



J&K Civil Service (Judicial) Preliminary Examination 2023

Paper - II

1. As per the Jammu & Kashmir Civil Service Regulations, which of the following statement(s) is/are correct with regard to 'temporary posts'?

- I. Whenever a temporary post is created which may have to be filled up by a person who is already a Government servant, its pay, should be fixed by the Government with due regard to the character and responsibility of the work to be performed
- II. For isolated cadre posts, it may occasionally be desirable to fix consolidated rates of pay.
- III. Whenever a temporary post is created which may have to be filled up by a person who is already a Government servant, its pay, should be fixed by the Government with due regard to the existing pay of Government servants of a status sufficient to warrant their selection for the post.
- IV. Temporary posts cannot include posts which are created to perform the ordinary work for which permanent posts already exist in the given cadre.

Choose the correct option:

- A) Only I is correct
- B) Only I, II and III are correct
- C) I, II, III and IV are correct
- D) Only I, III and IV are correct

Ans [B]

2. Does an officer on long leave, have a claim to 'substantive promotion' under the Jammu & Kashmir Civil Service Regulations?

- A) No
- B) Yes
- C) Only if (s)he was entitled to short leave
- D) Only if his/her immediate junior has already received the promotion

Ans [A]

3. 'Local allowance' is payable to Government servants on account of reasons like remoteness of the place of posting, severe inclement weather conditions, its remaining cut off from the rest of the State for a period of time, its expensiveness, and inadequacy of medical, educational, residential, and other basic amenities of life. Under the Jammu & Kashmir Civil Service Regulations, what are the conditions which must be observed while regulating this allowance?

- I. The allowance shall be admissible to local and non-local employees alike.
- II. This allowance shall be admissible to part-time Government servants.

III. The allowance shall be admissible to Government servants whether permanent, quasi-permanent or temporary.

Choose the correct option:

- A) I, II and III are correct
- B) Only I is correct
- C) Only I and III are correct
- D) Only I and II are correct

Ans [C]

4. Which of the following provisions of the Jammu & Kashmir Civil Service Regulations deals with the Determination of Date of Birth in reference to Government servants?

- A) Article 11-A
- B) Article 13-AB
- C) Article 31-AA
- D) Article 35-AA

Ans [D]

5. Which of the following statement(s) is/are correct with regard to 'Privilege leave' admissible to Government servants under the Jammu & Kashmir Civil Service Regulations?

- I. Employees in the Electric Department who have retained their work charge pay on coming to regular establishment may be allowed 'privilege leave' as a special case, provided the Government does not incur any extra cost during such leave.
- II. The benefit of 'privilege leave' can be allowed to employees who are engaged on work-charged establishment.
- III. Permanent employees of the Food Supplies Department shall not be allowed. 'privilege leave' like permanent employees of other permanent departments of the Government.
- IV. In the case of regular temporary establishment paid from contingencies or engaged on daily or monthly wages system, 'privilege leave' may be granted only when no extra charge is imposed on the State.

Choose the correct option:

- A) Only I, II and III are correct
- B) Only I, II and IV are correct
- C) I, II, III and IV are correct
- D) Only II is correct

Ans [B]





6. Which of the following statement(s) is/are correct with respect to the procedure for grant of leave under the Jammu & Kashmir Civil Service Regulations?

- I. When a Gazetted Officer applies for leave, (s)he should quote the relevant Article or Section of these Regulations, under which (s)he considers himself/herself entitled to leave.
- II. A Gazetted Government servant can discontinue his/her subscription to the General Provident Fund during his/her leave period, while (s)he is on leave.
- III. In case of non-gazetted officers, the Service Book should be carefully examined, and the rules referred to, before the application is sanctioned.
- IV. A Gazetted Government servant can discontinue his/her subscription to the General Provident Fund during his/her leave period, but if (s)he wishes to do so, (s)he must make the application to discontinue such subscription before (s)he proceeds on leave.

Choose the correct option:

- A) Only I and III are correct
- B) I, III and IV are correct
- C) I, II and III are correct
- D) Only I and IV are correct

Ans [B]

7. Shanti Devi is employed as an Accounts Assistant with the Horticulture department of the Government of Jammu & Kashmir. Unfortunately, she has suffered a miscarriage. Set She has applied for eight weeks of maternity leave, and her leave application is supported by a certificate from an authorized medical attendant. Can such leave be granted to her under the Jammu & Kashmir Civil Service Regulations?

- A) Yes
- B) Leave cannot be granted because the period for which she has applied for maternity leave, exceeds the maximum period for which maternity leave can be granted in cases of miscarriage.
- C) Leave cannot be granted because there is no provision for grant of maternity leave in cases of miscarriage.
- D) Insufficient information has been given in order to answer the question

Ans [B]

8. In order to provide an incentive to promote small family norms, Government employees who undergo sterilization operation may be granted one special increment in the form of personal pay not to be absorbed in future increase in pay, either in the same post or upon promotion to a higher post. Which of the following statement(s) represent conditions which are necessary to be satisfied in order for the concerned Government employee to benefit from such special increment?

- I. The benefit of the special increment would not be allowed in cases where the employee is held up at the Efficiency Bar stage of his/her time scale.
- II. Such benefit shall be available only to those employees who have two or three living children at the time of undergoing the sterilization operation.
- III. In the case of a male employee, he should not be over the age of 50 years, and his wife should be between 20 to 45 years of age, at the time of undergoing the Sen operation.
- IV. In the case of a female employee, she should not be above the the age of 45 years, and her husband should not be over 50 years of age, at the time of undergoing the operation.

Choose the correct option:

- A) I, II and III are necessary conditions
- B) II, III and IV are necessary conditions
- C) I, III and IV are necessary conditions
- D) Only III and IV are necessary conditions

Ans [B]

9. Which of the following is/are correct with regard to deputation of Government servants to non-Government organizations, including corporations, companies, autonomous bodies, etc within or outside the State or to Central Government or any other State Government, under the Jammu & Kashmir Civil Service Regulations?

- I. An employee appointed on deputation may elect to draw either the pay in the scale of pay of deputation position or the Basic Pay and pay scale of the parent cadre plus Personal Pay, if any.
- II. All deputation cases involving deputation of Government servants shall be decided by the concerned Administrative Department on standard terms and conditions.
- III. The period of deputation in any case shall not exceed three years.





- IV. The period of deputation may be extended beyond a period of three years, upon the request of the borrowing agency for a maximum period of one year at a time, subject to a maximum period of five years.

Choose the correct option:

- (A) Only II is correct
- (B) Only I and II are correct
- (C) Only I, II and III are correct
- (D) I, II, III and IV are correct

Ans [C]

10. Which of the following statements is **INCORRECT** with regard to 'privilege leave' as understood under the Jammu & Kashmir Civil Service Regulations?

- (A) The privilege leave due to an officer is the privilege leave, which (s)he has earned since the last interruption of duty, less the period during which (s)he has been absent on privilege leave.
- (B) Privilege leave is earned by uninterrupted duty.
- (C) The amount of privilege leave admissible at one time is limited to a period of four calendar months.
- (D) Service qualifying for privilege leave begins immediately after the officer is first appointed to Government service, i.e., even before (s)he takes over charge of the office to which (s)he has been appointed.

Ans [D]

11. Satnam Singh is a Government servant who is disabled by an injury which was caused. in consequence of the due performance of his official position. To which of the following types of leave would he be entitled to, under the provisions of the Jammu & Kashmir Civil Service Regulations?

- (A) Special disability leave
- (B) Disability leave
- (C) Medical leave
- (D) Privilege leave

Ans. [A]

12. Under what circumstances, can maternity leave' be combined with vacation or holidays aue under the provisions of the Jammu & Kashmir Civil Service Regulations?

