



Previous Year Paper

JHARKHAND JUDICIAL PRELIMINARY EXAM 2014

- Choose the tense form of the following sentence: I was standing outside the post office.**
(a) Present continuous tense
(b) Past continuous tense
(c) Past simple tense
(d) Past Perfect tense **Ans.(b)**
- I am trying to phone here, but I can't**
(a) get up
(b) get through
(c) get on
(d) get away **Ans.(d)**
- Which of the following is the sentence with co-ordinating conjunction?**
(a) He had my hand test I should fall.
(b) He is slow but he is honest.
(c) Rama will go if Hari goes.
(d) A book is a book although there is nothing in it **Ans.(b)**
- The word which is most similar in meaning to the word Thrashing is**
(a) Garbage
(b) Beating
(c) Shouting
(d) Warning **Ans.(b)**
- The group of words which is most similar in meaning to the word 'Vanished' is**
(a) Gone missing
(b) Was found
(c) Was killed
(d) Was left behind **Ans.(a)**
- From the following words, the misspelt word**
(a) Relinquish
(b) Illuminant
(c) Exodes
(d) Dependency **Ans.(c)**
- 'Gynaephobia' stands for**
(a) fear of woman
(b) fear of sex
(c) fear of chins
(d) fear of marriage **Ans.(a)**
- The word which is most opposite in meaning to the word 'Random' is**
(a) Accidental
(b) Haphazard
(c) Incidental
(d) Deliberate **Ans.(d)**
- Find the odd word out:**
(a) Peripheral
(b) Necessary
(c) Fundamental
(d) Essential **Ans.(a)**
- One who walks in sleep is**
(a) hyocrite
(b) imposter
(c) somnambulist
(d) sarcastic **Ans.(c)**
- 'Estoppel' has been defined under**
(a) Section 115
(b) Section 114
(c) Section 117





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(d) Section 130

Ans.(a)

12. **The presumption of legitimacy under Section 112 is**

- (a) presumption of law
- (b) presumption of fact
- (c) mixed presumption of law and fact
- (d) None of the above

Ans.(a)

13. **A witness may, while under examination, refresh his memory by referring to any writing made by himself at the time of the transaction or soon afterwards. This provision is provided under**

- (a) Section 159
- (b) Section 160
- (c) Section 158
- (d) Section 166

Ans.(a)

14. **Leading question has been defined under the Indian Evidence Act, 1872 under**

- (a) Section 141
- (b) Section 14
- (c) Section 143
- (d) Section 145

Ans.(a)

15. **Under which Section of the Indian Evidence Act, 1872 a public servant shall not be compelled to disclose communication made to him in official confidence?**

- (a) Section 123
- (b) Section 124
- (c) Section 125
- (d) Section 126

Ans.(b)

16. **A is charged with travelling in a railway without a ticket. The burden of proving that he had a ticket is**

- (a) on prosecution
- (b) on accused
- (c) Neither on prosecution nor on accused

(d) None of the above

Ans.(b)

Exp. The above problem is based on illustration (a) to Section 106. of IEA, 1872. Where a fact is specially within the knowledge of a party, the burden of proving that fact lies upon him.

17. **In respect of a certified copy, thirty years old, which fulfills all the conditions laid under Section 90 of the Indian Evidence Act, the court**

- (a) shall presume
- (b) may presume
- (c) will not presume
- (d) None of the above

Ans.(b)

Exp. Section 90 of IEA 1872, provides a document which is thirty years old is presumed to be genuine, but the presumption is at discretion of the Court because the word 'may' is used.

18. **A certified copy of a registered sale deed produced in evidence**

- (a) will be proof of execution of the original and its registration
- (b) will be proof of execution only
- (c) will be merely proof of the fact that an original document was registered
- (d) will not prove anything in absence of original

Ans.(c)
Exp. A certified copy of a registered sale deed produced in evidence will be merely proof of the fact that an original document was registered

19. **Confession of one accused is admissible evidence against co-accused, if they are tried**

- (a) jointly for the same offence
- (b) jointly for different offences
- (c) for the same offence but not jointly
- (d) for different offences and not jointly

Ans.(a)





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Exp. Essentials of Sec.30 are as follows

1. Joint trial of the accused; 2. Same offence 3. Statement of the co-accused should be a confession; 4. Statement tend to implicate equally

20. For the purpose of proving a registered 'Will it shall be necessary to call

- (a) all the attesting witnesses
- (b) one attesting witness at least
- (c) one attesting witness and the scribe of the Will
- (d) one attesting witness and the registering officer

Ans.(b)

Exp. In case of registered Will', at least one attesting witness is required as provided under proviso of Section 68 of LE. Act.

