



## Previous Year Paper

### BIHAR (APO) JUDICIAL PRELIMINARY EXAM 2013

1. Under Section 20 of the Hindu Adoption and Maintenance Act, a Hindu is bound during his/her lifetime to maintain

- (a) his or her legitimate or illegitimate children
- (b) his or her aged or infirm parents
- (c) his or her daughter who is unmarried
- (d) All of the above

**Exp.** Under Section 20 of the Hindu Adoption and Maintenance Act, a Hindu is bound during his/her lifetime to maintain his or her legitimate or illegitimate children and his or her aged or infirm parents. A legitimate or illegitimate child may claim maintenance from his or her father or mother so long as the child is a minor. The obligation of a person to maintain his or her aged or infirm parent or a daughter who is unmarried extends in so far as the parent or the unmarried daughter, as the case may be, is unable to maintain himself or itself out of his or her own earning or other property.

2. Remedies under Section 24 of the Hindu Marriage Act, 1955 and Section 125 of the Criminal Procedure Code are

- (a) dependent on each other
- (b) independent of each other
- (c) supplementary to each other
- (d) complementary to each other

**Exp.** Remedies under Section 24 of the Hindu Marriage Act, 1955 and Section 125 of the Criminal Procedure Code are independent of each other.

3. After the death of the husband, a Muslim wife can retain possession over her husband's property until dower is paid. This is her right of

- (a) pre-emption
- (b) recovery
- (c) retention
- (d) pledge

**Exp.** The right of retention means that Muslim wife is entitled to remain in possession of her husband's property on the dissolution of marriage either by death or divorce till her dower debt is satisfied.

4. According to Sunni Law, the chief sources of Muslim Law are:

- (a) Quran, Judicial Precedents, Ijma, Qiyas
- (b) Quran, Adhis, Ijma, Qiyas
- (c) Ijma, Ahdis, Custom, Legislation
- (d) Quran, Equity, Ahdis, Ijma

**Exp.** The chief sources of Muslim Law are these are also known as primary source of Muslim Law.

- 1. Quran
- 2. Sunnah (Hadith)
- 3. Ijmaa
- 4. Qiyas

5. The Muslim Women Protection of Rights on Divorce Act was enacted in

- (a) 1996
- (b) 1946
- (c) 1966
- (d) 1986





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**Exp.** The Muslim Women Protection of Rights on Divorce Act came into force on 19th May, 1986.

**6. If a Muslim minor has been contracted in marriage in his minority by a guardian, such a person has a right on attaining majority to repudiate the marriage. This is known in Muslim Law as**

- (a) Talaq-i-Tafweez
- (b) Talaq-ul-biddat
- (c) Khiyal-ul-bulugh
- (d) Talaq-ul-sunnat

**Exp.** This is also known as option of puberty.

**7. A contract of marriage between A and B is made in joke and without any specific intention. Such marriage is valid under**

- (a) Hanafi Law
- (b) Shia Law
- (c) Shafi and Maliki Lawid
- (d) Hanbali Law

**8. If A makes a Hiba of certain property to B with a condition that B shall not transfer the property, then**

- (a) Hiba is void and condition is valid
- (b) condition is void and Hiba is valid
- (c) neither condition nor Hiba is valid
- (d) None of the above Ans(b)

**Exp.** Essentials of Hiba (Gift)

1. It should be voluntary, unconditional or immediate transfer
2. Certain specified existing (Movable or Immovable) property.
3. Without any exchange or consideration (ewaz).
4. Accepted by or on behalf of donee.

**9. After declaration of Wakf, the property becomes vested in**

- (a) God
- (b) Wakif
- (c) Mutwallt

(d) Jointly on all of the above Ans(a)

**Exp.** The property for which declaration of wakf has given, such property shall be deemed to be vested in God.

**10. 'A Muslim woman deserted by her husband without divorce is entitled to maintenance under Section 125 of the Criminal Procedure Code has been declared by the Supreme Court in the case of**

- (a) Chand Patel v. Bismillah Begum (2008)
  - (b) Mohd. Ahmad Khan v. Shah Bano (1985)
  - (c) Iqbal Banov. State of U.P. (2007)
  - (d) Shamim Ara v. State of U.P. (2002)
- Ans(b)

**Exp.** Mohd. Ahmad Khan v. Shah Bano case was decided on 23rd April 1985. It was decided by 5 Judge Bench Y.V. Chandrachud was Chief Justice at that time.

**11. 'Ijma' as a source of Muslim Law means**

- (a) unanimous opinion of the Muslim jurists
- (b) tradition of prophet
- (c) analogical deduction through reasoning
- (d) None of the above Ans(a)

**Exp.** Ijma means consensus of the founder of the law or of the community pressed by the most learned members.

**12. In which of the following cases the Supreme Court has held that marriages of all persons who are citizen of india belonging to various religions should be made compulsorily registrable in their respective States?**

- (a) M. Jaimoon v. M. Amman Ullah Khan and Others
  - (b) Khursid Bibi v. Mohd. Amin
  - (c) Seema v. Ashwini Kumar
  - (d) Shahnaj Bano v. Parvej Ahmad Khan
- Ans(c)





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13. Which one of the following is primary source of equity?

- (a) Custom
- (b) Written law
- (c) Judicial decision
- (d) Conscience Ans(d)

14. In the conflict between equity on one hand and the text of law on the other, the court shall

- (a) choose equity
- (b) choose law
- (c) have the discretions to choose between equity and law
- (d) be bound by precedents

Ans(b) **Exp.** In such situation law will prevail over equity law.

15. Equality means

- (a) literal equality
- (b) proportional equality
- (c) Both (a) and (b)
- (d) Neither (a) nor (b) Ans(b)

**Exp.** Likely should be treated alike and not unlikely should be treated a like, thus equality means proportional equality t and not as a litral equality.

16. Statutory recognition of the principles of equity is not found in the

- (a) Specific Relief Act, 1877
- (b) Indian Contract Act. 1872
- (c) Sale of Goods Act, 1930
- (d) Indian Succession Act, 1925 Ans(d)

17. The concept of trust originated in

- (a) France
- (b) England
- (c) Germany
- (d) Rome Ans(b)

18. Who among the following cannot become beneficiary?

- (a) The Government
- (b) Unborn child

(c) Corporation

(d) Alien Ans(b)

**Exp.** As per Section 9 of the Indian Trust Act, every person capable of holding property may be beneficiary.

19. Which one of the following can create trust?

- (a) Convict
- (b) Lunatic
- (c) Alien
- (d) Infant Ans(c)

**Exp.** Every person who is competent to contract can create trust so here, except alien, no one is competent to contract.

20. Rights of beneficiaries are provided under

- (a) Sections 51 to 65 of the Indian Trust Act
- (b) Sections 53 to 67 of the Indian Trust Act
- (c) Sections 55 to 69 of the Indian Trust Act
- (d) Sections 57 to 71 of the Indian Trust Act Ans(c)

**Exp.** Chapter 6, Section 55-69 of the Trust Act deals with the right and liabilities of the beneficiary.

21. Which one of the following is not for the creation of trust?

- (a) The author of trust
- (b) Trustee
- (c) Legal representative
- (d) Beneficiary Ans(c)

**Exp.** As per Section 6 of the Trust Act, followings are required for creation of trust. Intention of author to create trust, pur pose of trust, beneficiary, trust property and trustee are necessary.