- A) Under all circumstances.
- B) If circumstances make such a course, absolutely unavoidable.
- C) Only when the employee has exhausted the privilege leave available to her.

- D) Only when the employee is posted at a station, where no member of her immediate family is available to take care of her/her child.

Ans. [B]

13. Article 163 of the Jammu & Kashmir Civil Service Regulations deals with the subject of 'extraordinary leave without allowances'. Which of the following statement(s) is/are correct with regard to these allowances?

- I. It may be granted in case of necessity when no other type of leave is by rule admissible.
- II. The wives of Defence services personnel who are serving in Civil Services in temporary capacity, can be allowed such leave of up to six months at a time during the period that their husbands remain posted to family stations other than the one where their wives may be serving.
- III. Time spent on 'extraordinary leave without allowances' does not count as service for the purpose of any other type of leave.
- IV. The Education Department is authorized to grant leave without allowances beyond three months, but not exceeding a total period of two years, in favour of in-service officiating/temporary B.Sc. Demonstrators for the period that they undergo the M.Sc. Course.

Choose the correct option:

- (A) Only I and III are correct
- (B) Only I, III and IV are correct
- (C) I, II, III and IV are correct
- (D) Only I, II and III are correct

Ans. [C]

14. Which of the following statement(s) is/are correct with regard to the necessity of obtaining permission for receiving awards by a Government servant, as per the relevant provisions of the Jammu & Kashmir Civil Service Regulations?

- I. All Government servants are eligible without special permission, to receive the premium awarded for any essay or plan in public competition.
- II. All Government servants are eligible without special permission, to receive any reward offered for the arrest of a criminal or for information or special services in connection with the administration of justice.
- III. All Government servants are eligible to receive the premium awarded for any essay or plan in public competition, provided the





Head of the concerned Office/ Department certifies in writing that the participation of the concerned Government servant in the said competition can be carried out without detriment to his/her official duties.

- IV. All Government servants may receive a fee from a private person or private body, or a public body whose funds are not administered by the Government for work done for it, provided (s)he has undertaken the work with the written permission of the Head of the concerned Office/Department.

Choose the correct option:

- (A) Only I is correct
- (B) I, II, III and IV are correct
- (C) Only II, III and IV are correct
- (D) Only I, II and IV are correct

Ans. [D]

15. In case there is sufficient space available in the strong rooms of a treasury which is situated within the local limits of the District, which of the following officers is/are competent to grant permission for the purpose of keeping in such treasuries for safe custody, cash chests and valuables belonging to local bodies?

- (A) Treasury Officers in the case of Saddar Treasuries located at Jammu and Srinagar, and the concerned Sub Divisional Magistrates, in the case of treasuries which are located at District, Tehsil and Niabat headquarters.
- (B) Treasury Officers in the case of Saddar Treasuries located at Jammu and Srinagar, and the concerned Deputy Commissioners, in the case of treasuries which are located at District, Tehsil and Niabat headquarters.
- (C) Treasury Officers in the case of Saddar Treasuries located at Jammu and Srinagar, and any officer above the rank of Accounts Assistant, in the case of treasuries which are located at District, Tehsil and Niabat headquarters.
- (D) Treasury Officers in the case of Saddar Treasuries located at Jammu and Srinagar, and the concerned District Treasury Officers, in the case of treasuries which are located at District, Tehsil and Niabat headquarters.

Ans. [B]

16. As per the provisions of the Jammu & Kashmir Financial Code, how frequently should the concerned Treasury Officer examine the condition of boxes of jewellery, bullion and other valuables which are lodged in the treasury for safe custody,

and record the result of such examination in the register of boxes kept at the treasury?

- (A) Once a year
- (B) Once a month
- (C) Once in six months.
- (D) Once in three months

Ans. [B]

17. As per the Jammu & Kashmir Financial Code, what is the maximum amount for which the Excise & Taxation Commissioner, Jammu & Kashmir, can grant rewards to any Government servant of the Excise Department or any other Government servant or person who may be instrumental in the detection or punishment of an offence against the Excise Act Samvat 1958?

- (A) 50% of the sale proceeds of attached or confiscated property, can be given as reward.
- (B) In cases where a fine has been imposed, out of the total amount of fine imposed, a maximum of 60%, after deducting from the total amount realized, all excise duties and charges due from the offender, can be given as reward.
- (C) In cases where no fine has been imposed, such amount not exceeding Rs. 5000 in each case, as the summoning officer may think fit, can be given as reward.
- (D) In cases where the offence has been detected as a result of information given by any person who is not a member of the Excise & Taxation department, such person can receive a maximum of 40% of the reward, and the rest must be distributed amongst the officers of the Excise & Taxation department who cooperated in the detection or punishment of the offence.

Ans. [A]

18. Which of the following statement(s) is/are correct with regard to the Rules regarding purchase and issue of liveries to various classes of Government servants, as per the provisions of the Jammu & Kashmir Financial Code?

- I. Uniforms of officers and subordinates of Fire Service Department shall be prepared by them departmentally.
- II. Liveries to orderlies working in the High Court will be got prepared by the High Court according to the pattern approved by the High Court within its budget grants.
- III. Liveries meant for process servers working in the Subordinate Courts (Judicial Department) shall be prepared according to the pattern approved by the Hon'ble Chief Justice, within the budget grant.





- IV. Only drivers attached to Ministers, Deputy Ministers, Speaker & Deputy Speaker of the Legislative Assembly, and Chairman & Deputy Chairman of the Legislative Council shall be entitled to liveries, and drivers and cleaners of the State Garages shall not be entitled to liveries.

Choose the correct option:

- (A) Only II and IV are correct
- (B) Only I, II and III are correct
- (C) Only II, III and IV are correct
- (D) I, II, III and IV are correct

Ans. [B]

19. According to the provisions of the Jammu & Kashmir Financial Code, certain types of records, should, on no account, be destroyed. Which of the following statement(s) is/ are correct?

- I. Records connected with expenditure on projects, schemes, or works which have not yet been completed, even though such projects are beyond the period of limitation, cannot be destroyed.
- II. Record connected with claims to service and personal matters affecting persons in service, cannot be destroyed.
- III. Records connected with expenditure which is within the period of limitation fixed by law, cannot be destroyed.
- IV. Records connected with expenditure on large projects, schemes or works which involve a cost of rupees 100 crores or more, even though such projects may already have been completed, and are beyond the period of limitation, cannot be destroyed.

Choose the correct option:

- (A) I, II, III and IV are correct
- (B) Only I, II and III are correct
- (C) Only I and II are correct
- (D) Only I, III and IV are correct

Ans. [B]

20. Which of the following statement(s) is/are correct with regard to the use of Government vehicles (both cars and jeeps) as per the provisions of the Jammu & Kashmir Financial Code?

- I. All Government vehicles, including those belonging to the Departments of Geology & Mining, Jal Shakti, Irrigation & Flood Control, Food, Civil Supplies & Consumer Affairs, and other Departments, shall bear a specific colouring.
- II. The Head of the State Garages Department has the responsibility to see whether, in

regard to a particular conveyance, it is worthwhile to replace part(s) or to repair major damages, or in the alternative, to condemn the vehicles.

- III. The requisition for allotment of a Government vehicle on temporary basis, e.g. for receiving State Guests, V.I.Ps etc., or for duty in connection with conferences, seminars etc., or for other temporary duties of a public nature, or for allotment on permanent basis, shall be forwarded by the concerned Head of the Department or by the Secretary to Government, to the Secretary to Government Transport Department (Garages).

