Uttarakhand Civil Judge Prelims 2019

Uttarakhand Public Service Commission · held 1 September 2019 · 200 questions · Series A

Part I · General Knowledge

1. Who is the current Chairman of Union Public Service Commission ?
   (a) Arvind Saxena
   (b) Dr. Pradeep Joshi
   (c) Ashok Kumar Gupta
   (d) Anirudha Yadav

2. Which of the following case has been decided by the International Permanent Court of Justice ?
   (a) Corfu Channel Case
   (b) Paquete Habana Case
   (c) S.S. Lotus Case
   (d) Anglo-Norwegian Fisheries Case

3. 'Ex Acqua et bono' maxim is related to
   (a) Source of International Law
   (b) Law of Extradition
   (c) Law of Recognition
   (d) Law of State Succession

4. In which year World Health Organisation had been constituted ?
   (a) 1942
   (b) 1944
   (c) 1945
   (d) 1946

5. Who is the writer of the book 'Theory of Justice' ?
   (a) John Rawls
   (b) Stammler
   (c) Kalson
   (d) Dwarkin

6. The Prevention of Corruption (Amendment) Act, 2018 came into effect from
   (a) 1st July, 2018
   (b) 1st October, 2018
   (c) 26th July, 2018
   (d) 26th October, 2018

7. The decision of the International Court of Justice is signed by whom ?
   (a) The Chairman
   (b) The Registrar
   (c) Both (a) & (b)
   (d) None of these

8. For word 'Uttaranchal', the word 'Uttarakhand' was substituted by Uttaranchal (Alteration of Name) Act in the year
   (a) 2001
   (b) 2003
   (c) 2005
   (d) 2006

9. The Fugitive Economic Offenders Act, 2018 (Act 17 of 2018) shall be deemed to have come into force on
   (a) 20th March, 2018
   (b) 20th April, 2018
   (c) 21st April, 2018
   (d) 22nd April, 2018

10. 'The Indian Constitution Corner Stone of a Nation' book was authored by
   (a) John Austin
   (b) Granville Austin
   (c) A.L. Good Heart
   (d) H.L.A. Hart

11. Which one of the Chief Justice of India was Vice President of India from 1979 to 1984 ?
   (a) M. Hidayatullah
   (b) S.M. Sikri
   (c) A.N. Ray
   (d) K. Subba Rao

12. Which one of the following is a Neutralized State ?
   (a) India
   (b) Pakistan
   (c) Japan
   (d) Switzerland

13. What is the width of the excluded economic zone in International Law ?
   (a) 12 nautical miles
   (b) 24 nautical miles
   (c) 100 nautical miles
   (d) 200 nautical miles

14. A person born not in the country of his parents, would be the national of the country where he is born on the basis of the principle of

(a) Jus Soli
(b) Jus Sanguinis
(c) Jus Jury
(d) Jus Terti

15. "Asylum stops where extradition begins". Above statement was made by

(a) Kelsen
(b) Starke
(c) Schwarzenberger
(d) Cobbett

16. Declaring a diplomat "persona non-grata" is a right of the

(a) Sending State
(b) Receiving State
(c) Both sending and receiving State
(d) None of these

17. The term 'United Nations' was suggested by

(a) Roosevelt
(b) Churchill
(c) T.V. Soong
(d) M. Litinov

18. The Principal organs of the United Nations are those whose names are mentioned in

(a) Article 5 of the United Nations Charter
(b) Article 6 of the United Nations Charter
(c) Article 7 of the United Nations Charter
(d) Article 8 of the United Nations Charter

19. In which Supreme Court case it was held that preamble is the basic structure of the Constitution ?

(a) Minerva Mills Vs. Union of India
(b) Keshvanand Bharti Vs. State of Kerala
(c) Chandra Bhavan Vs. State of Mysore
(d) Nakara Vs. Union of India

20. Out of the following who has not been elected as Judge of International Court of Justice ?

(a) Dr. Nagendra Singh
(b) Dalveer Bhandari
(c) R.S. Pathak
(d) Ranganath Misra

21. Which one of the following is known as "Earth Summit ?

(a) United Nations Framework Convention on Climate change.
(b) United Nations Conference on Environment and Development.
(c) Convention on Biological Diversity
(d) None of these

22. Which is not a peaceful means of settlement of dispute under International Law ?

(a) Retortion
(b) Conciliation
(c) Negotiation
(d) Good Offices

23. How many members are in Security council ?

(a) 5 Permanent
(b) 10 Permanent
(c) 5 Permanent and 10 Temporary
(d) None of these

24. Which of the following statement is correct ?

(a) The concept of citizenship is relevant to International Law.
(b) The concept of citizenship is irrelevant to Municipal Law.
(c) The concept of citizenship is relevant to both International Law as well as Municipal Law.
(d) The concept of citizenship is irrelevant to International Law.

