THE GAUHATI HIGH COURT AT GUWAHATI

(THE HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Preliminary Examination (OMR based objective type multiple choices) for direct recruitment to Grade-I of Assam Judicial Service, 2022.

Total Marks :	100 marks	Duration :	2 hours
Date :	18-09-2022 (Sunday)	Time :	10:00 am to 12:00 noon

Each question carries 1 mark. There is no negative marking.

1. Who was the first woman to win Nobel prize?
- a. Mother Teresa
- b. Nadine Gordimer
- c. Marie Curie
- d. Shirin Ebadi

2. Who was the first woman to win Nobel Prize in Peace?
- a. Sigrid Undset
- b. Baroness Bertha Sophie Felicita von Suttner
- c. Mother Teresa
- d. Jody Williams

3. Who was the first woman Air Marshal of Indian Air Force?
- a. Kiran Bedi
- b. Shanti Bhatnagar
- c. Shirin Bhatia
- d. Padmavathy Bandhopadhyay

4. Who was the first Governor of Assam after independence?
- a. Sir Muhammad Saleh Akbar Hydari
- b. Sri Prakasa
- c. Sri Gopinath Bardoloi
- d. Sri Bhagwan Das

5. Under Ahom kingdom, what was the scope of work of *Khanikar Barua* ?
- a. He was the In-Charge of Navy.
- b. He was the Chief Officer responsible for writing orders of the *Swargadeo*.
- c. He was the Chief Officer of the industries.
- d. He was the Chief Officer in-charge of Revenue.

6. Yanam, a Union Territory of India, is located in the delta of which river?
- a. Brahmaputra
- b. Ganga
- c. Yamuna
- d. Godavari.

7. Where is The Space Physics Laboratory located?
- a. Trivandrum (*now* Thiruvananthapuram).
- b. Dehradun
- c. Bhopal
- d. Does not exist.

8. When was the first census of India conducted?
- a. 1881
- b. 1901
- c. 1921
- d. 1941

9. Name the States with which *Reli-Ki*, a wind instrument is associated?

a. Assam and Kerala
b. Meghalaya and Manipur
c. Andhra Pradesh and Maharashtra
d. Orissa and West Bengal.

10. Who is the first European to visit India in 1469 who was also a Russian trader? His book of voyage over three seas is a major historical source about India and the history of *Brahmani* kingdom.

a. Gregory Yeltsin
b. Alexander Alexsei
c. Constantin Boris
d. Afanasy Nikitin.

11. Out of the given alternatives, choose the one which can be substituted for the sentence – *"A song embodying religious and sacred emotions"* ?

a. Lyrics
b. Ode
c. Hymn
d. Ballad.

12. A "past master" is a person who:

a. knows everything of the past
b. was perfect in the past but knows nothing now
c. possess shallow knowledge
d. is thorough in a chosen field.

13. Impasse means:

a. Deadlock
b. Hidden
c. open to public
d. choice

14. Select the option that is nearest in meaning to the following sentence "*The portal will help the victims and complainants to anonymously report cyber crimes"*

a. in site
b. incognito
c. unfailingly
d. directly

15. Choose the word which can be substituted for the given sentence – "That which cannot be corrected".

a. incorrigible
b. unintelligible
c. indelible
d. illegible

16. Select the most appropriate synonym of the following word: "*reticent"*.

a. animated
b. talkative
c. vivacious
d. reserved.

17. Reckless is to rash, what anomalous is to?

a. ancestor
b. deviant
c. unsatisfactory
d. harsh

18. One who walks in sleep is?

a. somnambulist
b. sleep-hypocrite

c. sarcastic
d. sleep-stalker

19. Fill up with appropriate word – "*The judge was able to see through the _____ argument of the defence lawyers.*"

a. stoic
b. cynic
c. specious
d. precious

20. Select the most appropriate autonym of the word – "exacerbate".

a. aggravate
b. pacify
c. annoy
d. heighten

21. According to Article 254 of the Constitution of India, such portion of the State law is repugnant to a Central law in the concurrent list, becomes invalid. The law of repugnancy is summarized in which of the following cases:-

a. M. Karunanidhi v. Union of India (in the year 1979).
b. Swadeshi Cotton Mills v. Union of India (in the year 1981)
c. Ram Janma Singh v. State of Bihar (in the year 1986)
d. R.C. Cooper v. Union of India (in the year 1970).