- IV. Vehicles which have been specifically equipped/modified in order to serve a particular purpose, such as a publicity jeep of the Weights & Measures Department or an audio-visual van, shall continue to remain in the common pool with the State Garages Department at Srinagar and Jammu, and the Transport Department (Garages) shall be responsible for their registration, upkeep, maintenance and pay of establishment etc. out of its own budgeted grants.

Choose the correct option:

- (A) Only I, II and III are correct
- (B) Only II and III are correct
- (C) Only II, III and IV are correct
- (D) I, II, III and IV are correct

Ans. [A]

21. As per the provisions of the Jammu & Kashmir Financial Code, for which of the following Government vehicles, will the State Garages Department have the responsibility for registration, upkeep, maintenance and pay of establishment, out of its own budgeted grants?

- (A) Vehicles which have been given by the Government of India in accordance with various Central Schemes which are to be operated by the State Government, such as malaria eradication, administration of B.C.G. vaccine, extension van of T.T. College, etc.
- (B) Government vehicles allotted to Secretaries to Government
- (C) Government vehicle allotted to Resident Commissioner, Jammu & Kashmir, New Delhi
- (D) Government vehicles belonging to the Geology & Mining Department

Ans. [B]





22. As per the provisions of the Jammu & Kashmir Financial Code, in which of the following cases, are judges of the criminal courts NOT allowed to grant to the witnesses and complainants, expenses, i.e., subsistence and travelling allowances?

- (A) Non-bailable cases in which the presiding judge finds that the complaint has been lodged solely in the interest of justice.
- (B) Bailable cases in which a Magistrate of the First Class, or a Sessions Judge upon the recommendation of a Subordinate Magistrate, declares that the grant of expense(s) is in the interest of administration of justice.
- (C) All bailable and non-bailable cases filed, with the approval of judges of the High Court or the Sessions Judges.
- (D) Excepting special cases in which a Sessions Judge may allow any other rate, which in no case should exceed Rupees 1000 a day, subsistence allowance may be paid to the witnesses at such rates ranging from Rupees 100 to Rupees 500 as the presiding officer of the court may, with due regard to the status of the witness, determine in his/her discretion.

Ans. [D]

23. According to the provisions of the Jammu & Kashmir Financial Code, a minimum life is prescribed for various stock articles. As per the Code, no article of stock shall be condemned before the minimum life prescribed, unless on actual inspection, it is certified to be actually unserviceable. In the case of articles like steel trunks, benches, buckets, stools and almirahs, what is the minimum life that has been prescribed?

- (A) Ten years
- (B) Fifteen years
- (C) Fifteen years and eight months
- (D) No minimum life has been fixed

Ans. [A]

24. Which of the following statement(s) is/are true with regard to cheques which are tendered in payments of Government dues, and are accepted and honoured on presentation?

- I. Payment shall be deemed to have been made on the date on which the cheque was handed over to a Government Officer authorized to receive money on behalf of the Government.
- II. If the cheque is sent by post in pursuance of an instruction to make payment by post,

payment shall be deemed to have been made on the date on which the cover containing the cheque, was put into the post.

- III. Where a cheque is marked as not payable before a certain date, the payment shall not be deemed to have been made until the date written on the face of such a cheque.
- IV. Where a cheque is marked as not payable before a certain date, the payment shall not be deemed to have been made until the date on which such payment becomes due.

Choose the correct option:

- (A) Only I and II are correct
- (B) Only I, II and III are correct
- (C) Only I, II and IV are correct
- (D) I, II, III and IV are correct

Ans. [C]

25. Which of the following statement(s) is/are correct with regard to the authority of the Resident Commissioner, Government of Jammu & Kashmir (stationed at New Delhi) to sanction advance T.A. of Officers subordinate to him/her?

- I. A proper programme of the journey shall be drawn up and approved by the Competent Authority.
- II. The amount of advance T.A. shall be calculated on the basis of the programme, and at rates admissible under the Rules, to the concerned Government servants.
- III. The total distance to be covered by the journey, whether by air or by road, or partly by air and partly by road, should not exceed 644 kilometers on both sides.
- IV. The distance to be covered by the journey, whether by air or by road, or partly by air and partly by road, exceeds 322 kilometers on one side of the concerned Government servant's Headquarters or from the place where the journey is to start.

Choose the correct option:

- (A) Only I, II and III are correct
- (B) Only I and II are correct
- (C) I, II, III and IV are correct
- (D) Only I, II and IV are correct

Ans. [D]

26. Which of the following statements is NOT correct with regard to 'general principles and restrictions relating to expenditure' as per the provisions of the Jammu & Kashmir Financial Code?

- (A) Every Government servant who incurs or sanctions expenditure from the revenues of





the State should be guided by high standards of financial propriety.

- (B) A Government servant who is not ordinarily in-charge of a cash book, cannot, under any circumstances, receive money on behalf of the Government.
- (C) Every Government servant is expected to exercise the same vigilance in respect of expenditure incurred from public money as a person of ordinary prudence would exercise in respect of expenditure of his/her own money.
- (D) The expenditure incurred should not be prima facie more than what the occasion demands.

Ans. [B]

27. Which of the following statement(s) is/are correct with regard to the 'Annual Financial Statement' or 'Budget' as defined under the Jammu & Kashmir Financial Code?

- I. This document is a statement of the actual annual revenue and expenditure of the State, as prepared by the Finance department.
- II. This document is a statement of the estimated annual revenue and expenditure of So the State, as prepared by the Finance department.
- III. The form of the Budget is laid down by the Finance department, and no alteration of arrangement or classification can be made without the approval of that department.
- IV. There is a clear demarcation between votable and charged expenditure in the Budget.

Choose the correct option:

- (A) Only I and III are correct
- (B) I, III and IV are correct
- (C) II, III and IV are correct
- (D) Only I and IV are correct

Ans. [C]

28. Which of the following statement(s) is/are correct with regard to 'Form of Bill and Vouchers' as per the provisions of the Jammu & Kashmir Financial Code?

- I. Vouchers cannot be prepared and signed in ball pen.
- II. Vouchers must be ink-signed in order to be valid.
- III. Vouchers should, as far as possible, be in printed forms in English or Urdu languages.
- IV. When the use of a voucher in any language other than English or Urdu is unavoidable, a brief abstract should be endorsed in either

English or Urdu, under the signature of the preferring officer, stating the amount, name of payee and nature of payment.

Choose the correct option:

- (A) I, II and IV are correct
- (B) I, III and IV are correct
- (C) Only II and IV are correct
- (D) Only III and IV are correct

Ans. [D]

29. Which of the following course of action is NOT a correct course of action which can be adopted by a Magistrate when the accused is brought before him/her, as per the Rules and Orders for the guidance of Courts subordinate to the High Court of Judicature (Criminal)?

- (A) If (s)he has jurisdiction to try the case or commit it for trial, (s)he can proceed at once to try the accused himself/herself or hold an inquiry with a view to committing the accused person for trial.
- (B) If (s)he has jurisdiction to try the case or commit it for trial, (s)he can remand the accused to police or Magisterial custody, as (s)he may think fit, for a period not exceeding 15 days.
- (C) If (s)he has no jurisdiction to try the accused or commit him/her for trial, (s)he may, if (s)he thinks there is no ground for further detention, at once send the accused to a Magistrate having jurisdiction in the matter, with a view to ensuring the trial or discharge of the accused person.
- (D) If (s)he has jurisdiction to try the case or commit it for trial, he cannot discharge the accused person at once, only on the ground that there is no cause shown for his/ her further detention.

Ans. [D]

30. Which of the following statement(s) is/are correct with regard to the hearing of appeals under the Rules and Orders for the guidance of Courts subordinate to the High Court of Judicature (Criminal)?

