

Rajasthan Prelims 2017 Questions

1. Under provisions of Indian Succession Act, 1925 probate cannot be granted to:

- A married daughter
- A minor son
- Illegitimate child
- Half brother

2. Under the Hindu Adoptions and Maintenance Act, 1956 who among the following cannot be adopted:

- A Hindu
- Already adopted child
- A minor
- An unmarried child

3. Which of the following is not a 'Public Utility Service' for the purpose of the Legal Services Authority Act, 1987:

- Transport Service
- Postal, Telegraph or Telephone Service
- Insurance Service
- Banking Services

4. In a case where a party is added or substituted owing to assignment or devolution of any interest during the pendency of a suit, the suit shall as regards him, be deemed to have been instituted:

- On the date the suit was instituted.
- When he had a party.
- On the date when the application for addition or substitution is made.
- None of the above.

5. As per Schedule for compensation for third party fatal accidents under

Section 163A of the Motor Vehicles Act, 1988 the amount of compensation arrived at, in consideration of the expenses, which a victim would have incurred, towards maintaining himself, had he been alive, shall be reduced

- 1/2
- 1/3
- 1/4
- 1/8

6. For an instrument of gift of immovable property, under the Registration Act, 1908:

- Registration is compulsory
- Registration is optional
- Registration is exempted
- None of the above

Answer : a

7. Where the time limit of a lease is of a year or number of years, which is expressed to be determinable before its expiration, and the lease omits to mention at whose option it is so terminable, who shall have such option:

- Lessee
- Lessor
- Transferor
- None of the above

Answer : a

8. The maxim 'Actus curiae neminem gravabit' means

- An act of the Court shall prejudice no man
- The act of God does wrong to no one.
- An act in law shall prejudice no man.
- An act does not constitute guilt unless done with a guilty intention.

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Answer : a

9. Which of the following is not an internal aid to the construction or interpretation of statute:
- Long Title of an Act.
 - Illustrations
 - Marginal Notes appended to a section.
 - Preamble of a statute
10. Iddat period, in case of a divorced woman, if she is subject to menstruation, means:
- Three menstrual courses after the date of divorce
 - Six months period after the date of divorce
 - Nine menstrual courses after the date of divorce.
 - Nine months after the date of divorce.
11. For the purpose of Rajasthan Relief of Agricultural indebtedness Act, 1957, the term 'agriculture' does not include:
- Horticulture
 - Breeding of cattle, camels, sheep or goats
 - Bee farming and collecting honey
 - Reserving land for fodder grazing or thatching grass.
12. Any person aggrieved by an order made by the Collector (Stamps) can apply for a revision under Section 65 of the Rajasthan Stamp Act, 1998, before:
- Rajasthan High Court
 - Chief Controlling Revenue Authority
 - Inspector General of Stamps
 - State Government
13. The Supreme Court of India in the exercise of its jurisdiction may make such order as is necessary for doing complete justice in any case, such power is conferred by:
- Article 141 of the Constitution of India.
 - Article 142 of the Constitution of India.
 - Article 32 of the Constitution of India.
 - Article 124 of the Constitution of India.
14. In which Judgement, Hon'ble Supreme Court has held Right to Privacy to be a Fundamental Right:
- Subramaniam Swamy vs. Union of India & Ors.
 - Lok Prahari vs. Union of India & Ors.