22. Under which schedule of the Constitution of India can the transfer of tribal land to private parties be declared null and void?

a. Third Schedule
b. Fifth Schedule
c. Ninth Schedule
d. Twelfth Schedule.

23. A suit in a representative capacity can be filed by virtue of provisions under:

a. Order I, Rule 8A of CPC
b. Order I, Rule 10A of CPC
c. Order I, Rule 8 of CPC
d. Order I, Rule 9 CPC.

24. An application for the withdrawal of suit has been filed along with permission for grant of liberty to file afresh. In such an application, the Court can:

a. allow the application without leave to file a fresh suit
b. reject or allow the petition in toto
c. can pass any appropriate order
d. All of three.

25. The Supreme Court of India, while exercising power under Article 136 of the Constitution of India:

a. frequently interferes in the concurrent findings of the High Court
b. interferes only when certificate of fitness is issued by the concerned High Court
c. has no power to interfere in the concurrent findings of the High Court
d. interferes when it is found that gross injustice has occurred to the petitioner.

26. Match List I (judicial principles) with List II (decisions) and select the correct answer using the codes given below the lists:

List I (judicial principles)

A. Freedom of press
B. Minority rights
C. Just, fair and reasonable
D. Special Courts

List II (principles)

1. Kedarnath Bajoria v. State of West Bengal
2. Bennet Coleman v. Union of India

3. Ajit Basha v. Union of India
4. Maneka Gandhi v. Union of India.

CODES:	A.	B.	C.	D.
a.	1	3	4	2
b.	2	4	3	1
c.	1	4	3	2
d.	2	3	4	1

27. Match List I (judicial principles) with List II (decisions) and select the correct answer using the codes given below the lists:

List I (judicial principles)

A. Protection of ecology and environment pollution
B. Speedy trial
C. Freedom of religion
D. Safeguard against arbitrary arrest and detention

List II (principles)

1. M.C. Mehta v. Union of India
2. Hussainara Khatoon v State of Bihar
3. Stainslaus v. State of Madhya Pradesh
4. Kartar Singh v. State of Punjab.

CODES:	A.	B.	C.	D.
a.	1	2	3	4
b.	4	2	3	1
c.	1	3	2	4
d.	4	3	2	1

28. Which one of the following has been dropped from the list of personal freedoms enshrined in Article 19 of the Constitution of India?

a. freedom to assemble peacefully without arms
b. freedom to acquire, hold and dispose of property
c. freedom to reside in any part of the Country
d. freedom to carry on any profession, occupation, trade or business.

29. The doctrine of "territorial nexus" means that

a. Laws made by the State Legislature may have their application to the people of other States when there is direct relation between such laws and people of other States.
b. The territory of every State is open to all citizens for the purpose of trade and commerce.
c. The State Legislature is sovereign within its territory.
d. Laws made by sovereign State legislature cannot be questioned on the ground of extraterritorial operation.

30. A person whose petition for *habeas corpus* has been refused by the High Court on merits, seeks to move the Supreme Court of India by an original petition. According to the constitutional law of India –

a. his petition in the Supreme Court of India is barred by the rules of *res judicata*
b. his petition is not maintainable because filing a writ petition before Supreme Court of India is not his fundamental right.
c. he can approach the Supreme Court of India by filing SLP
d. he can move the Supreme Court of India for the same writ because the rules of *res judicata* will not apply in this case.

31. Under which section preliminary notification is issued for land acquisition under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013?

a. Section 10
b. Section 11
c. Section 12
d. Section 13

32. Section 7 of the Court Fees Act, 1870 deals with _____

a. computation of the Court fees payable in certain suits
b. fees on documents deposited in public offices
c. fees on memorandum of appeal
d. fees on documents filed before High Court.

