Uttarakhand Civil Judge Prelims 2015

Uttarakhand Public Service Commission · 200 questions · Series C

Part I · General Knowledge

1. The First Law Commission of Independent India was established in year :

(a) 1861
(b) 1950
(c) 1951
(d) 1955

2. Which Judge of the Supreme Court of India gave a dissenting judgment in the recent National Judicial Appointment Commission case?

(a) Justice J.S. Khehar
(b) Justice J. Chelameswar
(c) Justice Macian B. Lokur
(d) Justice Kurian Joseph

3. The Constitution of India recognizes International Law under:

(a) Articles 51 and 253
(b) Articles 51 and 252
(c) Articles 50 and 253
(d) Articles 50 and 252

4. The first State in Independent India which was created on linguistic basis was

(a) Gujarat
(b) Kerala
(c) Andhra Pradesh
(d) Haryana

5. Which Law Officer holds the right to speak in both the Houses of Parliament?

(a) Solicitor General
(b) Attorney General
(c) Legal Advisor to President of India
(d) Law Secretary, Government of India

6. In which one of the following decisions, the Supreme Court of India has recognised "Trans-gender persons" to be persons of "third gender"?

(a) National Legal Services Authority V/s Union of India
(b) NALSAR University, Hyderabad V/s Union of India
(c) State Legal Services Authority V/s Union of India
(d) Suresh Kumar Kaushal V/s Naz Foundation

7. Who decides a dispute regarding the election of the President of India?

(a) Election Commission
(b) Chief Justice of India
(c) Parliament
(d) Supreme Court

8. Which of the following judgments relates to prohibition against causing pollution and discomfort to the public due to smoking at public places?

(a) Sher Singh V/s State of Punjab (AIR 1983 SC 465)
(b) Murli S. Deora V/s Union of India (AIR 2002 SC 40)
(c) Raj Deo Sharma V/s State of Bihar (AIR 1998 SC 328)
(d) Sita Ram V/s State of U.P. (AIR 1983 SC 65)

9. Through which amendment of the Constitution of India, Sikkim was included in the Union of India?

(a) 36th Amendment
(b) 35th Amendment
(c) Seventh Amendment
(d) Fifth Amendment

10. If a person is not a member of either House of Parliament, he cannot be appointed a Minister at the Centre for a period of more than:

(a) 3 months
(b) 6 months
(c) 10 months
(d) 12 months

11. The law declared by the Supreme Court of India is binding upon all subordinate courts within the territory of India. But the Supreme Court itself is not bound by its own decisions. This was held in:

(a) Keshavananda Bharati V/s State of Kerala
(b) Indira Nehru Gandhi V/s Raj Narain
(c) Madhav Rao Sindhiya V/s Union of India
(d) Bengal Immunity Co. Ltd. V/s State of Bihar

12. The Medical Termination of Pregnancy Act, 1971 was passed as an exception to:

(a) Section 88, Indian Penal Code
(b) Section 302, Indian Penal Code
(c) Section 312, Indian Penal Code
(d) Article 20, Constitution of India

13. "Acid Attack" has been made a separate offence in India in year:

(a) 2003
(b) 2010
(c) 2014
(d) 2013

14. The term of office of the Chief Election Commissioner of India is:

(a) Six years
(b) For six years or upto the age of 65 years, whichever is earlier.
(c) During pleasure of the President
(d) For five years or upto the age of 65 years, whichever is earlier.

15. In which of the following cases the Supreme Court has recently propounded a right of any unwed mother to obtain birth certificate of her child without disclosing name of the biological father?

(a) A.B.C. V/s State (NCT of Delhi)
(b) Shamim Bano V/s State of U.P.
(c) Javed V/s State of Haryana
(d) Geetha Hariharan V/s Reserve Bank of India

16. The decision of the Supreme Court in Shreya Singhal V/s Union of India is famous for:

(a) declaring Section 377 of IPC as unconstitutional
(b) declaring Section 498 of IPC as unconstitutional
(c) declaring Section 66A of Information Technology Act as unconstitutional
(d) declaring Section 377 of IPC as constitutionally valid

17. On 16th October, 2015 the Supreme Court of India declared the National Judicial Appointment Commission to be unconstitutional for violating:

(a) spirit of the Constituent Assembly
(b) Fundamental rights
(c) separation of powers
(d) basic structure of the Constitution

18. Which one of the following cases was decided by full bench consisting of thirteen judges of Supreme Court?

(a) Lucknow Development Authority V/s A.K. Gupta
(b) A.D.M. Jabalpur V/s Shivkant Shukla
(c) Golak Nath V/s State of Punjab
(d) Keshavananda Bharati V/s State of Kerala

19. Justice (Rtd.) Dalveer Bhandari is presently:

(a) Chairman, National Human Rights Commission
(b) Judge, International Court of Justice
(c) Chairman, Law Commission of India
(d) Chairman, Commission on Centre-State Relations

20. The United Nations Human Rights Council is a subsidiary body of the:

(a) Security Council
(b) International Criminal Court
(c) General Assembly
(d) None of the above

21. In July 2014, the Permanent Court of Arbitration resolved the Maritime Border dispute between:

(a) India and Pakistan
(b) China and India
(c) India and Bangladesh
(d) None of the above

22. Which one of the following cases does relate to de-facto recognition of a State?

(a) Luther V/s Sagor
(b) 'S.S.Lotus'case
(c) Bank of Ethiopia V/s National Bank of Egypt & Liquori
(d) 'Arantzazu Mendi' case

