Uttarakhand Civil Judge Prelims 2016

Uttarakhand Public Service Commission · 200 questions · Series A

Part I · General Knowledge

1. Which of the following Amendments of the Constitution is related with G.S.T. ?

(a) 97th
(b) 98th
(c) 100th
(d) 101st

2. In which one of the following cases, 'Preamble' was held to be part of the Constitution, hence amendable ?

(a) In Re Berubari
(b) Keshvanand Bharti V. State of Kerala
(c) A.K. Gopalan V. State of Madras
(d) None of the above

3. United Nations has observed year 2016 as

(a) International year for Women
(b) International year for Polio
(c) International year for Human Rights
(d) International year for Pulses

4. Which one of the following provisions of the Constitution deals with the ordinance making power of the President ?

(a) Article 123
(b) Article 124
(c) Article 125
(d) Article 126

5. Headquarters of International Court of Justice is situated at

(a) Paris
(b) London
(c) Hague
(d) Washington

6. Which Article of the Constitution deals with definitions of various terms used in the Constitution ?

(a) Article 364
(b) Article 365
(c) Article 366
(d) Article 367

7. Power of Supreme Court to review its own judgement is provided under :

(a) Article 137
(b) Article 138
(c) Article 139
(d) Article 140

8. Members of Joint Public Service Commissions are appointed by :

(a) Governors of the concerned states
(b) Prime Minister
(c) President of India
(d) None of the above

9. Case of Kasturi Lal Ralia Ram Jain V. State of U.P., AIR 1965 SC 1039 is related to

(a) Sovereign functions of State
(b) Exemption from taxation
(c) Power of Amendment
(d) None of the above

10. Which one of the Chief Justices of India has acted as Acting President of India also ?

(a) Justice Subba Rao
(b) Justice Hidaytullah
(c) Justice Khanna
(d) None of the above

11. Reserve Bank of India has been constituted under the

(a) Constitution of India
(b) Reserve Bank of India Act, 1930
(c) Reserve Bank of India Act, 1934
(d) None of the above

12. Who has been appointed as the Chairman of the 21st Law Commission of India ?

(a) Justice A.P. Shah
(b) Justice D.K. Jain
(c) Justice B.S. Chauhan
(d) Shri Satya Pal Jain

13. 'Uttaranchal' (now 'Uttarakhand') was created by

(a) Uttar Pradesh Reorganisation Act, 2000
(b) Uttar Pradesh Reorganisation Act, 2001
(c) Uttar Pradesh Reorganisation Act, 2002
(d) Uttar Pradesh Reorganisation Act, 2003

14. In which of the following cases the Supreme Court held that, "custodial death" is one of the worst crimes in a civilised society governed by the rule of law ?

(a) Ajit Singh V. State of Punjab
(b) Maneka Gandhi V. Union of India
(c) Indira Sawhney V. Union of India
(d) D. K. Basu V. State of West Bengal

15. Which of the following articles of the Indian Constitution provides that, the "State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India" ?

(a) Article 42
(b) Article 43
(c) Article 44
(d) Article 45

16. "An Introduction to the Principles of Morals and Legislation" was authored by

(a) Jeremy Bentham
(b) John Austin
(c) Von Savigny
(d) Roscoe Pound

17. The mandatory provision in relation to providing 'medical treatment by all hospitals to victims of specific crimes free of cost and immediately' is provided in which section of the Code of Criminal Procedure, 1973 ?

(a) Section 357 A
(b) Section 357 B
(c) Section 357 C
(d) Section 357

18. In which one of the following cases it was held that 'right to shelter is a Fundamental Right' ?

(a) State of Punjab V. Raja Ram (1981) 2 SCC. 66
(b) Prabhakaran Nair V. State of Tamil Nadu (1987) 4 SCC 238
(c) Sukhdev V. Bhagatram AIR 1975 1331
(d) Umesh Chandra V. V.N. Singh AIR 1968 Patna 3

19. The Central Information Commission is constituted under which section of the Right to Information Act, 2005 ?

(a) Section 14
(b) Section 15
(c) Section 12
(d) Section 19

20. The term 'Grundnorm' was coined in his theory by

(a) Hans Kelsen
(b) Herbert Spencer
(c) Darwin
(d) None of these

21. How many times has the Preamble of the Constitution of India been amended so far ?

(a) Twice
(b) Thrice
(c) Once
(d) Never

22. Which of the following is not 'State' for the purpose of Article 12 of the Indian Constitution ?

(a) Indian Council of Agricultural Research
(b) A Nationalised Bank
(c) Oil and Natural Gas Commission
(d) Grih Kalyan Kendra

23. In which schedule of the Indian Constitution the recognised languages are listed ?

(a) Sixth Schedule
(b) Seventh Schedule
(c) Eighth Schedule
(d) Ninth Schedule

24. Which one of the following cases is related to 'Carry Forward Rule' ?

(a) Maneka Gandhi V. Union of India
(b) Devdasan V. Union of India
(c) Pradeep Tandon V. State of U.P.
(d) None of the above

25. 'Hicklin Test' under Article 19(2) of the Indian Constitution is related to

(a) Decency and morality
(b) Defamation
(c) Integrity of India
(d) None of the above

26. Prafulla Kumar V. Bank of Commerce, Khulna, is a leading case on

(a) Residuary Power
(b) Pith and Substance Principle
(c) Repugnancy
(d) Harmonious Construction

27. 'Universal Declaration of Human Rights' was adopted by the General Assembly of United Nations on

(a) 10th December, 1945
(b) 10th December, 1946 th
(c) 10 December, 1948
(d) 26th October, 1945

28. Which one of the following is not a 'Principal Organ' of the United Nations ?

(a) Trusteeship Council
(b) Economic and Social Council
(c) International Court of Justice
(d) Human Right Commission

29. In which of the following provisions of the Advocates Act, 1961, the Supreme Court has power to decide upon professional misconduct of an advocate ?