- I. It is not possible for a District Magistrate to get a real acquaintance with the work of the subordinate Magistrates unless he hears appeals arising from their orders.
- II. Apart from conducting periodical inspection of courts in his/her district, the District Magistrate, even in those districts where another officer has been invested with appellate powers, must arrange to hear



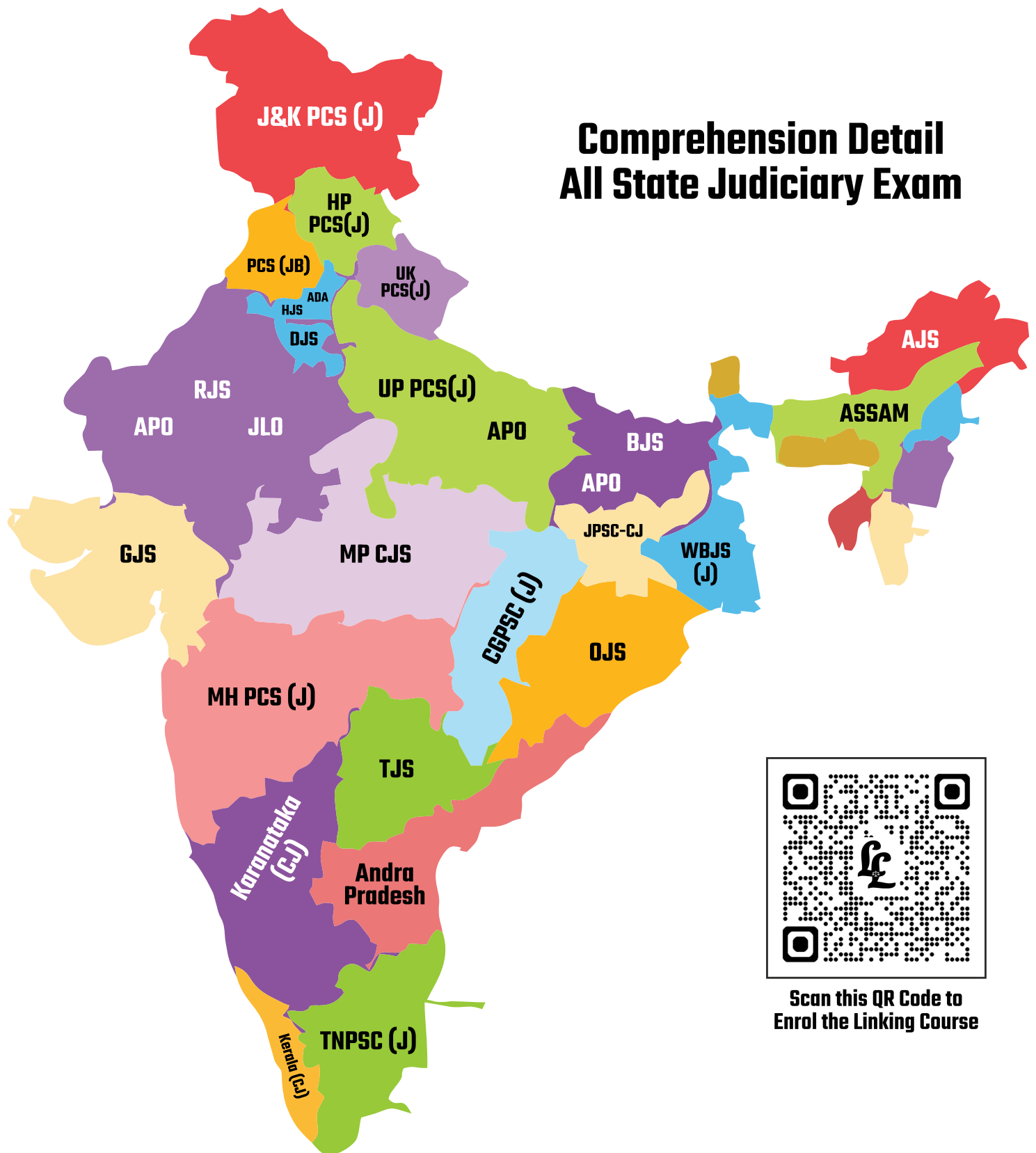


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sufficient appeals to keep himself/herself fully acquainted with the quality of the work of all courts in the district in question.

- III. It is impossible for a District Magistrate to exercise the necessary control over the subordinate courts in his/her district, unless by the occasional hearing of important cases, (s)he maintains a certain amount of technical acquaintance with the difficulties of courts which is necessary in order to exercise a degree of satisfactory control over the functioning of the subordinate courts.
- IV. The High Court attaches a considerable degree of importance to the District Magistrate taking a proper share in the actual Magisterial work of his/her district by way of trying original cases.

Choose the correct option:

- (A) Only I, II, III are correct
(B) I, II, III and IV are correct
(C) Only I and III are correct
(D) Only I, III and IV are correct

Ans. [B]

31. Which of the following statement(s) is/are correct with regard to the principles which have to be observed while granting remand, as per the Rules and Orders for the guidance of Courts subordinate to the High Court of Judicature (Criminal)?

- I. In all ordinary cases in which time is required by the police to complete the enquiry, the accused person should be detained in Magisterial custody.
- II. Whenever possible, where the object of the remand is merely the verification of the statement made by the prisoner, (s)he should be remanded to Magisterial custody.
- III. Whenever an accused person is remanded to police custody, the period of the remand should be as short as possible.
- IV. Under no circumstances should an accused person be remanded to police custody, unless it is made clear that his/her presence is actually needed in order to serve some important and specific purpose connected with the completion of the enquiry which is in process.

Choose the correct option:

- (A) Only I and III are correct
(B) Only I and II are correct
(C) I, II, III and IV are correct
(D) Only I, II and III are correct

Ans. [C]

32. As per the Rules and Orders for the guidance of Courts subordinate to the High Court of Judicature (Criminal), all challans which are filed by the police, and all complaints which have been filed, are required to be put up, before Magistrates having territorial jurisdiction and otherwise competent to entertain the case. In the absence of such Magistrates, before which authority are such challans and complaints required to be put up?

- (A) Illaqa Magistrate
(C) Executive Magistrate
(B) District Magistrate
(D) Sub Divisional Magistrate

Ans. [B]

33. Which of the following statement(s) is/are correct with regard to 'remand of an accused person' as per the Rules and Orders for the guidance of Courts subordinate to the High Court of Judicature (Criminal)?

- I. Any person accused or suspected of a crime when arrested by the Police shall be brought before a Magistrate as soon after twenty-four hours of his/her arrest, as is possible.
- II. Such a person when brought before the Magistrate, should be remanded to the judicial lock-up, unless the Magistrate otherwise directs.
- III. Non-completion of police investigation is, in itself, a sufficient cause for granting remand of the accused person to the police.
- IV. If the police make a request to the Magistrate to hand over to them, the custody of the accused person, the concerned Magistrate shall, before according to their request, thoroughly satisfy himself/herself, that there are good and sufficient reasons for the request being granted.

Choose the correct option:

- (A) I, II, III and IV are correct
(B) Only I and IV are correct
(C) Only I, II and IV are correct
(D) Only I, II and III are correct

Ans. [C]

34. Which of the following is NOT one of the powers available to Magistrates of the second. class, as per the Rules and Orders for the guidance of





Courts subordinate to the High Court of Judicature (Criminal)?

- (A) To make orders under section 144 of the Code of Criminal Procedure, with regard to nuisances.
- (B) To hold inquests under section 174 of the Code of Criminal Procedure.
- (C) To take cognizance of offences under section 190 of the Code of Criminal Procedure.
- (D) To make orders as to local nuisances, under section 133 of the Code of Criminal Procedure.