23. Which of the following may request the International Court of Justice to give an advisory opinion?

(a) General Assembly
(b) Security Council
(c) The General Assembly or the Security Council
(d) Secretary General

24. To commemorate establishment of U.N.O. in year 1945, the United Nations Day is celebrated every year on:
(a) 26th January
(b) 24th October
(c) 26th November
(d) 10th December

25. Judges for the International Court of Justice are elected for a term of:
(a) 9 years
(b) 10 years
(c) 15 years
(d) 20 years

26. The rules of Neutrality were codified in years:
(a) 1956 & 1899
(b) 1856 & 1907
(c) 1868 & 1900
(d) 1899 & 1930

27. Who among the followings was the first Human Rights High Commissioner of the United Nations?
(a) S.R. Insan Ali
(b) Sadako Ogata
(c) Jose Ayala Lasso
(d) Jwan o Somavia

28. The principle of Non-Intervention by states has been incorporated in which Article of the United Nations' Charter?
(a) Article 2(7)
(b) Article 2(4)
(c) Article 3(8)
(d) Article 4(9)

29. A state is admitted to the membership of the United Nations by:
(a) the Security Council only.
(b) the General Assembly after approval from the Security Council.
(c) the General Assembly only.
(d) United Nations Secretariat.

30. The Parliament of India passed "The Suppression of Unlawful Acts Against Safety of Civil Aviation Act, 1982" to give effect to this international convention:
(a) Rome Convention, 1952
(b) Tokyo Convention, 1963
(c) Hague Convention, 1970
(d) Montreal Convention, 1971

31. Judges of the International Court of Justice are elected by:
(a) The Security Council only
(b) The General Assembly and the Security Council
(c) The Security Council and the Secretariat
(d) The General Assembly by special voting

32. Who can expel a state from the membership of the United Nations?
(a) The General Assembly
(b) The Security Council
(c) The General Assembly upon recommendation of the Security Council
(d) The General Assembly upon recommendation of the Secretary General

33. In which case it was decided that a foreign sovereign living in England incognito is entitled to claim sovereign immunity in court?
(a) Mighell V/s Sultan of Johore (1894) 1 QB 149
(b) lonian Ship (1855) 2 Spinks 212
(c) The Parliament Belge (1880) 5 PD 197
(d) Vavasseur V/s Krupp (1878) LR 9 Ch.D. 351

34. In which case the Supreme Court has held that enactments included in Schedule IX of the Constitution of India are subject to judicial review ?
(a) Kihota Hollohan V/s Zichillu
(b) Indira Sawhney V/s Union of India
(c) I.R. Coelho V/s State of Tamil Nadu
(d) None of the above

35. Which articles of the United Nations Charter confirm the views of Oppenheim and Starke that the UN Charter has not completely abolished the law of neutrality?
(a) Articles 25 and 30
(b) Articles 48 and 50
(c) Articles 41,42 and 43
(d) Articles 10 and 16

36. Which one of the following decisions affirmed Starke view that "sovereignty is now considered and accepted as both divisible and limitable"?
(a) Union of India V/s Sudhanshu Mazumdar (AIR 1971 SC 1594)
(b) Union of India V/s Sukumar Sen Gupta (AIR 1990 SC 1692)
(c) Rights of the US Nationals in Morocco (ICJ Rep 1952)
(d) The Charkieh (1873 LR 4 A & E 59)

37. The principle of "Rebus sic stantibus" connotes:
(a) A state cannot use force against another state
(b) Refugees should be given asylum generously
(c) Freedom of Navigation in High Seas
(d) Avoidance or termination of treaty due to fundamental change in circumstances

38. The United Nations has recently proclaimed the following as the International Yoga Day:
(a) 21st June
(b) 14th September
(c) 10th May
(d) 1st June

39. The Constitution (One Hundredth Amendment) Act, 2015 relates to:
(a) Validate full enforcement of the Original Land Boundary Agreement between India and Bangladesh, 1974.
(b) Authorise enforcement of revised version of Land Boundary Agreement between India and Bangladesh, 1974.
(c) Establishment of National Judicial Appointments Commission.
(d) Addition of Garo and Mizo languages to the Eighth Schedule.

40. Who among the followings was a judge in the International Court of Justice?
(a) Raghunandan Pathak
(b) Nagendra Singh
(c) Benegal Narsing Rau
(d) M. Hidayatulla

41. In which of the following cases did the National Human Rights Commission file a petition in the Supreme Court of India?
(a) In 1984 riots case
(b) In Bhopal Gas Tragedy case
(c) In Best Bakery case
(d) None of the above

42. In which of the following cases the Constitution Bench of the Supreme Court has by a 4:1 majority held that review petitions relating to capital punishment shall be heard in open court?
(a) Manoj Narula V/s Union of India
(b) Mohammad Arif V/s Registrar, Supreme Court
(c) Nalini V/s Union of India
(d) Lily Thomas V/s Union of India

43. Which of the following languages has been recognised as the second official language of Uttar Pradesh and upheld to be so by a Constitution Bench decision of the Supreme Court?
(a) Sanskrit
(b) Avadhi
(c) Bhojpuri
(d) Urdu

44. Which one of the following has recently been declared to be unconstitutional by the Supreme Court of India?
(a) National Tax Tribunal
(b) Central Administrative Tribunal
(c) National Green Tribunal
(d) None of the above

45. In which of the following decisions, the Supreme Court upheld the constitutional validity of Section 19 of the Prevention of Corruption Act but suggested for its restructuring by the Parliament?
(a) Subramanyam Swamy V/s Union of India
(b) Manzoor Ali Khan V/s Union of India
(c) Common Cause V/s Union of India .
(d) Daniel Latifi V/s Union of India