22. An injunction granted during the pendency of a suit under Section 37 of the Specific Relief Act is known as

- (a) perpetual injunction
- (b) mandatory injunction
- (c) temporary injunction
- (d) None of the above Ans(c)



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**23. Which of the following is true of temporary injunction?**

- (a) It continues until a certain specific time
- (b) It is permanent between the parties
- (c) It concludes the right
- (d) It cannot be granted ex parte

**Ans(a)**  
**Exp.** Temporary injunction continues until a specified time or until the further order of court, granted at any stage of the proceedings and regulated by CPC-Sec.37(1) SRA.

**24. Jurisdiction of the court to enforce specific performance of a contract is**

- (a) absolute
- (b) discretionary
- (c) general and exceptional
- (d) extensive

**Ans(b)**  
**Exp.** By the Specific Relief Amendment Act, 2018, discretion as to decreeing specific performance has been omitted now where the contract is broken due to non performance of promise by any party, the party who suffers by such breach shall have the option of substituted performance through a third party or by his own agency and recover the expenses and other costs actually incurred spent or suffered by him from the party committing such breach.

**25. Which one of the following is not an immovable property?**

- (a) Right to ferry
- (b) A decree which gives right to sale the immovable property of husband
- (c) Life interest of widow in the income of immovable property of her husband
- (d) Right to receive annual payment from any village

**Ans(b)**

**26. Before the commencement of the Transfer of Property Act, 1882, the transfer of immovable property in India was governed by the**

- (a) Principles of English Law and Equity
- (b) Indian Registration Act, 1908
- (c) British State of Goods Act, 1880
- (d) Indian Contract Act, 1872

**Ans(a)**

**27. Under the provisions of the Transfer of Property Act, the unborn child acquires vested interest**

- (a) upon his birth
- (b) 7 days after his birth
- (c) 12 days after his birth
- (d) No such provision is made in the Act

**Ans(a)**  
**Exp.** As per Section 20 of the TPA, the unborn child acquires vested interest upon his birth

**28. The foundation of doctrine of election under the Transfer of Property Act is that a person taking the benefit of any instrument**

- (a) must bear the burden
- (b) must not bear the burden
- (c) burden is not the subject of election
- (d) None of the above

**Ans(a)**  
**Exp.** Sec. 35 of T.P.A provides for election when necessary. Where a person professes to transfer property which he has no right to transfer and as part of the same transaction confers any benefit on the owner of the property, such owner must elect either to confirm such transfer or dissent from it.

**29. Within the meaning of Section 54 of the Transfer of Property Act, the 'sale' does not include**

- (a) hire purchase transaction
- (b) auction sale
- (c) instalment payment system
- (d) None of the above

**Ans(d)**  
**Exp.** Sec. 54 of T.P.A defines 'Sale' as a transfer of ownership in exchange for a price paid or promised or part-paid and



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part-promised.

**30. In case of gift if the donee dies before the acceptance, then the**

- (a) gift is valid
- (b) gift is void
- (c) gift is reduced
- (d) court has to decide Ans(b)

**Exp.** Sec. 122 of TPA also provides that acceptance of the gift may be made during the life time of the donor and while he is still capable of giving. If the donee dies before acceptance, the gift is void of

**31. Where a gift is made of a property which is not in existence, which is the following Sections of the Transfer of Property Act declares it void?**

- (a) Section 122
- (b) Section 123
- (c) Section 124
- (d) Section 125 1- Ans(c)

**Exp.** A gift of property not in existence is also known as gift of future property. A gift made of property not in existence is void.

**32. Consider the following statements regarding the distinction between lease and licence:**

- (1) A lease is a transfer of an interest in land, whereas the licence does not create any interest in land
- (2) Both lessee and licence-holders can sue a trespasser in his own name
- (3) A lease can be assigned but a licence cannot be assigned
- (4) A lease cannot be revoked until the end of the term, but a licence, subject to certain exceptions, can be revoked

Which one of the above statements is/are correct?

- (a) Only 2
- (b) 1, 3, and 4
- (c) 1 and 4
- (d) 2, 3, and 4 Ans(b)

**Exp.** In Errington v. Errington case, Justice

Diplock has distinguished between lease and licence. Lease is a right where as licence only confers privileges, lessee can sue a trespasser in his own name but not true about licence-holder. All other options are correct.

**33. In India, the law of tort is**

- (a) codified
- (b) in the process of codification
- (c) mainly based on judicial decision
- (d) not applied now Ans(c)

**Exp.** In India, the law of tort is mainly based on judicial decision.

**34. In which of the following situations slander is actionable per se?**

- (a) An imputation that certain person is habitual gambler
- (b) An imputation that a certain person is a liar
- (c) An imputation that a certain wrestler is a womanizer
- (d) An imputation that a certain woman player is of unchaste character Ans(d)

**Exp.** The slander is actionable only on proof of special damage except in certain cases like words imputing unchastity or adultery to any woman or girl are actionable per se.

**35. Which of the following is a ground for rejection of a defence of fair comment in a tort of defamation?**

- (a) The comment is with respect to a matter of public interest
- (b) The comment is an expression of fact
- (c) The defendant and plaintiff had no malice towards each other
- (d) The circumstances show that the expression by the defendant is not fair Ans(b)





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**36. Which of the following is a correct definition of trespass to land?**

- (a) Interference with the ownership of land without lawful justification
- (b) Interference with the possession of land without lawful justification
- (c) Interference with the occupier of land without lawful justification
- (d) None of the above Ans(b)

**Exp.** Any interference with the possession of land without justification signifies trespass to land. Trespass is wrong against possession rather than ownership.

**37. An action in tort would not lie unless there is violation of rights of somebody even if damages have been caused. This is expressed by**

- (a) damnum sine injuria
- (b) injuria nullus persona
- (c) injuria sine damno
- (d) injuria domnum nullus Ans(a)

**Exp.** No action lies for mere damage or loss caused by an act which does not infringe some legal right of the plaintiff.

**38. 'Reasonable foresight as test to determine remoteness of damage was laid down in**

- (a) Re Polemis and Furness Withy and Co. (1921)
- (b) Overseas Tankship (UK) Ltd. v. Morts Dock Engg. Co. Ltd. (1961)
- (c) Donoghue v. Stevenson (1932)
- (d) Huges v. Lord Advocate (1963) Ans(b)

**Exp.** It is also known as the Wagon Mound case.

**39. For a person to succeed in a suit for malicious prosecution, which of the following factors must be proved?**

- (1) Prosecution was instituted without any reasonable and probable cause
- (2) Presence of malice
- (3) Absence of malice

(4) Prosecution terminated in favour of defendant

(5) Prosecution terminated in favour of plaintiff Select the correct answer by using the codes given below:

- (a) 1, 2 and 5
- (b) 1, 3 and 4
- (c) 1, 2 and 4
- (d) 1, 3 and 5 Ans(a)

**Exp.** Following are the essentials of Malicious Prosecution.

- (i) Prosecution must be instituted before the court.
- (ii) It was instituted without reasonable and probable ground.
- (iii) prosecution terminated in favour of the present plaintiff.
- (iv) It caused damages to the plaintiff.