33. Who shall be competent to make Rules for levy of process fee under section 20 of the Court Fees Act, 1870?

a. Appropriate Government
b. Supreme Court of India
c. High Court
d. District Court

34. The maximum membership of the Loksabha allotted by the Constitution of India is 552 seats. How many elected members are there in the current 17th Lok Sabha?

a. 540
b. 543
c. 545
d. 548

35. Who is the present Chief Justice of Supreme Court of India

a. Justice Uday Umesh Lalit
b. Justice Uday Ulhas Lalit
c. Justice Uday Urjit Lalit
d. None of the above.

36. Which "Labour related law" was enacted in the year 2019?

a. The Occupational, Safety, Health and Working Conditions Code.
b. Code of Wages.
c. Industrial Relation Code.
d. Code on Social Security.

37. Section 3 of the Limitation Act, 1963 is-

a. an independent section in its operation and effect
b. not an independent section in its operation and effect, and is subject to and controlled by sections 4 to 24
c. not an independent section in its operation and effect, and is subject to and controlled by sections 4 to 27
d. not an independent section in its operation and effect, and is subject to and controlled by sections 4 to 32.

38. Section 5 of the Limitation Act, 1963 applies:

a. where a certain period is prescribed by a statute
b. where a certain period is prescribed by agreement of parties
c. where a certain date is fixed by agreement of parties
d. all the above.

39. To attract section 4 of the Limitation Act, 1963 –

a. the Court should be closed for the whole of the day
b. it is not necessary that the Court should be closed for the whole of the day and it is sufficient if the Court is closed during any part of its normal working hours
c. the Court should be closed for the substantial part of the day if not for the whole day
d. the Court should be closed for more than half of the normal working hours.

40. Section 14 and 5 of the Limitation Act, 1963 are –

a. independent of each other
b. mutually exclusive of each other
c. both independent and mutually exclusive
d. neither independent nor mutually exclusive.

41. On which date Letters of Patent was issued to establish Supreme Court of Judicature at Calcutta:

a. 31st December, 1773
b. 2nd February, 1974
c. 21st February, 1974
d. 26th March, 1974

42. After arbitral award is made, each party shall be delivered –

a. the original award
b. a signed copy of the award
c. a photocopy of the award
d. an unsigned copy of the award.

43. A plea questioning the jurisdiction of the arbitral tribunal-

a. must be raised before or at the time of submission of statement of defence
b. may be raised after the submission of the statement of defence
c. can be raised at any time before the conclusion of arbitral proceeding
d. can be raised at any time before making of arbitral award.

44. Under section 9 of Arbitration and Conciliation Act, 1996, interim measures by Court does not include-

a. appointment of a guardian for a minor or a person of unsound mind for purpose of arbitral proceeding
b. appointment of receiver
c. securing the amount in dispute in arbitration
d. none of the above.

45. The delay in making an application for setting aside an arbitral award must be made by the party after receiving the award under section 34 of Arbitration and Conciliation Act, 1996 –

a. cannot be condoned
b. can be condoned for a maximum period of 30 days
c. can be condoned for a maximum period of 60 days
d. can be condoned for a maximum period of 90 days.

46. Section 30 of the Arbitration and Conciliation Act, 1996 lays down the provision for –

a. mutual settlement of disputes by parties before the arbitral tribunal
b. form and content of the interim award
c. termination of proceedings of an arbitral tribunal
d. correction and interpretation of an arbitral award.

47. Inability of lawyer to attend arbitral sitting due to illness is ground-

a. for setting aside arbitral award
b. for adjournment
c. for sending the case to Court
d. for reappointment of the arbitrator.

48. Bailment means

a. the goods is delivered by one person to another for some purpose to be specifically returned or otherwise disposed of as per order of the bailor
b. the goods delivered to be returned by way of an equivalent in money
c. the goods delivered to be returned by way of an equivalent in other commodities.
d. All the above.