25. Criminal procedure code has been included in which of the following lists ?

(a) Union list
(b) State list
(c) Concurrent list
(d) All of these

26. Total number of Fundamental Duties provided under the Constitution of India are

(a) 12
(b) 9
(c) 10
(d) 11

27. When a new State is formed through revolt, recognition usually granted is

(a) De Jure
(b) De Facto
(c) Precipitate recognition
(d) None of these

28. Which of the following Amendment to the Constitution is related with reservation of seats in Educational Institutions for the economically weaker section of citizens ?
(a) 123rd
(b) 101st
(c) 103rd
(d) 102nd

29. In which of the following cases the Supreme Court has discussed the Constitutional Validity of Triple Talaq ?
(a) Shayara Bano Vs. Union of India
(b) Naz Foundation Vs. Union of India
(c) Daniel Latifi Vs. Union of India
(d) Shabnam Hashmi Vs. Union of India

30. Which Article of the Constitution of India provides for reservation of seats for women in Panchayats ?
(a) Article 243A
(b) Article 243B
(c) Article 243C
(d) Article 243D

31. 'Right in rem' is available against
(a) Particular person only
(b) Every one
(c) Government only
(d) None of these

32. Who among the following put the International Law as positive morality ?
(a) Bentham
(b) Austin
(c) Savigny
(d) Holland

33. As per Indian Patents Act, 1970, criteria of Patentability in India are
(a) Novelty
(b) Inventive step
(c) Capable of industrial application
(d) All of these

34. Who is not member of 'SAARC' in the following ?
(a) Singapore
(b) India
(c) Pakistan
(d) Bhutan

35. How many Articles are in Indian Constitution ?
(a) 365
(b) 394
(c) 395
(d) 379

36. Article 17 of the Indian Constitution is related to
(a) Literacy
(b) Health
(c) Untouchability removal
(d) Food Guarantee

37. Which State of India has made rain water harvesting compulsory for every houses ?
(a) Rajasthan
(b) Maharashtra
(c) Madhya Pradesh
(d) Tamil Nadu

38. The sixth schedule of the Constitution of India does not provide for the administration of the Tribal Areas in
(a) Assam
(b) Manipur
(c) Meghalaya
(d) Mizoram

39. Which is the 25th High Court of India ?
(a) Shillong High Court
(b) Imphal High Court
(c) Agartala High Court
(d) Amravati High Court

40. 'Procedure established by law', the terminology is taken from the Constitution of which country ?
(a) America
(b) Japan
(c) Canada
(d) Australia

41. Which Article of the Indian Constitution defines the proclamation of emergency ?
(a) Article 366(16)
(b) Article 366(17)
(c) Article 366(18)
(d) Article 366(19)

42. Union Public Service Commission Members have tenure of office for
(a) Two years
(b) Three years
(c) Five years
(d) Six years

43. Neuremberg Trial, Tokyo Trial, Peleus Trial and Eichmann Trial related to whom ?

(a) Laws of Aerial Warfare
(b) War Crimes
(c) Laws of Land Warfare
(d) Laws of Maritime Warfare

44. Which one of the following principles are not related to recognition ?

(a) Trobar Doctrine
(b) Munro Doctrine
(c) Stimpson Doctrine
(d) Estrada Doctrine

45. Justice Dalveer Bhandari has a re-elected term as Justice in the International Court of Justice for a term of

(a) 2017 – 2026
(b) 2018 – 2027
(c) 2019 – 2028
(d) 2020 – 2029

46. Which city of India received the cleanest city award on March 6, 2019 ?

(a) Ambikapur
(b) Mysore
(c) Indore
(d) Chandigarh

47. Which Justice has been appointed as the first Ombudsman of India ?

(a) Justice Pradeep Kumar Mohanti
(b) Justice D.B. Bhosle
(c) Justice Pinaki Chandra Ghosh
(d) Justice Ajay Kumar Tripathi

48. Which is the 43rd member of the Australia group ?

(a) China
(b) Pakistan
(c) India
(d) Brazil

49. Which of the following State Legislatures has one house ?

(a) Bihar
(b) Karnataka
(c) Tamil Nadu
(d) Maharashtra

50. In which case it was decided that the preamble is not a part of the Constitution ?

(a) In re Berubari case
(b) Keshavanand Bharti case
(c) Maneka Gandhi case
(d) S.R. Bommai case

Part II · Law

51. Exchange under Transfer of Property Act, is equal to

(a) partition
(b) gift
(c) sale
(d) None of these

52. In case of gift if the donor dies before acceptance of the gift. The gift will be :

(a) valid
(b) void
(c) voidable
(d) subject to decision of the court

53. Within the meaning of Section 100 of the Transfer of Property Act, a charge :

(a) requires attestation and proved in the same way as a mortgage.
(b) requires attestation and does not prove as a mortgage.
(c) does not require to be attested and proves in the same way as a mortgage.
(d) does not prove as a mortgage.