**40. The plaintiff, a lady, visits to a restaurant, was injured by the ceiling fan which fell on her. The reason for the falling of the fan was latent defect in the metal of the rod of the fan. In an action against the defendant, he is**

- (a) liable because of 'last opportunity rule
- (b) not liable because the injury was not foreseeable
- (c) liable because the injury was foreseeable
- (d) liable because of doctrine of res ipsa loquitur Ans(b)

**Exp.** The given Problem is based on the fact of the case in Cates v. Mongini Bros, (1917) Bom held that since the harm was not foreseeable, they were not negligent and therefore, were not liable for the loss to the lady plaintiff.

**41. Match List-I and List-II and select the correct answer by using the codes below the Lists:**

List-I

- (a) Consent
- (b) Inevitable Accident







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- (c) Act of God
- (d) Statutory Authority

List-I

- (1) Nichols v. Marsland
- (2) Vaughan v. Taff Valde Rail Co.
- (3) Holmes v. Mather
- (4) Hall v. Brookland Auto Racing Club

#### 42. Tort of conspiracy occurs where

- (a) two or more persons combine to help a third party
  - (b) two or more persons combine to injure a third party by lawful means
  - (c) two or more persons combine to injure a third party by unlawful means
  - (d) two or more persons combine not to injure a third party by unlawful means
- Ans(c)

**Exp.** When two or more persons without law ful justification combine for the purpose of wilfully causing damage to the planitiff and actual damage results there from, they commit the tort of conspiracy.

#### 43. The main supporter of the theory, that it is 'Law of Tort' and not 'Law of Torts' is

- (a) Flemming
- (b) Dr. William
- (c) Salmon
- (d) Winfield Ans(d)

**Exp.** Winfield says that law of Tort is at the developing stage whereas Salmond sup ports law of Torts theory and which is also designated to "Pigeon Hole Theory".

#### 44. Assertion (a): X. a journalist, writes an article containing defamatory matter about the public life of a doctor. x when sucd, will not be liable. Reasons (R): A journalist is privileged in public interest.

- (a) Both (a) and (R) are true but (R) in the correct explanation of (a)
- (b) Both (a) and (R) are true not the correct explanation (a)
- (c) (a) is true but (R) is false

- (d) (a) is false but (R) is true Ans(a)

#### 45. The management of a school has given instruction of the driver of its vehicle not. to allow any unauthorized person to board the vehicle. A similar informatio was pasted on the vehicle itself stated that no unauthorized person was permitted to travel in the vehicle. The driver allowed an unauthorized passenger to board and drove negligently causing an accident in which the unauthorized passenger was killed. The school management is

- (a) liable because the driver was negligent in permitting the deceased to travel for which the school management was vicariously liable
- (b) not liable because by violating the instruction of the company, the driver was acting outside his course of employment
- (c) liable because mere pasting of information the unauthorized travel was not permitted does not negate liability of the school management
- (d) not liable because the passenger himself had voluntarily chosen to travel in the vehicle unauthorizedly Ans(b)

#### 46. Which of the following sets of defences available in an action for defamation?

- (a) Truth, privilege, mistake
  - (b) Privilege, mistake, fair comment
  - (c) Privilege, truth, fair comment
  - (d) Truth, mistake, fair comment Ans(c)
- Exp.** Privilege, justification or truth, fair comment are the defences for defamation.

#### 47. Consider the following statements:

- (1) Tortious liability arises from breach of duty primarily fixed by law
- (2) The duty is towards persons generally
- (3) Breach of duty is redressible by an action for unliquidated damages
- (4) The quantum of damages is determined by parties themselves





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Which of the above statements are correct?

- (a) 1,2 and 4
- (b) 1, 2 and 3
- (c) 2,3 and 4
- (d) 1. 3 and 4 Ans(b)

**Exp.** According to Winfield. "tortious liability arises from the breach of a duty primarily fixed by the law, this duty is towards persons generally and its breach is redressible by an action for unliquidated damages."

**48. An agreement without consideration is**

- (a) void ab initio
- (b) voidable contract at the option of the promisor
- (c) void barring certain circumstances
- (d) illegal Ans(c)

**Exp.** As per Section 25 of the Contract Act, there are three exceptions under which it would not be void.

**49. Which of the following cases is related to 'doctrine of frustration'?**

- (a) Felt House v. Bindly
- (b) Hardley v. Baxandale
- (c) Krell v. Henry
- (d) Mohri Bibi v. Dharmadas Ghose ; Ans(c)

**Exp.** Court held that where the performance of contract is physically possible, but the object the parties had in the mind has failed to materialise then the doctrine of frustration would apply.

**50. A sells by auction to B a horse which A knows to be unsound. A says nothing to B about the horse's unsoundness. This is**

- (a) misrepresentation by
- (b) fraud by
- (c) mistake by A
- (d) None of the above Ans(d)

**Exp.** The given problem is based on Illustration (a) to Sec. 17 of Contract Act, 1872. Explanation to Sec. 17 say that mere

silence as to facts likely to effect the willingness of a person to enter into a contract is not fraud, unless the circumstances of the case are such that it is the duty of the person keeping silence to speak, or unless his silence is, in itself, equivalent to speech.

**51. Section 70 of the Indian Contract Act does not apply in case of**

- (a) government
- (b) minor
- (c) pardanashin lady
- (d) public corporation Ans(b)

**Exp.** Sec. 70 ICA provides for obligation of person enjoying benefit of non-gratuitous act. If a person enjoying benefit of non-gratuitously, then he is bound to make compensation or to restore the thing so delivered. this principle is not applicable upon the minors.

**52. "No one is allowed to enrich himself at the expense of another." This principle is known as**

- (a) quantum meruit
- (b) quasi-contract
- (c) quantum valebat
- (d) nudum pactum Ans(b)

**Exp.** This principle was explained by Lord Mansfield in Moses v. Macferlan.

**53. A threat to commit suicide in performance of the contract amounts to**

- (a) undue influence
- (b) fraud
- (c) misappropriation
- (d) coercion Ans(d)

**Exp.** Coercion is said to be committed if any act forbidden by IPC, or the unlawful detaining or threatening to detain any property, to the prejudice of any person whatever, with the intention of inducing any person to enter into an agreement Sec. 15. ICA







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54. Which one of the following statements is not correct?

- (a) Acceptance must be in writing
- (b) Acceptance must be communicated
- (c) Acceptance must be in prescribed manner
- (d) Oral acceptance is a valid acceptance

Ans(a)  
**Exp.** Sec. 7 of ICA provides that acceptance must

- (a) be absolute and unqualified;
- (b) prescribed in some usual and reasonable manner, unless the proposer prescribes the manner in which it is to be accepted.

55. A sees that the child of B is drowning in the water. A saves the child from drowning in the water. B promises to give him Rs. 25,000. In this context, which one of the following propositions is correct?

- (a) B is liable because the agreement is not nudum pactum
- (b) B liability arises in quasi-contract
- (c) B is not liable as there is no contract
- (d) B liability is statutory

Ans(a)  
**Exp.** Such promise would be enforceable by virtue of Section 25(2) ICA which provides that a promise to compensate, wholly or in part, a person who has already voluntarily done something for the promisor is enforceable.

