

2023

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
by Direct Recruitment and by transfer through Limited Competitive Examination**

Paper-I
(Constitutional and Civil Laws)

Date: 22nd July, 2023

Time: 3 Hours, from 10:00 am to 1:00 pm

Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 10 questions. Answer all 10 questions. Each question carries total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.
2. Questions must be answered only in English. If the answers are not legible, such answers will not be evaluated.
3. Write your hall ticket number only in the space provided in the first page of the main answer booklet. Do not write either your name, or hall ticket number, or any mark, anywhere in the main answer booklet/additional answer sheets.
4. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
5. No candidate will be permitted to leave the examination room/hall before 11:00 am.

1. What are factors required to be examined before passing an order under Order 38 Rule 5 of the Code of Civil Procedure?

(10 marks)

2. Discuss the provision of Order 26 of the Code of Civil Procedure. Explain whether an Advocate-Commissioner can be appointed to gather evidence or not. Cite relevant case law.

(10 marks)

3. (a) Whether amendment of plaint can be ordered after trial is over?

(5 marks)

- (b) What is the difference between 'mortgage by conditional sale', 'usufructory mortgage', 'English mortgage' and 'mortgage by deposit of title deeds'?

(5 marks)

4. What relief can be sought under the Specific Relief Act? When specific relief can be denied and compensation can be awarded in certain cases? Discuss elaborately with case law.

(10 marks)

5. (a) Explain the difference between 'agreement of sale' and 'sale deed'. Whether immovable property can be transferred without registration?

(5 marks)

(b) What is the difference between Section 5 and Section 14 of the Limitation Act?

(5 marks)

6. Write brief summary of judicial review of administrative action.

(10 marks)

7. Define federalism and powers of the Centre and the State with illustrations.

(10 marks)

8. Whether tenancy is inheritable or not? If so, what rights will be passed on to the legal heirs?

(10 marks)

9. Explain the difference between revision power of the High Court under Section 115 of the Code of Civil Procedure and Article 227 of the Constitution of India.

(5 marks)

(b) Under what circumstances Section 115 of the Code of Civil Procedure or Article 227 of the Constitution of India can be invoked by an aggrieved party.

(5 marks)

10. (a) What is the difference between Section 47, Order 21 Rule 97 and Order 21 Rule 99 of the Code of Civil Procedure?

(2 ½ marks)

(b) Write a brief summary on the scope of enquiry in a petition filed under Section 47 of the Code of Civil Procedure.

(2 ½ marks)

(c) Can a person, who is a pendente lite purchaser from the defendant/Judgment debtor, file an application under Order 21 Rule 97 and Rule 99 of the Code of Civil Procedure, to resist execution of a decree? Explain with the relevant provisions of the Code of Civil Procedure.

(2 ½ marks)

(d) Can a person, who is a pendente lite purchaser from the plaintiff/decree holder, be entitled to file Execution Petition though not a party to a suit? Explain with the relevant provisions of the Code of Civil Procedure.

(2 ½ marks)

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
by direct recruitment and by transfer through Limited Competitive Examination**

**Paper – II
(Criminal Laws)**

Date: 23rd July, 2023

Time: 3 Hours, from 10:00 am to 1:00 pm

Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 10 questions. Answer all 10 questions. Each question carries a total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.
2. Questions must be answered in English only. If the answers are not legible, such answers will not be evaluated.
3. Write your hall ticket number only in the space provided in the first page on the main answer booklet. Do not either write your name or hall ticket number or any mark, anywhere in the main answer booklet/additional answer sheets.
4. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
5. No candidate will be permitted to leave the examination room/hall before 11:00 am.

1. When can a private complaint be made to the Magistrate and under what circumstances? Explain with relevant provisions.

(10 marks)

2. (a) Define 'simple hurt' and 'grievous hurt' and the punishment prescribed for both the offences. Give four instances of 'grievous hurt'.

(5 marks)

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- (b) What is the effect of giving false evidence, fabricating evidence and the consequences thereof? Explain with relevant provisions and case law.

(5 marks)

3. (a) 'A' driving a car hit motorcyclist 'B' from behind. 'B' fell down and died on the spot. The police registered FIR against 'A' for the offence under Section 304 Part-I of the Indian Penal Code. 'A' filed discharge petition contending that the offence under Section 304 Part-I of the Indian Penal Code is not attracted. The prosecution opposed the discharge petition contending that whether the offence under Section 304 Part-I attracts or not is a matter to be decided in the main trial and not way of discharge petition. Give brief summary by citing relevant provisions of law.

