

DO NOT OPEN THIS TEST BOOKLET UNTIL YOU ARE ASKED TO DO SO
TEST BOOKLET SERIES

TEST BOOKLET
PAPER I
CIVIL LAW—I



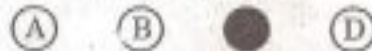
Time Allowed : 1 Hour]

[Maximum Marks : 100

All questions carry equal marks.

INSTRUCTIONS

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P.T.O.

CIVIL LAW—I

Time Allowed : 1 Hour]

[Maximum Marks : 100

1. 'Duchess of Kingstone's Case' is a leading case on the subject :
(A) foreign judgement (B) ex parte decree
(C) res judicata (D) inherent powers of the courts
2. Explanation VII to Section 11 in the Code of Civil Procedure, 1908 was inserted by :
(A) Code of Civil Procedure (Amendment) Act, 1976
(B) Code of Civil Procedure (Amendment) Act, 1999
(C) Code of Civil Procedure (Amendment) Act, 2002
(D) None of the above
3. Whether the pendency of a suit in a foreign court will preclude courts in India from trying a suit founded on the same cause of action ?
(A) Yes
(B) No
(C) Only the High Court can try
(D) Only the Supreme Court can try

4. Which of the following sections of the Code of Civil Procedure stipulate the provision for 'the place of institution of suit where local limit of jurisdiction of Courts are uncertain' ?
- (A) Section 18 (B) Section 21
(C) Section 24 (D) Section 27
5. Which of the following statements is *not* correct ?
- (A) A decree may be partly preliminary and partly final.
(B) Every decree is appealable unless otherwise expressly provided.
(C) Every order is not appealable unless specified in the Code.
(D) A decree is a adjudication of a court of law while an order under the Code of Civil Procedure is not adjudication of a court of law.
6. An agreement by which a person agrees to waive the benefit on any exemption under Section 60 of the Code of Civil Procedure is :
- (A) Valid (B) Void
(C) Voidable (D) Valid if reasonable
7. In *Ghan Shyam Das Gupta V. Anant Kumar Sinha*, AIR 1991 SC 2251, the Supreme Court explains :
- (A) Res judicata (B) Res subjudice
(C) Execution of decree (D) Review

8. Which is *not* an instance of 'material irregularity' under Order 21, Rule 90 of the Code of Civil Procedure ?
- (A) misdescription of the property in the proclamation
 - (B) sale after an order of stay of execution
 - (C) omission to hold sale at stated time and place
 - (D) omission to send a copy of the decree to the executing court
9. By the Amendment Act of 1976 in the Code of Civil Procedure, a specific provision has been made for the :
- (A) set off
 - (B) cross-claims
 - (C) cross-decree
 - (D) counter-claim
10. Who is entitled to exemption from personal appearance in the court ?
- (A) Bishop of the Church
 - (B) Speaker of the State Legislature Assembly
 - (C) Chairman of the State Legislative Council
 - (D) Judges of the High Court

11. Under Section 96 of the Code of Civil Procedure, the consent decree is :
- (A) appealable
 - (B) not appealable
 - (C) appealable to the High Court only
 - (D) appealable to the Supreme Court only
12. A Section 153-B of the Code of Civil Procedure contains the provision for :
- (A) classes of persons who cannot be arrested
 - (B) suits relating to matters concerning the family
 - (C) trial in open court
 - (D) attendance of witnesses confined
13. Who can apply for an injunction ?
- (A) plaintiff only
 - (B) defendant only
 - (C) plaintiff and defendant
 - (D) none of these
14. Under Section 152 of the Code of Civil Procedure, the clerical mistakes can be corrected in :
- (A) judgements only
 - (B) decrees only
 - (C) orders only
 - (D) judgements, decrees or orders

15. In the exercise of inherent power a court cannot :
- (A) extend time for payment of court fee
 - (B) override substantive rights of any party
 - (C) revive execution applications
 - (D) set aside an ex parte order passed against the party
16. Which is the *incorrect* statement regarding the execution of decree ?
- (A) A decree does not become inexecutable on the death of the judgement-debtor
 - (B) A court can execute a decree in respect of the property situate entirely outside its local jurisdiction
 - (C) An executing court has no power to question its legality
 - (D) The court which passed the decree may of its own motion send it for execution to any subordinate court of competent court
17. Under the Himachal Pradesh Courts Act, 1976, the Superintendent of District Court shall be appointed by :
- (A) High Court
 - (B) District Judge
 - (C) Additional District Judge
 - (D) Himachal Pradesh Public Service Commission

18. Under the Himachal Pradesh Courts Act, 1976, who can divide the Himachal Pradesh into Civil Districts ?
- (A) High Court (B) State Government
(C) Supreme Court (D) Central Government
19. Cancellation of adhesive stamps can be done :
- (A) only by the person who affixes the adhesive stamps
(B) only by the person who execute the instrument bearing an adhesive stamp
(C) by the person who affixes the adhesive stamp to any instrument or by the person who execute the instrument bearing an adhesive stamp
(D) none of the above
20. Under the Indian Stamp Act, 1899, the duty shall be liable in transfer of :
- (A) registered ownership of securities from a person to a depository
(B) registered ownership of securities from a depository to a beneficial owner
(C) beneficial ownership of units of a Mutual Fund
(D) beneficial ownership of shares of a Company