(a) Section 35
(b) Section 36
(c) Section 37
(d) Section 38

30. Who is a writer of a book 'De Jure Belli ac Pacis' ?

(a) Hugo Grotius
(b) Nassabaum
(c) Oppenheim
(d) Vattel

31. Which one of the following jurists is the exponent of the Historical School ?

(a) Austin
(b) Savigny
(c) Roscoe Pound
(d) Duguit

32. By which Amendment of the Constitution the words, 'Socialist' and 'Secular' were added in the Preamble ?

(a) 32nd
(b) 22nd
(c) 42nd
(d) 52nd

33. Indian Constituent Assembly adopted "Jan Gan Man Adhinayak Jai He" as a National anthem on

(a) 24th January, 1950
(b) 26th January, 1950 th
(c) 27 December, 1911
(d) None of the above th

34. Justice Jagdish Singh Khehar was sworn in as 44 Chief Justice of India by the President of India on

(a) January 4, 2017
(b) January 5, 2017
(c) January 6, 2017
(d) None of the above

35. In which of the following cases the Supreme Court held that 'Bharat Ratna', 'Padma Vibhushan', 'Padma Bhushan' and 'Padma Shri' would not amount to 'title' within the meaning of Article 18(1) of the Constitution of India ?

(a) Union of India V. Bijan Ghosh
(b) Balaji Raghavan V. Union of India
(c) People's Union for Civil Liberties V. Union of India
(d) People's Union for Democratic Rights V. Union of India

36. In which of the following years "Convention on Elimination of All Forms of Discrimination Against Women" was adopted by the United Nations General Assembly ?

(a) 1978
(b) 1989
(c) 1992
(d) 1979

37. The 'Montreal Protocol' is related to

(a) Transboundry air pollution
(b) Ozone Layer
(c) Hazardous waste
(d) Climate change

38. Ownership to patents, copyright and trademarks, and the right to an easement is called

(a) Incorporeal ownership
(b) Corporeal ownership
(c) Equitable ownership
(d) Contingent ownership

39. The non-permanent members of the Security Council are elected for

(a) one year
(b) two years
(c) three years
(d) four years

40. The headquarters of the 'World Intellectual Property Organisation' (WIPO) is located in
(a) Paris
(b) Madrid
(c) New York
(d) Geneva

41. 'INTERPOL' means
(a) International Political Conference
(b) International Association of Police Officers
(c) International Criminal Police Organisation
(d) None of the above

42. 'Law Day' is celebrated in India on
(a) 26th November
(b) 28th October
(c) 2nd October
(d) 15th August

43. Maximum number of ministers in a State including the Chief Minister can be
(a) 12% of the members of State's Legislative Assembly.
(b) 15% of the members of State's Legislative Assembly.
(c) 10% of the members of State's Legislative Assembly.
(d) 7% of the members of State's Legislative Assembly.

44. New chapter of 'plea bargaining' was added in the Criminal Procedure Code by
(a) Criminal Law (Amendment) Act, 2005
(b) Criminal Procedure Code (Amendment) Act, 2005
(c) Indian Evidence (Amendment) Act, 2005
(d) Indian Penal Code (Amendment) Act, 2005

45. 'Naz Foundation' case is related to
(a) Section 376 of the Indian Penal Code
(b) Section 378 of the Indian Penal Code
(c) Section 354 of the Indian Penal Code
(d) Constitutionality of Section 377 of the Indian Penal Code

46. 'Copyright' in India subsists for
(a) 50 years
(b) 70 years
(c) 60 years
(d) 80 years

47. The limits of territorial water in the case of India has been extended to
(a) 8 nautical miles
(b) 12 nautical miles
(c) 25 nautical miles
(d) 50 nautical miles

48. Which of the following Articles of the Indian Constitution becomes automatically suspended on the 'Proclamation of Emergency' ?
(a) Article 19
(b) Article 32
(c) Article 21
(d) All of these

49. Clause (5) in Article 15 of the Indian Constitution was added by
(a) 91st Amendment
(b) 92nd Amendment
(c) 93rd Amendment
(d) 94th Amendment

50. Under which Article of the Indian Constitution, the Supreme Court has developed the 'Curative Petition' ?
(a) Article 136
(b) Article 142
(c) Article 141
(d) Article 143

Part II · Law

51. Whoever has been previously convicted of an offence punishable under section 376 or 376-A or 376-D of Indian Penal Code and is subsequently convicted for an offence punishable under any of the said sections, shall be punished with

(a) rigorous imprisonment of 20 years which may be extended to life-imprisonment.
(b) rigorous imprisonment of 20 years and also with fine.
(c) imprisonment for life or with death.
(d) simple imprisonment upto 20 years.