Ans. [D]

35. Which of the following statement(s) is/are correct with regard to 'Appeals from orders of Munsiffs and Subordinate Judges', as per the Rules and Orders for the guidance of Courts subordinate to the High Court (Civil)?

- I. An appeal from a decree or order of a Munsiff or a Subordinate Judge lies to the District Judge where the value of the original suit concerned does not exceed a sum of Rupees 2,500.
- II. An appeal from a decree or order of a Munsiff or a Subordinate Judge lies to the High Court where the original suit concerned is of a value exceeding Rupees 2,500, or directly involves some claim to, or question respecting, property of like value.
- III. When a Subordinate Judge has been invested with appellate powers under section 34 of the Civil Court Act, all appeals from decrees or orders passed in an original suit by any Munsiff, which such Subordinate Judge has been empowered to hear, shall be preferred to such Subordinate Judge.

Choose the correct option:

- (A) I, II and III are correct
- (B) Only I and II are correct
- (C) Only I and III are correct
- (D) Only I is correct

Ans. [A]

36. Which of the following statement(s) is/are correct with regard to the language in which a judgment is written, as per Rules and Orders for the guidance of Courts subordinate to the High Court (Civil)?

- I. The judgment must always be written in the English language.
- II. Whenever the judgment is written in the English language, it must always be translated into Urdu.

III. When such translation is not made by the presiding officer, (s)he should always satisfy himself/herself that it is correct.

Choose the correct option:

- (A) Only I is correct
- (B) Only II is correct
- (C) Only II and III are correct
- (D) I, II and III are correct

Ans. [C]

37. Which of the following statement(s) is/are correct with regard to 'loss of public money' as per the Rules and Orders for the guidance of Courts subordinate to the High Court (Civil)?

- I. Whenever any loss of public money is discovered, such fact must be immediately reported to the High Court.
- II. Whenever a defalcation in the accounts of any ministerial officer of the courts is brought to light or any loss of public money is discovered, such fact is required to be reported to the High Court in a forth with manner, and a proper inquiry must be - instituted in this matter.
- III. After a thorough investigation has been conducted in the matter, a further and complete report should be submitted to the High Court, stating the nature and extent of the loss, showing the errors or neglect of rules by which such loss was rendered possible.
- IV. Such report must also contain suggestions for improvement, so as to make such loss impossible in future.

Choose the correct option:

- (A) Only I, II and III are correct
- (B) I, II, III and IV are correct
- (C) Only II and III are correct
- (D) Only II, III and IV are correct

Ans. [B]

38. Which of the following statement(s) is/are correct with respect to the role of District Judges as per the Rules and Orders for the guidance of Courts subordinate to the High Court (Civil)?

- I. District Judges are required to see that all subordinate courts in their jurisdiction follow the prescribed procedure in their proceedings, and are not left without guidance in matters in which they may be found to be at fault or to be in want of proper instruction.
- II. Whenever any District Judge proposes to issue any circular/order to judicial officers





subordinate to himself/herself on any judicial matter, excluding mere office routine orders on question like distribution of work, (s)he shall be required to send an advance copy of the proposed circular/order to the High Court, not less than four weeks before the date of issue such circular/order.

- III. District Judges must exercise proper supervision over inexperienced officers and officers in training, and their work should be watched with kind interest, guidance being afforded them on all proper occasions.
- IV. Whenever there is any incident of loss of public money, it is required to be promptly reported. Reports from Muffassils are required to be submitted by the subordinate Judge or Munsiffs (as the case may be), through the District and Sessions Judge, and by the latter, in regard to the courts at the headquarters, directly to the Accountant General, who shall forward them for the information of Government, through the High Court.

Choose the correct option:

- (A) Only I, II and III are correct
(B) I, II, III and IV are correct
(C) Only I, III and IV are correct
(D) Only I and IV are correct

Ans. [C]

39. Which of the following statements is **INCORRECT** with regard to 'attachment of immovable property' under the Rules and Orders for the guidance of Courts subordinate to the High Court (Civil)?

- (A) The mode of attaching immovable property shall be by issuing a prohibitory order to the judgment debtor, and through him to the public generally.
(B) When the property in question is land which is paying revenue to the State, four copies of the prohibitory order are required to be prepared.
(C) When the property in question is other immovable property (which is not paying revenue to the State), only two copies of the prohibitory order are required to be prepared.
(D) The details given in the schedule annexed to the order should be identical with those given in the schedule of property given in the warrant.

Ans. [B]

40. Which of the following details are **NOT** required to be mentioned as part of the 'Memorandum of Appeal', as per the Rules and Orders for the guidance of Courts subordinate to the High Court (Civil)?

- (A) Name and address of each person who is proposed to be made a respondent, in the matter at hand.
(B) The court in which, and the name of the officer by whom, the decree or order objected to, was made.
(C) The value of the appeal.
(D) The name of the lawyers engaged by the parties, if any.

Ans. [D]

41. Which of the following statement(s) is/are correct with regard to the 'despatch of subjects sent for analysis by the Medical Officer', as per the Rules and Orders for the guidance of Courts subordinate to the High Court of Judicature (Criminal)?

- I. The officials of the postal department must be informed about the contents of the package.
II. The number of the letter advising the despatch of the article should be entered on the out side of the box containing the substance which is to be analyzed, above the sender's name.
III. If the substance which is to be analyzed is liable to decompose, it should be properly immersed in methylated spirits of wine, which should be used in the proportion of one-third of the bulk of the material.
IV. The substance to be analyzed must be packed in a glass bottle/jar, which, in turn, should be placed in a strong wooden or tin box. This box should be large enough to allow a layer of raw cotton, at least three-fourths of an inch thick, to be placed between the bottle/jar containing the substance to be analyzed, and the box.

Choose the correct option:

- (A) I, II, III and IV are correct
(B) Only II, III and IV are correct
(C) Only III and IV are correct
(D) Only I, III and IV are correct

Ans. [B]

42. Which of the following statements is **correct** regarding section 85 of the Indian Registration Act, 1908?

- (A) It deals with documents executed by several persons at different times.





- (B) It deals with documents of which registration is optional.
- (C) It deals with destruction of unclaimed documents.
- (D) It deals with documents executed out of India.

Ans. [C]

43. Section 23 of the Registration Act, 1908 provides that a document other than a will shall not be accepted for registration unless presented for that purpose to the proper officer within:

- (A) Four months from the date of its execution
- (B) Six months from the date of its execution
- (C) Two months from the date of its execution
- (D) One months from the date of its execution

Ans. [A]

44. Which of the following section of the Registration Act, 1908 provides that if any document duly presented for registration be in a language which the registering officer does not understand, and which is not commonly used in the district,(s)he shall refuse to register the documents, unless it be accompanied by a true translation into a language commonly used in the district and also by a true copy?

- (A) Section 21
- (B) Section 15
- (C) Section 19
- (D) Section 10

Ans. [C]

45. Which of the following statements is correct with regard to section 42 of the Registration Act, 1908?

- (A) It provides for registration of wills and authorities to adopt.
- (B) It provides for procedure on deposit of wills.
- (C) It provides for proceedings on death of depositor.
- (D) It provides for deposit of wills.

Ans. [D]

46. What is the duration mentioned under the Registration Act, 1908, exceeding which, documents (other than wills) remaining unclaimed in any registration office, may be destroyed?