54. In the following three cases, which lease of immovable property can be made only by a registered instrument ?

(a) only a lease from year to year
(b) only a lease for a term exceeding one year
(c) only a lease reserving a yearly rent
(d) All of these

55. The provisions regarding transfer of actionable claims are mention under Transfer of Property Act in
(a) Section 130
(b) Section 122
(c) Section 127
(d) Section 128

56. In which one of the following cases it was held that surrender by tenant is not transfer ?
(a) Bachchu Vs. Harbansh
(b) Makhanlal Saha Vs. N.N. Adhikari
(c) Sharada Devi Vs. Chandwala
(d) None of these

57. 'A' makes an absolute gift of a house to 'B' with a direction that 'B' shall reside in it. The gift :
(a) is not valid and direction is void
(b) is valid and direction is also valid
(c) is valid but direction is void
(d) None of these

58. 'Double possibility rule' was laid down in which one of the following cases ?
(a) Whitby Vs. Mitchell
(b) Indu Kakkar Vs. Haryana State
(c) Chamaru Sahu Vs. Soma Kuer
(d) None of these

59. Doctrine of acceleration is given under which Section of the Transfer of Property Act ?
(a) Section 25
(b) Section 24
(c) Section 27
(d) Section 30

60. The provision regarding 'apportionment by time' is given under which of the following Sections of the T.P. Act ?
(a) Section 35
(b) Section 36
(c) Section 37
(d) Section 38

61. A co-owner of immovable property under Transfer of Property may make a
(a) valid transfer of property
(b) only can give possession
(c) only can give right to use for a short period
(d) cannot make transfer of that property

62. Right of redemption can be exercised
(a) only by paying the mortgage money to the mortgagee.
(b) only by depositing the mortgage money in court.
(c) only by a regular suit for redemption.
(d) All of these

63. 'He who seeks equity must do equity' is the juristic basis of which one of the following Sections of the T.P. Act ?
(a) Section 49
(b) Section 50
(c) Section 51
(d) Section 53

64. The case of Arif Vs. Yadunath is related which of the following ?
(a) Apportionment
(b) Fraudulent transfer
(c) Part performance
(d) None of these

65. How many types of mortgage are given in Section 58 of the T.P. Act ?
(a) 5
(b) 6
(c) 7
(d) 8

66. 'Once a mortgage always a mortgage' was laid down in which one of the following cases ?
(a) In Nokes & Co. Vs. Rice
(b) In Alderson Vs. White
(c) In Hunter Vs. Abdul Ali
(d) None of these

67. A lease can be determined by :
(a) By Efflux of time
(b) By Implied surrender
(c) By Forfeiture
(d) All of these

68. Dhulabhai Vs. State of M.P. is related to which of the following under CPC ?
(a) Jurisdiction of Civil Court
(b) Pleadings
(c) Interim Orders
(d) First Appeal

69. Which of the following judgements of the Supreme Court deals with the applicability of Res-judicata in writ petitions ?
(a) L.I.C. Vs. India Automobiles & Company
(b) Daryao Vs. State of U.P.
(c) Bhula Bhai Vs. State of M.P.
(d) Premier Automobile Vs. Kamlakar

70. The object of oral examination under Order X Rule 2 of Civil Procedure Code, is
(a) to record evidence.
(b) to secure admissions.
(c) Both (a) and (b).
(d) to elucidate the matter in controversy in the suit.

71. Which of the following remedies may be sought against ex-parte decree ?
(a) only application under Order IX Rule 13 CPC
(b) only appeal under Section 96(2) CPC
(c) Both (a) and (b)
(d) None of these

72. If the order to amend the pleadings does not contain time limit to amend, party can made the amendment within
(a) 30 days
(b) 15 days
(c) 14 days
(d) 7 days

73. Period of detention in civil imprisonment as a consequence of disobedience or breach of any injunction, shall not exceed
(a) 1 month
(b) 3 months
(c) 6 months
(d) 1 year

74. The principle of 'feeding the grant by estoppel' is given in which one Section of the T.P. Act ?
(a) Section 40
(b) Section 42
(c) Section 43
(d) Section 44

75. Where a suit is wholly or partly dismissed under Orders IX rule 8 of CPC, the plantiff
(a) may bring a fresh suit.
(b) shall be precluded from bringing a fresh suit.
(c) may bring fresh suit with the permission of court.
(d) None of these

76. Section 89 of the Code of Civil Procedure deals with which one of the followings ?
(a) Appointment of receiver
(b) Interpleader suit
(c) Settlement of disputes outside the court
(d) Execution of decree

77. 'Judgement' means
(a) Part of the decree
(b) Statement of judges on the grounds of a decree or order
(c) Adjudication of rights
(d) None of these

78. Under which of the following provisions of C.P.C., a plaint is rejected by the court in absence of cause of action ?
(a) Order VII rule 11 (f)
(b) Order VII rule 11 (b)
(c) Order VII rule 11 (e)
(d) Order VII rule 11 (a)

79. Which one of the following statement is not true in relation to power of appellate court under Code of Civil Procedure ?
(a) It can determine a case finally.
(b) It can remand a case.
(c) It cannot take additional evidence.
(d) It can frame issue and refer them for trial.

