



J&K Civil Services (Judicial) (Mains) Examination, 2017
Optional I-VI

Roll No.
Time allowed: 3 hours]

(Paper-I)

Total No. of printed pages: 2
[Maximum Marks:100

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- viii) Candidates are in their own interest advised to go through the General Instructions on the back side of the title page of the Answer Script for strict adherence.
- ix) Candidates shall put a cross (x) on blank pages of answer Script.
- x) No blank page be left in between answer to various questions.
- xi) Attempt any five questions at least one question from each Part.
- xii) Use of Bare Acts is not allowed. xiii) No continuation sheets shall be provided to any candidate under any circumstances.
- xiv) In no circumstances help of a scribe will be allowed.

Linking Laws
PART-I
"Link the Life with Law"
All Judiciary Exam

1.
 - a) Write an explanatory note on two main schools of Hindu Law and state the distinction between the two. [15]
 - b) Who is 'Hindu' and who are persons governed by Hindu Law. [5]
2.
 - a) Elucidate the conditions of a valid marriage under the Hindu Law. [10]
 - b) Describe the grounds available for Judicial Separation in Hindus? [10]





- 3.
- a) Who is a coparcener? Explain his rights and liabilities in a Mitakshara Joint Family. [10]
- b) Write a note on 'Maintenance Pendente Lite'. [10]

PART-II

4. Write short notes on:
a) Khilwat-us-Sahih;
b) Shufa;
c) Khyar-ul-bulugh;
d) Ijab-o-Qabul [20]
5. Can a Muslim Wife seek dissolution of her marriage? If yes give the grounds laid down by the Traditional Muslim Law & Jammu & Kashmir Dissolution of Muslim Marriage Act. [20]
6. Define 'Hiba'. What are its essential requirements under Muslim Law? Is an oral hiba permissible under Muslim Law? Refer to relevant case law on the subject. [20]

PART-III

7. What was the position in Jammu & Kashmir before enactment of Shariat Act, 2007 in so far as the application of Custom is concerned? How has the said Act made changes in application of such customs? Are the provisions of the Act prospective or retrospective in nature? Refer to recent case law. [20]
8. Write a detailed note on 'Pisarparwardah'. What are the requirements for a valid adoption? [10]
- b) Write a short note on 'Dukhtar Khana Beerun' under custom. [10]
9. Write a detailed note on:
i) Widows right to inherit under Custom? [10]
ii) Dukhtar Khana Nishin. [10]





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(Paper-II)

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PART-I

1. Define a Private Company. What is the procedure by which a Private Company can convert itself into a Public Limited Company? [20]
2. How and when does winding up subject to the supervision of the Court takes place? [20]
3. Explain the concept of a Single Member Company. Describe its salient Features and advantages of forming such a company. [20]
4. Define Articles of Association of a Public Limited Company. What are the usual contents of Articles of Association? Is it necessary for a public limited company to have Articles of Association of its own? [20]





5. What is a 'Statutory Meeting'? What is the procedure provided by law for holding it? What particulars must a statutory report contain? What remedy has a shareholder if the meeting is not held or the report is not filed? [20]

PART-II

6. Compare Life Insurance with other types of Insurance'. [20]

7. a) What is a 'Policy' and what is its importance in Insurance law. [10]

- b) Define Fire Insurance. Explain Insurable interest in Fire Insurance. [10]

8. 'A contract of Insurance is a contract of utmost good faith' Discuss. [20]

9. Write short notes on: [20]
- a) 'Deviation';
 - b) Premium;
 - c) Compulsory Insurance of Motor Vehicles;
 - d) Marine Insurance;





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(Paper-III)

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PART-I

1. "The jurisdiction to decree specific relief is discretionary and the Court will not grant it merely because it is lawful to do so'. Discuss. [20]
2. Write notes on:
a) Permanent & Temporary Injunction;
b) Declaratory decree [20]
3. Discuss the scope of a suit for recovery of specific immovable property under section 8 and 9 of the Specific Relief Act. [20]

PART-II

4. State the essential of valid trust. What are the duties and liabilities of trustees? [20]
5. What do you understand by beneficiary? What are his rights and liabilities? [20]