21. Section 23 A of the Indian Stamp Act, 1899, deals instruments connected with :
- (A) sale of marketable securities
 - (B) mortgages of marketable securities
 - (C) lease of marketable securities
 - (D) sale, lease and mortgage of marketable securities
22. Impressed stamps includes :
- (A) labels affixed by the proper authority
 - (B) labels impressed by the proper authority
 - (C) labels affixed and impressed by the proper authority
 - (D) none of the above
23. Whether the 'guarantees agreements' fall within the purview of sub-section (1) of the section 4 of the Indian Stamp Act, 1899 ?
- (A) Yes
 - (B) No
 - (C) Depend upon the parties
 - (D) Depend upon the guarantor

24. Under the Indian Stamp Act, 1899, in case of a conveyance, in the absence of any agreement to the contrary, the expenses for providing proper stamps shall be borne by :
- (A) grantee (B) grantor
(C) grantor and grantee (D) none of these
25. All instruments chargeable with duty and executed by any person in India shall be stamped :
- (A) only before execution
(B) only at the time execution
(C) before or at the time of execution
(D) none of the above
26. Which section of the Indian Stamp Act, 1899 contains 'special provision as to unstamped receipts' ?
- (A) Section 32 (B) Section 33
(C) Section 34 (D) Section 35

27. In determining the amount of compensation under Section 21 of the Specific Relief Act, 1963, the court shall be guided by the principles specified in :
- (A) Section 73 of the Indian Contract Act, 1872
 - (B) Section 74 of the Indian Contract Act, 1872
 - (C) Section 75 of the Indian Contract Act, 1872
 - (D) None of the above
28. Temporary injunctions under Section 37 of the Specific Relief Act, 1963 is regulated by :
- (A) Code of Civil Procedure
 - (B) Indian Contract Act
 - (C) Criminal Procedure Code
 - (D) Transfer of Property Act
29. Under the Specific Relief Act, 1963, the ground of rectification of instruments is :
- (A) coercion
 - (B) mutual mistake
 - (C) misrepresentation
 - (D) undue-influence
30. Section 13 of the Specific Relief Act, 1963 applies to :
- (A) movable property only
 - (B) immovable property only
 - (C) movable and immovable property
 - (D) none of the above

31. Under Section 12(2) of the Specific Relief Act, 1963, the part performance of a contract can be enforced by :
- (A) only by the defaulting party
 - (B) only by the non-defaulting party
 - (C) both the defaulting party and the non-defaulting party
 - (D) none of the above
32. Section 34 of the Specific Relief Act, grants the declaration of :
- (A) legal character only
 - (B) any right to property only
 - (C) legal character or any right to any property
 - (D) none of the above
33. 'Alternate prayer for rescission in suit for specific performance' is provided in the Specific Relief Act, 1963 in :
- (A) Section 28
 - (B) Section 29
 - (C) Section 30
 - (D) Section 31
34. Section 20 of the Specific Relief Act, 1963 contains the provision regarding :
- (A) discretion as to decreeing specific performance
 - (B) power to award compensation
 - (C) power to grant relief for possession
 - (D) power to grant relief for refund of earnest money

35. The Indian Evidence Act applies to :
- (A) affidavits
 - (B) departmental proceedings
 - (C) arbitration proceedings
 - (D) an inquiry to determine a jural relation between persons
36. Which section of the Indian Evidence Act, 1872 is substituted for the old section by the Information Technology Act, 2000 ?
- (A) Section 22
 - (B) Section 39
 - (C) Section 81
 - (D) Section 85
37. Which of the following sections of the Indian Evidence Act deals only civil cases ?
- (A) Section 20
 - (B) Section 21
 - (C) Section 22
 - (D) Section 23
38. What is *not* correct regarding 'admission' ?
- (A) Admission may be documentary
 - (B) All confessions are admissions but all admissions are not confessions
 - (C) Admission relates to a civil transaction only
 - (D) Admission may be proved against the representative in interest of the maker

39. The case of *Budhsen Vs. State of U.P.*, AIR 1970, S.C. 1321 is related to :
- (A) Identification parades (B) Dying declaration
(C) Documentary evidence (D) Burden of proof
40. What is *correct* in reference to dying declaration ?
- (A) It is a weaker kind of evidence
(B) It cannot form basis of conviction without corroboration
(C) It stands on the same footing as other types of evidence
(D) It is by verbal statement only
41. Which of the following is *not* exception to the rule against hearsay ?
- (A) Admissions
(B) Entries in public records
(C) Statements contained in public documents
(D) None of the above
42. Section 114 of the Indian Evidence Act deals with :
- (A) presumption of facts
(B) rebuttable presumption of law
(C) irrebuttable presumption of law
(D) none of the above

43. Section 108 of the Indian Evidence Act provides presumption for :
- (A) Life (B) Marriage
(C) Death (D) Legitimacy
44. A dumb witness who give his evidence by writing in open court is :
- (A) not admissible as evidence (B) oral evidence
(C) documentary evidence (D) none of these
45. Section 13 of the Indian Evidence Act applies to :
- (A) public and private rights (B) public rights only
(C) private rights only (D) none of these
46. In the case of State of Bombay Vs. Kathi Kalu, AIR 1961, SC 1908, the Supreme Court judge the validity of :
- (A) Section 68 of the Indian Evidence Act
(B) Section 73 of the Indian Evidence Act
(C) Section 79 of the Indian Evidence Act
(D) Section 88 of the Indian Evidence Act