80. An appeal shall not lie from which of the following order under the Code of Civil Procedure ?
(a) Section 35 A
(b) Section 35 B
(c) Section 95
(d) Section 91

81. Who amongst the following may sue for public nuisance and other wrongful acts affecting the public ?
(a) The Advocate General only.
(b) With the leave of the court by two or more persons only.
(c) Anybody who is affected by it.
(d) (a) and (b) both

82. "A bundle of facts which taken with the law applicable to them gives the plaintiff the right to relief against the defendant." It is called as
(a) Plaint
(b) Written statement
(c) Cause of action
(d) None of these

83. What shall be status a suit on party's death ?
(a) The death of plaintiff will abate the suit.
(b) The death of the defendant will abate the suit.
(c) Both (a) and (b) above
(d) The death of plaintiff or defendant will not cause the suit to abate if the right to sue survives.

84. Place of suing is mentioned in which part of Civil Procedure Code ?
(a) Part I
(b) Part II
(c) Part III
(d) Part IV

85. A situation where a person who is either a necessary party or proper party has not been joined in the suit, is called
(a) Non-joinder
(b) Mis-joinder
(c) Adjoinder
(d) None of these

86. 'A' deposits a box of jewels with 'B', who is a well reputed person of his area. 'C' alleges that the jewels were wrongfully obtained from him by 'A', and claims them from 'B'. Legally 'B' has which of the following options ?
(a) to return the jewels to 'A'
(b) to deposit the jewels with police
(c) to institute an interpleader suit against 'A' and 'C'
(d) None of these

87. Which one of the following is not a dispute settlement procedure referred under Section 89 of the Code of Civil Procedure ?
(a) Arbitration
(b) Negotiation
(c) Conciliation
(d) Mediation

88. Which of the following is/are the fundamental rules of pleading as set forth under order 6, Rule 2 of the Code of Civil Procedure ?
(a) Every pleading must state facts and not law only.
(b) It must state material facts only.
(c) It must state such facts in a concise form only.
(d) All of these

89. A suit for partition contains which of the following decree ?
(a) Only preliminary decree
(b) Only Intermediate decree
(c) Final decree
(d) Both (a) and (c)

90. Which of the following deals with the exemption of members of legislative bodies from arrest and detention under the Code of Civil Procedure :
(a) Section 139 B
(b) Section 132 A
(c) Section 135 A
(d) Section 140 A

91. Which of the following Sections of the Code of Civil Procedure deals with stay of suit ?
(a) Section 16
(b) Section 10
(c) Section 13
(d) Section 12

92. Which of the following deals with service of process on pleader in the Code of Civil Procedure ?
(a) Order 3, Rule 5
(b) Order 2, Rule 2
(c) Order 7, Rule 3
(d) Order 4, Rule 8

93. In which of the following case the Supreme Court held that, "where the witness became confused in the course of his examination, the court could put questions to him to elicit the truth ?
(a) State of Rajasthan Vs. Eni
(b) D.C. Wadhwa Vs. State of Bihar
(c) Shankari Pradad Vs. Union of India
(d) Lila Dhar Vs. State of Rajasthan

94. Which of the following grounds is not a appropriate ground for temporary injunction under the Code of Civil Procedure ?
(a) That any property in dispute is in danger of being wasted.
(b) That the defendant threatens to dispose of his property.
(c) That the property in dispute is likely to be acquired by the government.
(d) None of these

95. Which one of the following sections of the Indian Evidence Act makes relevant the opinion of the certifying authority which issued the electronic signature ?

(a) Section 45-A
(b) Section 47-A
(c) Section 53-A
(d) Section 73-A

96. Confession of one accused person is relevant against another co-accused person under which following sections of the Indian Evidence Act ?

(a) Section 26
(b) Section 27
(c) Section 30
(d) Section 29

97. Which of the following sections of the Indian Evidence Act deals with secondary evidence ?

(a) Section 60
(b) Section 62
(c) Section 63
(d) Section 65

98. Dying declaration to be admissible in evidence which one of the following is not necessary ?

(a) That it should relate to the cause of death of the person making such statement.
(b) That the person making of the statement was under the expectation of death.
(c) That it relates to the circumstances of the transaction which resulted in his death.
(d) All of these

99. In respect of digital signature, which of the following is a relevant fact ?

(a) The court may direct that person or authority to produce the digital signature certificate.
(b) That he himself recognizes his signature before the court.
(c) Any other person recognizes his signature before the court.
(d) Such digital signature is not admissible in any proceeding before the court.

100. When can prosecution be allowed to ask leading question to its own witness ?

(a) In examination in chief
(b) In re-examination
(c) When the witness is declared hostile
(d) In all circumstances

101. The principle that 'possession is prima facie proof of ownership' is contained under which Section of the Indian Evidence Act ?

(a) Section 106
(b) Section 109
(c) Section 111
(d) Section 110

102. Which one of the following term is not inclusive in Section 8 of the Indian Evidence Act ?

(a) Intention
(b) Preparation
(c) Motive
(d) Conduct

103. Contents of electronic records are proved in accordance of which the provisions of the Indian Evidence Act ?

(a) Section 65-A
(b) Section 65-B
(c) Section 67-A
(d) Section 73-A

104. Evidence given by a witness, unable to communicate verbally in the court by writing or sign, shall be deemed to be

(a) Circumstantial evidence
(b) Documentary evidence
(c) Oral evidence
(d) None of these

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

(a) Section 113 B – Presumption as to dowry death
(b) Section 137 – Examination in Chief
(c) Section 151 – Indecent and scandalous questions
(d) Section 154 – Impeaching credit of witness

106. In which Section of the Indian Evidence Act the words 'to form part of the same transaction' are provided ?

(a) Section 12
(b) Section 9
(c) Section 11
(d) Section 6

107. Which of the following pairs is not correctly matched under Indian Evidence Act ?

(a) Section 45 – Opinions of experts
(b) Section 67-A – Proof as to electronic signature
(c) Section 74 – Public documents
(d) Section 124 – Professional communication

108. Which one of the following sections of Indian Evidence has been substituted by the Information Technology Act, 2000 ?