21. In the Evidence Act, the conditions in respect of computer output to be deemed and admissible in evidence as document is contained in

- (a) Section 65(B)(4)
- (b) Section 65(B)(1)
- (c) Section 65(B)(2)
- (d) Section 65(B)(5)

Ans.(c)

Exp. The conditions referred to in sub-section (1) in respect of a computer output to be deemed and admissible in evidence as a document-Sec.65-B (2)

22. Which of the following is correct in respect of determining the date of birth of A?

- (a) A letter from A's deceased father to a friend, announcing the birth of A is a relevant fact
- (b) A letter from A's deceased father to a friend, announcing the birth of A is not a relevant fact
- (c) a letter from A's deceased father to a friend, announcing the birth of A is not admissible in evidence

(d) None of the above

Ans.(a)

Exp. The above problem is based on illustration (1) of Section 32 of LE. Act. In the given case, letter was given by deceased father to his friend announcing the birth of A on a given day is relevant fact under clause (6)

23. Which of the following is required to be proved essentially?

- (a) Judicial notice
- (b) Admitted fact
- (c) Confession
- (d) Relevant facts

Ans.(d)

Exp. Judicial notice, admitted fact and confession is not required to be proved. What is required to be proved that is relevant fact and fact in issue-Sec.5.

24. Opinions of experts are not relevant

- (a) upon a point of science
- (b) upon a point of art
- (c) upon a point of domestic law
- (d) as to identity of handwriting

Ans.(c)

Exp. Opinion of experts are relevant in following cases, 1. Foreign Law 2. Science 3. Art 4. Identity of handwriting or finger impressions-Sec.45

25. Which of the following Sections provide the evidence may be given of facts in Issue?

- (a) Section 3
- (b) Section 4
- (c) Section 5
- (d) Section 6

Ans.(c)

Exp. Section 5 declares that in a suit or proceeding, evidence may be given of the existence or non-existence of facts in issue, and of such other facts which are declared to be relevant facts by provisions of Sections 6 to 55.



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26. Which one of the following is not essential for a consideration?

- (a) It must be given at the desire of the promisor
- (b) Valuable
- (c) Lawful
- (d) Adequate

Ans.(d)

Exp. Sec.2 (d) defines the word 'Consideration' is given at the desire of the promisor, If consideration is not lawful then it will be void under Section 23 of the IC. Act. Adequacy of consideration is not essential for consideration under Section 25, Explanation 2 of the I.C. Act.

27. The provisions relating to contingent contract under the Indian Contract Act, 1872 is laid down under

- (a) Sections 31 to 37
- (b) Sections 32 to 37
- (c) Sections 31 to 36
- (d) Sections 30 to 36

Ans.(c)

Exp. Sections 31-36 of Contract Act provides for contingent contract.

28. The Intimation under Section 59 of the Indian Contract Act, 1872

- (a) must be implied
- (b) must be expressed
- (c) may be either expressed or implied
- (d) none of the above

Ans.(c)

Exp. Sec.59 of Contract Act is based on Clayton's Rule. Where a debtor owing several distinct debts to one person makes a payment to him, either with express intimation or under circumstances implying that the payment is to be applied to the discharge of some particular debt, the payment if accepted must be applied accordingly.

29. A tender in a newspaper is

- (a) invitation to offer

(b) promise

(c) offer

(d) invitation for acceptance

Ans.(a)

Exp. Sec.2(a) provides definition of proposal. Proposal is a final expression of willingness by the offer which the other party choose to accept it. But in case of tenders, it is only an invitation for submission of tenders and not proposal.

30. Every promise and every set of promises forming the consideration for each other is

- (a) an agreement
- (b) an acceptance
- (c) an offer
- (d) a contract

Ans.(a)

Exp. Every promise and every set of promises forming the consideration for each other is an agreement as - defined under Section 2(e) of the Indian Contract Act. For formation of contract there must be an agreement and the agreement should be enforceable by law.

31. A agrees with B to discover treasure by magic. The agreement is

- (a) voidable
- (b) void
- (c) wrongful
- (d) enforceable

Ans.(b)

Exp. The first para of Section 56 of the Indian Contract Act 1872 lays down the principle that an agreement to do an act impossible in itself is void. So an agreement to discover a treasure by magic, being impossible of performance is void.