52. Which one of the following is not an offence punishable under Indian Penal Code, 1860 ?

(a) Preparing to wage war against Government of India.
(b) Preparing to commit dacoity or robbery.
(c) Preparing to commit depredation on the territory of friendly State of the Government of India.
(d) Preparing to commit suicide.

53. For the offence of wrongful confinement there must be circumscribing limits of any kind which may be

(a) large or narrow boundary
(b) visible or tangible area
(c) movable or fixed territory
(d) All of the above

54. 'A' kills 'C' thinking 'C' is 'B'. Here 'A' is guilty of the offence punishable under Indian Penal Code under

(a) Section 301
(b) Section 304 Part I
(c) Section 302
(d) Section 304 Part II

55. "A" sets fire by night to an inhabited house in a large town for the purpose facilitating to commit robbery and thus cause the death of "B". Here "A" will be punishable for the offence of

(a) Causing death voluntarily
(b) Abetment
(c) Mischief
(d) An attempt to commit robbery

56. Which of the following committees proposed a new chapter in the Indian Penal Code for incorporating White Collar Crimes and Socio-Economic Crimes ?

(a) Malimath Committee
(b) Santhanam Committee
(c) Soli Sorabji Committee
(d) None of the above

57. "To preserve one's life is generally speaking a duty, but it may be the highest duty to sacrifice it too." This observation was made in Queen Vs Dudley and Stephen's case by

(a) Lord Acton
(b) Lord Pollock
(c) Lord Coleridge
(d) Lord Denman

58. Which one of the following is not a mode of abetment under Indian Penal Code, namely ?

(a) Instigation
(b) Aiding
(c) Conspiracy
(d) Attempt

59. Which one of the following factors makes 'sand' that is integral part of the earth as a movable property ?

(a) When it is used at it's place.
(b) When it is excavated but left at its place.
(c) When it is excavated and thus separated from the earth completely.
(d) None of the above.

60. Which of the following is not an offence under Indian Penal Code neither against human body nor property, namely the offence of

(a) cheating
(b) murder
(c) robbery
(d) sedition

61. The High Court may make rules under section 477 of the Code of Criminal Procedure, 1973 with the previous permission of

(a) State Government
(b) Central Government
(c) Attorney General
(d) State and Central Government both

62. In which of the following case it was held that "identity of victim is not to be disclosed even in judgement of the court" ?
(a) Shashikant Vs C.B.I. AIR 2007 SC 351
(b) Dinesh Vs. State of Rajasthan AIR.2006 SC 1267
(c) Naveen Chandra Vs. State of Uttaranchal AIR 2007 SC 363
(d) None of the above

63. Power of the Magistrate to order a person to give specimen signature or handwriting has been inserted under Code of Criminal Procedure, 1973 under
(a) Section 310 A
(b) Section 311 A
(c) Section 312 A
(d) Section 313 A

64. Laying of "trap" is a part of
(a) Inquiry
(b) Trial
(c) Investigation
(d) None of these

65. The term "court" under section 195 cl(3) of the Code of Criminal Procedure, 1973 includes
(a) only Civil Court
(b) only Criminal Court
(c) only Revenue Court
(d) all Civil, Criminal and Revenue Courts

66. A person can be summoned as a witness under section 160 of the Code of Criminal Procedure, 1973 by
(a) any Police Officer
(b) any Officer
(c) investigating Police Officer
(d) Station House Officer

67. The Criminal Law (Amendment) Act, 2013 came into force on
(a) 19th March, 2013
(b) 3rd February, 2013 st
(c) 21 March, 2013
(d) 31st March, 2013

68. When a person refused to answer or to produce document in the court, then he may be awarded the punishment of imprisonment under Section 349 of the Code of Criminal Procedure, 1973
(a) Upto 6 months
(b) Upto 1 year
(c) Upto 3 years
(d) Upto 7 days

69. Limitation period prescribed under Section 468 of the Code of Criminal Procedure, 1973 is related to
(a) completion of investigation
(b) completion of trial
(c) cognizance of offence by the court
(d) completion of inquiry

70. Ordinarily the place of trial of an offence is the place where
(a) it has been committed.
(b) accused is arrested.
(c) consequence is ensued.
(d) None of the above

71. "Section 125 of the Code of Criminal Procedure, 1973 is applicable to all persons irrespective of their religion." It was laid down in
(a) Mohd. Umar Khan Vs. Gulshan Begam
(b) Mohd. Ahmad Khan Vs. Shah Bano Begum
(c) Mst Johra Khatun Vs. Mohd. Ibrahim
(d) Noor Saba Khatun Vs. Mohd. Quasim

72. A statement covered under Section 164 of the Code of Criminal Procedure, 1973, can be recorded by
(a) an Executive Magistrate
(b) Police Officer
(c) Judicial or Metropolitan Magistrate
(d) All of the above

73. "High Court cannot directly entertain the bail application of POTA accused person without its refusal by special court." This was laid down by S.C. in
(a) State of Maharashtra Vs. S.K. Dhinde
(b) State of Gujarat Vs. Salim Bhai Abdul Guffor Shaikh
(c) State of Gujarat Vs. Santosh Kumar
(d) State of U.P. Vs. S.N. Srivastava

74. Who is empowered to remove 'nuisance' under Section 133 of the Code of Criminal Procedure, 1973 ?

(a) Judicial Magistrate I Class
(b) Chief Judicial Magistrate
(c) Session Judge
(d) District Magistrate

75. Provisions relating to bail to require the accused to appeal before the next appellate court has been mentioned under which section of the Code of Criminal Procedure, 1973 ?