(a) Section 29
(b) Section 35
(c) Section 39
(d) Section 40

109. Which Section of the Indian Evidence Act, makes the provision that there shall be no new trial on the ground of improper admission or rejection of evidence ?

(a) Section 167
(b) Section 161
(c) Section 165
(d) Section 147

110. Which of the following documents is 'Public Document' ?

(a) only the documents forming records of the acts of sovereign authority.
(b) only the documents forming records of the acts of official bodies.
(c) only the public records kept in any state of private documents.
(d) All of these

111. Which of the following questions shall not be asked in examining a witness ?

(a) only that which is intended to insult.
(b) only that which is intended to annoy.
(c) only that which appears to the court needlessly offensive.
(d) All of these

112. Under which Section of the Indian Evidence Act, provisions for presumption as to gazettes in Electronic form has been made ?

(a) Section 85 C
(b) Section 81 A
(c) Section 88 A
(d) Section 90 A

113. All facts, except the contents of documents may be proved by

(a) Primary evidence
(b) Secondary evidence
(c) Oral evidence
(d) Circumstantial evidence

114. Which one of the following is not the exception to the rule of hearsay under the law of evidence ?

(a) Expert's opinion
(b) Dying declaration
(c) Confession
(d) Res gestae

115. Which Section of the Indian Evidence Act deals only with civil matters ?

(a) Section 19
(b) Section 20
(c) Section 21
(d) Section 23

116. Section 115 of the Indian Evidence Act is founded upon the doctrine laid down in which one of the following case ?

(a) Banwari Lal Vs. Sukhdarshan
(b) Pikard Vs. Sears
(c) B. Coleman Vs. P.P. Das Gupta
(d) Vishnu Datt Sharma Vs. Dayasharan

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

(a) Section 164
(b) Section 165
(c) Section 166
(d) Section 167

118. Muslim Law does not apply to which of the following ?

(a) Gifts
(b) Maintenance
(c) Just and Trust Properties
(d) Succession to agricultural land

119. Who delivered the dissenting (minority) judgment in the Triple Talak case ?

(a) Justice Kurian Joseph
(b) Justice Khehar Singh
(c) Justice Fali S. Nariman
(d) Justice U.U. Lalit

120. Under the Waqf Act, 1995 the power of Tribunal to determine disputes regarding Auqof is given in which of the following sentence ?

(a) Section 6
(b) Section 9
(c) Section 7
(d) Section 10

121. Under the Dissolution of Muslim Marriages Act, 1939 option of puberty is available to

(a) The husband only
(b) The wife only
(c) Husband and wife both
(d) Husband and wife both with approval of guardian

122. Which one is not a recognized branch of Sunni School of Muslim Law ?

(a) Ithana Ashari
(b) Hanafi
(c) Maliki
(d) Shafei

123. Which one of the following is not correct with reference to Legal incidence of Wakf ?

(a) The wakif ceases to have any interest in it.
(b) The property ceases to be heritable.
(c) The wakif becomes irrevocable.
(d) The wakif has right to alter the Wakf.

124. Govind Dayal V. Inayatullah is a leading case on which of the followings ?

(a) Wakf
(b) Pre-emption
(c) Wills
(d) Guardianship

125. Jurisdiction of Family Court applies to which of the following community ?

(a) Lingayat
(b) Muslims
(c) Buddhists
(d) All of these

126. Under the Dissolution of Muslim Marriages Act, 1939 a Muslim marriage may be dissolved in which of the followings ?

(a) By the husband alone by pronouncing talak.
(b) By the wife pronouncing reverence of relationship.
(c) By the court on the ground of mutual consent.
(d) By the court in a petition filed by the wife.

127. Muta Marriage is permitted under which of the following ?

(a) In all branches of Hanafi School
(b) In only Ithana Asharia branch of Shia School
(c) In only Maliki branch of Hanafi School
(d) In all the branches of Shia School

128. Which of the following Sections of the Indian Evidence Act has been amended by the Criminal Law (Amendment) Act, 2018. Select the correct answer with the help of code given below : (1) Section 53 A (2) Section 119 (3) Section 146 Code :

(a) Only (1) is correct.
(b) Only (2) and (3) are correct.
(c) Only (1) and (3) are correct.
(d) Only (3) is correct.