46. In which of the following decisions, the Supreme Court of India has issued sixteen guidelines regarding the investigation of any "Encounter Death"?
(a) Tulsi Ram Prajapati's case
(b) Sohrabuddin Sheikh's case
(c) P.U.C.L. V/s State of Maharashtra
(d) Vijay Shankar Pandey' s case

47. Pursuant to a constitutional amendment, "cooperative society" finds a place among fundamental rights in:
(a) Article 19 (1) (a)
(b) Article 19 (1) (b)
(c) Article 19 (1) (c)
(d) None of the above

48. By which Amendment Act, Article 371-J has been incorporated in the Constitution of India?
(a) The Constitution (98th Amendment) Act, 2012
(b) The Constitution (97th Amendment) Act, 2011
(c) The Constitution (95th Amendment) Act, 2009
(d) The Constitution (96th Amendment) Act, 2011

49. Under which Article of the Constitution, the Government of India and the Government of a State may sue or be sued by the name of the Union of India and of the State respectively?

(a) Article 365
(b) Article 304
(c) Article 301
(d) Article 300

50. The Provisions in the Constitution of India relating to Directive Principles of State Policy has been adopted from:

(a) Canadian Constitution
(b) Irish Constitution
(c) British Constitution
(d) Australian Constitution

Part II · Law

51. Executor of a will of a Muslim may be

(a) A Muslim only
(b) A Christian only
(c) A Hindu only
(d) Either a Muslim, Hindu or Christian

52. A Muslim can marry any number of wives not exceeding four. If a Muslim marries a fifth wife, such a marriage shall be

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

53. Which one of the following is the right of pre-emption?

(a) A right to seek eviction of tenant and get possession.
(b) A right to purchase property in preference to other person.
(c) A right to purchase property at low price.
(d) None of the above

54. In which one of the following cases it was held that, 'only in case of triple Talaq Halala is mandatory before remarrying to same husband' ?

(a) Mohd. Razak Vs. Mohd. Azmi
(b) Mohd. Ghafoor Vs. Sabina
(c) Mrs. Sabah Adnan Sami Vs. Adnan Sami
(d) Mohd. Akbaz Vs. Sabana

55. Under Muslim Law, a man is forbidden to have two wives at the same time, if related with each other by

(a) Consanguinity
(b) Affinity
(c) Fosterage
(d) All of these

56. Which one of the following Law Commissions made the draft of Transfer of Property Act?

(a) First Law Commission
(b) Second Law Commission
(c) Third Law Commission
(d) Fourth Law Commission

57. Which one of the following is not immovable property?

(a) Surface of land
(b) Rivers on surface of land
(c) Standing timbers
(d) Things attached to earth

58. Section 19 of the Transfer of Property Act is related to

(a) Vested Interest
(b) Contingent interest
(c) Accumulated interest
(d) All of the above

59. Section 10 of the Transfer of Property Act provides for

(a) Oral transfer
(b) Restriction repugnant to interest created -
(c) Condition restraining alienation
(d) None of the above

60. Which one of the following provisions of the Transfer of Property Act provides that a person taking the benefit of instrument must also bear the burden?

(a) Section 35
(b) Section 34
(c) Section 33
(d) Section 32

61. Which one of the following cases decided by the Privy Council is related to 'Fraudulent transfer' ?

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

62. In which of the following cases, a lease of immovable property does not determine?

(a) On the service of a notice to quit.
(b) By forfeiture
(c) By express surrender
(d) By efflux of time limited thereby

63. Which among the following is recognised as 'Actionable Claims'?

(a) Future decree
(b) Copyright of a book
(c) Claim for mesne profit
(d) Arrears of rent

64. 'A' lets the farm to 'B' on condition that he shall walk a hundred miles in an hour. The lease is void under

(a) Section 23 of T.P.A.
(b) Section 24 of T.P.A.
(c) Section 25 of T.P.A.
(d) None of the above

65. Which one of the following may be transferred?

(a) An easement
(b) A mere right to re-entry
(c) Assignment of decree for mesne profit
(d) A right to future maintenance

66. In which provision of the Transfer of Property Act, it is provided that rule against perpetuity does not apply when the transfer is for benefit of public?

(a) Section 17
(b) Section 18
(c) Section 19
(d) Section 20

67. 'A' transfers a house, having market value of 10,000 without consideration to 'B' but the house is under liability to pay public charges of 15,000. The transfer is

(a) Gift
(b) Onerous gift
(c) Actionable claim
(d) None of the above

68. Under Section 104 of the Transfer of Property Act, on whom the power of making rules is conferred?

(a) Central Government
(b) State Government
(c) Supreme Court
(d) High Court

69. 'A' owes money to 'B', who transfers the debt to 'C'. 'B', then demands the debt from 'A', who not having received notice of the transfer, as prescribed in Section 131 of T.P. Act, pays B. The payment is

(a) Void
(b) Voidable
(c) Valid and 'C' can sue 'A' for debt
(d) Valid and 'C' cannot sue 'A' for the debt

70. Who among the following persons may not redeem the mortgaged property?

(a) Any person having interest in property.
(b) Any surety for payment of the mortgaged debt.
(c) Any creditor of the mortgagor.
(d) Counsel pleading the case against mortgagee.