(a) Section 436
(b) Section 436 A
(c) Section 437 A
(d) Section 438

76. Facts alleged by one party and denied by the other in a case, are called as

(a) Positive facts
(b) Negative facts
(c) Relevant facts
(d) Facts in issue

77. Pawan Kumar Vs. State of Haryana, A.I.R. 2001 S.C. 1324 relates to

(a) presumption as to dowry death.
(b) presumption as to legitimacy.
(c) presumption as to rape.
(d) presumption as to abetment of suicide by a married woman.

78. The previous conviction of a person is relevant under Indian Evidence Act, 1872 under

(a) Section 14 Explanation I
(b) Section 14 Explanation II
(c) Section 8 Explanation I
(d) Section 8 Explanation II

79. Irrefutable presumptions of law are indicated by the Indian Evidence Act, 1872 by the expression of

(a) may presume
(b) shall presume
(c) conclusive proof
(d) All of these

80. Under Indian Evidence Act, 1872 what has not been mentioned ?

(a) Relevancy of evidence
(b) Admissibility of evidence
(c) Weight of evidence
(d) All the above

81. 'A' is charged with travelling on a railway without ticket. The burden of proof is on him according to Indian Evidence Act, 1872 under

(a) Section 102
(b) Section 106
(c) Section 107
(d) Section 108

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

(a) Section 119
(b) Section 120
(c) Section 121
(d) Section 126

83. Which section of the Indian Evidence Act, 1872 is based on the principle of "Agency" ?

(a) Section 7
(b) Section 8
(c) Section 9
(d) Section 10

84. The principle of "Res judicata" has been incorporated under Indian Evidence Act, 1872 under

(a) Section 39
(b) Section 40
(c) Section 139
(d) Section 140

85. Photostat copy of family settlement deed is allowed to be produced before the court as an

(a) primary evidence
(b) original evidence
(c) secondary evidence
(d) electronic evidence

86. The presumption under section 41 of the Indian Evidence Act, 1872 is a/an

(a) presumption of fact
(b) refutable presumption of law
(c) presumption of fact and law
(d) refutable presumption of law

87. Court can ask question under Section 165 of the Indian Evidence Act, 1872 to

(a) any party and witness
(b) a non-party
(c) legal representatives of the party to proceedings
(d) None of the above

88. Existence of 'any right' or 'custom' may be proved under Indian Evidence Act, 1872 under

(a) Section 13 only
(b) Section 14 only
(c) Section 15 only
(d) None of the above

89. Evidence of 'character' includes evidence of

(a) reputation only
(b) disposition only
(c) general disposition and general reputation both
(d) None of the above

90. Principle of "ALIBI" is indirectly covered in Indian Evidence Act, 1872 under

(a) Section 6
(b) Section 8
(c) Section 9
(d) Section 11

91. In the law of evidence, a 'retracted confession'

(a) is of no value.
(b) is alone sufficient for conviction.
(c) can be acted upon, but as a matter of prudence the court must look for some corroboration from other facts and evidences.
(d) None of the above

92. Which of the following means 'a fact to be proved" ?

(a) Quid Probandum
(b) Modus Probandi
(c) Both (a) and (b)
(d) None of the above

93. In which of the following instances does evidence means "a fact which serves as the foundation for an inference" ?

(a) Direct evidence
(b) Circumstantial evidence
(c) Both (a) and (b)
(d) None of the above

94. In which of the following cases it was laid down that "Section 27 of the Indian Evidence Act 1872, is an exception of Section 24, 25 and 26 of the Act" ?

(a) Pakala Narayan Swami Vs. Emperor
(b) Inaytulla Vs. State of Maharashtra
(c) State of U.P. Vs. Deoman Upadhyaya
(d) P. Kottayya Vs. Emperor

95. Confidential Communication with whom of the following is protected under Indian Evidence Act, 1872 ?

(a) To Magistrate
(b) To Police Officer
(c) To Legal Advisor
(d) To Revenue Officer

96. In which of the following case the Supreme Court rejected the Dying Declaration which was recorded by the Magistrate but which was not signed by the declarant ?