47. In which case it was held that 'identification parades' do not contravene Article 20(3) of the Constitution of India, which requires that no accused shall be compelled to be witness against himself ?
- (A) Peare Lal Vs. The State, AIR 1961, Cal. 531
 (B) Chandmal Vs. State of Rajasthan, AIR 1976, S.C. 917
 (C) Lakhanpal Vs. State of M.P., AIR 1979, S.C. 1620
 (D) Ram Avtar Vs. State (Delhi Administration), AIR 1985, S.C. 1692
48. By which 'Amendment' Section 113-A was inserted in the Indian Evidence Act ?
- (A) Dowry Prohibition (Amendment) Act, 1986
 (B) The Information Technology Act, 2000
 (C) Criminal Law (Amendment) Act, 1986
 (D) Criminal Law (Amendment) Act, 1983
49. Under Section 45 of the Indian Evidence Act, the opinion of expert cannot be on the question of :
- (A) Foreign Law (B) Science
 (C) Indian Law (D) Art
50. Under Section 44 of the Indian Evidence Act, evidence of judgement, order or decree can be challenged on the ground of :
- (A) fraud only
 (B) collusion only
 (C) incompetence of the court only
 (D) fraud or collusion or incompetence of the court

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TEST BOOKLET SERIES

**TEST BOOKLET
PAPER II
CIVIL LAW-II**

A

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CIVIL LAW-II

Time Allowed : 1 Hour]

[Maximum Marks : 100

1. In which of the following cases the Supreme Court held that even the wife of a void marriage is entitled to maintenance ?
 - (A) Amarjit Kaur Vs. Harbhajan Singh (2003)10 SCC 228
 - (B) Nirmala Devi Vs. Ram Dass (2001)2 SCC 4
 - (C) Chand Dhawan Vs. Jawahar Lal Dhawan (1993)3 SCC 406
 - (D) Ramesh Chandra Vs. Veena Kausal AIR 1976 SC 1807
2. Find *correct* answer using codes given below :

Assertion (A) : "Option of puberty" is an easy process to repudiate the marriage under Hindu Law.

Reason (R) : "Option of puberty" is not an easy process to repudiate the marriage under Muslim Law.

Codes :

- (A) 'A' is correct but 'R' is incorrect
- (B) 'A' and 'R' both are correct
- (C) 'R' is correct but 'A' is not correct
- (D) (A) and (B) both are not correct

3. Find *correct* answer using codes given below :

Assertion (A) : Srutis and Smritis form the greatest treasure house of Hinduism

Reason (R) : Srutis and Smritis are considered immemorial timeless and eternal

Codes :

- (A) Both 'A' and 'R' are true but 'R' is not the correct explanation of 'A'
- (B) Both 'A' and 'R' are true but is correct explanation of 'A'
- (C) 'A' is true, but 'R' is false
- (D) 'A' is false but 'R' is true

4. The junior widow has adopted a child without the consent of senior widow before HA & M Act 1956. Decide the adoption :

- (A) Valid
- (B) Void
- (C) Voidable
- (D) None of these

5. In which states, where a widow may adopt a child without an express authority from her husband, before HA and M Act, 1956 ?

- (A) Orissa and Andhra Pradesh
- (B) Madras and Bombay
- (C) Bihar and Madhya Pradesh
- (D) U.P. and Himachal Pradesh

6. Daughter has become a coparcenary by virtue of the Hindu Succession (Amendment) Act, 2005 under :
- (A) Section 5 of HS (Amendment) Act, 2005
 - (B) Section 6 of HS (Amendment) Act, 2005
 - (C) Section 6(1) of HS (Amendment) Act, 2005
 - (D) None of the above
7. Partition can be re-opined, under what circumstances ?
- (A) Removal of disability
 - (B) Fraud
 - (C) After son born
 - (D) All of these
8. Mitakshara Commentary was written by whom ?
- (A) Jimuthvahna
 - (B) Vijnanshawra (Vijnavalkya)
 - (C) Chintamony
 - (D) None of these
9. 'A' marries 'B' the widow of his elder brother under Hindu Law. The marriage is :
- (A) Valid
 - (B) Void
 - (C) Voidable
 - (D) None of these
10. In ancient 'Hindu Marriage', which one is approved form of marriage ?
- (A) Brahma
 - (B) Davia
 - (C) Prajapatya
 - (D) Asura

11. 'A' contract may be vitiated by :

- | | |
|-------------------|----------------------|
| (i) Fraud | (ii) Mistake |
| (iii) Frustration | (iv) Undue influence |

Find *correct* answer using codes :

- (A) Only (i) is correct
- (B) Only (i) and (ii) are correct
- (C) Only (i), (ii) and (iii) are correct
- (D) All are correct
12. Essentials of valid contract is :
- (A) Meeting of Mind
- (B) Meeting of Parties
- (C) Meeting to discuss consideration
- (D) Meeting to discuss proposal and acceptance

13. Tender is :

- | | |
|--------------------|----------------------------|
| (A) An offer | (B) An invitation to offer |
| (C) A counteroffer | (D) A promise |

14. An agreement not enforceable by law is stated to be void, under :

- | | |
|----------------------------------|----------------------------------|
| (A) Section 2(d) of Contract Act | (B) Section 2(e) of Contract Act |
| (C) Section 2(f) of Contract Act | (D) Section 2(g) of Contract Act |

15. Get *correct* answer using codes given below :

Assertion (A) : A proposal, when accepted, results in an agreement.

Reason (R) : It is only after the acceptance of the proposal that a contract between the two parties can arise.