71. 'Marshalling by subsequent purchaser' is provided under Transfer of Property Act in

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

72. Under Transfer of Property Act, every transfer to immovable property made with intent to defeat or delay shall be

(a) Void
(b) Void-ab-initio
(c) Voidable
(d) None of these

73. For determination of lease from year to year under Section 106 of Transfer of Property Act, the notice period is

(a) Three months
(b) Six months
(c) One month
(d) Fifteen days

74. 'A' gives one lakh rupees to 'B', reserving to himself with B's assent, the right to take back at pleasure 10,000 out of one lakh. The gift
(a) is wholly void
(b) is invalid
(c) holds good as to 90,000
(d) is onerous

75. Doctrine on clog on the equity of redemption is a rule of justice, equity and good conscience. This was affirmed by the Supreme Court in
(a) Apte Vs. Rice
(b) Morarilal Vs. Dev Karan
(c) Surapur Vs. Dewan Chand
(d) None of the above

76. 'A' lets a farm to 'B' for the life of 'C'. 'C' dies but 'B' continues in possession with A's assent. B's lease is
(a) Determined
(b) Renewed from year to year
(c) Renewed forever
(d) Renewed for the year of death.

77. What is the minimum number of witnesses for presence and signature in relations to attestation of an instrument?
(a) Atleast one
(b) Atleast two
(c) Atleast three
(d) No requirement

78. Which of the following is not correctly matched under Transfer of Property Act?
(a) Universal donee — Section 128
(b) Doctrine of part performance — Section 53 A
(c) Marshalling by subsequent purchaser — Section 65
(d) Mortgagee's right to foreclosure — Section 67

79. Which one of the following cases is a landmark case on 'First Information Report'?
(a) Lalita Kumari Vs. State of U.P.
(b) Moti Ram Vs. State of M.P.
(c) Abdul Karim Vs. State of Karnataka
(d) Neelam Katara Vs. Union of India

80. Under Section 216 of Criminal Procedure Code, 1973 the court may alter 'charge'
(a) only before the trial starts
(b) only during the trial
(c) at any time before the judgement is pronounced
(d) Never

81. Maximum period for which undertrial can be detained
(a) is decided by the court
(b) not exceeding the maximum period of punishment for the said offence
(c) not more than half of the maximum period of punishment for the said offence
(d) none of the above

82. Which one of the following is not correct in respect of term 'Victim' under Section 2(wa) of the Code of Criminal Procedure?
(a) who suffers any loss
(b) who suffers any injury
(c) does not include guardian but legal heir
(d) includes guardian as well as legal heir

83. A magistrate may take cognizance of an offence upon
(a) his own knowledge
(b) police report
(c) receiving complaint
(d) All of the above

84. Power to grant bail under Section 439 of the Code of Criminal Procedure, 1973 is vested in the
(a) High Court
(b) Sessions Court
(c) Magistrate
(d) Both (a) and (b) above

85. Under which of the following provisions of the Criminal Procedure Code, compensation is paid to groundlessly arrested person?
(a) Section 357
(b) Section 358
(c) Section 357-A
(d) Section 360

86. In which of the following cases, the Supreme Court of India has directed the High Courts to exercise jurisdiction under Section 482 of the Code of Criminal Procedure?
(a) State of Haryana Vs. Bhajan Lal
(b) Adalat Prasad Vs. Navin Jindal
(c) Dinesh Dalmiya Vs. C.B.I.
(d) Dhananjay Chatterjee Vs. State of West Bengal

87. Under which provision of the Code of Criminal Procedure, examination of witness in the absence of absconded accused can be done?

(a) Section 299
(b) Section 321
(c) Section 224
(d) Section 301

88. Which one of the following provisions of the Code of Criminal Procedure provides for 'legal aid'?

(a) Section 303
(b) Section 304
(c) Section 309
(d) Section 302

89. An order under Section 144 of Cr. P.C. shall remain in force for two months but can be extended by the State Government for not exceeding:

(a) Three months
(b) Six months
(c) One year
(d) As State Government may deem fit.

90. Section 172 of the Code of Criminal Procedure requires that statements of witnesses recorded during the course of investigation under Section 161 shall be inserted in the

(a) Case diary
(b) Investigation register
(c) Daily-diary register
(d) Witness register

91. "For every distinct offence of which any person is accused, there shall be a separate charge and every such charge shall be tried separately.", is provided in Criminal Procedure Code under:

(a) Section 211
(b) Section 215
(c) Section 218
(d) Section 220

92. Which one of the following provisions of Criminal Procedure Code provides that no court shall alter the judgement after it has been signed?

(a) Section 360
(b) Section 361
(c) Section 362
(d) Section 462

93. Provisions regarding 'Plea Bargaining' are given under Code of Criminal Procedure in

(a) Chapter XIX
(b) Chapter XXI-A
(c) Chapter XXII
(d) Chapter XXII-A

94. 'A' has committed robbery on a train bound to Varanasi from Haridwar. 'A' can be inquired or tried at

(a) Haridwar only
(b) Varanasi only
(c) The place of commission of offence only
(d) Any court in the course of that journey

95. In the proceedings for confirmation of death sentence, the High Court has power

(a) only to confirm the sentence of death or pass any other sentence.
(b) only to convict the accused of any other offence.
(c) only to acquit the accused person.
(d) All of the above

96. A wife is not entitled to claim maintenance from her husband under Section 125 of Criminal Procedure Code if she

(a) is living in adultery
(b) has refused to live with her husband without sufficient reasons.
(c) is living separately with mutual consent.
(d) All of the above

97. The directions to ensure that police officers do not arrest accused unnecessarily and magistrates do not authorise detentions casually were issued by the Supreme Court in the following case:

(a) Arnesh Kumar Vs. State of Bihar
(b) Lalita Kumari Vs. State of U.P.
(c) Sumita Kumari Vs. State of Bihar
(d) Anju Chaudhari Vs. State of U.P.