129. Under which Section of the Hindu Marriage Act, 1955 provision has been made for permanent alimony and maintenance ?

(a) Section 24
(b) Section 26
(c) Section 25
(d) Section 27

130. Limitation of filing appeal against decrees under Hindu Marriage Act, 1955 is from date of decree is

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

131. Dastane V. Dastane related to which of the following matter in Hindu Law ?

(a) Restitution of conjugal rights
(b) Cruelty
(c) Adultery
(d) Spinda

132. Which one of the followings is not the ground of Judicial separation u/s 10 of the Hindu Marriage Act, 1955 ?

(a) Adultery
(b) Cruelty
(c) Leprosy
(d) Missing of less than seven years

133. “No petition of divorce can be presented within one year of marriage.” It is provided in which following Sections of the Hindu Marriage Act ?

(a) Under Section 14
(b) Under Section 12
(c) Under Section 13
(d) Under Section 11

134. Right of a child in womb is given under which one of the following Sections of the Hindu Succession Act ?

(a) Section 24
(b) Section 22
(c) Section 20
(d) Section 25

135. Which of the following is not the heir of class II of the Hindu Succession Act, 1956 ?

(a) Father
(b) Father's father, father's mother
(c) Mother's father, mother's mother
(d) Brother and sister by uterine blood

136. No person shall be entitled to dispose of or deal with the property of a Hindu minor merely because on the ground of his or her being the defacto guardian of the minor is provided under which of the following Sections of the Hindu Minority and Guardianship Act ?

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

137. The adoption is to be proved as fact and the burden is on the person who asserts, is held in which of the following case ?

(a) Sitabai Vs. Ramchandra
(b) Kishori Lal Vs. Chaltibai
(c) Jasveer Kaur Vs. District Judge, Deharadun
(d) Smt. Vijaya Manohar Vs. Kashi Rao Rajaram

138. Under Sunni Law in the matter of inheritance, what is share of son in his father's property except land after death of father ?

(a) 1/3 of the property
(b) 1/2 of the property
(c) 3/4 of the property
(d) There is no specific share.

139. Under Hindu Succession Act, one person is said to be 'agnate' of another if the two are related

(a) by blood or adoption wholly through males.
(b) by blood or adoption but not wholly through males
(c) by half blood through males
(d) None of these

140. Who is the natural guardian of a married girl ?

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

141. Which one of the following Sections of the Hindu Marriage Act relates to voidable marriage ?

(a) Section 10
(b) Section 13
(c) Section 8
(d) Section 12

142. Tagore Vs. Tagore laid down which one of the following rule of law ?

(a) A Hindu cannot dispose of his property by gift intervene in favour of an unborn child.
(b) Karta of a Joint Hindu Family has power to intervene into family matters.
(c) A partition of joint family property can be reopened.
(d) Adoption of an orphan is not valid.

143. Which one of the following Sections of the Cr. P.C. deals with 'evidence for defence' ?

(a) Section 264
(b) Section 243
(c) Section 237
(d) Section 242

144. Power of the court to convert summons cases into warrant cases is provided under which one of the following Sections of the Cr. P.C. ?

(a) Section 302
(b) Section 259
(c) Section 301
(d) Section 322

145. Claims and objections to attachment of property is provided under which one of the following Sections of the Cr. P.C. ?

(a) Section 84
(b) Section 85
(c) Section 86
(d) Section 87

146. The validity of an order made under Section 144 of Cr. P.C. is

(a) three months
(b) four months
(c) two months
(d) five months

147. The power to postpone the execution of death sentence is conferred on

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

148. An accused person shall be a competent witness according to which one of the Sections of Cr. P.C. ?

(a) Section 314
(b) Section 316
(c) Section 317
(d) Section 315

149. Which 'form' mentioned in the Second Schedule of Cr. P.C. is related with 'Charge' ?

(a) Form 31
(b) Form 32
(c) Form 33
(d) Form 34

150. According to Section 97 of the Cr. P.C., who is not competent to issue a search warrant ?

(a) The District Magistrate
(b) The Sub-divisional Magistrate
(c) The Magistrate of First Class
(d) The Court of Session

151. Which case is related to the power of the court to examine the accused ?

(a) Baba Vs. Maharashtra State only
(b) Durbal Singh Vs. State only
(c) Both (a) and (b)
(d) None of these

152. If an intestate has left no heir qualified to succeed to his or her property, such property shall devolve on which of the following ?

(a) State Government
(b) Brothers
(c) Both (a) and (b)
(d) None of these

153. A Magistrate empowered under Section 190 of Cr. P.C. may order an investigation by police in a cognizable offence. This is provided under which of the following sections of Cr. P.C. ?

(a) Section 154 (3)
(b) Section 155 (3)
(c) Section 156 (3)
(d) Section 157 (4)

154. Which of the following offences under the Indian Penal Code are covered under Section 95 of the Cr. P.C. ?

(a) Section 124 A only
(b) Section 153 A and S. 153 B only
(c) Section 292, 293 and 295 A only
(d) All of these

155. The High Court may exercise its inherent power under Section 482 on which of the following grounds ?

(a) in rarest of rate case
(b) in ex debito justice
(c) to prevent abuse of process of any court
(d) All of these

156. If a judge dies after writing his judgment but before delivering in open court, then the judgment shall be considered as

(a) Judgment of the court
(b) Opinion of the judge
(c) Only a dying declaration
(d) None of these

157. Who may record confession under S. 164 of the Cr. P.C. ?

(a) Any Judicial Magistrate having jurisdiction only.
(b) Any Judicial Magistrate not having jurisdiction only.
(c) Any Metropolitan Magistrate not having jurisdiction only.
(d) All of these.