56. The correct sequence in formation of contract is

- (a) offer, consideration, acceptance, agreement
- (b) agreement, consideration, offer, acceptance
- (c) offer acceptance, agreement. consideration
- (d) offer, acceptance, consideration, agreement

Ans(a)

57. Acceptance sent through post

- (a) cannot be revoked at all
- (b) can be revoked at any time
- (c) can be revoked only if it does not reach the offerer
- (d) can be revoked before it comes to the knowledge of the offerer

Ans(a)  
**Exp.** As per Section 5 of the Act, an acceptance may be revoked before it comes to the knowledge of the offerer.

58. Miegality renders a contract

- (a) void
- (b) voidable
- (c) illegal
- (d) punishable

Ans(a)  
**Exp.** Every agreement of which the object or consideration is unlawful is void-Sec. 23.ICA

59. A agrees to pay B, a teacher, Rs. 15,000 if B passed his son in the examination. B does so but A refuses to pay the money. In this case, which one of the following gives the correct legal position of the agreement?

- (a) The agreement is valid and enforceable
- (b) The agreement is void being opposed to public policy
- (c) The agreement is void because the object is unlawful and forbidden by law
- (d) The agreement is voidable at the option of B

Ans(c)  
**Exp.** The consideration or object of an agreement is lawful, unless

- (a) it is forbidden by law : or
- (b) is of such a nature, if permitted defeat the provisions of law :
- (c) is fraudulent
- (d) involves or implies injury to the person or property of another
- (e) Court regards it as immoral or opposed to public policy. Above consideration and object of an agreement is said to be unlawful and is void.





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**60. The display of articles in a showroom indicating their prices amounts to**

- (a) offer
- (b) counter offer
- (c) mere advertisement
- (d) invitation to offer Ans(d)

**Exp.** In Pharmaceutical Society Case, it was held that the display of articles in a shop indicating their price is not an offer but amount to invitation to offer.

**61. A, a jewellery wholesaler, leaves some jewellery at B's jewellery shop by mistake. B treats the jewellery as his own. Which one of the following remedies is available to A?**

- (a) A is entitled to the same jewellery from
- (b) B is entitled to hire charges
- (c) B is bound to pay A for them
- (d) A is to forget his claim over jewellery Ans(c)

**Exp.** Sec. 72 of ICA says that a person to whom money has been paid, or anything delivered, by mistake or under coercion, must repay or return it.

**62. When the damages cannot be assessed, the party may be awarded by the court**

- (a) exemplary damages
- (b) actual damages
- (c) liquidated damages
- (d) nominal damages Ans (a)

**Exp.** Punitive damages, or exemplary damages, are damages assessed in order to punish the defendant for outrageous conduct -and to reform or deter the defendant and other from engaging in conduct similar to that which formed the basis of the law suit.

**63. Which of the following is true about an incorporated company?**

- (a) Its life depends on the life of its members

- (b) Its nationality depends on the nationality of its shareholders
- (c) Audit is not compulsory of its account
- (d) As such it never dies Ans(d)

**64. Articles of Association are not to be registered in case of**

- (a) a public company limited by share
- (b) a company limited by guarantees
- (c) an unlimited company
- (d) a private company limited by share Ans(a)

**65. The proper authority for convening a General Meeting of a company is the**

- (a) Chairman of the Board of Directors
- (b) Managing Director
- (c) Board of Directors
- (d) Shareholders Ans(c)

**66. An Act is said to be ultra vires of a company when it is beyond the powers**

- (a) of the directors but not the company
- (b) of the directors
- (c) of the company
- (d) conferred on the company by the Articles Ans (Deleted)

**67. The minimum number of the members for a private company and for a public company are respectively**

- (a) 10 and 50
- (b) 10 and 100
- (c) 7 and 2
- (d) 2 and 7 Ans(d)

**68. Under Section 2(b) of the Indian Partnership Act, 'business' includes**

- (a) every trade and occupation
- (b) every occupation and profession
- (c) every trade, occupation and profession
- (d) every trade and profession Ans(c)

**Exp.** 'Business' includes every trade, occupation and profession.





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**69. The historic case laying down the test for determining the existence of partnership**

- (a) Grave v. Smith
- (b) Waugh v. Carver
- (c) Blore v. Pell
- (d) Cox v. Hickman Ans(d)

**70. Where a partnership firm is constituted for a fixed period and after the expiration of that term the firm continues to carry on business without any agreement**

- (a) the partnership stands extended till the new agreement is made
- (b) the partnership becomes the partnership at will
- (c) the partnership becomes illegal
- (d) the partnership stands dissolved on the date of the expiry of the term and no partnership can be said to be in existence Ans(b)

**Exp.** The property of the firm includes all property and rights and interest's in property including also the goodwill of the business-Sec. 14 of the Partnership Act.

**71. General duties of partners have been laid down in**

- (a) Section 9 of the Act
- (b) Section 10 of the Act
- (c) Section 11 of the Act
- (d) Section 13 of the Act Ans(a)

**Exp.** Partners are bound to carry on the business of the firm to the greatest common advantage, to be just and faithful to each other, and to render true accounts and firm to any partner or his legal representative. Sec.9

**72. 'Goodwill' of the partnership business is the property of partnership under**

- (a) Section 14
- (b) Section 15
- (c) Section 16
- (d) Section 17(b) Ans(a)

**73. The Negotiable Instruments Act, 1881 came into force on**

- (a) 9th December, 1881
- (b) 9th December, 1882
- (c) 19th December, 1881
- (d) 1st March, 1882 Ans(d)

**Exp.** The Negotiable Instrument Act, 1881 shall come into force on the 11th March, 1882\_Sec. 1 of N.I.A.

**74. If a minor draws, indorses, delivers or negotiates an instrument, such instrument binds**

- (a) all parties to the instrument including the minor
- (b) only the minor and not other parties to the instrument
- (c) all parties to the instrument except the minor
- (d) None of the above Ans(c)

**Exp.** Sec. 26 of NIA provides that if a minor draws, indorses, delivers or negotiates an instrument, such instrument binds all parties to the instrument except the minor.

**75. Crossing of cheque affects the**

- (a) negotiability of the cheque
- (b) mode of payment on the cheque
- (c) Both (a) and (b)
- (d) None of the above Ans(b)

**Exp.** Crossing of cheque affects only the mode of payment on the cheque.

**76. For the purpose of attracting the provisions of Section 138 of the Negotiable Instruments Act, a cheque has to be presented to the bank within a period of**

- (a) six months
- (b) 15 days from the date on which it is drawn
- (c) six months from the date on which it is drawn or within the period of its validity whichever is earlier



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(d) None of the above Ans(c)

**Exp.** As per Section 138, proviso (a) of the N.L. Act. But this has been amended by guideline of RBI effective from 1 April 2012 to three months,

**77. The term 'cheque' in the electronic form is defined in the Negotiable Inst Act, 1881 under**

- (a) Section 6(a)
- (b) Section 6(1)(a)
- (c) explanation of Section 6(1) a
- (d) Section 6A Ans(a)

**Exp.** A cheque in the electronic Form Means form Means a cheque drawn in electronic form by using any computer resouce and signed in a secure system with digital signature Sec. 6(a) of N.I.A.