98. Which one of the following provisions of Code of Criminal Procedure provides that "the investigation in relation to rape of a child may be completed within three months from the date on which the information was recorded by the officer-in-charge of the police station"?

(a) Section 173 (1)
(b) Section 173 (1A)
(c) Section 173 (2)
(d) Section 173 (3)

99. Provision relating to 'Precept' is provided in Civil Procedure Code under

(a) Section 40
(b) Section 44-A
(c) Section 45
(d) Section 46

100. Order 29 of Civil Procedure Code is related to

(a) Suits by Government
(b) Suits by Pauper
(c) Suits by or against corporations
(d) None of the above

101. Which one of the following sections of Civil Procedure Code prohibits arrest and detection of women in execution of decree for money?

(a) Section 55
(b) Section 56
(c) Section 59
(d) Section 60

102. Under which provision of Civil Procedure Code, a High Court can transfer any case?

(a) Section 20
(b) Section 12
(c) Section 24
(d) Section 15

103. Under Civil Procedure Code, a Court may appoint a 'receiver' of any property

(a) only before the decree
(b) only after the decree
(c) before or after the decree
(d) none of the above

104. Under Section 115 of the Civil Procedure Code, revision may lie to

(a) The Supreme Court
(b) The High Court
(c) District Court
(d) All of the above

105. Under Civil Procedure Code, where a person who is a necessary party to a suit, is not impleaded in the suit, the matter is of

(a) Non-joinder
(b) Mis-joinder
(c) Both (a) and (b) above
(d) None of the above

106. Which one of the following combination is mis-matched under Civil Procedure Code?

(a) Temporary Injunction — Order 39
(b) Right to Lodge a Caveat — Sec. 148 A
(c) Suit by Pauper — Order 33
(d) Powers of Appellate Court — Sec. 102

107. 'All orders and notices served on or given to any person under the provision of this code shall be in writing' is provided in Civil Procedure Code under

(a) Section 142
(b) Section 144
(c) Section 141
(d) Section 143

108. Which one of the following provisions of the Civil Procedure Code provides that no appeal shall lie from a decree passed by the court with the consent of parties?

(a) Section 96(1)
(b) Section 96(2)
(c) Section 96(3)
(d) Section 96(4)

109. Under Civil Procedure Code what may be substituted for summon where the defendant is, in the opinion of the court, of a rank entitling him to such mark of consideration?

(a) Notice
(b) Letter
(c) Direction
(d) Request

110. The death of a plaintiff or defendant shall not cause the suit to abate, if

(a) the cause of action survives
(b) the relief survives
(c) the right to sue survives
(d) all of the above

111. The principle of constructive res-judicata was explained by the Hon'ble Supreme Court in the case of

(a) Daryao Vs. State of U.P.
(b) State of U.P. Vs. Nawab Hussain
(c) Both (a) and (b) above
(d) None of the above

112. Inherent powers may be used by the Court for

(a) the end of justice
(b) to prevent abuse of the process of the court
(c) both (a) and (b) above
(d) None of the above

113. Which one of the following order is appealable?
(a) Order Under Section 35
(b) Order Under Section 35A
(c) Order Under Section 35B
(d) Order Under Section 90

114. Which one of the following questions cannot be determined by the executing Court?
(a) Discharge of decree
(b) Execution of decree
(c) Amendment of decree
(d) Satisfaction of decree

115. Which of the following methods cannot be adopted by the Court for execution of decree under Section 51 of Civil Procedure Code?
(a) By delivery of any property specifically decreed
(b) By attachment and sale of property
(c) By issue of summons to party
(d) By appointing a receiver

116. Under which one of the following provisions of Civil Procedure Code, a collector may be appointed 'receiver' ?
(a) Order 40 Rule 1
(b) Order 40 Rule 2
(c) Order 40 Rule 3
(d) Order 40 Rule 5

117. Under Civil Procedure Code where defendant is absent from his residence at the time when service of summon is sought to be effected, service may be made on
(a) Servant of the defendant
(b) Adult son of the defendant
(c) Minor daughter of the defendant
(d) Clerk of the defendant

118. Salary to the extent on first one thousand rupees and two-third of the remainder shall not be liable to attachment or sale in
(a) Execution of decree for maintenance
(b) Execution of decree other than maintenance
(c) Both (a) and (b) above
(d) None of the above

119. Which one of the following questions may be determined by the Court executing the decree?
(a) Execution of decree
(b) Discharge of decree
(c) Satisfaction of decree
(d) All the above

120. Profit received during wrongful possession over a property is
(a) Casual profit
(b) Actual profit
(c) Conditional profit
(d) Mesne profit

121. Under the Indian Penal Code a child below the age of seven years is
(a) Absolutely Doli incapax
(b) Absolutely Doli capax
(c) Doli capax or Doli Incapax depends on the circumstances of a case
(d) None of the above

122. Which of the following provision of Indian Penal Code is based on the principle of 'de minimis non curat lex'?
(a) Section 92
(b) Section 93
(c) Section 94
(d) Section 95

123. The doctrine of 'transfer of malice' is contained under Indian Penal Code in
(a) Section 299
(b) Section 301
(c) Section 304-A
(d) Section 300

124. A police officer detains a person in a lock-up despite production of a bail order from the Court. The police officer is guilty of
(a) Abduction
(b) Wrongful Confinement
(c) Wrongful Restraint
(d) Kidnapping

125. In which one of the following offences mens rea is not an essential element?
(a) Bigamy
(b) Murder
(c) Theft
(d) Robbery