Codes :

- (A) Both 'A' and 'R' are true and 'R' is correct explanation of 'A'
- (B) Both 'A' and 'R' are true and 'R' is not correct explanation of 'A'
- (C) 'A' is true, but 'R' is false
- (D) 'A' is false but 'R' is true

16. Match List I with List II and select the *correct* answer by using the codes given below the lists :

List I		List II	
(a)	Chandra Das Mushib Vs. Ganga Prasad Das Mushib	(i)	Fraud
(b)	Mithu Lal Nayak Vs. LIC of India	(ii)	Undue influence
(c)	Satyabrata Ghose Vs. Mugneeram Bangur	(iii)	Waiver
(d)	Jagad Bandhu Chatterjee Vs. Nilma Rani	(iv)	Frustration of contract

Codes :

	(i)	(ii)	(iii)	(iv)
(A)	(b)	(a)	(d)	(c)
(B)	(a)	(d)	(c)	(b)
(C)	(d)	(a)	(b)	(c)
(D)	(a)	(c)	(b)	(d)

17. Match List I with List II and select the *correct* answer by using the codes given below the lists :

List I

List II

- | | |
|---|------------------|
| (a) Agreements in restraint of legal proceeding | (i) Section 28 |
| (b) Agreement in restraint of Marriage | (ii) Section 31 |
| (c) Wagering Contract | (iii) Section 26 |
| (d) Contingent Contract | (iv) Section 30 |

Codes :

- | | | | | |
|-----|-----|------|-------|------|
| | (i) | (ii) | (iii) | (iv) |
| (A) | (d) | (a) | (c) | (b) |
| (B) | (a) | (d) | (b) | (c) |
| (C) | (a) | (b) | (d) | (c) |
| (D) | (d) | (b) | (c) | (a) |

18. Arrange the following concepts in sequence in which they occur, using codes given below :

- | | |
|--------------|-----------------|
| (i) Offer | (ii) Acceptance |
| (iii) Damage | (iv) Damages |

Codes :

- | | | | | |
|-----|------|-------|-------|-------|
| (A) | (iv) | (iii) | (ii) | (i) |
| (B) | (i) | (ii) | (iv) | (iii) |
| (C) | (i) | (iv) | (ii) | (iii) |
| (D) | (i) | (ii) | (iii) | (iv) |

19. An agreement not pursue legal remedies but to refer the dispute to the arbitrator under Section 28 of Contract Act is :
- (A) Valid (B) Void
(C) Voidable (D) Unenforceable
20. Goods displayed in a shop with a price tag is a/an :
- (A) Offer (B) Invitation to offer
(C) Counter-offer (D) None of these
21. Match List I with List II and select the *correct* answer by using the codes given below the lists :

List I		List II	
(a)	Subrogation	(i)	Section 94
(b)	Rights of Mesne Mortgagee	(ii)	Section 126
(c)	Universal donee	(iii)	Section 92
(d)	Revocation of gift	(iv)	Section 128

Codes :

	(i)	(ii)	(iii)	(iv)
(A)	(c)	(d)	(a)	(b)
(B)	(d)	(c)	(b)	(a)
(C)	(b)	(d)	(a)	(c)
(D)	(a)	(b)	(d)	(c)

22. Universal donee is defined under :

- (A) Section 127 TPA (B) Section 126 TPA
(C) Section 125 TPA (D) Section 128 TPA

23. In which of the following cases, the Supreme Court had held that "There is no ban on the transfer of interest in favour of an unborn person. Section 20 permits an interest being created for the benefit of an unborn person who acquires interest upon his birth."

- (A) F.M. Devaru Ganapathi Bhai Vs. P. Ganapathi Bhai AIR 2004 SC 2665
(B) Rajes Kanta Roy Vs. Santi Debi AIR 1957 SC 255
(C) Rukhamanbai Vs. Shivaram AIR 1981 SC 881
(D) Kokilambal Vs. N. Raman AIR 2005 SC 2468

24. 'A' transfers property to 'B' in trust for 'C' and directs 'B' to give possession of the property to 'C' when he attains the age of 25. 'C' is entitled to possession at the age of 18 years, under Section :

- (A) S. 25 TP Act (B) S. 21 TP Act
(C) S. 19 TP Act (D) S. 18 TP Act

25. 'A' settled property in favour of 'B' authorising him to collect rent of his house. A created in favour of 'B' is :
- (A) Vested interest (B) No vested interest
- (C) Contingent interest (D) None of these
26. Match the List I with List II and select the answer with the help of codes given below :

List I (Name of the case)	List II (Sections TPA)
(a) Kokilambal Vs. N. Raman AIR 2005 S.C. 2468	(i) Section 14
(b) John Vallamattom Vs. Union of India. AIR 2003 S.C. 2902	(ii) Section 13
(c) Kempraj Vs. Barton Son & Co. AIR 1970 S.C. 1872	(iii) Section 19
(d) Gavaru Ganapathi Bhai Vs. P. Ganapathi Bhai AIR 2004 S.C. 2665	(iv) Section 18

Codes :

	(i)	(ii)	(iii)	(iv)
(A)	(b)	(c)	(d)	(a)
(B)	(a)	(b)	(c)	(d)
(C)	(d)	(c)	(a)	(b)
(D)	(c)	(d)	(a)	(b)