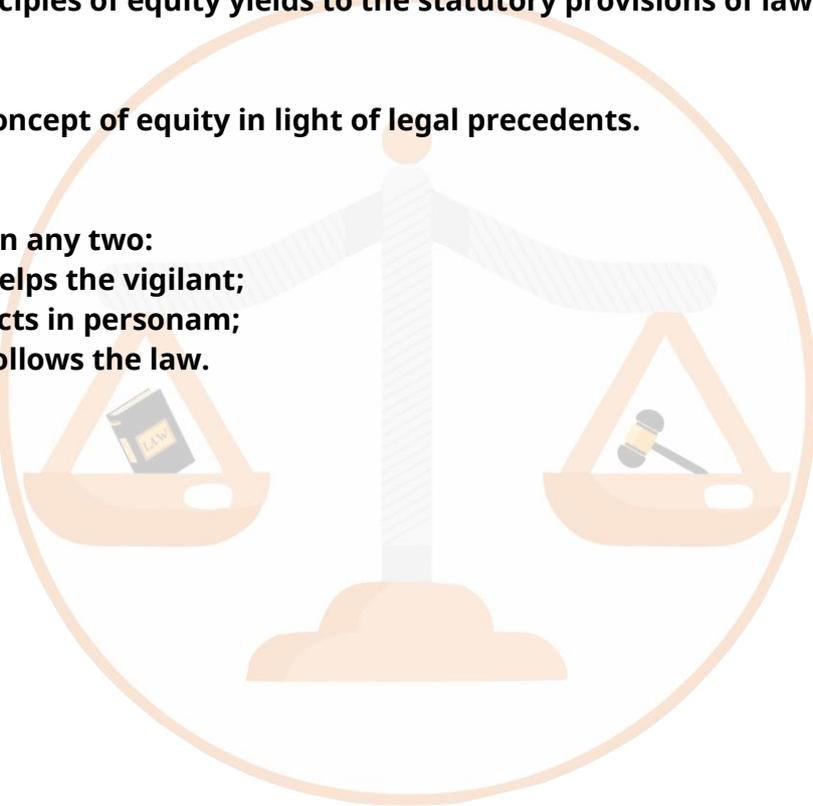




6.
a) What is Public Trust? What are the essential of Public Trust? [10]
b) What are the powers and duties of officers of Public Trust? [10]

PART-III

7. Discuss - principles of equity yields to the statutory provisions of law. [20]
8. Explain the concept of equity in light of legal precedents. [20]
9. Write notes on any two:
a) Equity helps the vigilant;
b) Equity acts in personam;
c) Equity follows the law. [20]





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(Paper-IV)

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PART-I

1.
 - a) What agreements are "Contracts"? How is 'Free Consent defined? [10]
 - b) Define 'Coercion' & 'Undu Influence'. [10]
2.
 - a) What are 'Contingent Contracts'? [10]
 - b) Write a short note on 'Performance of Reciprocal Promises'. [10]
3. Discuss with illustrations 'the consequences of breach of contract? [20]
4. Discuss the following in brief:
 - a) Bailment;
 - b) Ratification;
 - c) Void Agreement; and





d) Agent & Principal.

[20]

5. a) Write a detailed note with illustrations on contracts which need not to be performed.

[10]

b) What are the consequences of rescission of voidable contracts?

[10]

PART-II

6. "There is definite number of torts outside which liability in tort does not exist. Explain.

[20]

7. a) Discuss the scope of the rule in 'Rylands v. Fletcher'.

[10]

b) 'A' told 'B' as a practical joke that her husband died in an accident. 'B' suffered nervous shock and died. 'B's husband sues 'A'. Discuss the liability 'A'.

[10]

8. a) The defendant's servant sold some gasoline (a highly inflammable liquid) to two boys aged 7 and 9 years. The boys had falsely stated that they needed the same for their mother's car. They actually used gasoline for their play with the result that one of the boys was badly burnt. Whether the defendant is liable in case.

[10]

b) Give briefly the role of Consumer courts in dealing with cases relating to law of tort.

[10]

9. Write a note on:

- a) 'res ipsa loquitur';
- b) Act of God;
- c) Inevitable accident;
- d) Injuria sine alammum.