158. In which of the following case it was held that the function of the police and judiciary is complementary to each other ?

(a) King Emperor Vs. Najir Ahmad
(b) Anand Chintamani Dighe Vs. State of Maharashtra
(c) Manisi Jain Vs. State of Gujarat
(d) None of these

159. Under the Criminal Procedure Code, which of the followings is not correctly matched ?

(a) Medical Examination of the Victim of rape – S. 164A
(b) Letter of request to competent authority for – S. 166A investigation in a country or place outside India
(c) Release of accused when evidence deficient – S. 167
(d) Diary of proceedings in investigation – S. 172

160. Which one of the following Sections of the Criminal Procedure Code provides 'Victim Compensation Scheme' ?

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

161. "Name of the victim of sexual offence shall not be mentioned." It was held in which of the following cases ?

(a) S. Ramkrishna Vs. State
(b) Balwant Rai Vs. Changi Ram
(c) Gulzari Lal Vs. State of U.P.
(d) Ramapati Vs. State of Bihar

162. Which one of the following is not correctly matched in the Criminal Procedure code ?

(a) Section 2(d) – Complaint
(b) Section 2(h) – Investigation
(c) Section 2(r) – Police report
(d) Section 2(w) – Victim

163. Discharge of the accused before trial has been provided under which of the following Sections of the Criminal Procedure Code ? Choose the correct answer with the help of code given below : (1) Section 227 (2) Section 239 (3) Section 255 Code :

(a) Only (1) is correct.
(b) Only (2) is correct.
(c) Both (1) and (2) are correct.
(d) Both (1) and (3) are correct.

164. Consider the following statements to summary trial under the Criminal Procedure Code and choose the correct answer with the help of the code given below : (1) Offences under Sections 454 and 456 of the Indian Penal Code may be tried by summary trial. (2) Sentence under summary trial shall not be passed less than three months. (3) Procedure of trial of summon case shall be followed in summary trial. Code :

(a) Only (1) and (2) are correct.
(b) Only (2) and (3) are correct.
(c) Only (1) and (3) are correct.
(d) All (1), (2) and (3) are correct.

165. Section 41-B was inserted in the Criminal Procedure Code by the Criminal Procedure Code (Amendment) Act in which of the following year ?

(a) in 2008
(b) in 2010
(c) in 2005
(d) None of these

166. No court shall take cognizance of an offence under the Criminal Procedure Code after the expiry of the period of limitation under Section 468. Which one of the following is not correct ?

(a) Six months, if the offence is punishable with fine only.
(b) One year, if the offence is punishable with imprisonment for a term not exceeding one year.
(c) Two years in respect of economic offences.
(d) Three years, if the offence is punishable with imprisonment for a term exceeding one year but not exceeding three years.

167. "Irregularities which do not vitiate proceedings" is provided in which of the following Sections of the Criminal Procedure Code ?

(a) Section 461
(b) Section 460
(c) Section 462
(d) Section 458

168. Power of High Court to confirm sentence is provided under which of the following Sections of the Criminal Procedure Code ?

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

169. Section 195-A of Indian Penal Code is related to :

(a) Punishment for false evidence
(b) Threat to give false evidence
(c) Using evidence known to be false
(d) Issuing or signing false certificate

170. Which of the following pairs is not correctly matched under Indian Penal Code ?

(a) Section 93 – Communication made in good faith
(b) Section 95 – Act causing slight harm
(c) Section 54 – Commutation of sentence of imprisonment for life
(d) Section 54-A – Definition of 'appropriate government'

171. A man who monitors the use by a woman of internet, e-mail or any other form of electronic communication, commit the offence of

(a) Trafficking of woman
(b) Sexual harassment
(c) Voyeurism
(d) Stalking

172. The punishment for attempting to commit offence punishable with imprisonment for life or other imprisonment is provided in

(a) under Section 511 IPC
(b) under Section 509 IPC
(c) under Section 510 IPC
(d) under Section 507 IPC

173. The offence of 'attempt to commit culpable homicide' is punishable under which of the following Section of IPC ?

(a) Section 304
(b) Section 308
(c) Section 310
(d) Section 301

174. 'A' puts jewels into a box belonging to 'B' with the intention that they may be found in that box, and this circumstances may cause 'B' to be convicted of theft. 'A' has committed the offence under which Section of IPC given below ?

(a) Section 191
(b) Section 193
(c) Section 194
(d) Section 192

175. 'A' a carrier, is entrusted by 'Z' with property to be carried by land or by water. 'A' dishonestly misappropriates of property. A has committed the offence of :

(a) Criminal misappropriation of property
(b) Cheating
(c) Criminal breach of trust
(d) Criminal breach of trust by carrier, etc.