32. Which of the following Sections of the Indian Contract Act, 1872 defines *Contract"?

- (a) Section 2(h)
- (b) Section 2(1)
- (c) Section 2(d)



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(d) Section 2(a) **Ans.(a)**
Exp. An agreement enforceable by law is a contract-Sec.2(h).

33. Which of the following Sections of the Indian Contract Act, 1872 defines "Consideration"?

(a) Section 2(a)
(b) Section 2(b)
(c) Section 2(c)
(d) Section 2(d) **Ans.(d)**
Exp. According to Section 2(d). It is some act, done or promised to be done, at the desire of the promisor. It may be present, part and future.

34. "An agreement without consideration is void" Which Section of the Indian Contract Act, 1872 lays down this provision?

(a) Section 23
(b) Section 2(d)
(c) Section 10
(d) Section 25(1) **Ans.(d)**
Exp. Exnudopacto non orito literally means an agreement without consideration is void-abinitio-Sec.25,

35. The nature of an agreement made under 4 the provisions of Section 20 of the Indian Contract Act, 1872 would be

(a) valid
(b) void
(c) invalid
(d) voidable **Ans.(b)**
Exp. According to Sec.20, where both parties to an agreement are under a mistake as to a matter of fact essential to the agreement the agreement is void.

36. "The Itability of the surety is coextensive with the principal debtor". It has been provided under

(a) Section 126
(b) Section 127

(c) Section 128
(d) Section 130 **Ans.(c)**
Exp. Unless otherwise agreed, the liability of the surety is co-extensive with principal debtor-Sec.128.

37. 'An agreement to do an act impossible' 1g provided in the Indian contract Act under

(a) Section 39
(b) Section 50
(c) Section 56
(d) Section 55 **Ans.(c)**
Exp. Para I to Sec.56 provides that an agreement to do an act impossible is void.

38. A contract of pledge is a contract of

(a) indemnity
(b) guarantee
(c) bailment
(d) agency **Ans.(c)**
Exp. Section 172 the ballment of goods as security for payment of a debt or performance of a promise is called "pledge". So a pledge is only a special kind of bailment

39. In kidnapping, consent of minor is

(a) wholly immaterial
(b) partly immaterial
(c) wholly material
(d) partly material **Ans.(a)**
Exp. Consent of minor is not material for the purposes of kidnapping under Sec.361 IPC. It says that whoever takes or entices any minor under 16 years of age is male. or under 18 years of age if a female, or any person of unsound mind, out of the keeping of lawful guardian of such minor or person of unsound mind without the consent of such quandlan, is said to kid nap such minor or person from lawful guardianship.





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40. **A, who deals only in coconut oil, enters into an agreement with B to sell 50 tons of oil. The agreement is**

- (a) enforceable by law
 - (b) void due to uncertainty
 - (c) voidable due to uncertainty
 - (d) None of the above
- Ans.(a)

Exp. The given problem is based on illustration (c) to Section 29 of the Indian Contract Act. It provides that agreements, meaning of which is not certain or capable of being made certain, are void.

41. **B Is wife of A. A during lifetime of B and with her consent makes an agreement with C to marry her (C). The agreement is**

- (a) void
 - (b) voidable
 - (c) valid
 - (d) None of the above
- Ans.(a)

Exp. A's agreement during life time of B to marry C is void under Section 23 of Indian Contract Act because object of agreement is immoral and also against public policy.

42. **A finds the key of B's house door, which B had lost, and commits house trespass by entering B's house, having opened the door with that key. A has committed the offence of**

- (a) lurking house trespass
 - (b) criminal misappropriation
 - (c) attempt to theft
 - (d) house breaking
- Ans.(d)

Exp. House breaking is provided under section 445 of IPC. Any person commits house trespass by effecting entrance into the house in any of the following six ways then he is said to commit house breaking (1) If he enters or quits through a passage by himself or by any abettor of the house trespass. (2) If he enters or

quits through any passage not intended by any person other than himself or an abettor of the offence for human entrance. (3) If he enters or quits through any passage which he or any abettor of the house has opened. (4) If he enters or quits by opening any lock in order to the committing of the house trespass. (5). If he effects his entrance or departure by using criminal force or committing an assault or by threatening any person with assault.

(6) If he enters or quits by any passage which he knows to have been fastened against such entrance or departure and unfastened by himself or by an abettor of the house trespass.