49. *'X'* agreed to supply 1000 tons of iron at Rs.100/- per ton to *'Y'* to be delivered not later than 31.08.2022. *'X'* also entered into a contract with *'A'* for purchase of 1000 tons of iron at Rs.80/- per ton clearly telling *'A'* that iron is needed before 31.08.2022 to supply to *'Y'* to fulfill the contract with *'Y'*. *'A'* fails to supply the iron to *'X'* who in turn fails to supply iron to *'Y'*. In action by *'X'* against *'A'* –

a. *'X'* can recover damages for the loss of profit at the rate of Rs.20/-per ton, i.e. the loss of profit
b. *'X'* can recover damages for the loss of profit he would have earned by timely supply to *'Y'* and also the damages which *'X'* might have paid to *'Y'* on account of breach of contract
c. *'X'* can recover damages which he might have paid to *'Y'* on account of breach of contract
d. *'X'* can recover damages in the form of penalty.

50. Under the Contract Act, 1872 –

a. a third person from whom the consideration has proceeded can sue
b. a third person cannot sue even if the consideration has proceeded from him
c. a third person who is the beneficiary under the contract can sue
d. a third person cannot sue at all for want of privity of contract.

51. Inadequacy of consideration is relevant for determining the question of –

a. fraud
b. misrepresentation
c. undue influence
d. free consent

52. Misrepresentation under section 16 of the Contract Act, 1872 means-

a. a positive assertion, in a manner not warranted by the information of the person making it, not true but he believes to be true
b. any breach of duty, which gains an advantage to the person committing it, by misleading another to his prejudice
c. causing a party to make an agreement to make a mistake as to the subject matter of contract
d. all the above.

53. Which one of the following does not amount to fraud:

a. suggestion as to a fact which is not true, by one who does not believe it to be true
b. active concealment of a fact
c. a representation made without knowing it to be false, honestly believing it to be true
d. a promise made without any intention of performing it

54. What is a reasonable time for performance of contract –

a. is a question of fact
b. is a question of law
c. is a mixed question of fact and law
d. is a question of prudence

55. Mere silence is not fraud unless –

a. there is a duty to speak
b. the silence is deceptive
c. there is a change in the circumstances to be brought to the notice of the other party
d. all the above.

56. Conditions of Hindu marriage has been prescribed under the following provision of Hindu Marriage Act, 1955:

a. Section 4
b. Section 5
c. Section 6
d. Section 7

57. Rules relating to *sapinda* relationship is based on-

a. principle of endogamy
b. principle of exogamy
c. principle of polygamy
d. principle of monogamy

58. Punishment prescribed under section 18 of the Hindu Marriage Act for child marriage is-

a. imprisonment only
b. fine only
c. imprisonment or fine or both
d. imprisonment and fine both.

59. Restitution of conjugal rights can be claimed –

a. when there is a withdrawal from the society of the other with an excuse
b. when there is a withdrawal from the society of the other without any reasonable cause
c. when there is a withdrawal from the society of the other without any absolute cause
d. both (b) and (c).

60. A decree for judicial separation is a –

a. judgment in *rem*
b. judgment in *personam*
c. not a judgment in true sense
d. none of the above.

61. Breakdown theory of divorce is reflected in section _____ of the Hindu Marriage Act–

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

62. Court is under an obligation to make every endeavour to bring about a re-conciliation between the parties under the provision of the following provision of Hindu Marriage Act -

a. Section 23
b. Section 23A
c. Section 21A
d. Section 21C.

63. Relief of permanent alimony under Hindu Marriage Act is-

a. is incidental to the grant of the substantial relief
b. is independent of the claim of the substantive relief
c. is dependent of the grant of the substantive relief
d. none of the above.

64. An adopted child –

a. can be given in adoption generally
b. cannot be given in adoption
c. can be given in adoption with the consent of natural parents
d. can be given in adoption only with the prior permission of the Court.

65. An adopted child –

a. cannot renounce his adoptive parents and return to the family of his birth
b. can renounce his adoptive parents but cannot return to the family of his birth
c. can renounce his adoptive parents and return to the family of his birth
d. can sue for declaration of nullity of the adoption.