126. Which one of the following is not an essential element of theft?
(a) Dishonest intention
(b) Removal from possession
(c) Immovable property
(d) Without consent

127. Kidnapping of a female from lawful guardianship can be committed, if she is

(a) under 16 years of age
(b) under 18 years of age
(c) under 21 years of age
(d) under 14 years of age

128. When two or more persons indulge in fighting at a public place and thereby commit breach of peace, they commit the offence of

(a) Riot
(b) Robbery
(c) Affray
(d) None of the above

129. 'A' makes a false entry in his shop-book for the purpose of using it as corroborative evidence in a court of justice. 'A' is guilty of

(a) Fabricating false evidence
(b) Giving false evidence
(c) Abetment
(d) Criminal conspiracy

130. A priest who solemnised an illegal marriage intentionally and thereby facilitated such marriage, is liable for abetment by

(a) Instigation
(b) Conspiracy
(c) Intentional Aid
(d) None of the above

131. 'A' intentionally pulls up a women's veil in order to annoy her. 'A' is guilty of

(a) Wrongful restraint
(b) Assault
(c) Using criminal force
(d) Defamation

132. Which one of the following factors distinguishes 'robbery' from 'dacoity'?

(a) Time span
(b) Property
(c) Number of Offenders
(d) Place of Offence

133. Maximum period for which a convicted person may be kept in solitary confinement, is

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

134. Revealing the identity of the victim of rape is punishable under which of the following sections of Indian Penal Code?

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

135. The distinction between 'similar intention' and 'common intention' was clarified in the case of

(a) Barindra Kumar Ghosh Vs. King Emperor
(b) Mahboob Shah Vs. Emperor
(c) Shrinivas Mall Vs. Emperor
(d) All of the above

136. Which of the following cases is related to 'defence of necessity' ?

(a) R.V. Dudley and Stephen
(b) Bishambhar Vs. Roomal
(c) Browning Vs. State
(d) All of the above

137. 'A' instigates 'B' to murder 'C'. 'B' refuses to do so. 'A' is guilty of

(a) No offence
(b) Abetment to commit murder
(c) Attempt to murder
(d) Criminal conspiracy

138. 'A' voluntarily throws into river a ring belonging to 'Z' with intentiOn of thereby causing wrongful loss to 'Z'. 'A' has committed the offence of

(a) Cheating
(b) Mischief
(c) Theft
(d) Criminal breach of trust

139. In which of the following cases it has been settled that death sentence should be awarded in the 'rarest of the rare cases' ?

(a) R.Vs. Govinda
(b) Hussainara Vs. State of Bihar
(c) Bachhan Singh Vs. State of Punjab
(d) Sunil Batra Vs. Delhi Administration

140. In which of the following cases the Supreme Court has upheld the constitutional validity of Section 377 of Indian Penal Code?

(a) National Legal Services Authority Vs. Union of India
(b) Charu Khurana Vs. Union of India
(c) Jaya Bachhan Vs. Union of India
(d) Suresh Kumar Kaushal Vs. Naz Foundation

141. Which one of the following is not correctly matched?

(a) Bribery at election — Section 171-B
(b) Affray — Section 159
(c) Thug — Section 310
(d) Public Nuisance — Section 267

142. In which of the following cases the Supreme Court has propounded 'Triple Test' formula for awarding death sentence?

(a) Mohinder Singh Vs. Delhi Administration
(b) Shankar Kishanrao Khade Vs. State of Maharashtra
(c) Shatrughan Chauhan Vs. Union of India
(d) Jagmohan Singh Vs. State of U.P.

143. Which provision of the Indian Evidence Act lays down the rule that in certain circumstances admission can be proved by or on behalf of the person making it?

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

144. Which one of the following is provided under Section 133 of the Indian Evidence Act?

(a) Acceptance of evidence
(b) Rejection of evidence
(c) Evidence of Deaf and Dumb
(d) Evidence of an accomplice

145. Oral admission as to contents of electronic records are provided under the Indian Evidence Act in

(a) Section 20
(b) Section 23
(c) Section 22 A
(d) Section 22 B

146. Under the Indian Evidence Act, 1872 'Court' does not include

(a) Judges
(b) Magistrates
(c) Arbitrators
(d) All persons legally authorised to take evidence

147. Which provision of the Indian Evidence Act is related to admissibility of electronic records?

(a) Section 65-A
(b) Section 66
(c) Section 67
(d) Section 65-B

148. Section 114-A of the Indian Evidence Act is related to

(a) Presumption as to abetment of suicide by a married woman
(b) Presumption as to abetment of suicide by an woman
(c) Presumption as to absence of consent in certain prosecution for rape
(d) None of the above

149. Under which provision of the Indian Evidence Act, a judge is empowered to ask any question relevant or irrelevant to a.witness or party to a suit?

(a) Section 164
(b) Section 165
(c) Section 166
(d) None of these

150. Evidence given by a witness, who is dumb, in writing is deemed as

(a) Documentary evidence
(b) Irrelevant evidence
(c) Oral evidence
(d) Partially documentary evidence

151. Under the Indian Evidence Act, 1872 the court may permit such questions which it regards indecent or scandalous if

(a) they relate to facts in issue
(b) they relate to the character of the accused
(c) accused does not object
(d) prosecutor demands it

152. Under the Indian Evidence Act, 1872 facts of which the court will take judicial notice

(a) may be proved
(b) must be proved
(c) need not be proved
(d) none of these

153. Which one of the following provisions of the Indian Evidence Act, 1872 has been amended by the Criminal Law (Amendment) Act, 2013?