(5 marks)

(b) Give four instances of what can constitute trafficking of a person under Section 370 of the Indian Penal Code. (5 marks)

4. (a) What is the difference between 'kidnapping' and 'abduction'? (5 marks)

(b) What is the difference between 'wrongful restraint' and 'wrongful confinement'? (5 marks)

5. (a) What commercial quantity of drug is defined under the Narcotic Drugs Psychotropic Substances Act and what consequences would follow if a person possesses quantity more than prescribed? (5 marks)

(b) State the penalties provided for various offences under the Narcotic Drugs Psychotropic Substances Act. (5 marks)

6. (a) Which court can exercise the power to recall a warrant and under which provision of law? Explain with relevant case law. (5 marks)

(b) Can a person charged for an offence and put to trial be convicted for another offence? Illustrate the answer by examples and relevant case law. (5 marks)

7. Define 'burden of proof'. Initial burden of proof lies on whom in cheque bounce cases and whether burden of proof shifts which side when there is rebuttal. Discuss with case law. (10 marks)

8. What is 'defamation' and 'criminal defamation'? Explain the difference between the two? Discuss elaborately with relevant case law. (10 marks)

9. Discuss elaborately the provision under Section 125 of the Code of Criminal Procedure? Who is entitled to maintenance under the said provision? Explain with relevant case law. (10 marks)

10. (a) What constitutes an offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and whether anticipatory bail is available or not? Explain in detail. (5 marks)

(b) Briefly state the requirement of prior sanction from the Government for prosecution of a public servant under the Prevention of Corruption Act, with relevant case law. (5 marks)

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
by Direct Recruitment and by transfer through Limited Competitive Examination**

Paper – III
(Translation, Essay Writing and Grammar)

Date: 22nd July, 2023

Time: 3 Hours, from 2:30 pm to 5:30 pm

Maximum Marks: 100

Instructions to the candidates

1. **English to Telugu translation** is for 15 marks and **Telugu to English translation** is for 15 marks. **Essay writing** is for 40 marks consisting of two questions of 20 marks each. **English Grammar** is for 30 marks consisting of 4 questions.
2. Translation has to be made from English language to Telugu and Telugu to English language only.
3. Essay writing must be written in English only.
4. If the answers are not legible, such answers will not be evaluated.
5. Write your hall ticket number only in the space provided in the first page of the main answer booklet. Do not write either your name or hall ticket number or any mark, anywhere in the main answer booklet/additional answer sheets.
6. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
7. No candidate will be permitted to leave the examination room/hall before 3:30 pm.

I. English to Telugu Translation – 15 marks.

Criminal trial is meant for doing justice not only to the victim but also to the accused and the Society at large. Every criminal trial is a voyage of discovery in which truth is the quest. The primary object of criminal trial is to ensure fair trial which is guaranteed under Art.21 of the Constitution of India. A fair trial has, therefore, two objects in view. It must be fair to the accused and must also be fair to the prosecution. The trial must be judged from this dual point of view. It is, therefore, necessary to remember that a judge does not preside over a criminal trial merely to see

that no innocent man is punished. A judge also presides to see that a guilty man does not escape. One is as important as the other. Both are public duties which the judge has to perform. The object of criminal trial is thus to render public justice by punishing the criminal. It is also important to remember that the trial should be concluded expeditiously before the memory of the witnesses fades out. The recent trend is to delay the trial and threaten the witnesses or to win over the witnesses by promise or inducement. These malpractices need to be curbed and public justice can be ensured to the satisfaction of all concerned only when trial is conducted expeditiously. The public interest demands that criminal justice is swift and sure, that the guilty is punished while events are still fresh in the public mind and that the innocent is absolved as early as is consistent with a fair and impartial trial. If unmerited acquittals become the general rule, they tend to lead to a cynical disregard of the law. A miscarriage of justice may arise from the acquittal of the guilty no less than from the conviction of the innocent.

In getting the true fruits of the real object of criminal trial, it must always be kept in view that a criminal trial is not like a fairy tale wherein one is free to give flight to one's imagination and fantasy. It concerns itself with the question as to whether the accused arraigned at the trial is guilty of the crime with which he is charged. Crime is an event in real life and is the product of interplay of different human emotions. In arriving at the conclusion about the guilt of the accused charged with the commission of a crime, the court has to judge the evidence by the yardstick of probabilities, its intrinsic worth and the animus of the witnesses.

(II) Telugu to English Translation – 15 marks.