43. **What punishment may be awarded to the person whose act is covered under general exceptions of Chapter IV of IPC?**

- (a) No punishment
 - (b) Half of the punishment prescribed for that offence
 - (c) One fourth of the punishment prescribed for that offence
 - (d) Depends upon discretion of the court
- Ans.(a)

Exp. All acts or omissions of an accused which is an offence shall be read subject to Chapter IV (Sections 76-106) IPC Sec.6.IPC.

44. **In which of the following landmark cases, a three-judge bench of the Supreme Court prescribed four-point test relating to Section 300, thirdly, of IPC?**

- (a) Virsa Singh v. State of Punjab, AIR 1958 SC 465
- (b) States of UP. Ramesh Prasad Mishra (1996) 10 SCC 360
- (c) K.M. Nanavati V. State of Maharashtra, AIR 1962 SC 605





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(d) Nehru @ Jawahar v. State, AIR 2008 SC 2574 Ans.(a)

Exp. Supreme Court in Virsa Singh v. State of Punjab, 1958 SC, prescribed following four point test relating to Section 300, of IPC-It must establish, objectively (1) that a bodily injury is present. (ii) the nature of such injury must be Proved. (iii) it must prove that there was an intention to inflict that particular bodily injury of other words, it was not accidental or unintentional. (iv) when above three elements are proved then fourth test would be that the injury is sufficient in the ordinary course of nature to cause a death.

45. **Inducing a person with dish Intention to part with his par putting him in fear of physical amounts to an offence or icon with dishonest it with his property by of physical Injury**

- (a) theft
- (b) criminal misappropriation
- (c) extortion
- (d) criminal intimidation Ans.(c)

Exp. Sec-383 IPC provides for extortion, whoever intentionally puts any person in fear of any injury to that person, or to any other and thereby dishonestly induces the person so put in fear to deliver to any person anything or valuable security, or any thinking signed or sealed which may be converted into a valuable security, commits, "extortion".

46. **A sees B drowning in the river but does not save him. B is drowned. A has committed**

- (a) the offence of murder
- (b) the offence of abetment of suicide
- (c) the offence of culpable homicide not amounting to murder
- (d) no offence Ans.(d)

Exp. In the present problem, A does not have legal duty to save B. No one can be punished for moral wrong, hence A is not liable.

47. **"Common Intention' signifies**

- (a) similar intention
 - (b) prearranged planning
 - (c) presence of common knowledge
 - (d) common design for common objects
- Ans.(b)

Exp. Common Intention means prior agreement to execute a plan. It does not mean similar intention of several persons. For common intention, it is necessary that the intention of each one of them be known to the rest of them and shared by them.

48. **A, knowing that B has murdered Z, assists B to hide the body with the intention of screening B from punishment A is liable to**

- (a) imprisonment of either description for seven years and to fine also
 - (b) imprisonment for life
 - (c) death sentence
 - (d) fine only
- Ans.(a)

Exp. The given problem is based on illustration to Sec. 201 IPC. A's act comes under Second Para of Sec.201 IPC which says that if the offence for which disappear once of evidence was caused if punish able with capital offence, he shall be punished with imprisonment of either description for a term which any extend to 7 years and shall also be liable to fine.

49. **A is the paramour of Z's wife. She gives a valuable property to A, which A knows to belong to Z. and A takes it dishonestly, without any authority of Z to give away.**

- A has committed
- (a) the offence of theft





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(b) the offence of cheating

(c) the offence of extortion

(d) no offence

Ans.(a)

Exp. The given problem is based on illustration (0) of Sec.378 IPC, which define theft

50. Which of the following is not an essential element of theft?

(a) Dishonest intention

(b) Removal from possession

(c) Immovable property

(d) Without consent of the person in possession

Ans.(c)

Exp. Movable property is the subject-matter of theft under Sec.378 IPC. Theft is an offence against possession.

51. For the offence of abduction of person, abducted must be

(a) minor

(b) major

(c) minor or major

(d) None of the above

Ans.(c)

Exp. For the offence of abduction, abducted person may be of any age. The word any person under Section 362 indicates the person of any age.

52. Which of the following is not an essential element for the offence of kidnapping?

(a) Minor

(b) Intention of the accused

(c) Without the consent of lawful guardian

(d) Beyond the control of lawful guardian

Ans.(b)

Exp. Consent of minor is not material for the purposes of kidnapping under Sec.361 IPO. It says that whoever takes or entice any minor under 16 years of age if male or under 18 years of age if a female, or a person of unsound mind, out of the keeping of lawful guardian of

such mind or person of unsound mind without the consent of such guardian, is said to kidnap such minor or person from laws guardianship.