**78. The Sale of Goods Act, 1930 came into force on**

- (a) 1st April, 1930
- (b) 1st July, 1930 S
- (c) 1st December, 1930
- (d) 31st January, 1931 t Ans(b)

**79. Section 9 of the sale of Goods Act, 1930 provides for**

- (a) agreement to sell at valuation
- (b) ascertainment of price
- (c) conditions and warranties 1
- (d) Both (a) and (b) Ans(b)

**Exp.** Sec. 9 of the SOGA provides for ascertainment of price. The price in a contract of sale may be fixed by the contract or may be left to be fixed in manner thereby agreed or may be determined by the course of dealing between the parties.

**80. The rule in the Latin maxim nemo dat quod non habet under the Sale of Godos Act is contained in**

- (a) Section 27
- (b) Section 29

(c) Section 26

(d) Section 28 Ans(a)

**Exp.** 'Nemo dat quod non habet' means no person can confer a better tittle than he hidmself passes-Sec. 27 of SOGA provides the same.

**81. How many Sections and Chapters are there in the Indian Evidence Act, 1872?**

- (a) 167 Sections and 11 Chapters
- (b) 172 Sections and 16 Chapters
- (c) 160 Sections and 10 Chapters
- (d) 180 Sections and 15 Chapters Ans(a)

**Exp.** The Indian Evidence Act has been divided into 3 Parts and it has 11 Chapters.

**82. Facts alleged by one party and denied by the other in a case are termed as**

- (a) positive facts
- (b) negative facts
- (c) relevant facts
- (d) facts in issue Ans(d)

**Exp.** Facts-in-issue means and includes any fact from which, either by itself or in connection with other facts, the existence, non-existence, nature or extent of any right, liability or disability. asserted or denied in any suit or proceeding, necessarily follows-Sec. 3 of I.E.Act. Thus if a fact alleged by one party and admitted by other party is not a fact in issue.

**83. The facts which form part of same transaction are relevant under**

- (a) Section 5 of the Indian Evidence Act
- (b) Section 6 of the Indian Evidence Act
- (c) Section 7 of the Indian Evidence Act
- (d) Section 8 of the Indian Evidence Act Ans(b)

**Exp.** Sec. 6 of Evidence Act provides the doctrine of res-gestae means facts which though not in issue, are so connected with a fact in issue, are so connected with a fact in issue as to form part of the same





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transaction are relevant whether they Occurred at the same time or place or at different times and places.

cause of her death or any circumstances of the transaction which resulted in her death to use as dying declaration.

**84. A, who is unable to speak by birth, gives ay by writing in open Court. Evidence so given is treated under the Indian Evidence Act as**

- (a) documentary evidence
- (b) oral evidence
- (c) primary evidence
- (d) All of the above Ans(b)

**Exp.** Sec 119 talks about witness who is unable to communicate verbally may give his evidence in any other manner in which he can make it intelligible as by writing or by signs but such writing must be written and the signs made in open court, evidence so given shall be deemed to be oral evidence. Sec. 119 was substituted by the Criminal Law (Amendment) Act, 2013

**85. An expert is competent to testify on which of the following?**

- (a) Matters of Science
- (b) Questions of Art
- (c) Foreign Law
- (d) All of the above Ans(d)

**Exp.** As per Section 45 of the Act, there are five subjects on which an expert is competent, they are—foreign law, matter of science, questions of art, identity of hand writing or finger impressions.

**86. A woman is raped and makes statement that A raped her. Two days later she commits suicide. Her statement regarding rape is**

- (a) admissible as dying declaration
- (b) not admissible as dying declaration
- (c) admissible as dying declaration only if there is some evidence directly connecting her death with the incident of rape
- (d) None of the above Ans(c)

**Exp.** Such statement must relate as to the

**87. What is the meaning of 'tribal areas' for the purpose of Section 1 of the Criminal Procedure Code?**

- (a) Municipal area of Shillong
- (b) Municipal area of Mizoram
- (c) Assam as prescribed in Para 20 of the Sixth Schedule of the Constitution
- (d) Arunachal Pradesh as prescribed by the Constitution Ans(c)

**Exp.** Explanation of Section 1 of the Cr.P.C. provides the same.

**88. The police officer shall bring an arrested person before the court without any delay. This is the mandate of**

- (a) Section 76
- (b) Section 77
- (c) Section 78
- (d) Section 79 Ans(a) d

**Exp.** As per Section 76 of Cr.P.C., the police officer while executing a warrant of arrest shall bring arrested person before the Court without any delay.

**89. Who among the following can tender pardon to accomplice under Section 306 of the Criminal Procedure Code?**

- (a) Chief Judicial Magistrate
- (b) Metropolitan Magistrate
- (c) Magistrate of the First Class
- (d) All of the above Ans(d)

**Exp.** Chief Judicial Magistrate or a Metropolitan Magistrate may tender pardon at any stage of investigation, inquiry or trial Judicial Magistrate 1st class may tender pardon at the stage of inquiry or trial.

**90. In which of the following circumstances Magistrate has power to convert summon cases into warrant cases?**



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- (a) Without any ground
- (b) In the interest of justice
- (c) If prosecutor makes plea
- (d) None of the above Ans(b)

**Exp.** Section 259 of the Cr.P.C., says that Magistrate has power to convert summon cases into warrant cases in the interest of justice.

**91. Examination of person accused of rape by medical practitioner is inserted in the A Criminal Procedure Code by the E amendment of**

- (a) 2008
- (b) 2005
- (c) 2010
- (d) 1955 Ans(b)

**Exp.** Section 53A which has been inserted by 2005 Act.

**92. Doctrine of res judicata as contained in Section 11 of the Civil Procedure Code. It based on the maxim**

- (a) interest republicae ut sit finis litium
- (b) quifacit per alium facit per se
- (c) ex turpi causa non oritur actio
- (d) ubi jus ibi remedium Ans(a)

**Exp.** The maxim interest republicae ut sit finis Litium means it is in the interest of State that there should be an end to a litigation. Principle of Res judicata under section 11 of C.P.C. is based on 3 maxims

1. Nemo debet bis vexari pro una et eadem causa- No man should be vexed twice the same cause.
2. Interest reublica ut sit finis litium it is interest of the state that there should be end of litigation.
3. Res judicata pro veritate occipit -a judicial decision must be accepted as correct.

**93. 'Interpleader suit' has been defined which of the following Sections of the any Procedure Code?**

- (a) Section 88
- (b) Section 89
- (c) Section 90
- (d) Section 91 Ans(a)

**Exp.** Section 88 and Order 35 deals with ter pleader suit. Interpleader suit mean suit between the defendant's inter-se.

**94. Which of the following Sections of the Civil Procedure Code prohibits arrest or detention of women in the execution of a decree for money?**

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

**Exp.** According to Section 56 CPC. "Notwithstanding anything in this part the court shall not order the arrest or detention in the civil prison of woman in execution of a decree for the payment of money.