27. A gift was made by a Hindu to his grandson 'K' who was in existence at the date of the gift, and 'S' grandson who might be born after the date of the gift; and 'P' is born in fact after the date of the gift ? Who will have the capacity to take the gift ?
- (A) 'S' will take the gift (B) 'K' will take the gift
(C) 'P' will take the gift (D) None of these
28. In Section 6, clause (dd) was added :
- (A) . By the Amending Act, 1900
(B) By the Amending Act, 1929
(C) By the Amending Act, 2002
(D) None of the above
29. Where the property of a deceased Mohammedan was inherited by A, B, C grandsons and W, and 'X' daughters. The grandsons took possession of the whole property, entered it in their own names in the 'Khatoni' Register, and two years later Mortgaged it. The daughters first heard of the Mortgage when the Mortgagee brought the property to sale and although it does not appear that they had husbands to protect their interest, their was held :
- (A) Covered under Section 41 TP Act
(B) Covered under Section 43 TP Act
(C) Barred by Section 43 TP Act
(D) Barred by Section 41 TP Act

30. The amendments made the Amending Act of 1929, both under the TP Act as well as the Registration Act, 1908, to even unregistered documents for the purpose of Section 53-A has now been withdrawn by the amendments made by the Registration and other related laws (Amendment) Act, 2001, which has come into force with effect from :

- | | |
|---------------------------|--------------------------|
| (A) First September, 2001 | (B) 23rd September, 2001 |
| (C) 26th September, 2001 | (D) 24th September, 2001 |

31. The Limitation (Amendment) Act, 1969 came with effect from the date :

- | | |
|----------------------|----------------------|
| (A) 25th March, 1969 | (B) 23rd March, 1969 |
| (C) 26th March, 1969 | (D) 24th March, 1969 |

32. The Limitation Act, 1963 extend to Sikkim and came into force on :

- | | |
|-----------------------|-------------------------|
| (A) 1st January, 1984 | (B) 1st September, 1984 |
| (C) 24th August, 1984 | (D) 23rd August, 1984 |

33. On the third Law Commission recommendations the Limitation Bill was introduced in the Lok Sabha on 23rd December, 1960. But it lapsed on account of dissolution of the Lok Sabha. It was again introduced in parliament in the year :

- | | |
|----------|----------|
| (A) 1961 | (B) 1968 |
| (C) 1963 | (D) 1962 |

34. Match List I with List II and select the *correct* answer by using the codes given below the lists :

List I		List II	
(a)	Effect acknowledgment in writing	(i)	Section 24
(b)	Continuing wrong	(ii)	Section 25
(c)	Acquisition of easement by prescription	(iii)	Section 18
(d)	Computation of time	(iv)	Section 22

Codes :

	(i)	(ii)	(iii)	(iv)
(A)	(d)	(c)	(a)	(b)
(B)	(a)	(c)	(b)	(d)
(C)	(b)	(d)	(a)	(c)
(D)	(c)	(d)	(b)	(a)

35. Match the List I with List II and select the *correct* answer by using the codes given below the lists :

List I		List II	
(a)	Section 5 of Limitation Act	(i)	When the Court closed period expired
(b)	Section 3 of Limitation Act	(ii)	Disability of one of several persons
(c)	Section 4 of Limitation Act	(iii)	Condonation of delay
(d)	Section 7 of Limitation Act	(iv)	Bar of Limitation

Codes :

	(i)	(ii)	(iii)	(iv)
(A)	(a)	(b)	(d)	(c)
(B)	(b)	(c)	(a)	(d)
(C)	(c)	(d)	(a)	(b)
(D)	(d)	(c)	(b)	(a)

36. The limitation period from the date of the ex-parte-decree is :

(A) 60 days	(B) 90 days
(C) 120 days	(D) 30 days

37. Match List I with List II and select the *correct* answer by using the codes given below the lists :

List I		List II	
(Name of the case)		(Sections)	
(a)	Krishna Murthy S. Setlur Vs. O.V. Narsimha Setty (2007)3SCC.569	(i)	Exclusion of time in legal proceedings
(b)	Tilak Ram Vs. Nathu (1967)S.C. 935	(ii)	Suit for Possession
(c)	State of Uttar Pradesh Vs. Maharaja Narain AIR (1968) S.C. 960	(iii)	Acknowledgment
(d)	Darshan Singh Vs. Gurdeep Singh AIR 1995 S.C.75	(iv)	Adverse possession

Codes :

	(i)	(ii)	(iii)	(iv)
(A)	(c)	(d)	(b)	(a)
(B)	(a)	(b)	(d)	(c)
(C)	(b)	(c)	(d)	(a)
(D)	(c)	(b)	(a)	(d)

38. In which of the following, the Supreme Court held that "The expression 'sufficient cause' should be considered with pragmatism in justice oriented approach rather than the technical detection of sufficient cause for explaining every day's delay."
- (A) Darshan Singh Vs. Gurdeep Singh AIR 1995 S.C.75
- (B) State (NCT of Delhi) Vs. Ahmad Jaan (2008)10 JT179
- (C) Udayan Chinubhai Vs. R.C. Bali AIR 1977 S.C. 2319
- (D) Anandilal Vs. Ram Narain AIR 1984 S.C. 1383

39. Where the judgement debtor has, by fraud or force, prevented the execution of a decree or order within the period of limitation on the application of the Judgment debtor made after the expiry of the said period, the court may extend the time for execution of decree provided such application is made within one year from the date of the discovery of fraud under Section :

(A) 1 Section 17(2) of the TP Act (B) Section 18(2) of the TP Act

(C) Section 15(3) of the TP Act (D) Section 15(5) of the TP Act

40. In which of the following cases, the Supreme Court held that 'a suit for damages for wrongful detention of goods is based on different footing vis-a-vis continuing wrong. The period of limitation would run from time when property is wrongfully taken.'