(a) Section 145
(b) Section 146
(c) Section 147
(d) Section 148

154. In which section of the Indian Evidence Act, 'Presumption as to Dowry Death' is provided?

(a) Section ill-A
(b) Section 113-A
(c) Section 113-B
(d) Section 113

155. Match the List — I with List —II and select the correct answer using the codes given below: List—I List —il A. Section 60 1. Leading Question B. Section 141 2. Hostile Witness C. Section 154 3. Refresh Memory D. Section 159 4. Oral Evidence Codes: A B CD

(a) 4 1 2 3
(b) 1 2 3 4
(c) 1 2 4 3
(d) 1 3 4 2

156. When the court has to form an opinion as to electronic signature of any person, opinion of which of the following persons is relevant fact under the Indian Evidence Act, 1872?

(a) Opinion of such person
(b) Opinion of controller appointed under Information Technology Act, 2000
(c) Opinion of certifying authority which has issued the electronic signature certificate.
(d) Both (b) and (c) above

157. The question is whether 'A' murdered 'B' during the course of a struggle. Marks on the ground produced by the struggle at the place of occurrence is relevant fact under which of the following sections of the Indian Evidence Act?

(a) Section 6
(b) Section 7
(c) Section 8
(d) Section 12

158. In which of the following cases decided by the Supreme Court in 2015, it was held that "CCTV footage is the best evidence."?

(a) Jasbir Singh Vs. Tara Singh
(b) State of Karnataka Vs. Chand Basha
(c) Kiran Chander Asri Vs. State of Haryana
(d) Tomaso Bruno Vs. State of U.P.

159. In which of the following cases the Supreme Court observed that, "if a witness becomes hostile to subvert the judicial process, the court shall not stand as a mute spectator and every effort should be made to bring home the truth"?

(a) Algupandi Vs. State of Tamil Nadu
(b) Surjit Sarkar Vs. State of West Bengal
(c) State through.P.S. Lodhi Colony Vs. Sanjeev Nanda
(d) Gian Chand Vs. Ratan Lal

160. In which of the following judgements delivered by the Supreme Court in 2015, it was held that "it is imperative if the examination-in-chief is over, the cross-examination should be completed the same day."?

(a) Vinod Kumar Vs. State of Punjab
(b) Ahmad Shah Vs. State of Rajasthan
(c) Jasmer Singh Vs. State of Haryana
(d) Inder Singh Vs. State of Rajasthan

161. In which of the following cases the Supreme Court held that "any information or material that is subsequently discovered with the help of voluntarily administered test result can be admitted, in accordance with Section 27 of the Indian Evidence Act, 1872."?

(a) Selvi Vs. State of Karnataka
(b) C. Muniappam Vs. State of Tamil Nadu
(c) Sunderlal Kanaiyalal Vs. State of Maharashtra
(d) C. Mangesh Vs. State of Karnataka

162. Statement of an injured person is recorded as dying declaration; however if he survives, his statement is admissible under Indian Evidence Act under

(a) Section 32(1)
(b) Section 85
(c) Section 144
(d) Section 157

163. The Draft of Indian Evidence Act, 1872 was prepared by

(a) Lord Macaulay
(b) Sir James F. Stephen
(c) Huxley
(d) Sir Henery Maine

164. Which of the following provision of Indian Evidence Act defines the term 'Admission'?

(a) Section 16
(b) Section 17
(c) Section 18
(d) Section 21

165. In Hindu Marriage Act, 1955 the provision of 'Divorce by Mutual Consent' was added by

(a) Amendment in 1964
(b) Amendment in 1976
(c) Amendment in 1978
(d) Amendment in 1980

166. In Hindu Marriage Act, 1955, 'Degrees of Prohibited Relationship' is defined under:

(a) Section 3(b)
(b) Section 3(c)
(c) Section 3(e)
(d) Section 3(g)

167. Registration of marriage has been made compulsory by Hindu Marriage Act, 1955 under

(a) Section 10
(b) Section 9
(c) Section 8
(d) Section 12

168. A child born out of void and voidable marriage under Hindu Law is

(a) Legitimate
(b) Illegitimate
(c) Illegal
(d) None of these

169. Which one of the following is not a ground for divorce under Hindu Marriage Act, 1955?

(a) Apostacy
(b) Insanity
(c) Venereal disease
(d) Epilepsy

170. A Hindu male of 28 years of age adopts a female child of 13 years of age. The adoption is

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

171. Section 9 of the Hindu Marriage Act, 1955 was held to be 'intra-vires' the constitution by the Supreme Court in the case of

(a) Saroj Rani Vs. Sudarshan Kumar
(b) Seema Vs. Ashwini Kumar
(c) Shanta Dev Vs. Kanchan Prabha Devi
(d) Mahendra Vs. Susheela Bai

172. A marriage may be declared null and void under Section 11 of the Hindu Marriage Act, 1955, if

(a) at the time of marriage one of the parties was incapable of giving a valid consent to it in consequence of unsoundness of mind.
(b) the parties are within the degree of prohibited relationship.
(c) at the time of marriage, one of the parties was subject to recurrent attack of insanity.
(d) All of the above

173. Which one of the following cases decided by the Supreme Court is related to 'mental cruelty'?

(a) Sayal Vs. Sarla
(b) Dastane Vs. Dastane
(c) Rita Nijhawan Vs. Raj Kishan Nijhawan
(d) Rooplal Vs. Kartaro

174. Concealment by the respondent of pre-marriage pregnancy by some person other than the petitioner can make a marriage

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

175. Under Section 8 of the Hindu Succession Act, 1956 the correct order of priority of succession is reflected as follows

(a) Class I heirs, Class II heirs, Cognates, Agnates
(b) Agnates, Cognates, Class I heirs, Class II heirs
(c) Cognates, Agnates, Class II heirs, Class I heirs
(d) Class I heirs, Class II heirs, Agnates, Cognates

176. The prescribed period of limitation for preferring an appeal under Section 28 of the Hindu Marriage Act, 1955 is

(a) Thirty days
(b) Forty five days
(c) Sixty days
(d) Ninety days

177. A boy of 15 years of age may validly be taken into adoption under Hindu Adoptions and Maintenance Act

(a) By contract between parties.
(b) If custom or usage applicable to parties so permits.
(c) By consent of father of the child.
(d) By consent of mother of the child.