- (A) Two years
- (B) Four years
- (C) One year
- (D) Three years

Ans. [A]

47. Under the provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012 the tenant may approach the landlord for renewal or extension of the tenancy:

- (A) Not less than two months prior to the end of tenancy period
- (B) Not less than one month prior to the end of tenancy period
- (C) Not less than four months prior to the end of tenancy period
- (D) Not less than six months prior to the end of tenancy period

Ans. [A]

48. In case of existing tenancies under the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012, in the event of death of the tenant, the right of tenancy shall devolve to his successors in which of the following order?

- (A) Spouse and children
- (B) Spouse, children, and parents
- (C) Spouse, children, parents, and daughter-in-law being the widow of predeceased son
- (D) Spouse and parents

Ans. [C]

49. Which of the following provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012 provides that if the landlord does not accept rent or other charges or refuses to give receipt, the tenant shall send rent and other charges to the landlord by postal order, or account payee cheque, or any other manner as prescribed?

- (A) Section 13(2)
- (B) Section 14(3)
- (C) Section 15(1)
- (D) Section 14(1)

Ans. [D]

50. Match the following, keeping in mind, the provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012:

- | | |
|----------------|---|
| a. Chapter III | i. Rent |
| b. Chapter V | ii. Rights and Responsibilities of Landlords and Tenants |
| c. Chapter IV | iii. Powers and Procedure of Rent Controllers and Appellate Rent Tribunal |
| d. Chapter VI | iv. Termination of Tenancy by the Landlord or Tenant |

Choose the correct option:

- a b c d
- (A) ii i iii iv





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

Ans. [D]

51. Which of the following provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012 provides that 'fixed period tenancy' is terminated at the end of the fixed period, and no notice is required to be served to the tenant to vacate the rental unit?

- (A) Section 21(2)
- (B) Section 21 (3)
- (C) Section 21(4)
- (D) Section 21 (5)

Ans. [C]

52. Which of the following provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012 provides that the Act shall not apply to any rental unit owned by the Central or State Government or local authority or a Government undertaking or a statutory body wholly owned and controlled by the Government or Cantonment Board?

- (A) Section 6
- (B) Section 9
- (C) Section 2
- (D) Section 3

Ans. [D]

53. As per the provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012, in case of existing tenancies, in the event of death of the tenant, the right of tenancy shall devolve to his successors provided:

- (A) That the successor has ordinarily been living in the premises with the deceased tenant as a member of family up to his death.
- (B) That the successor was not economically dependent on the deceased tenant.
- (C) That the successor or his spouse or dependent children own a residential unit in the same urban area.
- (D) That the successor or his spouse or dependent children occupy a residential unit in the same urban area.

Ans. [A]

54. As per the provisions of the Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012, how much compensation is the landlord entitled to in case of non-vacancy, i.e., in case of use and occupation of a rental unit by a tenant who does

not vacate the unit after his tenancy has been terminated by order, notice or agreement?

- (A) Double the monthly rent
- (B) Equal to the monthly rent
- (C) Half of the monthly rent
- (D) Triple the monthly rent

Ans. [A]

55. Which of the following statements is INCORRECT with regard to apportionment of benefit of obligation on severance, under the provisions of the Transfer of Property Act, 1882?

- (A) It does not apply to leases for agricultural purposes, unless and until the State Government by notification in the Official Gazette, so directs.
- (B) It is applicable in the case of leases for agricultural purposes.
- (C) If the duty cannot be severed, or if the severance would substantially increase the burden of the obligation, the duty shall be performed for the benefit of such one of the several owners as they shall jointly designate for that purpose.
- (D) No person upon whom the burden of the obligation lies, shall be answerable for failure to discharge it in manner provided by section 37 of the Act, unless and until (s)he has had reasonable notice of the severance.

Ans. [B]

56. Which of the following provisions of the Transfer of Property Act, 1882 provides for the condition restraining alienation of property?

- (A) Section 10
- (B) Section 9
- (C) Section 8
- (D) Section 7

Ans. [A]

57. Which of the following provisions of the Transfer of Property Act, 1882, deals with the rule against perpetuity?

- (A) Section 16
- (B) Section 15
- (C) Section 14
- (D) Section 17

Ans. [C]

58. 'A' transfers property to 'B' for life and after his death to 'C' and 'D', equally to be divided between them or to the survivor of them. 'C' dies during the life of 'B'. 'D' survives 'B'. As per the provisions of the Transfer of Property Act, 1882,





upon whom will the property devolve after the death of B in the given situation?

- (A) It shall pass to 'C'.
- (B) It shall pass to the person who is specifically named in transfer, i.e., C and D.
- (C) It shall pass to 'D'.
- (D) It will not pass to any person.

Ans. [C]

59. What is the duration of the lease of immovable property for agriculture or manufacturing purposes in the absence of any contract or local law or usage to the contrary under the Transfer of Property Act, 1882?

- (A) Month to month
- (B) Bimonthly
- (C) Biannual
- (D) Year to year

Ans. [d]

60. 'A' gives Rupees one lakh to 'B', reserving to himself, with 'B's assent, the right to take back at pleasure Rupees 10,000 out of the lakh. What would be the validity of such a gift under the provisions of the Transfer of the Property Act, 1882?

- (A) The gift would be wholly void.
- (B) The gift would be valid.
- (C) The gift holds good as to Rupees 90,000, but is void as to the remaining amount of Rupees 10,000.
- (D) The gift is onerous.

Ans. [C]

61. Which of the following is covered under the doctrine of 'part performance' under the Transfer of Property Act, 1882?

- (A) Oral contracts
- (B) Both Movable and Immovable property
- (C) Movable property
- (D) Immovable property

Ans. [D]

62. 'A' transfers a farm to 'B', on a condition that, if 'B' shall not go to England within three years after the date of the transfer, his interest in the farm shall cease. 'B' does not go to England within the term prescribed. According to the provisions of the Transfer of Property Act, 1882, what will happen to 'B's interest in the farm, in this situation?

- (A) It will cease.
- (B) It will continue.

- (C) It can be revived after three years if both the parties agree to.
- (D) It remains contingent on the happening or non-happening of the event.

Ans. [A]

63. What is the default interest payable under sections 63 and 63 A of the Transfer of Property Act, 1882?

- (A) 7% per annum
- (B) 8% per annum
- (C) 9% per annum
- (D) 10% per annum

Ans. [C]

64. Which of the following statement(s) is/are correct with regard to the various types of mortgages, as per the provisions of the Transfer of Property Act, 1882?

- I. In a Simple Mortgage, without delivering possession of the mortgaged property, the mortgagor binds himself/herself personally to pay the mortgage-money, and agrees, expressly or impliedly, that, in the event of him/her failing to pay according to the contract, the mortgagee shall have a right to cause the mortgaged property to be sold and the proceeds of sale to be applied, so far as may be necessary, in payment of the mortgage-money.
- II. In an Anomalous Mortgage, the mortgagor binds himself/herself to re-pay the mortgage-money on a certain date, and transfers the mortgaged property absolutely to the mortgagee, but subject to a proviso that (s)he will re-transfer it to the mortgagor upon payment of the mortgage-money as agreed.
- III. In an Usufructuary Mortgage, the mortgagor delivers possession, or expressly or by implication binds himself/herself to deliver possession of the mortgaged property to the mortgagee, and authorizes him/her to retain such possession until payment of the mortgage-money, and to receive the rents and profits accruing from the property, or any part of such rents and profits and to appropriate the same in lieu of interest, or in payment of the mortgage-money, or partly in lieu of interest or partly in payment of the mortgage-money.
- IV. In an English Mortgage, the mortgagor does not bind himself/herself to re-pay the mortgage-money on a certain date, but







- I. Delivery of tangible immoveable property takes place when the seller places the buyer, or such person as (s)he directs, in possession of the property.
- II. In the case of a tangible immoveable property of a value of less than one hundred rupees, sale or transfer can be made by delivery of the property.
- III. In the case of a tangible immoveable property of the value of five hundred rupees, sale or transfer can be made without a registered instrument.
- IV. A contract for the sale of immoveable property is a contract that a sale of such property shall take place on terms settled between the parties, and does not, by itself, create any interest in or charge on such property.