(A) Sankar Dostidar Vs. Banjula Dostidar AIR 2007 S.C. 514

(B) Tilak Ram Vs. Nathu AIR 1967 SC 935

(C) Bondar Singh Vs. Nihal Singh (2003)4 SCC 161

(D) Asian Resorts Ltd. Vs. Usha Bre Co. Ltd. AIR 2002 SC 55

41. Under the H.P. Urban Rent Control Act, 1987, which Court has the power to transfer proceedings :
- (A) Supreme Court (B) High Court
(C) District Court (D) All of these Courts
42. Under which of the following sections the residential building converted into a non-residential building ?
- (A) Section 13, HPURC Act (B) Section 14, HPURC Act
(C) Section 12, HPURC Act (D) Section 11, HPURC Act
43. "Every Landlord shall be bound to keep the building or rented land in good and tenantable repairs"; under which section of H.P. Urban Rent Control Act, 1971 ?
- (A) Section 13(3) of the Act (B) Section 13(1) of the Act
(C) Section 10(2) of the Act (D) Section 11(3) of the Act
44. How many Schedules are there in H.P. Urban Rent Control Act ?
- (A) 1(one) (B) 2(two)
(C) 3(three) (D) 4(four)

45. "The Landlord shall not claim or receive any premium or other like sum in addition to fair rent or any rent in excess of such fair rent, but the landlord may stipulate for and receive in advance an amount not exceeding one month rent", provided under :
- (A) Section 8(3) of the Act (B) Section 5(1)(a) of the Act
(C) Section 5(4)(c) of the Act (D) Section 7(1)(a) of the Act
46. In which of the following cases are related to H.P. Urban Rent Control Act ?
- (A) Ram Murthi Vs. Bhole Nath
(B) Santosh Mehta Vs. Om Prakash & others
(C) Both (A) and (B)
(D) None of the above
47. On which date HP Urban Rent Control Act came into force ?
- (A) 17th November, 1971 (B) 26th January, 1971
(C) 17th November, 1987 (D) 26th January, 1987

48. Match List I with List II and select the *correct* answer by using the codes given below the lists :

List I		List II	
(a)	"Tenant"	(i)	Section 23
(b)	'Scheduled building'	(ii)	Section 16
(c)	Leases of vacant buildings	(iii)	Section 2(i)
(d)	Execution of orders	(iv)	Section 2(h)

Codes :

	(i)	(ii)	(iii)	(iv)
(A)	(d)	(c)	(a)	(b)
(B)	(a)	(b)	(d)	(c)
(C)	(c)	(a)	(b)	(d)
(D)	(a)	(c)	(d)	(b)

49. Which of the following Sections of the H.P. Urban Rent Control Act, 1971 prescribes penalties for the contravention of the provisions of Section 10, 11, 12 or 24 of the Act, 1971 ?
- (A) Section 30 (B) Section 31
(C) Section 25 (D) Section 28
50. Under which Sections of the H.P. Urban Rent Control Act, 1987, power to summon and enforce attendance of witnesses ?
- (A) Section 26 (B) Section 28
(C) Section 25 (D) Section 27

BOOKLET NO.

0629



DO NOT OPEN THIS TEST BOOKLET UNTIL YOU ARE ASKED TO DO SO
TEST BOOKLET SERIES

**TEST BOOKLET
PAPER III
CRIMINAL LAW**



Time Allowed : 1 Hour]

[Maximum Marks : 100

All questions carry equal marks.

INSTRUCTIONS

1. Write your Roll Number only in the box provided alongside.
Do not write anything else on the Test Booklet.
2. This Test Booklet contains 50 items (questions). Each item comprises four responses (answers). Choose only one response for each item, which you consider the best.
3. After the candidate has read each item in the Test Booklet and decided which of the given responses is correct or the best, he has to mark the circle containing the letter of the selected response by blackening it completely with ball point pen as shown below. In the following example, response "C" is so marked :



4. Do the encoding carefully as given in the illustrations. While encoding your particulars or marking the answers on answer sheet, you should blacken the circle corresponding to the choice in full and no part of the circle should be left unfilled. In the test ball point pen of black or blue ink is to be used as such you should be very careful while marking the responses to avoid erasing at a later stage. Double marking in the answer sheet will fetch zero mark. You may clearly note that since the answer sheets are to be scored/evaluated on O.M.R., any violation of the instructions may result in reduction of your marks for which you would yourself be responsible.
5. You have to mark all your responses ONLY on the ANSWER SHEET separately given to you.
6. All items carry equal marks. Attempt all items. Your total marks will depend only on the number of correct responses marked by you in the Answer Sheet. There will be no negative marking.
7. Before you proceed to mark responses in the Answer Sheet fill in the particulars in the front portion of the Answer Sheet as per the instructions sent to you.
8. After you have completed the test, hand over the Answer Sheet only, to the Invigilator.

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P.T.O.

CRIMINAL LAW

Time Allowed : 1 Hour]

[Maximum Marks : 100

1. Which *one* of the following Sections of the Wildlife (Protection) Act, 1972 deals with the power of Central Government to declare areas as sanctuaries or National Park ?