53. Under IPC, attempt to commit robbery is punished under

(a) Section 393

(b) Section 394

(c) Section 395

(d) Section 396

Ans.(a)

Exp. Attempt to commit robbery is punishable under Sec.393 IPC.

54. In which of the following cases, it is settled that death sentence should be awarded only in the rarest of rare cases?

(a) Rv. Govinda

(b) Hussainara v. State of Bihar

(c) Bachan Singh v. State of Punjab

(d) Sunil Batra v. Delhi Administration

Ans.(c)

Exp. In Bachan Singh v. State of Punjab, 1996 SC, held that death sentence should be awarded in rarest of the rare cases by recording a special reasons.

55. In which one of the following circumstances the right of private defence of the body extends to causing death?

(a) Reasonable apprehension to cause simple hurt

(b) Reasonable apprehension to cause simple theft

(c) Reasonable apprehension of causing wrongful restraint

(d) An act of throwing or administering acid or of such an attempt that reasonably causes apprehension of grievous hurt

Ans.(d)
Exp. It is inserted as clause seventhly in Section 100 of IPC Criminal Law





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(Amendment) Act, 2013 and came into force from 3-2-2013

(d) 7:9 Ans.(b)

56. As per IPC, gangrape is punished under

- (a) Section 376A
- (b) Section 376C
- (c) Section 376D
- (d) Section 376E

Ans.(c)

Exp. It is substituted by Criminal Law (Amendment) Act, 2013. These amendments came into force from 3-2-2013.

57. To which one of the following the word 'Illegal' used under Section 43 of IPC. It not applicable?

- (a) Which is an offence
- (b) Which is prohibited by law
- (c) Which furnishes a ground for civil action
- (d) Which is immoral

Ans.(d)

Exp. Section 43 of IPC, define the word illegal is applicable to everything which is an offence, which is prohibited by law which provides ground for civil action.

58. In which State the first 'Lok-Ayukt' was appointed?

- (a) Rajasthan
- (b) Maharashtra
- (c) Gujarat
- (d) Uttaranchal

Ans.(b)

59. International Workers Day is observed on

- (a) 15th April
- (b) 12th December
- (c) 1st May
- (d) 1st August

Ans.(c)

60. The ratio of width of our National Flag to its length is

- (a) 1:2
- (b) 2:3
- (c) 3:2

61. 'Law Day' is celebrated in India on which one of the following dates?

- (a) 15th August
- (b) 26th January
- (c) 26th December
- (d) 26th November

Ans.(d)

62. The State of Jharkhand was established on

- (a) 15th November, 2000
- (b) 16th November, 2000
- (c) 15th December, 2000
- (d) 16th December, 2000

Ans.(a)

63. On the basis of area, the largest State in India is

- (a) Rajasthan
- (b) Madhya Pradesh
- (c) Uttar Pradesh
- (d) Maharashtra

Ans.(a)

64. Joule is the unit of

- (a) temperature
- (b) pressure
- (c) energy
- (d) heat

Ans.(c)

65. Antibiotics

- (a) prevents pain (analgesic)
- (b) destroys body germs quickly
- (c) does not prevent germs from growing
- (d) both (b) and (c)

Ans.(b)

66. Where did Akbar born?

- (a) Delhi
- (b) Lahore
- (c) Agra
- (d) Amarkot

Ans.(d)

67. The Tax Reform Commission was set up by the

- (a) Planning Commission
- (b) Prime Minister



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- (c) Ministry of Finance
- (d) Interstate Council Ans.(c)

68. During proceeding for execution of a decree, if a question arises as to whether any person is or is not the representative of a party, such question shall be determined by

- (a) the court which passed the decree
- (b) the court executing the decree
- (c) the Appellate Court
- (d) a separate suit

Ans.(b)

Exp. All questions arising between the parties to the suit in which the decree was passed, or the representatives and relating to the execution, discharge or satisfaction of the decree, shall be determined by the court executing the decree and not by a separate suit - Sec. 47(1) C.P.C.

69. In execution of a decree, other than a decree for maintenance, passed against A. what shall be the attachable portion, if his salary is Rs. 10,000 per month?