66. A Hindu married male having his wife living can make adoption –

a. without the consent of his wife
b. with the consent of his wife
c. without the consent of his wife but with the prior permission of the Court
d. without the consent of his wife but to her knowledge.

67. A mother of an illegitimate child has the power to give the child in adoption –

a. only with the consent of the putative father
b. without the consent of the putative father
c. with prior permission of the Court
d. without the consent of the putative father but with the prior permission of the Court

68. Existence of an illegitimate son is-

a. a bar to a male Hindu for taking a son in adoption
b. a bar to a female Hindu for taking a son by adoption
c. not a bar to both a male Hindu and a female Hindu for taking a son in adoption
d. a bar to both a male Hindu and a female Hindu for taking a son in adoption.

69. Any property that might have vested in the adoptee before the adoption, on adoption-

a. ceases to vest in the adoptee
b. continues to vest in the adoptee without any obligation attached to the property
c. continues to vest in the adoptee subject to any obligation attached to the property
d. continuance or cessation of property depends on the terms of adoption.

70. If a Mitakshara co-parcener is given away in adoption, his interest in the joint family property shall-

a. cease to exist on his adoption
b. continue to vest in him together with any liabilities attached thereto
c. continue to vest in him without any liabilities attached thereto
d. vest in him on adoption because the adoption shall amount to partition in the joint family.

71. Offspring of a Muslim woman marrying second husband shall be-

a. legitimate
b. illegitimate but can be legitimized by subsequent acknowledgment
c. illegitimate and cannot be legitimized by subsequent acknowledgment
d. none of the above.

72. Marriage of a Muslim woman with a non Muslim shall be -

a. valid
b. irregular
c. void
d. none of the above.

73. Marriage of a Muslim man with an Idolatress or Fire worshipper shall be -

a. valid
b. irregular
c. void
d. none of the above.

74. Which of the following is not a legal effect of a valid Muslim marriage –

a. status of woman changes and she is subjected to the husband's school of law
b. status of woman does not change and she is subject to her own pre-marital school of law
c. neither the husband nor the wife acquires any interest in the property of the other by reason of marriage
d. mutual rights of inheritance is established.

75. '*Dower*' ranks as

a. a preferential debt
b. an ordinary unsecured debt along with other creditors
c. an ordinary debt having priority over other contractual debts
d. a secured debt

76. Imprisonment of the husband is a ground for divorce under section 2(iii) of the Dissolution of Muslim Marriages Act, 1939 if his imprisonment is for a period of-

a. three years or more
b. four years or more
c. seven years or more
d. ten years or more.

77. Failure to perform marital obligations on the part of the husband, to be available as a ground for divorce must be for a period of –

a. one year
b. two years
c. three years
d. four years.

78. Reservation of the possession of the corpus, by the donor, in a gift, makes the gift –

a. valid
b. irregular

c. void
d. none of the above.

79. In Islam, a gift can –

a. be made validly through the medium of trust
b. not be made validly through the medium of trust
c. be made validly through the medium of trust only with the permission of the Court
d. be made validly through the medium of trust only with the permission/ consent of the heirs.

80. Mohammedan law permits a disposition *inter vivos* –

a. unfettered as to quantum
b. restricted to two-thirds of the estate
c. restricted to one-third of the estate
d. restricted to one-fourth of the estate.

81. Under Order VIII, Rule 6 CPC, set off may be permitted if –

a. set-off claimed by the defendant is ascertained sum of money
b. the suit is only for recovery of property
c. defendant presents a written statement of accounts at any stage of the hearing of the suit
d. none of the above.

82. Appeal under section 100 can be entertained which –

a. involve questions of fact
b. involve ordinary questions of law
c. involves physical ascertaining and demarcation of property if not done before the trial Court
d. involves substantial questions of law

83. Where a decree is silent as regards future interest –

a. future interest shall be deemed to have been refused and a separate suit shall lie for the same
b. future interest shall be deemed to have been refused and a separate suit shall not lie for the same
c. future interest shall be deemed to have been inadvertently omitted and an application can be moved before the Court
d. future interest shall be deemed to have been granted and it shall be a clerical or arithmetical error to be corrected on applications.