(A) Section 35	(B) Section 36A
(C) Section 38A	(D) Section 38B

2. The licence for the possession of arm with which an offence was committed against the Wildlife (Protection) Act, 1972 may be cancelled by the court on conviction of such person and he shall not be eligible for a licence for a period of :

(A) One year from the date of conviction	(B) Two years from the date of conviction
(C) Three years from the date of conviction	(D) Five years from the date of conviction

3. Experts or professionals appointed under Clause (d) of Sub-section (2) of Section 38 L of the Wildlife (Protection) Act shall hold office not exceeding :

(A) Five years	(B) Three years
(C) Two years	(D) One year

4. Meat under the Wildlife (Protection) Act does *not* include :

(A) Blood	(B) Bones
(C) Vermin	(D) Flesh

5. Which one of the following Sections of the Wildlife (Protection) Act, 1972 deals with the protection of sanctuary ?

(A) Section 18	(B) Section 18A
(C) Section 18B	(D) Section 24

6. Which *one* of the following Sections of the Indian Forest Act, 1927 deals with the formation of Village Forest ?

(A) Section 28	(B) Section 30
(C) Section 31	(D) Section 32

7. A person who commits an offence under Section 33 of the Indian Forest Act, 1927 shall be punishable with imprisonment for a term which may extend to

(A) Sixth months	(B) One year
(C) Two years	(D) Three years

8. Whenever, it is decided to constitute any land as a reserved forest under the Indian Forest Act, 1927, the State Government shall issue notification in the Official Gazette under :

(A) Section 3	(B) Section 4
(C) Section 5	(D) Section 7

9. Which of the following Sections of the Indian Forest Act, 1927 provides powers of Forest Settlement Officers :
- (A) Section 8 (B) Section 11
(C) Section 12 (D) Section 14
10. A duty may be imposed on timber and other forest-produce under Section 39 of the Indian Forest Act, 1927 by :
- (A) Collector (B) Forest officer
(C) State Government (D) Central Government
11. Intoxicant under the Punjab Excise Act, 1914, shall be imported, exported or transported in compliance with such conditions as imposed by :
- (A) The State Government (B) Financial Commissioner
(C) Collector (D) Excise Officer
12. No Tari producing tree under the Punjab Excise Act, 1914 shall be tapped *except* under the authority and subject to terms and conditions of a licence granted by the :
- (A) State Government (B) Excise Commissioner
(C) Collector (D) Excise Officer

13. Who has the power to prohibit the transport of any intoxicant under the Punjab Excise Act, 1914 ?
- (A) Financial Commissioner (B) Collector
(C) State Government (D) Excise Officer
14. Under the Punjab Excise Act, 1914, the power to make rules regulating the manufacture, supply, storage or sale of any intoxicant may be made by :
- (A) State Government (B) Financial Commissioner
(C) Excise Officer (D) Collector
15. The collector may, by notification, under the Punjab Excise Act, make rules regulating :
- (A) The bottling of liquor for purpose of sale
(B) The transport of intoxicant
(C) The manufacture of intoxicant
(D) None of the above
16. If the offence is committed under Section 138 of the Negotiable Instruments, Act, 1881, the drawer of the cheque shall be punished with imprisonment for a term which may extend to :
- (A) 60 days (B) Three months
(C) One year (D) Two years

7. The court shall take cognizance of the offence under Section 138 of the Negotiable Instruments Act, 1881 if the payee, after receipt of the information by him from the bank regarding the return of the cheque as unpaid, makes a demand for the payment of the amount of money by giving notice in writing to the drawer of the cheque and the drawer fails to make payment within :
- (A) One month (B) Fifteen days
(C) Seven days (D) Twenty one days
18. The court shall not take cognizance of the offence under Section 138 of the Negotiable Instruments Act, 1881, if the payee after receipt of the information by him from the bank regarding the return of the cheque as unpaid, makes a demand by giving notice in writing to the drawer after the expiry of :
- (A) Fifteen days (B) Two weeks
(C) One month (D) None of these
19. In which of the following Sections of the Negotiable Instrument Act, 1881, the power of court to try cases summarily has been provided :
- (A) Section 139 (B) Section 140
(C) Section 141 (D) Section 143

20. Amendment in Sections 138, 141, 142 and 143 of the Negotiable Instrument Act, 1881 was made by the Negotiable Instruments (Amendment and Miscellaneous Provisions) Act in :
- (A) 2001 (B) 2002
(C) 2004 (D) 2005
21. A child of the following age is presumed to be doli incapax :
- (A) A child under 7 years of age
(B) A child above 7 years of age and under 12 years
(C) A child above 8 years of age and under 14 years
(D) A child above 7 years of age and under 10 years
22. The right of private defence of property does *not* extend to causing death in :
- (A) Mischief by fire on any tent used for human dwelling
(B) House breaking by night
(C) House trespass
(D) Robbery

23. The right of private defence of body extends to causing death :
- (A) In case of wrongful restraint
 - (B) In case of apprehension of hurt
 - (C) In case of assault with intention of abduction
 - (D) In case of wrongful confinement
24. A instigates B to give false evidence, B does not give false evidence. In this case :
- (A) A is not liable of any offence
 - (B) A is liable for abetment by instigation
 - (C) A is liable for abetment by conspiring
 - (D) All the above answers are correct
25. A with the guilty intention abets a child of 6 years to commit theft. The act is not committed. Here :
- (A) Both A and the child can be tried
 - (B) A has not committed any offence
 - (C) A has not abetted theft
 - (D) A is liable for abetting theft

26. A administers a poisonous drug to a woman B to cause miscarriage. It is found that B was not pregnant. Here :
- (A) A is not guilty of attempt
 - (B) A is guilty of attempt
 - (C) A is guilty of murder
 - (D) A is guilty of no offence
27. Which one of the following is normally an essential element of crime ?
- (A) Volition
 - (B) Actus Reus
 - (C) Motive
 - (D) Will
28. For the application of Section 34 of IPC, it is necessary that Criminal Act is done by :
- (A) Two persons only
 - (B) Five persons
 - (C) More than two but less than five persons
 - (D) More than one person
29. McNaghten case relates to the defence on the ground of :
- (A) Intoxication
 - (B) Necessity
 - (C) Consent
 - (D) Unsoundness of mind