- (a) Rs. 3,333
- (b) Rs. 5,000
- (c) Rs. 3,000
- (d) Rs. 6,666

Ans.(c)

Exp. Sec.60 C.P.C. provides property liable to attachment and sale in execution of decree. The gives problem is based on Sec.60 (1) C.P.C. provides that first 1000 Rs and two-third of the remainder are not liable for attachment in execution of any decree other than a decree for maintenance. Thus, out of 10,000 Rs., 1000 Rs not liable to attachment and remaining 9000 Rs, two-third salary is not liable to attachment, hence 6000 Rs. are liable to be attachment.

70. In an 'Interpleader suit' there

- (a) are several claimants claiming the property adverse to each other

(b) is only one claimant claiming the property against the other

- (c) are several claimants claiming the property under common interest of all
- (d) None of the above

Ans.(a)

Exp. Sec. 88 r/w Order 35 CPC provides for Interpleader suit. It is a suit in which the real dispute is not between a plaintiff and a defendant but between the defendants who interplead against each other, not as an ordinary suit In such suit plain tiff is not really interested in the subject matter of the suit.

71. The Court cannot order execution of a decree as per Section 51 of CPC, in which of the following ways?

- (a) By delivery of any property specifically decreed
- (b) By attachment and sale of property
- (c) By serving summons on the party
- (d) By appointing a receiver

Ans.(c)

Exp. Section 51 provides, Court may order execution of decree in the following ways (i) by delivery of property. (ii) by attachment and sale of property. (iii) by arrest and detention in prison, (iv) by appointing a receiver, and (v) in such other manner as nature of relief granted may require in the given case.

72. If the appellant withdraws the appeal preferred against a decree passed ex 13 of CPC shall be

- (a) rejected
- (b) returned
- (c) maintainable
- (d) referred for opinion of the Appellate Court

Exp. Explanation to Rule 13. Order 9 provides where there has been an appeal against a decree passed ex-parte, and appeal has been disposed of on any ground other than the ground that the appellant has withdrawn the appeal no





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application shall lie for setting aside that ex-parte decree.

73. Where a suit is abated or dismissed under Order 22 of CPC on the same cause of action

- (a) new suit may be instituted with the consent of parties
- (b) fresh suit may be filed with prior permission of the court
- (c) no fresh suit shall be brought
- (d) new suit may be filed if sufficient cause is shown

Ans.(c)

Exp. Where a suit abates or is dismissed under this Order, no fresh suit shall be brought on the same cause of action Order 22. Rule 9.

74. Which of the following is not correct regarding the powers of Appellate Court?

- (a) Appellate Court has power to determine a case finally
- (b) Appellate Court has power to remand the case
- (c) Appellate Court has no power to take additional evidence
- (d) Appellate Court has power to frame issue and refer them for trial

Ans.(c)

Exp. Section 107. Appellate Court shall have following power (i) determine a case finally (ii) remand a case (iii) frame issues and refer them for trial (iv) take additional evidence.

75. Period of detention in civil imprisonment, as a consequence of disobedience or breach of any injunction, shall not exceed

- (a) one month
- (b) three months
- (c) six months
- (d) one year

Ans.(b)

Exp. When a person disobeys or breach any terms of injunction granted may be

detained in the civil person for a term not exceeding three months by the Court Rule 2-A, Order 39 CPC.

76. If a party who has obtained an order to amend the pleadings under CPC, if not amended, after expiration of how many days shall not be permitted to amend the same without the leave of the court?

- (a) 15 days
- (b) 90 days
- (c) 14 days
- (d) 30 days

Ans.(c)

Exp. When a party has been granted for leave to amend within the given time then he has to amend the pleading within that time. But if no time is provided then within 14 days from the date of order and not after such expiration unless the time is extended by the Court-Order:6, Rule 18 CPC.

77. Where party dies after conclusion of the hearing and before pronouncing of Judgement

- (a) the suit shall abate
- (b) the suit shall not abate
- (c) the suit shall not abate if cause of action survives
- (d) it will be deemed that judgment has been pronounced before death of the party

Exp. Where a party dies after conclusion of the hearing and before pronouncing of judgment then the suit shall not abate and the judgment shall have effect as if it was pronounced before death. Order 22. Rule 6.

78. An application for revision under CPC is filed under

- (a) Section 114
- (b) Section 115
- (c) Section 116
- (d) Section 113

Ans.(b)



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Exp. Sec.115 provides for Revision. It can be filed in the High Court on the following grounds:- (1) that subordinate court has exercised a jurisdiction not vested in it by law; or (11) that subordinate court has failed to exercise a jurisdiction so vested. or, (iii) that subordinate court acted in the exercise of its jurisdiction illegally or with material irregularity.