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- c. Justice Sunanda Bhandare
Foundation vs. Union of India
& Ors.
- d. Justice K.S.Puttaswamy &
Anr. vs. Union of India & Ors.
Answer : d
15. Which of the following is a valid
defence against an action in tort:
- Mistake of fact
 - Act of God
 - Minority
 - None of the above
16. When a marriage has been dissolved
by a decree of divorce under Hindu
Marriage Act, 1955 and there is a right
of appeal, the divorced persons may
marry again:
- After expiry of 1 month from
the decree of divorce.
 - Immediately after passing of
the decree of divorce.
 - After expiry of 2 months from
the decree of divorce.
 - After expiry of the time for
appealing, without any appeal
having been presented.
17. Promissory estoppel is the extension
of principle contained in which
provision of the Evidence Act:
- Section 65
 - Section 110
 - Section 115
 - Section 150
18. Prior to the Hindu Succession
(Amendment) Act, 2005 coming into
force, who amongst the following was
not Class I heir of male Hindu dying
intestate:
- Mother
 - Widow
 - Daughter
 - None of the above
19. Under which provision of Rajasthan
Land Revenue Act, 1956, a person
without lawful authority occupying
land, which is at the disposal of local
authority, can be evicted:
- Section 91 of the Act
 - Section 90-A of the Act
 - Section 90-B of the Act
 - Section 92 of the Act
20. 'Decree', as defined by Section 2 of
the Code of Civil Procedure, 1908
does not include:
- A preliminary decree.
 - Rejection of a plaint.
 - Determination of any question
within Section 144 CPC.
 - Any order of dismissal for
default
21. Against a decree passed in a suit
after recording a compromise, an
appeal on the ground that the
compromise should not have been
recorded, can be filed under:
- Section 151 CPC.
 - Order XXIII CPC.
 - Order XLIII Rule 1-ACPC.
 - None of the above.
22. Chapter II and III of Rajasthan Rent
Control Act, 2001 applies to:
- Any premises let out to a
citizen of a foreign country.
 - Any premises belonging to or
vested in a University
established by any law for the
time being in force.
 - Any premises belonging to a
Government Company as
defined under Section 617 of
the Companies Act, 1956.

- d. Any premises situated in the municipal area of Jaipur City, let out for residential purposes, for a monthly rent of Rs. 8,000/-.

23. A suit against a municipality or its officers can be instituted otherwise than for the recovery of immovable property or for a declaration of title thereto:

- After six months of the accrual of cause of action
- After eight months of the accrual of cause of action.
- Within six months next after the accrual of cause of action.
- None of the above

24. The grant of and transfer of licences is governed by:

- The Transfer of Property Act, 1882.
- The Specific Relief Act, 1963.
- The Indian Contract Act, 1932.
- The Indian Easements Act, 1882.

25. Under Rajasthan Court fees and Suits. Valuation Act, 1961, all questions arising on a plea that the subject matter of the suit has not been properly valued or that the fee paid is not sufficient, are required to be heard and decided:

- At the final hearing of the suit.
- At the discretion of the trial court.
- Before the hearing of the suit as contemplated by Order XVIII CPC.
- None of the above

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26. Which of the contract is not specifically enforceable:

- A contract for the non performance of which compensation in money is not an adequate relief.
- A contract which is in its nature determinable.
- A contract, the performance of which does not involve the performance of a continuous duty, which the Court can supervise.
- A contract which is not dependent on the personal qualification or volition of the parties.

27. The power of review on the Board of Revenue and other revenue courts is conferred by which provision of the Rajasthan Tenancy Act, 1955:

- Section 207
- Section 224
- Section 229
- Section 230

28. Which of the following is not a negotiable instrument:

- Promissory note
- Fixed Deposit Receipt
- Bill of Exchange.
- A cheque

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29. Under the General Rules (Civil), 1986 all pleadings, applications and petitions filed in the course of civil judicial proceedings, shall be written in:
- Hindi
 - English
 - Any language specified in the Eighth Schedule of the Constitution of India.
 - None of the above
30. Under the Arbitration and Conciliation Act, 1996, in the case of international commercial arbitration 'Court' means
- The principal Civil Court of original jurisdiction.
 - Small Causes Court
 - The High Court
 - None of the above
31. An order refusing to refer the parties to arbitration under Section 8 of the Arbitration and Conciliation Act, 1996 is appealable under:
- Section 34 of the Act
 - Article 227 of the Constitution of India
 - Section 37 of the Act
 - Section 11 of the Act
32. The provisions for removal and suspension of any member or Chairperson of a Panchayati Raj Institution under the Rajasthan Panchayati Raj Act, 1994 are contained in:
- Section 119 of the Act
 - Section 38 of the Act
 - Section 117-A of the Act
 - Section 39 of the Act
33. Under section 10 of the Indian Partnership Act, 1932 every partner is under a duty:
- To render true accounts and full information.
 - To indemnify the firm for any loss caused to it by his fraud in the conduct of the business of the firm.
 - Not to carry on any business other than that of the firm.
 - To be just and faithful to each other.
34. Under Sale of Goods Act, 1930, movable goods does not include:
- Stock and shares
 - Grass
 - Money
 - Growing crops
35. In a suit against a Corporation, the summons may be served on:
- Any employee of the corporation
 - Relative of the director of the corporation.
 - Principal officer of the corporation.
 - None of the above
36. The offences under Sections 66B, 66C, 66D and 66E of Information and Technology Act, 2000, are
- Cognizable
 - Sessions Triable
 - Non-bailable
 - None of the above
37. A complainant, of a Magistrate triable case instituted upon a complaint, can challenge the judgement of acquittal passed by the competent court, by filing:
- Revision in the Sessions Court.
 - Revision in the High Court.