(a) Harnam Vs. State of U.P.
(b) State of U.P. Vs. Shishpal Singh
(c) State of Punjab Vs. Bakshish Singh
(d) None of the above

97. In civil cases the fact that the character of any person is such as is to affect the amount of damages which he ought to receive is

(a) relevant
(b) irrelevant
(c) depend upon each and every case
(d) None of the above

98. The principle of "presumption of survivorship", has been incorporated in the Indian Evidence Act, 1872 under

(a) Section 106
(b) Section 107
(c) Section 108
(d) Section 109

99. Contents of a document under Section 59 of the Indian Evidence Act, 1872 may be proved by

(a) oral evidence
(b) circumstantial evidence
(c) primary or secondary evidence
(d) None of the above

100. "Knowledge from STD booth from where accused persons talked with each other, is relevant for Section 27 of the Evidence Act, 1872." It was laid down by the Supreme Court in

(a) R.M. Malkani Vs. State of Maharashtra
(b) State of M.P. Vs. Kirpa Ram (2003) 12 SCC 175
(c) S.C. Bahri Vs. State of Bihar, A.I.R. 1994 S.C. 2020
(d) Abuthagir Vs. State, A.I.R. 2009 S.C. 2797

101. An arrest warrant issued by a court can be executed at

(a) any place in that State
(b) any place in India
(c) any place under jurisdiction of the Court
(d) any place in the District

102. A proclaimed offender whose property has been attached can claim back the property or sale proceeds, on appearance the court

(a) within 6 months of attachment
(b) within 1 year of attachment
(c) within 2 years of attachment
(d) within 3 years of attachment

103. Which of the following offence is not compoundable under Section 320 of the Code of Criminal Procedure, 1973 ?

(a) Section 323 of Indian Penal Code
(b) Section 334 of Indian Penal Code
(c) Section 448 of Indian Penal Code
(d) Section 307 of Indian Penal Code

104. Section 357-A of the Code of Criminal Procedure, 1973 was inserted by the Criminal Law (Amendment) Act by the

(a) Act 5 of 2009
(b) Act 2 of 2006
(c) Act 41 of 2010
(d) None of these

105. Procedure of arrest and duties of officer arresting the person, have been provided in the Code of Criminal Procedure, 1973 under

(a) Section 41
(b) Section 41A
(c) Section 41 B
(d) Section 41 C

106. In which Section of the Code of Criminal Procedure, 1973 it has been provided that every person is bound to assist a Police Officer or Magistrate regarding any offence ?

(a) Under Section 34
(b) Under Section 35
(c) Under Section 36
(d) Under Section 37

107. An accused person may apply for plea bargaining under Code of Criminal Procedure, 1973 when he has committed the offence of

(a) dacoity
(b) robbery
(c) theft
(d) rape

108. Appropriate Government may commute the sentence of an accused person under Code of Criminal Procedure, 1973 even without the consent of the accused under

(a) Section 432
(b) Section 433
(c) Section 320
(d) Section 321

109. 'Case-diary' or 'police-diary' is an important document under Code of Criminal Procedure, 1973 which relates to

(a) enquiry
(b) investigation
(c) Both (a) and (b)
(d) None of these

110. Under Code of Criminal Procedure, 1973, how many chapters and sections have been incorporated ?

(a) 38 chapters, 486 sections
(b) 37 chapters, 484 sections
(c) 36 chapters, 484 sections
(d) 35 chapters, 486 sections

111. Sexual harassment of women is defined under Indian Penal Code in

(a) Section 354
(b) Section 354 A
(c) Section 354 B
(d) Section 509

112. 'Crime is said to be an act which is both forbidden by law and against moral sentiments of the society." Who gave this definition ?

(a) Blackstone
(b) Stephen
(c) Pound
(d) Austin

113. Which of the following is not an essential element of a crime, namely

(a) human being
(b) mens rea
(c) Actus reus
(d) object

114. The principle of "proximity of crime" under Criminal Law is irrelevant while deciding the liability for the offence of

(a) theft and dacoity
(b) culpable homicide and murder
(c) kidnapping and abduction
(d) abetment and conspiracy

115. The main difference between Section 324 and 326 Indian Penal Code, 1860 is that of the

(a) intention
(b) nature of injuries
(c) use of weapons or means
(d) None of the above

116. A person who does any act which causes any common injury, danger, annoyance to the people in general who dwell or occupy property in the vicinity, commits the offence of

(a) negligence
(b) trespass
(c) private nuisance
(d) public nuisance

117. Which of the following offences of the Indian Penal Code are not correctly matched ?

(a) Section 171-B – Bribery
(b) Section 171-C – Undue Influence at election
(c) Section 171-D – Punishment for bribery
(d) Section 171-H – Illegal payment in connection with an election

118. Where no sum is expressed to which a fine may extend, the amount of fine to which offender is liable to pay is

(a) unlimited
(b) not exceeding ` 50,000
(c) not exceeding ` 10,00,000
(d) unlimited but not excessive

119. In which of the following case the Supreme Court of India set out the guidelines for safeguarding the interests of death row convicts ?

(a) Sunil Batra Vs. Delhi Admin. 1980 S.C.
(b) Shatrughan Chauhan Vs. Union of India (2014) 3 S.C.C. 1
(c) V. Sriharan Vs. Union of India, (2014) 2 Scale 505
(d) Mithu Vs. State of Punjab 1983 S.C.

120. The offence of 'Voyeurism' is an offence, under Indian Penal Code, against a/an

(a) boy
(b) eunuch
(c) woman
(d) All of these

121. Preventing a person from performing religious worship and ceremonies is punishable under which of the following sections of Indian Penal Code ?