[20]





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(Paper-V)

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PART-I

1. Define the following:
a) Bill of exchange; b) Bond;
c) Conveyance; d) Instrument of partition. [20]
2.
a) How is stamp duty fixed where value of subject matter is indeterminate? [10]
b) What is the procedure when an Instrument is found not duly stamped? [10]

PART-II

3. Write a detailed note on procedure where objection is taken on appeal or revision that a suit or appeal was not properly valued for jurisdictional purposes. [20]





4. What is the law relating to court fees and suit valuation as laid down under Section 8 of the Suits Valuation Act, 1977?

[20]

PART-III

5. How is the amount of fee payable in the suits computed for:

- a) For specific performance;
- b) Multifarious suits;
- c) To enforce a right of pre-emption;
- d) For a declaratory decree and consequential relief.

[20]

6. What is the mode of levying fees as contained in Chapter V of the Court Fees Act, 1977?

[10]

PART-IV

7. Write a detailed note on the importance, scope and salient features of the Agriculturists Relief Act, 1983?

[20]

- 8.
- a) What is the time limit prescribed for filing a suit under Agriculturists Relief Act? [10]
 - b) What is the procedure applicable to such suits? Give the relevant provision of law in support of your view. [10]

PART-V

9. What is the law relating to import, export and transport of liquor and intoxicating drug with reference to provisions of the Jammu & Kashmir Excise Act, 1958?

[20]

10. Write short note on the following in light of the definitions given by the Jammu & Kashmir Excise Act, 1958:

- a) Excise Revenue;
- b) Liquor;
- c) Intoxicating Drug;
- d) Molasses.

[20]





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PART-I

1. Write a short note on:

- | | |
|---------------|---------------|
| a) Assami; | b) Hadbast; |
| c) Khudkasht; | d) Lal Kitab. |

[20]

2. What do you mean by 'Girdawari' under the Land Revenue Act? How is it maintained and what is its importance?

[20]

3.

a) What is 'Shajra Nasb'. What is its importance in drawing up Record of Rights in respect of a village?

[10]

b) What is 'Parat Sarkar & Parat Patwar' and who has to maintain it?

[10]





PART-II

4. What were the salient features of Tenancy Act? What changes were introduced by it in the Land lord-Tenant relationship in the State? [20]
5. What is the importance of Agrarian Reforms Act, 1976? Do you find the constitutionally valid in so far as the Fundamental Rights are concerned? Support your argument with case law. [20]

PART-III

6. Give the Salient features of Jammu & Kashmir Land Alienation Act? [20]
7. a) Is it permissible under law to transfer land in favour of a non State Subject. [10]
- b) What was the change introduced by the High Court in Susheela Sawhney's case (AIR 2003 J&K 83) in so far as the rights of married daughters are concerned. [10]

PART-IV

8. a) Land can be acquired for 'Public Purpose only. What are the recognized public purposes' and what is the procedure to acquire land. [15]
- b) If a land is acquired for public purpose but is not utilized for it what is the procedure to be adopted. [5]
9. What is the procedure required to be followed by a District Court when a reference is made to it by the Collector under the Provisions of Land Acquisition Act? [20]





Linking Laws



"Link the Life with Law"

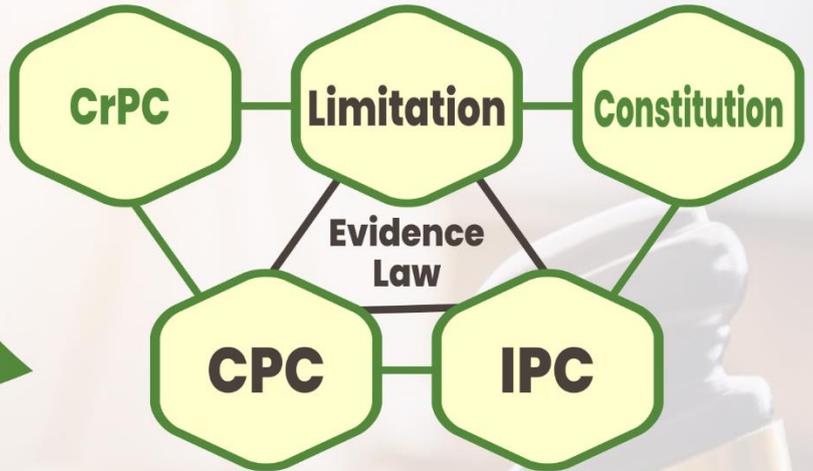
All Judiciary Exam

Why linking Laws?



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Ex-officer in State PSU