Choose the correct option:

- (A) Only I and IV are correct
- (B) Only I, II and IV are correct
- (C) I, II, III and IV are correct
- (D) Only I, III and IV are correct

Ans. [B]

69. Which of the following statement(s) is/are correct with regard to 'improvements made by bona fide holders under defective titles', as per the provisions of the Transfer of Property Act, 1882?

- I. When the transferee of immoveable property makes any improvement on the property, believing in good faith that (s)he is absolutely entitled thereto, and (s)he is subsequently evicted therefrom by any person having a better title, such transferee has a right to require the person causing the eviction either to have the value of the improvement estimated and paid or secured to him/her, or to sell interest in the property to the transferee at the then market value thereof, irrespective of the value of such improvement(s).
- II. When, under the circumstances aforesaid, the transferee has planted or sown on the property, crops which are growing when (s)he is evicted therefrom, (s)he shall be entitled to such crops and to free ingress and egress to gather and carry them.
- III. The amount which is to be paid or secured in respect of such improvement(s) shall be the estimated value thereof at the time of the eviction.

Choose the correct option:

- (A) Only I is correct

- (B) I, II and III are correct
- (C) Only I and II are correct
- (D) Only I and III are correct

Ans. [B]

70. Which of the following statements is INCORRECT with respect to the kind of property that can be transferred under the Transfer of Property Act, 1882?

- (A) An interest in property restricted in its enjoyment to the owner personally, cannot be transferred by him/her.
- (B) An easement cannot be transferred apart from the dominant heritage.
- (C) A mere right of re-entry for breach of a condition subsequent, can be transferred to any person, including a person other than the owner of the property affected thereby.
- (D) A right to future maintenance, in whatsoever manner arising, secured, or determined, cannot be transferred.

Ans. [C]

71. Which of the following statement(s) is/are correct with regard to the right of the mortgagee to sue for the mortgage-money, as per the provisions of the Transfer of Property Act, 1882?

- I. The mortgagee has a right to sue for the mortgage-money where the mortgagee is entitled to possession of the mortgaged property, and the mortgagor fails to deliver the same to him/her.
- II. The mortgagee has a right to sue for the mortgage-money where the mortgagee is deprived of the whole or part of his/her security by or in consequence of the wrongful act or default of the mortgagor.
- III. The mortgagee has a right to sue for the mortgage-money where the mortgagor binds himself/herself to repay the same.
- IV. The mortgagee has a right to sue for the mortgage-money where the mortgagor is entitled to possession of the mortgaged property, and the mortgagee fails to deliver the same to him/her.

Choose the correct option:

- (A) Only I and III are correct
- (B) Only I, II and III are correct
- (C) I, II, III and IV are correct
- (D) Only II and III are correct

Ans. [B]

72. Which of the following statement(s) is/are correct with regard to 'rights of mortgagee in







76. Which of the following statement(s) is/are correct with regard to 'Discovery and Inspection', as per the provisions of the Code of Civil Procedure, 1908?

- I. Where any party to a suit is a corporation or a body of persons, whether incorporated or not, empowered by law to sue or be sued, whether in its own name or in the name of any officer or other person, any opposite party may apply for an order allowing him/her to deliver interrogatories to any member or officer of such corporation or body, and an order may be made accordingly.
- II. In adjusting the costs of the suit, inquiry shall at the instance of any party be made into the propriety of exhibiting such interrogatories, and if it is the opinion of the taxing officer or of the Court, either with or without an application for inquiry, that such interrogatories have been exhibited unreasonably, vexatiously, or at improper length, the cost occasioned by the interrogatories and the answers thereto, shall be paid in any event by the party in fault.
- III. Interrogatories shall be answered by affidavit to be filed within fifteen days or within such other time as the Court may allow.
- IV. Any interrogatories may be set aside on the ground that they have been exhibited unreasonably or vexatiously, or struck out on the ground that they are prolix, oppressive, unnecessary, or scandalous.

Choose the correct option:

- (A) Only I, III and IV are correct
- (B) I, II, III and IV are correct
- (C) Only I, II and IV are correct
- (D) Only II and IV are correct

Ans. [C]

77. Which of the following statement(s) is/are correct with regard to procedure when only the plaintiff appears before the Court, as per the provisions of the Code of Civil Procedure, 1908?

- I. If it is proved that the summons was duly served, the Court may make an order that the suit shall be heard ex parte.
- II. Where it is owing to the plaintiff's default that the summons was not duly served or was not served in sufficient time, the Court

may order the plaintiff to pay the costs occasioned by the postponement.

- III. If it is not proved that the summons was duly served, the Court shall direct a second summons to be issued and served upon the defendant.
- IV. If it is proved that the summons was served upon the defendant, but not in sufficient time to enable him/her to appear and answer on the day fixed in the summons, the Court shall postpone the hearing of the suit to a future day to be fixed by the Court, and shall direct notice of such day to be given to the defendant.

Choose the correct option:

- (A) I, II, III and IV are correct
- (B) Only III and IV are correct
- (C) Only I, III and IV are correct
- (D) Only II, III and IV are correct

Ans. [C]

78. Which of the following statement(s) is/are correct with regard to property liable to attachment and sale in execution of decree, as per the provisions of the Code of Civil Procedure, 1908?

- I. Lands, houses, and other buildings belonging to the judgment-debtor, are liable to attachment and sale in execution of a decree.
- II. All moneys payable under a policy of insurance on the life of the judgment-debtor, are liable to attachment and sale in execution of a decree.
- III. Government securities, bonds or other securities for money belonging to the judgment-debtor, are liable to attachment and sale in execution of a decree.
- IV. Necessary wearing-apparel, cooking vessels, beds and bedding of the judgment-debtor, his wife and children, and such personal ornaments as, in accordance with religious usage, cannot be parted with by any woman, are not liable to attachment and sale in execution of a decree.

Choose the correct option:

- (A) Only I and IV are correct
- (B) Only I, II and IV are correct
- (C) I, II, III and IV are correct
- (D) Only I, III and IV are correct

Ans. [D]

79. Which of the following statement(s) is/are correct with regard to 'denial', as per the provisions of the Code of Civil Procedure, 1908?





- I. If it is alleged that the defendant has received a certain sum of money, it shall be sufficient for him/her to deny that (s)he received that particular amount, which is in question.
- II. Where the defendant has not filed a pleading, it shall be lawful for the court to pronounce judgment based on the facts contained in the plaint, except as against a person under a disability, but the Court may, in its discretion, require any such fact to be proved.
- III. Every allegation of fact in the plaint, if not denied specifically or by necessary implication, or stated to be not admitted in the pleading of the defendant, shall be taken to be admitted, except as against a person under a disability.
- IV. Whenever a judgment is pronounced under Order VIII Rule 5, a decree shall be drawn up in accordance with such judgment, and such decree shall bear the date on which the judgment was pronounced.

Choose the correct option:

- (A) I, II, III and IV are correct
- (B) Only II and IV are correct
- (C) Only II, III and IV are correct
- (D) Only I, II and III are correct

Ans. [C]

80. Which of the following statement(s) is/are correct with regard to transfer of decree, as per the provisions of the Code of Civil Procedure, 1908?