30. Right of private defence of the body extends to causing death has been dealt with under :

- (A) Section 100 of IPC
- (B) Section 101 of IPC
- (C) Section 102 of IPC
- (D) Section 103 of IPC

31. For abetment :

- (A) It is necessary that the person abetted should be capable of committing an offence under the law
- (B) It is necessary that the person abetted should have the same guilty intention
- (C) It is not necessary that the person abetted should be capable of committing an offence under the law or should have the same guilty intention
- (D) Both (A) and (B)

32. Rioting means use of force or violence by an unlawful assembly, or by a member thereof, in prosecution of common object of such assembly, as per :

- (A) Section 144 of IPC
- (B) Section 145 of IPC
- (C) Section 146 of IPC
- (D) Section 148 of IPC

33. During the scuffle between A and B, A gave a blow on the face of 'B' and consequently two teeth of 'B' were broken. In these circumstances 'A' has committed an offence of causing :
- (A) Simple injury
 - (B) Attempt to cause culpable homicide not amounting to murder
 - (C) Grievous hurt
 - (D) No offence at all
34. Wrongful restraint has been defined under :
- (A) Section 339 of IPC
 - (B) Section 340 of IPC
 - (C) Section 341 of IPC
 - (D) Section 342 of IPC
35. Assault can be caused by :
- (A) Gestures
 - (B) Mere words
 - (C) Preparation
 - (D) Neither (A) nor (B)
36. Warrant case has been defined under Section 2(x) of Cr. P.C. as a case relating to an offence punishable with death, imprisonment for life or imprisonment for a term :
- (A) Exceeding three years
 - (B) Exceeding two years
 - (C) Exceeding one year
 - (D) Exceeding one year but less than two years

37. It is mandatory to produce the person arrested before the Magistrate, with 24 hours of his arrest, under :
- (A) Section 56 of Cr. P.C. (B) Section 57 of Cr. P.C.
(C) Section 58 of Cr. P.C. (D) Section 59 of Cr. P.C.
38. It is mandatory for a police officer to inform the person arrested, the grounds of arrest and right of bail if the offence is not non-bailable, under :
- (A) Section 49 of Cr. P.C. (B) Section 50 of Cr. P.C.
(C) Section 51 of Cr. P.C. (D) Section 54 of Cr. P.C.
39. A proclamation under Section 82(1) requiring a person to appear must be published giving :
- (A) not less than 30 days time to the person concerned
(B) not less than 10 days time to the person concerned
(C) not less than 20 days time to the person concerned
(D) not less than 15 days time to the person concerned
40. Section 92 of Cr. P.C. lays down the procedure for :
- (A) Production of document(s) in the custody of postal or telegraph authority
(B) Production of document(s) in the custody of any person other than the accused
(C) Production of document(s) in the custody of an accused person
(D) All of the above

41. A declaration of forfeiture under Section 95 of Cr. P.C. can be set aside by :
- (A) Magistrate issuing the search warrant
 - (B) Chief Judicial Magistrate/Chief Metropolitan Magistrate
 - (C) Court of Sessions
 - (D) High Court
42. When the police registers a case regarding commission of cognizable offence, the registration of the case is under :
- (A) Section 154 of Cr. P.C.
 - (B) Section 155 of Cr. P.C.
 - (C) Section 156 (3) of Cr. P.C.
 - (D) Section 190 of Cr. P.C.
43. The investigating police officer in a case has power to require attendance of a person acquainted with the facts and circumstances of the case under :
- (A) Section 158 of Cr. P.C.
 - (B) Section 159 of Cr. P.C.
 - (C) Section 160 of Cr. P.C.
 - (D) Section 161 of Cr. P.C.

44. The investigating officer under Section 160 of Cr. P.C. cannot require the attendance of a male, at a place other than the place of his residence, who is :
- (A) Under the age of 15 years
 - (B) Under the age of 16 years
 - (C) Under the age of 18 years
 - (D) Under the age of 21 years
45. A Magistrate records the confession of an accused or a statement of a witness during investigation, under :
- (A) Section 164 of Cr. P.C.
 - (B) Section 281 of Cr. P.C.
 - (C) Section 162 of Cr. P.C.
 - (D) Chapter XXIII of Cr. P.C.
46. Statement recorded during investigation under Section 161 of Cr. P.C. can be used during trial :
- (A) For corroborating the witness
 - (B) For contradicting the witness
 - (C) Cannot be used for any purpose
 - (D) Neither (A) nor (B)

47. Section 164 of Cr. P.C. provides a special procedure for recording of :
- Confession
 - Statements made during the course of investigation
 - Confession as well as statements made during the course of investigation
 - Either (A) or (B)
48. Under Section 167 of Cr. P.C. for offences other than those punishable with death, imprisonment for life or imprisonment for a period not less than 10 years, the detention during investigation, can be authorised for a total period of :
- 30 days
 - 45 days
 - 60 days
 - 75 days
49. An order for maintenance or interim allowance can be cancelled under the circumstances stated under :
- Section 125(5) of Cr. P.C.
 - Section 127(2) of Cr. P.C.
 - Section 127(3) of Cr. P.C.
 - None of these
50. A case can be committed to the Court of Sessions, by a Magistrate under :
- Section 209 of Cr. P.C.
 - Section 323 of Cr. P.C.
 - Section 324 of Cr. P.C.
 - Both (A) and (B)