c) of conversion to other faith
(d) of adultry

199. In the "Ahsan Form"of talaq, the talaq is effective:-

(a) from the moment of pronouncement
(b) on the expiration of Iddat period
(c) on the third pronouncement
(d) from the execution of writting of talaq-nama

200. In which of the following case the Supreme Court has held that the "three talaqs" would be treated as a "Single talaq" and not a valid talaq:-

(a) Mohd Ahmad Khan Vs. Shah Bano , A.I.R. 1985-S.C.
(b) Bai Taheri Vs. Ali Hussain, A.I.R. 1979 S.C.
(c) Shamim Ara Vs. State of U.P., A.I.R. 2002 S.C.R
(d) None of the above