176. When a person tries to escape from lawful custody while taken to a Magistrate to furnish security for good behaviour could be punished under the provision of :

(a) Section 224 IPC
(b) Section 225 IPC
(c) Section 225-A IPC
(d) Section 225-B IPC

177. A young man waves a currency note of rupees two thousands in front of a woman as if he offers the money for an indecent favour from the woman, he may be criminally booked under :

(a) Section 509 IPC
(b) Section 489-B IPC
(c) Section 508 IPC
(d) Section 354-B IPC

178. Under which one of the following Section of the Indian Penal Code the offence of 'Voyeurism' has been defined ?

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

179. Dishonest misappropriation of property possessed by deceased person at the time of his death, is an offence punishable under the Indian Penal Code in :

(a) Section 404
(b) Section 406
(c) Section 407
(d) Section 409

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

(a) Robbery
(b) Riot
(c) Public nuisance
(d) Affray

181. 'A' signs his own name to a Bill of Exchange, intending that it may be believed that the bill was drawn by another person of same name. 'A' has committed the offence of

(a) Cheating
(b) Mischief
(c) Forgery
(d) Fabricating false evidence

182. Where a woman is gang raped, each of those persons shall be deemed to have committed the offence of rape and shall be punished with :

(a) Death
(b) Imprisonment for life
(c) Imprisonment for life with fine
(d) Rigorous imprisonment not less than twenty years

183. Which one of the following is not an essential element of the offence of acid attack mentioned under Section 326-A of the IPC ?

(a) Partial damage, deformity or burn
(b) Maiming, disfigurement or disablement
(c) Damage, disfigurement or grievous hurt
(d) only bodily pain

184. 'A' causes cattle to enter upon the field belonging to 'Z', intending to cause damage to Z's crops. 'A' committed the offence of

(a) Cheating
(b) Mischief
(c) Dishonest misappropriation of property
(d) None of these

185. Right to private defence is available to all irrespective of gender and age of persons except :

(a) Police officers
(b) Officers of armed forces
(c) Aggressors
(d) Officers of B.S.F.

186. The minimum punishment in term of imprisonment provided under the Indian Penal Code is :

(a) 24 hours
(b) 7 days
(c) two days
(d) one month

187. The word illegal as defined in the Indian Penal Code means :

(a) everything which is an offence only.
(b) everything which is prohibited by law only.
(c) everything which furnishes ground for a civil action only.
(d) All of these

188. 'A' a private doctor running his own clinic, refuses to provide medical treatment to 'B', a victim of acid attack. 'A' is liable under which one of the following Section of the Indian Penal Code ?

(a) Section 166
(b) Section 166-A
(c) Section 166-B
(d) Section 167

189. Whoever by force compels, or by any deceitful means induces, any person to go from any place, commit the offence of :

(a) wrongful restraint
(b) abduction
(c) kidnapping
(d) abetment

190. Which one is not a theory of attempt for Section 511 of Indian Penal Code ?

(a) Proximity rule
(b) Theory of impossibility
(c) Object theory
(d) Durhum rule

191. Section 497 of Indian Penal Code is struck down by the Supreme Court in which of the following case ?

(a) Navtejsingh Johar Vs. Union of India
(b) Joseph Shine Vs. Union of India
(c) Tahsean S. Poonawala Vs. Union of India
(d) Naz Foundation Trust Vs. Suresh Kumar Kaushal

192. Which one of the following is not the ingredients of the Section 34 of the Indian Penal Code ?

(a) Criminal act done by several person
(b) In the furtherance of common intention
(c) Meeting of the minds of those who involved in crime
(d) Similar intention of those who involved in the crime

193. The principle of Section 17 of the Transfer of Property Act is based on which one of the following cases ?

(a) Girijesh Vs. Dattadin
(b) Chamaru Sahu Vs. Sona Kuer
(c) Theluson Vs. Woodford
(d) None of these

194. 'A' transfers property to 'B' in trust for 'C' and directs 'B' to give possession of the property to 'C' when he attains the age of 25. 'C' has :

(a) contingent interest
(b) vested interest
(c) both contingent and vested interest
(d) No interest

195. The object of the principle of Lis-pendens is to :
(a) only maintaining the status-quo.
(b) only restraining further litigation.
(c) only restraining creation of new facts during litigation.
(d) All of these

196. Which one of the following is not a constructive notice ?
(a) Gross negligence regarding to a fact
(b) Registration
(c) Actual possession
(d) Definite knowledge

197. A lessee is not entitled to the right of marshalling under which one of the following Sections of the T.P. Act ?
(a) Section 55
(b) Section 56
(c) Section 57
(d) Section 81

198. Which one of the following Sections provides statutory duties of a mortgagee in possession under the Transfer of Property Act ?
(a) Section 78
(b) Section 76
(c) Section 77
(d) Section 79

199. Who among the following can not sale and purchase an actionable claim ?
(a) only judge
(b) only legal practitioner
(c) only any judicial officer
(d) All of these

200. Which one is not an exception of defamation under Section 499 of Indian Penal Code ?
(a) Public conduct of public servant
(b) Malicious statements
(c) Conduct of any person touching any public question
(d) Publication of reports of proceedings of court

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