**95. In which of the following cases, it was held that inherent power has not been conferred on a court, it is a power inherent in a court'?**

- (a) Rajani Bai v. Kamla Devi
- (b) Manohar Lal v. Seth Hiralal
- (c) Cotton Corporation of India v. United Industrial Bank
- (d) Stayabrata Biswas v. Kalyan Kumar Kisku Ans(b)

**96. A decree becomes final, when**

- (a) it conclusively determines the rights of the parties
- (b) no appeal has been preferred against the decree
- (c) Both (a) and (b)
- (d) None of the above Ans(c)

**Exp.** Sec. 2(2) CPC defines that When a decree conclusively determines the rights of parties, it becomes final.







**97. The Arbitration and Conciliation Act, 1996 has replaced the**

- (a) Arbitration Act, 1940
- (b) Arbitration (Protocol and Convention Act, 1937
- (c) Foreign Awards (Recognitions and I Enforcement) Act, 1961
- (d) All of the above Ans(d)

**Exp.** By virtue of Sec. 85(1) of Arbitration and Conciliation Act, 1996. The Arbitration (Protocol and Convention) Act, 1937, the Arbitration Act, 1940 and the Foreign Awards (Recognition and Enforcement) Act, 1961 are hereby repealed.

**98. Which of the following disputes can be adjudicated upon through arbitration?**

- (a) Arising out of legal relations
- (b) Arising out of contractual relations
- (c) Arising out of commercial relations
- (d) All of the above Ans(d)

**Exp.** According to Sec. 7 The Arbitration and Conciliation Act of 1996, all disputes can be adjudicated upon through arbitration which have arisen or which may arise between them in respect of a defined legal relationship, whether contractual or not, means disputes arising out of commercial relations are also covered under it.

**99. An arbitrator is not bound to follow which of the following enactments?**

- (a) Civil Procedure Code and Criminal Procedure Code
- (b) Civil Procedure Code and the Indian Evidence Act
- (c) Criminal Procedure Code and the Indian Evidence Act
- (d) None of the above Ans(b)

**Exp.** Section 19 of the Arbitration and Conciliation Act says that arbitral tribunal shall not be bound by the CPC or Evidence Act.

**100. If there is no agreement between the parties to an arbitration proceeding in respect of number of arbitrators, there shall be**

- (a) one arbitrator
- (b) two arbitrators
- (c) three arbitrators
- (d) five arbitrators Ans(a)

**Exp.** The parties are free to determine the number of arbitrators but such number shall not be an even number. Failing which the arbitral tribunal shall consist of a sole arbitrator-Sec. 10.

**101. The number of Fundamental Duties under the Indian Constitution is**

- (a) 12
- (b) 11
- (c) 10
- (d) 13 Ans(b)

**Exp.** Initially, there was no fundamental duties enshrined in the Constitution. Chapter IV-A was inserted by 42nd Amendment in 1976 and Article 51-A(a)-(1) was added in the name of fundamental duties. One more fundamental duty Article 51-A(k) was inserted by 86th Amendment Act, 2002 which provides that who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six to 14 years. Thus, the number of fundamental duties under the Indian Constitution is 11.

**102. The President of India is elected by**

- (a) the Members of the State Legislature and both the Houses of the Parliament
- (b) the Members of the Lok Sabha and the State Vidhan Sabha
- (c) the Members of the Lok Sabha and the Rajya Sabha
- (d) the elected Members of the State Vidhan Sabha and Members of both





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the Houses of the Parliament Ans(d)

**Exp.** According to Article 54 of the Constitution, the President shall be elected by the members of an electoral college consisting elected members of the State Vidhan Sabha and members of both the Houses of the Parliament.

**103. How many members of the Anglo-Indian community can be nominated by the President in the Lok Sabha?**

- (a) 12
  - (b) 2
  - (c) 6
  - (d) 10
- Ans(b)

**Exp.** By Article 331 of the Constitution, the President may, if he is of opinion that the Anglo Indian Community is not adequately represented in the House of People, nominate not more than 2 members of that community to the House of the People.

**104. Match List-I with List-II and select the correct answer from the codes given below the Lists: List-I (Article No.)**

- A 50
- B 43
- C 44
- D 39A

List-II (Matter Dealt)

- (1) Free Legal Aid
- (2) Separation of Judiciary
- (3) Living Wages for Workers
- (4) Uniform Civil Code

- A B C D
- (a) 4 3 2 1
- (b) 1 3 2 4
- (c) 2 3 4 1
- (d) 3 2 4 1 Ans(c)

**Exp.** Art. 50 - Separation of Judiciary.  
Art. 43 - Living wages for workers Art. 44 - Uniform Civil Code. Art. 39-A - Free legal Aid.

**105. Assertion (A): The Constitution vests the executive powers of the Union in the President of India. Reason (R): The President of India is the constitutional head of the State.**

- (a) Both (A) and (R) are true and (R) is the correct explanation of (a)
- (b) Both (A) and (R) are true but (R) is not the correct explanation of (A)
- (c) (A) is true but (R) is false
- (d) (A) is false but (R) is true Ans(a)

**Exp.** All the executive powers of the Union shall vest in the President of India-Article 53. Because the President is the Constitutional head of the State.

**106. Which one of the following pairs is correctly matched?**

- (a) Writ of prohibition available against public servant only
- (b) Writ of quo warranto available against Subordinate courts only
- (c) Writ of habeas corpus available against private individual as well state
- (d) Writ of certiorari available against autonomous body only Ans (c)

**107. The Parliament has power to legislate with respect to a matter in the State list provided it is in the**

- (a) national interest
- (b) interest of the State concerned
- (c) Interest of public
- (d) interest of minority Ans(a)

**Exp.** According to Article 249 of the Constitution, the Parliament has power to legislate with respect to a matter in the State list provided, it is in the national Interest.

**108. The Constitution of India, as framed by the Constituent Assembly, was finally adopted and enacted on**

- (a) 15th August, 1947





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- (b) 26th November, 1949
- (c) 30th January, 1949
- (d) 26th January, 1950 Ans(b)

**Exp.** The Preamble of the Constitution declares that our Constituent Assembly adopted and enacted this Constitution on 26 Nov. 1949 and enforced since 26, 1950.

**109. Match List-I with List-11 and select the correct answer from the codes given below the Lists:**

List-I

- A. Advisory opinion of the Supreme Court is also binding on all courts
- B. Basic structure of the Constitution can be amended
- C. Presidential satisfaction under Article 356 is judicially reviewable to a limited extent
- D. A law made by legislature to deprive a person of his personal liberty must be just, fair and reasonable

List-II

- (1) Kesavanand Bharti v. State of Kerala
- (2) S.R. Bornmai v. Union of India
- (3) Maneka Gandhi v. Union of India
- (4) In reference to the Special Courts

A B C D

- (A) 2 1 3 4
- (B) 1 2 3 4
- (c) 4 1 2 3
- (d) 4 3 2 1

**110. Right to Privacy' as a Fundamental Right is implicit in**

- (a) Right to Freedom
- (b) Right to Personal Liberty
- (c) Right to Equality
- (d) Right against Exploitation Ans(b)

**Exp.** In R Rajagopal v. case., 1994 Sc. held that right to privacy or the right to be let alone is guaranteed by Article 21 of the Constitution.

**111. In which of the following cases, the**

**Supreme Court held that 'strike by lawyers is illegal and unethical, and it infringes Fundamental Rights of litigants for speedy trial?**

- (a) Dr. B.L. Wadhwa v. NCT of Delhi
  - (b) Maneka Gandhi v. Union of India
  - (c) Lily Thomas v. Union of India
  - (d) Indra Sawhney v. Union of India
- Ans(c)

**Exp.** In Lily Thomas v. Union of India, it was held by Hon'ble S.C that "Strike by lawyer is illegal and unethical and is infringes Fundamental Rights of litigants for speedy trial.