79. Before filing a suit against government under Section 80 of CPC It requires a notice to be given to the government of

- (a) 60 days
- (b) 30 days
- (c) 90 days
- (d) 14 days

Ans.(a)

Exp. Prior notice of two months is mandatory under Sec.80 CPC if a suit is instituted against the Government or public servant.

80. Exemption from personal appearance in the court is provided under

- (a) Section 133 of CPC
- (b) Section 132 of CPC
- (c) Section 143 of CPC
- (d) Section 142 of CPC Ans.(a)

Exp. Exemption from personal appearance in the Court is provided under Sec. 133 of C.P.C.

81. A suit in respect of public charities is provided under

- (a) Section 92 of CPC
- (b) Section 41 of CPC
- (c) Section 100 of CPC
- (d) Section 105 of CPC Ans.(a)

Exp. A suit in respect of public charities is provided under Section 92 of IPC and the Advocate General or two or more persons having interest in the trust with the leave of the Court may institute a suit.

82. Suit of indigent persons has been provided under

- (a) Order 32 of CPC
- (b) Order 33 of CPC
- (c) Order 29 of CPC
- (d) Order 34 of CPC Ans.(b)

Exp. Order 33 of CPC provides for suit of indigent persons. A person is an indigent person (a) if he is not possessed of sufficient means (other than property exempt from attachment in execution of a decree and the subject matter of the suit) to enable him to pay the fee prescribed by law for the plaint in such suit, or (b) where no such fee is prescribed, if he is not entitled to property worth 1000 Rs./- other than the property exempt from attachment in execution of a decree, and the subject-matter of the suit - Explanation I to Rule 1 of Order 33 CPC.

83. The provision in respect of summary procedure has been laid down under

- (a) Order 37 of CPC
- (b) Order 36 of CPC
- (c) Order 38 of CPC
- (d) Order 40 of CPC Ans.(a)

Exp. Suits upon bill of exchange, hundies and promissory notes or recover a debt or liquidated demand in money is the subject matter of summary procedure- Order 37 C.P.C.

84. Under Section 37 of Code of Criminal Procedure every person is bound to assist a Magistrate or a Police Officer

- (a) in the taking or preventing the escape of any other person whom such
- (b) in the prevention or suppression of breach of peace
- (c) in the prevention of any injury





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attempted to be committed to railways

(d) All of the above Ans.(d)

Exp. Section 37 Cr.P.C. imposes duty upon the public to assist a Magistrate or Police Officer in following matters: in taking or preventing the escape of an offender, in the prevention or suppression of a breach of the peace, or in the prevention of in jury to railway, canal, telegraph or public property.

85. In a cognizable case under Indian Penal Code the police will have all the powers to-investigate

(a) except the power to arrest without warrant

(b) including the power of arrest without warrant

(c) and arrest without warrant, only after seeking permission from the Magistrate

(d) and arrest without warrant, only after

informing the Magistrate having jurisdiction to inquire into or try the offence Ans.(b)

Exp. In a cognizable case, police may arrest without warrant and investigate without the order of the Magistrate.

86. For the purpose of taking cognizance of an offence what period of limitation It prescribed by the court for an offence carrying punishment not exceeding one year?

(a) 3 months.

(b) 6 months

(c) 1 year

(d) 3 years of Ans.(c)

Exp. Period of limitation Section 468 of CrPC Six months, if the offence is punishable with fine only. in

(b) one yers if the offence is punishable with imprisonment for a term not exceeding one year

(c) Three yers if the offence is punishable with imprisonment for a term exceeding one year but not exceeding three years.

87. What is the maximum period an Executive Magistrate may authorize the detention to an accused in custody?

(a) Not exceeding 24 hours

(b) Not exceeding 3 days

(c) Not exceeding 7 days

(d) Not exceeding 15 days Ans.(c)

Exp. Sec.167(2A) CUPC. provides where a Judicial Magistrate is not available. the Executive Magistrate may authroize the detention of an accused in custody for a term not exceeding seven days.

88. Who is not entitled to any maintenance under Chapter DX of CIPC

(a) Divorced wife

(b) Judicially separated wife

(c) Illegitimate child

(d) Physically and mentally able adult son Ans.(d)

Exp. Following persons are entitled for maintenance:- Wife (including judicially separated wife), divorced wife is has not remarried, legitimate or illegitimate minor child, physically and mentally unable major son, or daughter (if not married). father, mother. Sec.125(1) Cr.P.C.