హిందూ వివాహ చట్ట ప్రకారం దాఖలైన దరఖాస్తుల విచారణ జరిగి డిక్టీ ఇచ్చునప్పుడు గానీ ఆ తరువాత గానీ కోర్టులు దంపతుల్లో ఎవరికైనా శాశ్వత మనోవర్తని మంజూరు చేయవచ్చు. కోర్టు ముందు ఎలాంటి పిటీషన్ పరిశీలనలో లేనప్పుడు లేక పరిశీలనలో వున్న పిటీషన్లు కొట్టివేయబడినప్పుడు ఎలాంటి శాశ్వత భూతిని మంజూరు చేయడానికి అవకాశం లేదు. ఈ భూతిని భార్యగానీ భర్తగానీ ఎవరైనా కోరవచ్చు. ఈ భూతిని పొందిన వ్యక్తి తిరిగి వివాహం చేసుకోనంత వరకు మాత్రమే పొందుతారు. మళ్ళీ వివాహం చేసుకున్న తరువాత ఈ భూతి పొందడానికి వీల్లేదు. క్రమినల్ ప్రోసెజర్ కోడ్ సి.125 ప్రకారం గానీ సివిల్ కోర్టులో దావా వేసి మనోవర్త పొందడానికి గానీ ఈ నిబంధన ఎట్టి ఆటంకం కాదు.

ఈ భూతిని అది పొందిన వ్యక్తి మరణించు వరకు ఇవ్వవలసి ఉంటుంది. దంపతుల జీవన సరళిలో ఏవైనా మార్పులు సంభవించినప్పుడు, వాటికి అనుగుణంగా తమ ఉత్తర్వులను కోర్టు మార్పు చేయవచ్చు లేక రద్దు చేయవచ్చు. భూతిని పొంద వ్యక్తులు వ్యభిచారానికి పాల్పడేనా, తిరిగి వివాహం చేసుకున్నా కోర్టు తమ ఉత్తర్వులను మార్పు చేయవచ్చు. అయితే దంపతుల్లోని వ్యక్తులు ఈ విషయాన్ని కోర్టు దృష్టికి తెచ్చి కోర్టుని ఈ విషయంలో సంతృప్తి పరచాల్సి ఉంటుంది.

భర్త దాఖలు చేసిన దాంపత్య జీవన హక్కుల దరఖాస్తు కొట్టివేసినప్పుడు భార్యకు ఎలాంటి శాశ్వత భూతిని మంజూరు చేయడానికి అవకాశం లేదని

రాజస్థాన్ హైకోర్టు అభిప్రాయపడింది. కోరిన ఉపశమనానికి విరుద్ధంగా డీక్షి మంజూరు చేసినప్పుడు శాశ్వత భూతిని ఇవ్వడానికి వీల్సేదని కోర్టు అభిప్రాయపడింది. అయితే ఆంధ్రప్రదేశ్ హైకోర్టు ఈ విషయాన్ని ఆమోదించ లేదు. కొన్ని కారణాల వల్ల పిటీషన్ కొట్టివేసినప్పటికి సందర్భాన్ని బట్టి పార్టీలకు భూతిని మంజూరు చేయాలిన్ ఉంటుందని ఆంధ్రప్రదేశ్ హైకోర్టు అభిప్రాయపడింది. దాంపత్య జీవన హక్కుల డీక్షి పొందిన భార్య అదే నిబంధన కీంద శాశ్వత భూతిని కోరవచ్చు.

దాంపత్య జీవన హక్కుల డీక్షి కోర్టు భర్తకు మంజూరు చేసినప్పటికి భార్య దాన్ని మన్నించి అతనితో జీవించనప్పుడు, ఆ కారణంగా భర్త విడాకులు కోరి మంజూరైనప్పుడు కూడా భార్య శాశ్వత భూతి కోరవచ్చునని కోర్టులు అభిప్రాయ పడుతున్నాయి. అయితే శాశ్వత భూతి మంజూరు చేసేప్పుడు కోర్టులు పార్టీ నడవడికను కూడా దృష్టిలో పెట్టుకోవాలిన్ ఉంటుంది.

ఈ చట్ట ప్రకారం దాఖలైన పిటీషన్లపై తీర్చులు చెప్పినప్పుడు అదే తీర్చు శాశ్వత భూతి గురించి కూడా కోర్టులు తీర్చు చెప్పవచ్చు. లేదా శాశ్వత భూతి కోసం, తరువాత దాఖలైన దరఖాస్తులపై శాశ్వత భూతి మంజూరు చేయవచ్చు.

III. English Essay writing not less than 1000 words – 40 marks. Choose any two questions. (20) marks each

- (1) Doctrine of constitutional tort.
- (2) Artificial Intelligence in the field of legal profession.
- (3) Doctrine of legitimate expectation.
- (4) Doctrine of ratio decidendi.

IV. GRAMMAR:(30 MARKS)

1. Read the sentences given below. Decide if there is an error in any of the parts 1, 2, and 3. If yes, mark that. If there is no error, mark 4.