**112. Which one of the following is not a Fundamental Duty under Article 51A of the Constitution of India?**

- (a) To render national service when called upon to do so
- (b) To cast vote in election
- (c) To strive for excellence
- (d) To develop scientific temper Ans(b)

**Exp.** To cast vote in election is a statutory right. The elections shall be on the basis of adult suffrage; that is to say, every person who is a citizen of India and who is not less than 18 years of age may cast his vote-Art. 326 of the Constitution. Remaining others given options are the fundamental duties.

**113. The term 'Economic Justice'in the Preamble to the Constitution of India is a resolution for**

- (a) equal distribution of wealth
- (b) economy in the administration of justice
- (c) socio economic revolution
- (d) cheap justice of the poorer Ans(c)

**114. When the Chief Justice of India is appointed by the President, he is required to consult with**







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(a) the Council of Ministers and all the Judges of the Supreme Court

(b) the Prime Minister, the Law Minister and the Attorney General of India

(c) such of the Ministers of the Cabinet and the Prime Minister, as he deems necessary

(d) such of the Judges of the Supreme Court and the High Court, as he deems necessary Ans(d)

Exp. Article 124 (2) provides that Chief Justice of India is appointed by the President. he is required to consult with such of the senior judges of the Supreme Court and High Court, as he deems necessary.

**115. Though the Directive Principles of State Policy contained in the Constitution are not enforceable by any court, yet they are**

(a) fundamental in governance of the country

(b) binding on the State

(c) enforceable at the instance of the President

(d) superior to Fundamental Rights

Ans(a) Exp. As per Article 37 of the Constitution, DPSP are fundamental in governance of the country.

**116. Power of the President to promulgate ordinances during the recess of the Parliament is discussed in the Constitution vide**

(a) Article 213

(b) Article 123

(c) Article 352

(d) None of the above Ans(b)

Exp. When both houses are not in Session and the President is satisfied that it is necessary to take immediate action, he may promulgate ordinances Such Ordinances shall be laid before both houses of Parliament and shall cease to operate on the expiration of six weeks from the re

assembly of the Parliament or resolution disapproving it-Article 123 of the Constitution.

**117. Article 39A of the Indian Constitution relates to**

(a) right to work

(b) right to strike

(c) equal justice and free legal aid

(d) participation of workers in the management of industries

Exp. This Article has been inserted by 42nd Amendment in 1976.

**118. Consider the following statements: The Fundamental Duties provided in the Constitution are:**

1. to cherish and follow the noble ideas

2. to renounce practices derogatory to the dignity of women

3. to safeguard private property

4. to protect the sovereignty, unity and integrity of India

Which of the above statements is/are correct?

(a) Only 3

(b) 1 and 3

(c) 2 and 4

(d) 1, 2 and 4 Ans(a)

Exp. To safeguard private property is not fundamental duty.

**119. Assertion (a): The Supreme Court is a court record.**

**Reason (R): It delivers judgement in open court.**

(a) Both (a) and (R) are correct and (R) is the correct explanation of (a)

(b) Both (a) and (R) are correct but (R) is not the correct explanation of (a)

(c) (a) is true but (R) is false

(d) (a) is false but (R) is true Ans(b)

Exp. Under Article 129, Supreme Court is a



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court of record and Judgement in open court under Article 145(4) of the Constitution.

**120. Right to Freedom of Religion cannot be restricted on the ground of**

- (a) morality
- (b) public order
- (c) health
- (d) security of State n Ans(d) -

**Exp.** Restriction of public order, morality and health are provided under Article 25(1) of the Constitution.

**121. A corporation is 'State for the purposes of enforcement of Fundamental Rights, if**

- (a) it is a lawfully registered body
- (b) it is the agency or instrumentality of the government
- (c) it is under the control of the government
- (d) its employees are governed by the government rules Ans(b)

**122. Which of the following writs may be issued in case a public servant ultra vires the authority?**

- (a) Habeas corpus
- (b) Mandamus
- (c) Certiorari
- (d) Quo warranto Ans(b)

**Exp.** Mandamus means to command'. Mandamus is a command issued by the High Court or Supreme Court under Articles 226 and 32 respectively to direct a public authority to perform its public duty. The writ of mandamus can be issued to public authority for compelling to do public service.

**123. Match List-I with List-II and select the correct answer from the codes given below the Lists: List-I**

- (a). Original jurisdiction of the Supreme Court

(b). Appeal in criminal cases to the Supreme Court

(c). Appellate jurisdiction of the Supreme Court for appeals from the High Courts in regard to Civil Cases

(d). Advisory jurisdiction of the Supreme Court

List-I

1 Article 134

2 Article 131

3 Article 143

4 Article 133

A B C D

(A) 2 1 4 3

(B) 3 2 4 1

(c) 4 1 2 3

(d) 1 3 4 2

**124. Which of the following cases is in connection with parliamentary privileges?**

- (a) A.K. Gopalan v. Union of India
- (b) Minerva Mills v. Union of India 12
- (c) Maneka Gandhi v. Union of India
- (d) Keshav Singh v. Speaker of the U.P. Assembly Ans(d)

**Exp.** Keshav Singh's Case, P.V. Narshimha Rao's case are the cases on Parliamentary Privileges.

**125. A non-legislator can remain a Minister A**

- (a) for 6 months only
- (b) for 1 year only
- (c) for 5 years
- (d) till the dissolution of the Legislative Assembly Ans(a)

**Exp.** As per Article 164(4) of the Constitution, a non-legislator can remain a minister for 6 months only.

**126. Which of the following determines the federal character of the Indian Constitution?**

- (a) Written Constitution
- (b) Independent Judiciary
- (c) Distribution of Power between the





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Centre and the State

(d) Judicial Review Ans(c)

**Exp.** Federalism means distribution of powers between Centre and States while separation of powers lies among the government agencies like executive, judiciary and legislature.

**127. Public Interest Litigations are entertained by the Supreme Court under**

- (a) Article 19
- (b) Article 36
- (c) Article 32
- (d) Article 131 Ans(c)

**Exp.** Justice Bhagwati in S.P. Gupta v. Union of India, the scope and object of the PIL has explained under Article 32 of the Constitution.

**128. Disputes between the States in India come to the Supreme Court under**

- (a) appellate jurisdiction
- (b) advisory jurisdiction
- (c) original jurisdiction
- (d) None of the above Ans(c)

**Exp.** According to Article 131 of the Constitution the Supreme Court has original jurisdiction in respect of disputes between the State in India.

**129. Under which one of the following Articles of the Constitution an accused person has been guaranteed the right to be informed of the nature and cause of accusation?**

- (a) Article 22(1)
- (b) Article 22(3)
- (c) Article 21
- (d) Article 22(4) Ans(a)

**Exp.** Art. 22(1) says that person who is arrested shall not be detained in custody without being informed the grounds of such arrest nor shall be denied the right to consult, and to be defended by a legal practitioner of his choice.