(a) Section 295
(b) Section 296
(c) Section 297
(d) Section 295-A

122. Section 195-A of the Indian Penal Code is related with the

(a) security of witness
(b) security of victim
(c) threatening any person to give false evidence
(d) None of the above

123. "A" shoots at "B" with intention to kill him. 'B' survive from the injury. Here 'A' is liable under Indian Penal Code for the offence of

(a) murder
(b) attempt to murder
(c) culpable homicide
(d) hurt

124. Minimum number of persons required to commit an offence of affray under Indian Penal Code are

(a) ten
(b) five
(c) two
(d) eleven

125. The turm "he" used under Indian Penal Code is relates to a person who is

(a) male only
(b) female only
(c) male or female both
(d) third gender only

126. Who of the following is not a legal representative according to Civil Procedure Code, 1908 ?

(a) Executor and administrator
(b) Creditors
(c) Coparceners
(d) None of the above

127. Where a compromise was arrived between parties to a suit by playing fraud, misrepresentation or mistake and a decree was passed with the consent of the parties, then the affected party may select which one of the following alternatives for setting aside such decree, namely the recourse

(a) through appeal
(b) through revision
(c) through review
(d) through second suit

128. Section 89 of the Civil Procedure Code, 1908 provides

(a) settlement of disputes outside the court.
(b) having opinion from an expert.
(c) issuing commission for getting opinion.
(d) None of the above

129. Which provision of the Code of Civil Procedure, 1908 provides that one person may sue or defend on behalf of all in same interest ?

(a) Order 1 Rule 1
(b) Order 2 Rule 2
(c) Order 1 Rule 8
(d) Order 1 Rule 9

130. Under the Code of Civil Procedure, 1908 an exparte decree can be set aside under

(a) Order 9 Rule 5
(b) Order 9 Rule 12
(c) Order 9 Rule 10
(d) Order 9 Rule 13

131. Under Civil Procedure Code, the number of days for which a caveat remains operative after its filing

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

132. Under Code of Civil Procedure, 1908 who one of the following is not exempted from personal appearance in the court ?

(a) Ministers of Union Government
(b) Ministers of State Government
(c) Vice-President of India
(d) Vice-Chancellor of University

133. 'A' and 'B' sues 'C' for recovery of ` 1,000. 'C' has a debt due to him by 'A' alone. Here 'C' can

(a) set off the debt against 'B'
(b) set off the debt against 'A'
(c) set off the debt against 'A' and 'B' both
(d) cannot set off a debt due to him by 'A' alone

134. Under the Code of Civil Procedure, 1908, for the first time provision for compensatory cost in respect to false or vexatious claims or defences, has been made under

(a) Section 35
(b) Section 35 B
(c) Section 35 A
(d) Section 34

135. Who among the following persons is not a public officer according to Section 2(17) of the Code of Civil Procedure, 1908 ?

(a) Tehsildar
(b) Judge
(c) Members of All India Services
(d) Sarpanch

136. According to Code of Civil Procedure, 1908 future interest can be awarded by the court in a suit at the rate of

(a) 6% per annum
(b) 9 % per annum
(c) 12% per annum
(d) 15% per annum

137. A 'Garnishee' is a

(a) judgement debtor
(b) judgement debtor's debtor
(c) judgement debtor's creditor
(d) None of the above

138. Suits relating to immovable property may be filed in a court within whose local jurisdiction where

(a) defendant carries on business
(b) defendant resides
(c) property is situated
(d) None of the above

139. Under the Code of Civil Procedure, 1908 an appeal may be filed by way of a/an

(a) Application
(b) Memorandum
(c) Notice
(d) Petition

140. Under Section 26 of the Code of Civil Procedure, 1908 facts should be proved by

(a) documents
(b) oral evidence
(c) affidavit
(d) producing witnesses

141. Objection as to local or pecuniary jurisdiction shall be raised at the first available opportunity according to Civil Procedure Code, 1908 under

(a) Section 20
(b) Section 21
(c) Section 22
(d) Section 24

142. Under the Civil Law the term 'multifariousness' means

(a) misjoinder of cause of actions
(b) misjoinder of parties
(c) non-joinder of parties
(d) misjoinder of cause of actions as well as parties

143. In a civil suit, the issues are framed by the

(a) parties
(b) advocates of the parties
(c) representatives of the parties
(d) court

144. Where the plaint has been rejected, then plaintiff on the same cause of action

(a) cannot present the fresh suit
(b) may present the fresh suit
(c) with the leave of the High Court only, may present a fresh suit
(d) None of the above

145. Where after the end of hearing but before pronouncement of the judgement if any party to the suit dies, then the suit will

(a) abate
(b) no abate
(c) be decided exparte
(d) None of the above

146. Where an appeal from original decree is dismissed on the ground that it is time barred, then the best recourse and remedy available to the affected party is to

(a) file a review
(b) file revision
(c) file second appeal
(d) file reference

147. The sections of the Code of Civil Procedure, 1908 can be amended by the

(a) High Court
(b) Supreme Court
(c) Attorney General
(d) Parliament

148. Which of the following does not include in the definition of 'decree' given under Code of Civil Procedure, 1908 ?

(a) Rejection of a plant.
(b) Determination of question under Section 144 of the Code of Civil Procedure.
(c) Any order of dismissal for default.
(d) None of the above

149. Amendment of pleadings is allowed under Code of Civil Procedure, 1908 for the purpose of

(a) saving the time of the court.
(b) saving the time of the parties.
(c) determining the real question involved in the controversy.
(d) None of the above

150. 'A' deposit a box of jewels with 'B' as his agent. 'C' alleges that the jewels were wrongfully obtained by 'A' from him and claim them from 'B'. Here 'B' can

(a) institute interpleader suit against 'A'
(b) institute interpleader suit against 'C'
(c) institute interpleader suit against 'A' and 'C' both
(d) cannot institute an interpleader suit against 'A' and 'C'.