84. Rule of *Damdupat* is

a. a rule relating to costs
b. a rule relating to interest
c. a rule of *res judicata*
d. a rule of evidence.

85. In a representative capacity suit, an agreement or compromise can be entered under Order XXIII, Rule 3B of CPC –

a. as a general rule
b. without the leave of the Court
c. only with the leave of the Court
d. cannot be made.

86. The first cultural assimilation of Assam took place between _____ and _____?

a) Sino-Tibetan/Tibeto-Burman
b) Austro-Asiatic/ Irano-Scythians
c) Austro-Asiatic/Tibeto-Burman
d) Irano-Scythians/Austro-Asiatic

87. During which Ahom king's reign, the Saraighat battle was ended with decisive win over Mughal?

a) Chakradhwaj Singha
b) Udayaditya Singha
c) Jayadhwaj Singha
d) Pratap Singha

88. The speed of a car is 38 km/hr. The car locates a bus which is 40 metres ahead of it. But after 20 seconds, the bus is 60 metres behind. What is the speed of the bus?

a) 30 km/hr
b) 29 km
c) 28 km/hr
d) 20 km/hr

89. In which year "O Mur Apunar Desh" was officially adopted as the Assam's state song?

a) 1927
b) 1934
c) 1942
d) 1950

90. The age of a father is twice that of the elder son. Ten years hence the age of the father will be three times that of the younger son. If the difference of ages of the sons is 15 years, the father is ?

a) 50 years
b) 55 years
c) 60 years
d) 70 years

91. তলৰ কোনটো শুদ্ধ –

a. কপাহ b. কপাঁহ c. কঁপাহ d. এটাও নহয়

92. ' শিৱ ' শব্দটোৰ শুদ্ধ স্ত্রী লিগ হ'ব –

a. শিৱানী b. শিৱানি c. শিবাণী d. শিবাণি

(Q. Nos. 93 to 94) তলত দিয়া বিশেষ্য শব্দকেইটিৰ শুদ্ধ বিশেষণ বাচি উলিয়াওক –

93. স্বতন্ত্র

a. স্বাতন্ত্র্য b. স্বাতন্ত্র্য c. স্বতন্ত্র্য d. এটাও নহয়

94. অতিশয়

a. অতিশর্য্য b. অতিশয্য c. আতিশয্য d. অতিশার্য্য

(Q. Nos. 95 to 96) একে কার্যবোধক শব্দ বাচি উলিয়াওক –

95. এটাৰ ফাললৈ আনটো হলা কার্য –

a. ধৰাধৰি b. কতিয়াকতি c. দলা-দলি d. হলা-হলি

96. যি আগেয়ে শুনা নাই –

a. অজানপূর্ব b. অস্মৃতিপূর্ব c. অজ্ঞাতপূর্ব d. অশ্রুতপূর্ব

97. শুদ্ধ সন্ধি বাচি উলিয়াওক – 'অক্ষ + ঊহিনী'

a. অক্ষৈহিনী b. অক্ষৌহিনী c. অক্ষৈহিণী d. অক্ষৌহিণী

98. শুদ্ধ সন্ধি ভাঙক - ' সম্রাজ্ঞী '

a. সম্ + ৰাগিনী b. সম্ + ৰাগ + নি c. সম্ + ৰাগ + নী d. সম্ + ৰাজ + নী

99. ' মহান্যায়বাদী ' শব্দটো ইংৰাজীত কি বোলে ?

a. Legal Remembrancer b. Advocate General c. Attorney General d. Solicitor General

100. ' তুলসীৰ লগত _____ মুক্তি ' – খালি ঠাই খিনিত শুদ্ধ শব্দ লগ লগাই এই ফকৰা-যোজনা টো সম্পুৰ্ণ কৰক –

a. বেলপাতৰ b. কলপটুৰাৰ c. ডুবৰিৰ d. পদুমৰ

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