**130. Which of the following items comes under the Concurrent List?**

- (a) Inter-State Rivers
- (b) Trade Unions
- (c) Citizenship
- (d) Local Government Ans(b)

**Exp.** Trade unions is provided under Entry 22 of List III of the Schedule 7 of the Constitution.

**131. Article 246 of the Indian Constitution deals with**

- (a) the Election Commission
- (b) the Parliament's exclusive powers to make laws with respect to matters in the Union List
- (c) the Finance Commission
- (d) administrative relations between the Centre and the State Ans(b)

**Exp.** The Election Commission-324 The Finance Commission-280 Administrative relations between the Centre and the State-256-263

**132. Which of the following in India is empowered to admit into the Union or establish new State?**

- (a) Rajya Sabha
- (b) President
- (c) Constitutional Amendment
- (d) Parliament Ans(d)

**Exp.** Under Article 2 of the Constitution, the Parliament is empowered to admit into the Union any State or establish a new State.

**133. Assertion (a): Dr. Ambedkar described Article 32 as the very soul of the Constitution. Reason (R): Article 32 provides effective remedies against violation of Fundamental Rights.**

- (a) Both (a) and (R) are true and (R) is the correct explanation of (a)
- (b) Both (a) and (R) are true but (R) is not the correct explanation of (a)







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- (c) (a) is true but (R) is false  
(d) (a) is false but (R) is true  
Ans(a)

**134. Which of the following Articles of the Constitution provides for the appointment of an 'Acting Chief Justice of the Supreme Court?'**

- (a) Article 126  
(b) Article 125  
(c) Article 127  
(d) Article 130 Ans(a)

**Exp.** Salaries etc. of Judges-Art. 125  
Appointment of adhoc Judges-Art. 127  
Seat of Supreme Court- Art. 130

**135. A retired Judge of the High Court cannot**

- (a) practise in the Supreme Court  
(b) practise in any High Court in India  
(c) practise in the High Court from when he has retired  
(d) None of the above Ans(c)

**Exp.** No person who has held office as a permanent judge of a High Court shall plead or act in any court except Supreme Court or the other High Court-Art. 220 of the Constitution.

**136. Which of the following Articles of the Constitution gives the Governor the power to grant pardon in certain cases?'**

- (a) Article 165  
(b) Article 161  
(c) Article 151  
(d) Article 155 Ans(b)

**Exp.** The Governor of a State shall have the power to grant pardons, reprieves, respites or remissions of punishment or to, suspend, remit or commute the sentence of any person convicted or to any offence against any law relating to a matter to which the executive power of the state extends-Article 161.

**137. The voting age has been reduced from 21 years to 18 years by the Parliament in the year**

- (a) 1991  
(b) 1978  
(c) 2002  
(d) 1989 Ans(d)

**Exp.** Under Article 326 of the Constitution its years has been substituted for 21 years virtue of 61st Amendment Act in 1989

**138. Which of the following Assemblies is presided over by a non-member?'**

- (a) Rajya Sabha  
(b) Lok Sabha  
(c) State Assembly  
(d) All of the above Ans(a)

**Exp.** Vice-President is ex-officio chairman of the Council of States and he is not member of that council.

**139. What is the minimum gap permissible between two Sessions of the Parliament?'**

- (a) 6 months 10 days  
(b) 6 months  
(c) 4 months  
(d) 90 days Ans(b)

**140. The Attorney-General of India holds office during the pleasure of the**

- (a) President  
(b) Chief Justice of India  
(c) Prime Minister  
(d) Parliament Ans(a)

**Exp.** According to Article 76(4), the Attorney General shall hold office during the pleasure of the President and shall receive such remuneration as the President may determine,

**141. Which of the following is not 'State for the purpose of Article 12 of the Constitution?'**

- (a) National Council of Educational Research and Training (NCERT)





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- (b) A Nationalized Bank
  - (c) Institute of Medical Education and Research, Chandigarh
  - (d) Griha Kalyan Kendra
- Ans(a)

**Exp.** The Supreme Court in Chandra Mohan Khanna v. NCERT has held that National Council of Education Research and Training is not "State" within meaning of Article 12.

**142. Consider the following statements:**

**The salient features of the Indian Constitution provide 1 single citizenship for whole of India 2 strictly federal form of Government 3 unique blend of rigidity and flexibility 1 Which of the above statements are correct?**

- (a) 1,2 and 3
- (b) 1 and 2
- (c) 2 and 3
- (d) 1 and 3

**143. Which one of the following marriages is valid under Hindu Law?**

- (a) A man marrying his deceased wife's F sister
- (b) A man marrying his divorced wife's sister
- (c) A man marrying his deceased wife's sister's daughter
- (d) All of the above

**144. One person is said to be an agnate of another,**

- (a) two are related by blood or adoption but wholly through males
- (b) two are related by blood or adoption but not only through males
- (c) two are related by blood or adoption but wholly through females
- (d) two are related by blood or adoption but not wholly through females.

**Exp.** By virtue of Section 3 (a) of the Hindu

Succession Act, one person is said to be an agnate of another if the two are related by blood or adoption wholly through males.

**145. Under Section 13 of the Hindu Marriage Act, the number of grounds for divorce, which are common to husband or wife, is**

- (a) 7
- (b) 9
- (c) 11
- (d) 15

**Exp.** Grounds available to both husband and wife for decree of divorce [Sec.13 (1)]

- (1) Adultery
- (2) Cruelty
- (3) Desertion
- (4) Apostasy
- (5) Mental disorder
- (6) Leprosy
- (7) Venereal disease
- (8) Renunciation of world
- (9) Missing for seven years
- (10) Judicial separation
- (11) Decree of restitution of conjugal rights not be followed.

**146. A Hindu wife may claim maintenance from her husband on which of the following grounds?**

- (a) While marriage is subsisting
- (b) While divorce petition is pending
- (c) After divorce is granted
- (d) All of the above

**Exp.** Section 24 and 25 of Hindu Marriage Act and Section 18 of the HAMA, 1956 provides for maintenance.

**147. During the pendency of appeal against the decree of divorce**

- (a) the parties are competent to contract another marriage
- (b) the parties are not competent to contract another marriage and their incapacity to do so is absolute





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- (c) the parties may contract another marriage with the leave of the court
- (d) None of the above Ans(b)

**Exp.** During pendency of appeal against the decree of divorce under Sec. 28 of H.M.A.. the parties are not competent to contract another marriage and their incapacity to do so is absolute

**148. Which one of the following was the first case, wherein the Supreme Court made recommendation to make irretrievable breakdown of marriage as a ground for divorce?**

- (a) Jordan Diengdeh v. S.S. Chopra (1985)
- (b) Kailas Das (Ghosh) v. Ashish Kumar Das (2004)
- (c) Kusum v. R.K. Saxena (2004)
- (d) Navin Kohli's case (2006) Ans(a)

**149. A groom of 22 years of age marries a bride of 15 years of age. The marriage under Hindu Law is**

- (a) valid but punishable
  - (b) void
  - (c) voidable
  - (d) illegal
- Ans(a)

**Exp.** Such marriage is valid but punishable under Section 18 of the Hindu Marriage Act

**150. Premarital relation of spouse is a statutory ground for**

- (a) divorce
- (b) judicial separation
- (c) nullity of marriage
- (d) None of the above Ans(d)