151. The term 'Urf' under Muslim Law means
(a) primary source of Muslim Law
(b) secondary source of Muslim Law which supplements it
(c) primary source of Muslim Law which supplements it.
(d) None of the above

152. Talaq-ul-biddat under Muslim Law is
(a) complete and irrevocable divorce
(b) incomplete and irrevocable divorce
(c) complete and revocable divorce
(d) None of the above

153. 'A' Muslim makes a gift in favour of a non-Muslim. The gift under Muslim Law is
(a) void, as a Muslim can make a gift to a Muslim only.
(b) valid, as religion is immaterial in a gift.
(c) irregular.
(d) None of the above

154. Under Sunni Law, a marriage performed during the period of Iddat is
(a) void
(b) valid
(c) voidable
(d) irregular

155. A bequest made to a person who causes the death of the testator intentionally, under Sunni Law is
(a) valid
(b) void
(c) valid to the extent of 1/3 share of the deceased
(d) None of the above

156. Which one of the following will not be subject-matter of 'Mehar' (dower) ?
(a) Crop's product of next year
(b) Services of teaching of Quran
(c) Amount in terms of money
(d) Land and Buildings

157. Under Dissolution of Muslim Marriage Act, 1939 a Muslim wife can get the decree of divorce if the husband has been insane for the term of
(a) three years
(b) two years
(c) four years
(d) seven years

158. A bequest to a child in womb is valid under Muslim law, if the child is born alive within
(a) 3 months of the date of will
(b) 4 months of the date of will
(c) 6 months of the date of will under Sunni Law and within 10 months under Shia Law
(d) None of these

159. Acknowledgement of legitimacy about a child made by a Muslim is
(a) revocable
(b) irrevocable
(c) immaterial
(d) None of the above

160. Dissolution of marriage due to apostacy from Islam by husband is effective
(a) subject to declaration by court
(b) on issue of 'Fatwa' by Kazi
(c) immediately
(d) only when wife desires

161. A gift made by a Muslim may be revoked
(a) before delivery of possession
(b) by heirs of the donor
(c) by family members of the donee
(d) None of the above

162. The source of right of pre-emption in India can be attributed to
(a) Hindu Law
(b) Muslim Law
(c) British Law
(d) All of the above

163. A Sunni marriage without witnesses is
(a) void
(b) irregular
(c) regular
(d) None of these

164. If there is a stipulation on the part of the woman before marriage to forego all her rights to dower or even if she agrees to marry without any dower, the stipulation or agreement will be
(a) valid
(b) void
(c) voidable at the option of woman
(d) invalid

165. "Hiba is immediate unqualified transfer of the corpus of the property without any return (evaj)." This definition was given by
(a) Durul Mukhtar
(b) Aquil Ahmad
(c) Tayabji
(d) Khalid Rashid

166. Who of the following person cannot claim right of pre-emption ?
(a) Shafi-e-Sharik
(b) Shafi-e-Khalit
(c) Shafi-e-Jar
(d) Relative of pre-emptor

167. Under Muslim Law 'puberty' is presumed at the age of
(a) 9 years
(b) 12 years
(c) 15 years
(d) 18 years

168. Under Hindu Succession Act, 1956 a mother is not entitled to inherit as class I heir from her
(a) adopted son
(b) step son
(c) illegitimate son
(d) None of the above

169. Who one of the following cannot deal with the property of a minor under the Hindu Minority and Guardianship Act, 1956 ?
(a) Natural Guardian
(b) Defecto Guardian
(c) Testamentary Guardian
(d) Guardian appointed by court

170. Sapinda relationship and prohibited relationship under Hindu law are
(a) mutually conclusive
(b) dependent on each other
(c) may overlap each other
(d) None of the above

171. Maintenance pendente lite can be claimed only by
(a) husband
(b) wife
(c) relatives and dependents of both
(d) husband or wife, both

172. Which Section of Hindu Adoption and Maintenance Act, 1956 facilitates a guardian to give his ward in adoption ?
(a) Section 9(1)
(b) Section 9(2)
(c) Section 9(3)
(d) Section 9(4)

173. Doctrine of 'Relation Back' applies to the matters relating to
(a) maintenance
(b) marriage
(c) adoption
(d) legitimacy

174. Geeta Hariharan Vs. Reserve Bank of India, case is related to the matter of
(a) divorce
(b) succession
(c) adoption
(d) natural guardianship of minor's property or person in absence of father

175. The Natural Guardian of a minor Hindu boy is
(a) only Grandfather
(b) Father and Mother both
(c) only Father
(d) only Mother

176. Juvenile Justice (Protection and Care of Children) Act, 2000 enable persons of following religions to take a child in adoption :
(a) Hindu only
(b) Muslim only
(c) Christian only
(d) All of the above

177. For which of the following marriage under Hindu Law a decree of nullity of marriage from court is a must on the application of aggrieved party ?
(a) Voidable marriage
(b) Void marriage
(c) Both void and voidable marriage
(d) None of the above

178. Which Section of the Hindu Succession Act, 1956 gives preferential right to co-heirs in the property ?
(a) Section 20
(b) Section 22
(c) Section 26
(d) Section 24

179. The bar to entertain a petition for divorce under Hindu Marriage Act, 1955 operate for a period of

(a) 3 years from the date of marriage.
(b) 2 years from the date of marriage.
(c) 1 year from the date of marriage.
(d) 6 months from the date of marriage.