178. In giving a child in adoption by the Hindu father, the requirement of the consent of the mother can be dispensed with if

(a) She has been declared to be of unsound mind by the court of competent jurisdiction.
(b) She has finally and completely renounced the world.
(c) She has ceased to be Hindu.
(d) All of the above

179. A Hindu wife is entitled to claim maintenance after the death of her husband from her father-in-law under

(a) Section 10 of the Hindu Succession Act, 1956
(b) Section 24 of the Hindu Marriage Act, 1955
(c) Section 25 of the Hindu Marriage Act, 1955
(d) Section 19 to the Hindu Adoption and Maintenance Act, 1956

180. A Hindu dies intestate leaving behind two sons, one daughter and widow. His property shall devolve to

(a) Widow only
(b) Sons and daughter only
(c) Sons only
(d) Sons, daughter and widow all

181. Which one of the following statement is incorrect?

(a) The husband is the natural guardian of a Hindu married girl.
(b) After the adoption of Hindu minor son, his father continues to remain his natural guardian till he attains majority.
(c) The natural guardian of a Hindu minor child is the father, and after him the mother, but custody of minor upto the age of five years shall ordinarily be with the mother.
(d) The natural guardian of an illegitimate Hindu minor boy is the mother, and after her, the father.

182. The Hindu Minority and Guardianship Act, 1956 is not applicable to

(a) Scheduled Tribes, unless notified by Central Government
(b) Jains
(c) Renoncants of the Union Territory of Pondicherry
(d) Both (a) and (c) above

183. The principles laid down in the case of Jijabai Vithalrao Gajre Vs. Pathan Khan are related to

(a) Dissolution of Marriage
(b) Succession
(c) Adoption
(d) Minority and Guardianship

184. Which one of the following provisions of the Hindu Marriage Act, 1955 relates with the grounds of divorce exclusively for wife?

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

185. Which one of the following is not a Class I heir under the Hindu Succession Act, 1956?

(a) Father
(b) Daughter of a pre-deceased daughter of a pre-deceased son
(c) Son of a pre-deceased daughter
(d) Both (a) and (b) above

186. Which one of the following is not a secondary source of Muslim Law?

(a) Custom
(b) Judicial Decision
(c) Ijma (consensus of opinion)
(d) Qiyas

187. Essential requirements of a Muslim marriage are

(a) Qabul only
(b) Ijab only
(c) Both Qabul and Ijab
(d) None of these

188. During the term of 'Muta Marriage':

(a) The wife has a right to divorce.
(b) The husband has a right to divorce.
(c) Husband and wife both have a right to divorce.
(d) Neither the husband nor the wife has a right to divorce.

189. In a Muslim marriage where the age of the bride is below the age of puberty but consent for marriage was given by the guardian, the marriage is
(a) Unlawful
(b) Voidable
(c) Void
(d) Irregular

190. A marriage between persons with consanguinity relationship under Muslim Law is
(a) Sahih (correct)
(b) Fasid
(c) Batil
(d) None of these

191. Under Muslim Law, the marriage whether consummated or not, Iddat has to be observed in case of
(a) Divorce by husband only
(b) Death of husband only
(c) Both divorce by husband and death of husband
(d) None of the above

192. In Muslim Law, Divorce by lien is a right available to the
(a) Wife only
(b) Husband only
(c) Both husband and wife
(d) Neither husband nor wife

193. 'Hiba' of future property in Muslim Law is
(a) Void
(b) Valid under certain conditions
(c) Valid
(d) None of the above

194. Under Muslim Law, a 'Will' may be made of
(a) one-fourth of property
(b) one-third of property
(c) one-half of property
(d) Entire property

195. Under Muslim Law, if the donee dies before acceptance of gift, then the gift is
(a) Void
(b) Voidable
(c) Valid
(d) Convertible into will

196. After divorce, a Muslim woman can validly remarry:
(a) Immediately after divorce
(b) After observing the Iddat period
(c) Has to wait for one year
(d) None of the above

197. Under Muslim Law, a married woman shall be entitled to obtain a decree for the dissolution of marriage on the ground that 'whereabout of husband have not be known for a period of four years', as provided under the Dissolution of Muslim Marriage Act, 1939 in
(a) Section 2(i)
(b) Section 2(u)
(c) Section 2(iii)
(d) Section 2(iv)

198. Under Muslim Law, a prompt dower is payable
(a) at the time of marriage
(b) when demanded by wife
(c) at the death of the husband
(d) at the time of divorce by the husband

199. In a 'mubara' divorce under Muslim Law
(a) aversion is on the side of husband only
(b) aversion is on the side of wife only
(c) aversion is mutual and on both the sides.
(d) none of the above

200. In Shia Muslim marriage how many witnesses are compulsorily required?
(a) One male and two females
(b) Two males
(c) No witness
(d) Two females