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- c. Appeal before a Sessions Court.
- d. Application for grant of leave to appeal in the High Court
38. An information, supplied by an accused under Section 27 of the Evidence Act, shall be recorded:
- In presence of two independent Panch witnesses.
 - In presence of a Gazetted Officer.
 - In presence of two Police Officers.
 - None of the above
39. While assessing age of a person under the Juvenile Justice (care and protection of children) Act, 2015, the Court/Board is required to consider the documents/evidence in the following order of preference:
- (i) Birth Certificate issued by a Municipality. (ii) School Certificate. (iii) Ossification test report. (iv) Aadhar Card.
 - (i) Ossification test report. (ii) Birth Certificate issued by the Municipality. (iii) Aadhar Card.
 - (i) Birth Certificate issued from the school/matriculation certificate. (ii) Date of birth certificate issued by the Municipality. (iii) Ossification test report.
 - None of the above
40. Which of the following orders may not be passed by the Juvenile Justice Board after conducting inquiry of a child in conflict with law:
- Direct the child to attend a school.
 - Direct the child to attend a vocational training centre.
 - Sentence the child to imprisonment till he attains 18 years of age.
 - Direct the child to perform community service.
41. A Children Court trying a child in conflict with law for a heinous offence, is not empowered to
- Hold trial of a child as an adult.
 - Hold inquiry of the child as a Juvenile Justice Board.
 - Sentence the child to imprisonment for a term of 10 years.
 - Send the child to a place of safety till he attains the age of 21 years.
42. Where, after inquiry under Section 15 of the Juvenile Justice (care and protection of children) Act, 2015, the Juvenile Justice Board is satisfied that a child above 16 years of age, has committed a heinous offence and should be tried as an adult, it may:
- Commit the case to the Sessions Court concerned for trial of the child as an adult.
 - Try the child as per the procedure provided in Cr.P.C
 - Return the charge-sheet to the Investigating Officer for presentation in the Court concerned.
 - Transfer the case to the Children Court for trial of the child as an adult.
43. A private vehicle proceeding on a Highway, suspected to be carrying psychotropic drugs, may be searched by:
- A Head Constable posted in the Police Station concerned.

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- b. A Sub-Inspector posted in some other District.
- c. The Deputy Superintendent of Police or officer-in-charge of the police station of the area concerned.
- d. All of the above

44. Before searching a suspect carrying a bag containing narcotic drugs in his hand, the Officer concerned is required to apprise him of his right to be searched in the presence of:
- a. A Magistrate or a Gazetted Officer.
 - b. Two independent witnesses from the locality.
 - c. Officer-in-charge of the Police Station of the area concerned.
 - d. None of the above

1985, shall not be liable to be confiscated:

- a. If the person using the same is acquitted by the Court after trial.
- b. If the prosecution fails to lead evidence about its ownership.
- c. If the owner proves that the vehicle was used in commission of the offence without his knowledge or connivance.
- d. None of the above

46. A being the owner of a plot of land, sells the same to B through a registered sale deed in the year 2005. B however does not make full payment to A. A again sells the same land to C in the year 2010 without informing him of the earlier transaction of 2005. Who would be the person aggrieved in these circumstances:

- a. B (the first purchaser).
- b. A (the seller).
- c. C (the subsequent purchaser)
- d. None of the above

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45. A vehicle, container or a receptacles used for commission of an offence punishable under the NDPS Act,

Answer : c

Explanation: In the scenario where A sells a plot of land to B but B does not make full payment, and then A sells the same land to C without informing him of the prior transaction, C (the subsequent purchaser) would be the person aggrieved. C faces potential legal complications due to the undisclosed prior transaction.