180. The presumption that younger survived the elder under Section 21 of the Hindu Succession Act, 1956 is a/an

(a) Presumption of law
(b) Presumption of fact and law
(c) Irrefutable presumption of law
(d) Refutable presumption of law

181. Under the Constitution of India, all aspects relating to family law are in the

(a) Union list
(b) State list
(c) Concurrent list
(d) None of these

182. 'Bigamy' described under the Hindu Marriage Act, 1955 deals with which one of the following ?

(a) Polygamy only
(b) Polyandry only
(c) Polygamy and Polyandry both
(d) None of the above

183. The 'Dayabhaga' school of Hindu Law fundamentally differs from 'Mitakshra' school of law in the matter of

(a) Guardianship
(b) Inheritance and partition
(c) Stridhan
(d) Marriage

184. The children born out of a void Hindu Marriage are in the eye of law

(a) illegitimate
(b) legitimate
(c) illegitimate, having no rights in ancestral property
(d) legitimate but having right of inheritance limited to their parent's property only

185. 'A' makes a gift in favour of his sons with a condition that if any of them dies leaving no male issue, his shares will be taken by other surviving sons and not by the widow or daughter of the deceased son. The gift creates a

(a) absolute interest
(b) vested interest
(c) contingent interest
(d) conditional interest

186. Which one of the following is not included within the term 'living person' provided under Transfer of Property Act, 1882 ?

(a) Company
(b) Association
(c) Body of individuals
(d) Idol

187. A lease which is silent regarding the duration but if lessee takes possession, such lease is known as

(a) tenancy at sufference
(b) tenancy at will
(c) tenancy at perpetuity
(d) None of them

188. Which of the following is a right of the mortgagee and not of the mortgagor ?

(a) Right to inspect document
(b) Right to recover possession
(c) Right to redeem
(d) Right to foreclosure

189. The principle of 'cypres' in the law of transfer of property means

(a) as far as possible
(b) approximately near to
(c) both (a) and (b)
(d) neither (a) nor (b)

190. Which one of the following relationship does not come within the category of undue influence affecting a transfer of property namely the relationship of ?

(a) Doctor and patient
(b) Customer and shopkeeper
(c) Advocate and client
(d) Master and servant

191. Under the Transfer of Property Act, 1882, the term 'attested' means attested by
(a) one witness only
(b) two witnesses only
(c) two or more witnesses
(d) No such condition has been imposed.

192. 'A' makes a gift to 'B', 'C' and 'D'. 'B' and 'C' accept while 'D' refuses to do so. The position of this gift is that
(a) whole gift is void.
(b) gift is valid and part of the gift made to 'D' will be shared by 'B' and 'C'.
(c) it is void only to the third interest which 'D' would have taken, had he accepted the gift.
(d) the property vests in 'D' irrespective of his refusal.

193. 'A', the lessor gives 'B' the lessee, notice to quit the property leased. The notice expires and 'B' remain in possession. 'A' gives to 'B' a second notice to quit the possession. Decide the validity of first notice.
(a) The first notice is waived.
(b) The first and second notice stands valid.
(c) The second notice will be treated as the reminder of first notice.
(d) The second notice is not valid.

194. Under the Transfer of Property Act, 1882 the term 'registration' means
(a) registration of property
(b) registration of documents
(c) registration of parties
(d) registration of witnesses

195. The principle embodied in Section 43 of the Transfer of Property Act, 1882 is of
(a) actionable claim
(b) clog on redemption
(c) feeding the grant by estoppel
(d) subrogation

196. Right of redemption can be extinguished by
(a) act of parties and decree of the court
(b) transferring of right to outsider
(c) technicalities of facts
(d) All of the above

197. Remedy of 'foreclosure' is available in which one of the following mortgages, namely in
(a) Usufructuary mortgage
(b) Mortgage by conditional sale
(c) Simple mortgage
(d) English mortgage

198. 'A' lets a field to 'B' at a rent of ` 500 and then transfers the field to 'C'. 'B' having no notice of the transfer, in good faith pays the rent to 'A'. Here
(a) 'B' is not chargeable with rent to 'C'.
(b) 'B' is chargeable with rent to 'C'.
(c) collected rent is divisible between 'A' and 'C'.
(d) None of the above.

199. Under which section of the Transfer of Property Act, 1882 the 'doctrine of consolidation' has been incorporated ?
(a) Under Section 60
(b) Under Section 62
(c) Under Section 63
(d) Under Section 61

200. Refusal to pay rent to the lessor with the words that 'you are not my landlord'. It
(a) amounts to disclaimer and the lease can be forfeited.
(b) the words are void, but the lease cannot be forfeited.
(c) will result in automatic termination of lease.
(d) will entitle the lessor for claim and compensation.