(1 x 10 = 10 marks)

1	I was mentioned that 1	the man in the blue shirt 2	was Irish. 3	No error. 4
2	There was a sudden 1	loud bang on the door 2	waking me up. 3	No error. 4
3	We had an old car 1	that wouldn't start on cold mornings 2	unless we got out and pushed it. 3	No error. 4
4	Rohith wants to know 1	if you would like 2	a slice of her home-made cheese cake. 3	No error. 4
5	Have you watched 1	the film <i>The God's Must Be Crazy</i> 2	last night on the HBO? 3	No error. 4
6	I think they've promoted Rahul, 1	but he didn't mention 2	having been promoted. 3	No error. 4
7	Thanks for the invite; 1	I'd love seeing you 2	tonight, at the Plaza. 3	No error. 4
8	We thought we had started 1	early our hike, but 2	already other people had left the campsite. 3	No error. 4
9	Most of the Europe 1	will have 2	sunny weather tomorrow. 3	No error. 4
10	He would neither 1	study at home 2	nor would he go to school. 3	No error. 4

2. Read the passage below and fill in the blanks with the words given in the table that follows. Choose the correct form of the word from the four options 1, 2, 3, and 4.

(1 x 5 = 5 marks)

A man and a woman 11 in a car that had been circling the same area for a half hour. The woman was saying, "Why don't we just *ask* someone?" The man was saying, not for the first time, "I'm sure it's 12 here somewhere. I'll just try this street."

Why are so many men reluctant to ask directions? Why aren't women? And why 13 women understand why men don't want to ask? The explanation, for this and 14 that women and men 15 when they talk to each other, lies in the different ways that they use language—differences that begin with how girls and boys use language as children growing up in different world. Little girls play in small groups or in pairs. They learn to use language to negotiate intimacy—to make connections and feel close to each other.

11	were seating 1	were seated 2	have seated 3	have been seated 4
12	around 1	near 2	by 3	through 4
13	won't 1	aren't 2	can't 3	don't 4
14	minor and major countless frustrations 1	countless frustrations minor and major 2	major and minor frustrations countless 3	countless minor and major frustrations 4
15	encountering 1	encounter 2	encounters 3	encountered 4

3. Read the passage below and, from the table that follows, pick the closest meaning of the word in bold, as suitable to context, from the options marked 1,2, 3, and 4.

(1 x 10 = 10 marks)

Adolescents give the **impression** (16) of being great experimenters. They experiment with hair styles, music, religions, **fad** (17) diets, part-time jobs, part-time relationships, and part-time philosophies of life. In fact, it seems that teenagers' commitments are made on a part-time basis. They are busily trying things out, doing things their way, off on a **grand**(18) search for Truth.

This **perception** (19) of adolescents as experimenters is not without **foundation** (20). It is consistent with the view that one of the major tasks of adolescence is the **resolution** (21) of an *identitycrisis*—the struggle to define and **integrate** (22) the sense of who one is, what one is to do in life, and what one's attitudes, beliefs, and values should be. During adolescence, we **come to grips** (23) with many questions” “Who am I?” “What am I going to do with my life?” Needless to say, these are not **trivial** (24) questions. A person's search for his or her identity may lead to **conflicts** (25). Some of these conflicts may be resolved very easily, some continue into adulthood.

16	idea 1	consequence 2	effect 3	reaction 4
17	style 1	innovative 2	fancy 3	change 4
18	superb 1	noble 2	dignified 3	ambitious 4
19	attention 1	attitude 2	understanding 3	image 4
20	reason 1	infrastructure 2	base 3	root 4
21	sincerity 1	solving 2	courage 3	purpose 4
22	associate 1	concentrate 2	combine 3	organize 4
23	get a hold on 1	seize with both hands 2	take into one's hands 3	face an issue to solve it 4
24	small 1	incidental 2	negligible 3	valueless 4
25	competitions 1	struggles 2	rivalries 3	battles 4

4. In each of the following sentences one word has been italicized. Under each sentence four alternative words, marked 1, 2, 3, and 4 are given. Select the word that is closest in meaning to the word that is italicized in the sentence.

(1 x 5 = 5 marks)

26. Oh dear, you look *ghastly*, what's the matter?

1. weak 2. terrible 3. horrible 4. cunning

27. I was very *excited* when I saw the buffet and took more than I could eat.
1. enthusiastic 2. annoyed 3. delighted 4. eager

28. Apart from one minor *snag* everything went according to the plan.
1. inconsistency 2. barrier 3. inconvenience 4. drawback

29. The *menial* summer job was an exercise in humbling self-discipline.
1. low 2. routine 3. unskilled 4. plentiful

30. I learnt a lot from your report—it was *illuminating*.
1. instructive 2. educational 3. comprehensive 4. detailed