47. The bail application rejected by the Special Judge, SC/ST (Prevention of Atrocities) Act, in a case involving offences under the said Act, may be challenged in the High Court, by filing:
- a. Bail application under Section 439 Cr.P.C.

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- b. Revision under Section 397 Cr.P.C.
- c. Petition under Section 482 Cr.P.C.
- d. An appeal
48. X knows that Y is a member of the Scheduled Caste community. During the course of a free fight, X inflicts a grievous injury to Y by a sharp weapon. X is guilty of offence punishable under Section(s):
- 326 IPC only
 - 3(b)(V) of SC/ST (Prevention of Atrocities) Act.
 - 326 IPC and 3(b)(V) of SC/ST (Prevention of Atrocities) Act.
 - None of the above
49. A woman aged 30 years and her son aged 14 years, are witnesses to a murder. Their statements under Section 161 Cr.P.C. may be recorded by the Police Officer concerned at:
- The scene of the occurrence.
 - The Women Police Station.
 - At the Police Station where FIR is registered.
 - The place where, such woman and her son reside
50. In which of the following cases, the Court is required to record evidence before framing of charge:
- Summons trial cases.
 - Sessions trial cases.
 - Warrant cases instituted upon a complain
 - Warrant cases instituted upon a Police report.
51. Noncompliance of, which of the following orders passed under the Protection of Women from Domestic Violence Act, 2005, is an offence:
- Maintenance order
 - Custody order
 - Residence order
 - Protection order
52. A woman subjected to rape, gives a statement under Section 164 Cr.P.C. implicating the accused for the offence. She commits suicide sometime later but before her statement could be recorded at the trial. Such statement recorded under Section 164 Cr.P.C. would be:
- Admissible as a substantive piece of evidence
 - Admissible under Section 32 of the Evidence Act.
 - Admissible under Section 33 of the Evidence Act.
 - Inadmissible in evidence.
53. A Court after holding trial, convicts and grants benefit of Probation of Offenders Act, 1958 to an accused. Which of the following orders is impermissible in law:
- Admonish the offender.
 - Direct under Section 12 of the Act that the conviction shall not have an adverse effect on his service.
 - Direct the offender to pay compensation and cost.
 - Direct the offender to furnish bail and bonds to keep peace and good behaviour for three years.
54. Two friends A and B were sleeping in a room which was bolted from inside. In the morning, A is found murdered. Under which provision of the Evidence Act, prosecution can claim shifting of burden on B to prove the

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manner in which the murder took place:

- Section 114 of the Evidence Act.
- Section 103 of the Evidence Act.
- Section 106 of the Evidence Act.
- Section 101 of the Evidence Act

55. An FIR in relation to the offence under Section 406 IPC is lodged on 1.1.2010. The Police conducts investigation and submits a negative Final Report in the Court concerned on 2.2.2012. The Court takes cognizance of the above offence on 3.3.2013. In these circumstances, which of the following is correct

- The proceedings are barred by limitation.
- The proceedings are not barred by limitation as the offence under Section 406 IPC is a continuing offence.
- The proceedings are not barred by limitation as the FIR was lodged promptly.
- None of the above

56. C being the wife of B, has obtained a decree of separation from the competent Court but they are still living in the same premises. B subjects C to intercourse. Their neighbour A watches the act and files an FIR. Which proposition is correct in these circumstances:

- B is guilty of the offence punishable under Section 376-B IPC.
- B is not guilty of any offence because C continues to be his legally wedded wife.