89. How long a warrant of arrest shall remain in force?

(a) 6 years

(b) 10 years

(c) 12 years

(d) Until executed or cancelled Ans.(d)

Exp. Every warrant shall remain inforce until it is cancelled by the Court which is sued it or until it is excuted-Sec. 70(2) Cr.P.C.

90. What is the time limit prescribed within





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which claims and objections to attachment to be made under CrPC?

- (a) 6 months
- (b) 60 days
- (c) 1 year
- (d) 3 years

Ans.(a)

Exp. Six months time limit from the date of such attachment to claim and object to such attachment on the ground that the claimant or objector (not proclaimed per son) has an interest in such property Section 84 Cr.P.C.

91. Under what appropriate Section, a Magistrate may issue an order of Injunction?

- (a) Section 133
- (b) Section 142
- (c) Section 144
- (d) Section 145 Ans.(b)

Exp. A Magistrate may issue an order of Injunction as is required to obviate or prevent such danger or injury pending the determination of the matter-Sec.142(1).

92. Under what Section of CrPC a Magistrate may direct local investigation?

- (a) Section 139
- (b) Section 133
- (c) Section 145
- (d) Section 147 Ans.(a)

Exp. The magistrate to direct local investigation and examine experts-Sec.139 CPC.

93. Who among the following may ask for security for keeping peace on conviction?

- (a) Sub-divisional Magistrate
- (b) District Magistrate
- (c) Executive Magistrate

(d) First Class Judicial Magistrate Ans.(d)
Exp. Section 106, a Court of Session or First

Class Judicial Magistrate may order to execute a bond as security for keeping peace on conviction for the period not exceeding three years.

94. What is the maximum period, under Section 110 of CrPC, for furnishing security prescribed for keeping good behaviour?

- (a) 6 months
- (b) 1 year
- (c) 2 years
- (d) 3 years Ans.(d)

Exp. Section 110 of CrPC. an Executive Magistrate has power to give order to execute bond as security for good behaviour from habitual offender for such period not exceeding three years.

95. A confession made under Section 164 of the Criminal Procedure Code of 1973 can be recorded by a Magistrate, during course of

- (a) a trial
- (b) an investigation
- (c) a trial or an investigation
- (d) investigation, but before the commencement of inquiry or trial Ans.(d)

96. Trial commences in warrant cases Instituted on police report

- (a) with the issuance of process against accused person
- (b) with the submission of police report
- (c) on the framing of formal charge
- (d) on the appearance of the accused in obedience to the process issued by the court Ans.(c)



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Exp. Section 240 of Cr.PC, the trial commences in warrant cases Instituted on police report on the framing of charge. Before framing of charge, is Court finds that charge is groundless then accused shall be discharged under Section 239 of CrPC.

97. Which of the following statements need not be signed by the maker?

- (a) Statement under Section 313 of Cr.P.C.
- (b) Statement under Section 164 of Cr.P.C.
- (c) Statement under Section 161 of Cr.P.C.
- (d) Statement (Confession) by accused under Section 164 of Cr.P.C.

Ans.(c) (deleted)

98. Under which Section of law, Magistrate has power to issue 'commission' for examination of witness in prison?

- (a) Section 270
- (b) Section 271
- (c) Section 272
- (d) Section 273 Ans.(b)

Exp. Section 271 of Cr.P.C. gives power to the Court to Issue commission for examination of the person detained in prison when evidence of such person is necessary for the end of justice.

99. Under which Section of law the court has provision to direct tender of pardon to the accused before pronouncement of Judgment?

- (a) Section 306
- (b) Section 307
- (c) Section 301
- (d) Section 310 Ans.(b)

Exp. Section 307, the Court has power to tender pardon basically after commitment of a case and before pronouncing of judgment.

100. If question asked to witness to any matter relevant to the matter in issue and the answer given by witness to such question will criminate him, then

- (a) the witness shall be compelled to answer such question
- (b) the witness shall not be compelled to answer such question
- (c) court may presume
- (d) None of the above Ans.(a)

Exp. Section 132 of Evidence Act, whether any question is asked to witness about any relevant matter in issue then such witness shall be compelled for answer of such question even though such question will criminate or will expose to a penalty or forfeiture of any kind. But proviso gives protection from any arrest or prosecution except a prosecution for giving false evidence by such answer.