- A would be guilty of the offence punishable under Section 354-C IPC.
- None of the above

57. 5 persons take illegal possession of a field. The owner (the complainant party) of the field collects his supporters and goes to the field for oust the trespassers therefrom. In the free fight, which ensues, the trespassers kill one person from the complainant's side. All The accused can be convicted :

- With the aid of section 34 of IPC.
- With the aid of section 149 of IPC.
- For the individual injuries caused to the members of the complainant party.
- None of the above



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58. The Investigating Officer conducting investigation of a case under the Narcotic Drugs and Psychotropic Substances Act, 1985 collects the call details of the mobile phones held by the accused from whom recovery of drug was effected and the conspirator, who supplied the drug. Such call details:

- Can be used as substantive evidence to prove the charge of conspiracy

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- b. Are inadmissible in evidence
c. Can be considered relevant only if the conversation held between
d. None of the above
59. In a case involving the offence punishable under Section 304 Part II of IPC, the accused is arrested and the prosecution fails to comply with the requirements of Section 167(2) Cr.P.C. The accused, who is a habitual offender, becomes entitled to compulsive bail on:
- 61st day from the date of his arrest.
 - 91st day from the date of his arrest.
 - The accused is not entitled to be released on compulsive bail.
 - None of the above
60. A Patwari while preparing a revenue record, intentionally enters incorrect facts in the documents and signs & certifies the same with the intention of causing loss to the true owner of the land. The Patwari is guilty of:
- Offence of creating false/forged documents punishable under Sections 467 and 468 IPC.
 - Offence of using a forged document punishable under Section 471 IPC.
 - Offence of criminal breach of trust punishable under Section 406 IPC
 - None of the above
61. An accused aged 20 years, having no previous criminal conduct, charged for the offence under Section 304 IPC, is convicted by the trial court. In these circumstances:
- The trial court is under a mandate of law to release the accused on probation.
 - The trial court may release the accused on probation.
 - The accused is not entitled to the benefit of probation because the offence is punishable with imprisonment up to 10 years.
 - None of the above
62. In which judgement, Hon'ble Supreme Court has laid down that the Police cannot refuse registration of an FIR on the ground of lack of jurisdiction:
- Manish Ratan Vs. State of M.P.; 2007(1) SCC 336
 - Amarendu Jyoti Vs. State of Chhattisgarh; 2014(6) Criminal 719
 - Rasiklal Dalpatram Thakkar Vs. State of Gujarat & Ors.; AIR 2010 SC 715
 - Y.Abraham Ajith & Ors. Vs. Inspector of Police, Chennai & Ors.; AIR 2004 SC 4286
63. In which judgement, under the Negotiable Instruments Act, 1881 the Hon'ble Supreme Court held that though compounding requires consent of both the parties, but even in absence of such consent, the Court can, in the interest of justice, on being satisfied that the complainant has been duly compensated, in its discretion, close the proceedings and discharge the accused:
- Madhya Pradesh State Legal Service Authority Vs. Prateek Jain; 2015(1) SCC (Cri) 211

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- b. Metres and Instruments Private Limited Vs. Kanchan Mehta; AIR 2017 SC 4594
- c. JIK Industries Ltd. Vs. Amarlal V. Jumani & Anr.; AIR 2012 SC 10
- d. Damodar S.Prabhu Vs. Sayyed Bala Lal H.; AIR 2010 SC 1907
- d. Shafi Mohd. Vs. State of Himachal Pradesh; SLP (Cri) No.3202/2017, decided on 30.1.2018

64. In which of the following judgments, the Hon'ble Supreme Court has laid down that the competent Magistrate can direct the Police to conduct thorough and fair investigation into an FIR:

- a. Hasan Bhai Wali Bhai Qureshi Vs. State of Gujarat; AIR 2004 SC 2078
- b. Sakiri Vasu Vs. State of U.P.; AIR 2008 SC 907
- c. Rashmi Behl Vs. State of U.P. & Ors.; AIR 2015 SC 776
- d. Aziza Begum Vs. Sate of Maharashtra; 2012 (b) SCC (Cri.) 61

65. In which judgement, the Hon'ble Supreme Court has laid down that a party, who is desirous of proving electronic evidence but does not have access to the device from which, the document was produced, is not required to produce and prove the certificate under Section 65-B of the Evidence Act:

- a. State of Delhi NCT VS. Navjot Sandhu @ Afsan Guru; AIR 2005 SC 3826
- b. Harpal Singh @ Chhota Vs. State of Punjab; 2016(4) Crimes 154
- c. Anvar P.V. Vs. P.K.Bashir; AIR 2015 SC 180

66. In which judgement, the Hon'ble Supreme Court has laid down that having taken cognizance of a case, the Magistrate cannot direct the Police to conduct further investigation:

- a. State of Haryana Vs. Choudhary Bhajan Lal; AIR 1992 SC 604
- b. M/s. Jayanti Vitamin Vs. Chaitanya Kumar; AIR 1992 SC 1930
- c. Amrutbhai Shambhubhai Patel Vs. Sumanbhai Kantibhai Patel & Ors.; AIR 2017 SC774
- d. Hemant Dhasmana Vs. CBI; AIR 2001 SC 2721

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67. A competent Court, shall take cognizance of an offence punishable under The Electricity Act, 2003:
- Upon a complaint in writing made by any general person.
 - Upon an oral complaint made by a Chief Electrical Inspector.
 - Upon a complaint in writing made by licensee or generating company
 - Upon none of the above
68. Under the provisions of Protection of Children from Sexual Offences Act, 2012, can a report be published by the media, which discloses the identity of a sexually assaulted child:
- Cannot be published.
 - Can be published in public interest.
 - Can be published, if permitted by a competent Special Court.
 - None of the above
69. Police Officer, in all cases where the arrest of a person is not required under section 41(1) of Cr.P.C., against whom, a reasonable complaint has been made that he has committed a cognizable offence, then:
- Police Officer may without an order from a Magistrate and without a warrant, arrest such person
 - Police Officer shall issue a notice directing that person to appear before him or at such other place, as may be specified in the notice.
 - A Police Officer, while recording his reasons in writing, can arrest such a person.
 - Police officers can do all the above.
70. If a Magistrate of a Court, requiring to examine at his private residence, a record of a case in his Court, he:
- May take charge of such record without any permission.
 - May take charge of such record with prior permission of concerned District & Sessions Judge.
 - May take charge of such record with prior permission of concerned High Court.
 - Can not take charge of such record.
71. Choose the correct alternative that expresses the 'Future Perfect' tense
- She will be completing her assignment
 - She will complete her assignment
 - She is completing her assignment.
 - She will have completed her assignment by midnight.
72. 'He has just _____ out of the room in a rage.' Supply the correct form of verb from the given alternatives
- Flinged
 - Flung
 - Flung
 - Flanged
73. . _____ man is the only animal that uses fire.
- X
 - The
 - A
 - An
74. He has hardly _____ money for his survival.
- Few

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- b. A few
c. Some
d. Any
75. As the enemy was closing in, we decided to stay away.' The phrase 'close in' means
a. Shoot out
b. Go away
c. Come nearer
d. Win
76. When someone says, "I am out of the woods now", he means that
a. He has come out of the forest.
b. He has destroyed all the woods
c. He is no longer in danger or difficulty.
d. He does not want to live in forest
77. Choose the correct passive voice of the following sentence. 'We must not look down on the poor.'
a. The poor must not looked down upon by us.
b. The poor must not be looked on by us
c. The poor must not be looked down on by us.
d. The poor must not be looked down on by us.
78. Identify the sentence which is not written in passive voice
a. Utmost care has to be taken
b. Being a student, you must work hard.
c. He was being chased.
d. The case has been set aside by the court.
79. Complete the following sentence with the correct coordinating conjunction. "I had studied a lot, _____ I did really well on the test."
a. So
b. For
c. But
d. Yet
80. Complete the following sentence with correct subordinating conjunction: 'You can only play outside _____ your father gets home.'
a. Whereas
b. Until
c. In case
d. Because
81. She said, "Merry Christmas!" Which of the following is the correct indirect speech of the above statement:
a. She told me Merry Christmas.
b. She said that Christmas was Merry.
c. She wished me a Merry Christmas.
d. She called me a Merry Christmas.
82. Which of the following sentences uses the modal 'would' to express a wish or desire:
a. Would that I had made contact with him before his departure.
b. Would you mind opening the window?
c. She would look at the stars for hours when she was a child.
d. She would not follow my advice.
83. Which of the following sentences expresses suggestion
a. Will I close the door?
b. Shall I close the door?
c. May I close the door?
d. Could I close the door?

84. Pick the correct synonym for the word 'robust':

- a. Strong
- b. Frail
- c. Infirm
- d. Noxious

85. . Choose the word which is opposite in meaning to the word "Veracity"

- a. Truthfulness
- b. Probity
- c. Mendacity
- d. Integrity