- I. The Court which passed a decree may, on the application of the decree-holder, send it for execution to another Court of competent jurisdiction if the person against whom the decree is passed, actually and voluntarily resides, or carries on business, or personally works for gain, within the local limits of the jurisdiction of such other Court.
- II. The Court which passed a decree cannot of its own motion, send it for execution to another Court of competent jurisdiction.
- III. The Court which passed a decree may, on the application of the decree-holder, send it for execution to another Court of competent jurisdiction if such person has not got property within the local limits of the jurisdiction of the Court which passed the decree sufficient to satisfy such decree, and has property within the local limits of the jurisdiction of such other Court.

- IV. The Court which passed a decree may, on the application of the decree-holder, send it for execution to another Court of competent jurisdiction if the decree directs the sale or delivery of immovable property situate outside the local limits of the jurisdiction of the Court which passed it.

Choose the correct option:

- (A) I, II, III and IV are correct
- (B) Only I and III correct
- (C) Only I, III and IV correct
- (D) Only I, II and IV correct

Ans. [C]

81. In which of the following situations is a foreign judgment conclusive as to any matter directly adjudicated upon between the same parties or between parties under whom they or any of them claim litigating under the same title, as per the provisions of the Code of Civil Procedure, 1908?

- (A) Where the proceedings in which the judgment was obtained are opposed to natural justice.
- (B) Where it appears on the face of the proceedings to be founded on an incorrect view of international law or a refusal to recognize the law of India in cases in which such law is applicable.
- (C) Where it has been pronounced by a Court of competent jurisdiction.
- (D) Where it sustains a claim founded on a breach of any law in force in India.

Ans. [C]

82. Which of the following statement(s) is/are correct with regard to seizure of property in a dwelling house, as per the provisions of the Code of Civil Procedure, 1908?

- I. No person executing any process under this Code directing or authorizing seizure of movable property shall enter any dwelling-house after sunset and before sunrise.
- II. No outer door of a dwelling-house shall be broken open unless such dwelling-house is in the occupancy of the judgment-debtor and (s)he refuses or in any way prevents access thereto.
- III. When the person executing any such process (as mentioned in II above), has duly gained access to any dwelling-house, (s)he can not break open the door of any room in which (s)he has reason to believe any such property to be kept.
- IV. Where a room in a dwelling-house is in the actual occupancy of a woman who,





according to the customs of the country, does not appear in public, the person executing the process shall give notice to such woman that she is at liberty to withdraw; and, after allowing reasonable time for her to withdraw and giving her reasonable facility for withdrawing, (s)he may enter such room for the purpose of seizing the property, using at the same time every precaution, consistent with these provisions, to prevent its clandestine removal.

Choose the correct option:

- (A) Only I and IV are correct
- (B) Only I, II and IV are correct
- (C) Only I and II are correct
- (D) I, II, III and IV are correct

Ans. [B]

83. Which landmark case decided by the Supreme Court of India deals with the aspect of whether civil courts have jurisdiction over tax refund cases?

- (A) Y. Narasimha Rao & Ors v. Y. Venkata Lakshmi & Anr, (1991) 3 SCC 451.
- (B) State of U.P. v. Nawab Hussain, AIR 1977 SC 1680
- (C) Dhulabhai & Ors. v. The State of Madhya Pradesh & Anr., 1968 SCR (3) 662.
- (D) Maneka Sanjay Gandhi & Anr. v. Rani Jethmalani, AIR 1979 SC 468.

Ans. [C]

84. Which of the following statement(s) is/are correct with regard to powers of the Court to enforce execution, as per the provisions of the Code of Civil Procedure, 1908?

- I. Upon application by the decree-holder, the Court may order execution of the decree by appointing a receiver.
- II. Upon application by the decree-holder, the Court may order execution of the decree by delivery of any property specifically decreed.
- III. Upon application by the decree-holder, the Court may order execution of the decree by attachment and sale or by the sale without attachment of any property.
- IV. Upon application by the decree-holder, the Court may order execution of the decree by arrest and detention in prison for such period not exceeding the period specified in section 58, where arrest and detention is permissible under that section.

Choose the correct option:

- (A) Only I and III are correct
- (B) Only II, III and IV are correct
- (C) Only I, II and III are correct
- (D) I, II, III and IV are correct

Ans. [D]

85. Which of the following statement(s) is/are correct with regard to situations where interest is sought in the suit, as per the provisions of the Code of Civil Procedure, 1908?

- I. The date to which interest is calculated, is required to be mentioned in the pleadings.
- II. Pleadings may state either the daily or monthly rate at which interest accrues after the date.
- III. Pleadings shall be required to state the total amount of interest claimed to the date calculation.
- IV. Pleadings shall state the monthly rate at which interest is charged.

Choose the correct option:

- (A) Only I and II are correct
- (B) I, II, III and IV are correct
- (C) Only I, II and III are correct
- (D) Only I and III are correct

Ans. [D]

86. Which of the following statement(s) is/are correct with regard to 'suit in the name of wrong plaintiff', as per the provisions of the Code of Civil Procedure, 1908?

- I. Where a suit has been instituted in the name of the wrong person as plaintiff, or where it is doubtful whether the suit has been instituted in the name of the right plaintiff, the Court may at any stage of the suit, if satisfied that the suit has been instituted through a bona fide mistake, and that it is necessary for the determination of the real matter in dispute so to do, order any other person to be substituted or added as plaintiff upon such terms as the Court thinks just.
- II. Any person can be added as a plaintiff suing without a next friend or as the next friend of a plaintiff, who is under any disability, even without his/her consent.
- III. The Court may at any stage of the proceedings, either upon or without the application of either party, and on such terms as may appear to the Court to be just, order that the name of any party improperly joined, whether as plaintiff or





defendant, be struck out, and that the name of any person who ought to have been joined, whether as plaintiff or defendant, or whose presence before the Court may be necessary in order to enable the Court effectually and completely to adjudicate upon and settle all the questions involved in the suit, be added.

Choose the correct option:

- (A) I, II and III are correct
- (B) Only I and II are correct
- (C) Only I and III are correct
- (D) Only I is correct

Ans. [C]

87. Which of the following statement(s) is/are correct with regard to appearance of parties and consequence of non-appearance, as per the provisions of the Code of Civil Procedure, 1908?

- I. Where there are more plaintiffs than one, and one or more of them appear, and the others do not appear, the Court shall, at the instance of the plaintiff or plaintiffs appearing, permit the suit to proceed in the same way as if all the plaintiffs had appeared.
- II. No decree shall be set aside on any such application mentioned in Order IX Rule 13, unless notice thereof has been served on the opposite party.
- III. Where there are more defendants than one, and one or more of them appear, and the others do not appear, the suit shall proceed, and the Court shall, at the time of pronouncing judgment, make such order as it thinks fit with respect to the defendants who do not appear.
- IV. Where a plaintiff or defendant, who has been ordered to appear in person, does not appear in person, or show sufficient cause to the satisfaction of the court for failing so to appear, (s)he shall be subject to all provisions of the foregoing rules applicable to plaintiffs and defendants, respectively who do not appear.

Choose the correct option:

- (A) Only II, III and IV are correct
- (B) I, II, III and IV are correct
- (C) Only III and IV are correct
- (D) Only I, III and IV are correct

Ans. [A]

88. Which of the following statement(s) is/are correct with regard to suits against foreign Rulers,

Ambassadors and Envoys, as per the provisions of the Code of Civil Procedure, 1908?

- I. No foreign State may be sued in any Court otherwise competent to try the suit except with the consent of the Central Government certified in writing by a Secretary to that Government.
- II. Any member of the staff of the foreign State or the staff or retinue of the Ruler, Ambassador or Envoy of a foreign State or of the High Commissioner of a Commonwealth country, as the Central Government may, by general or special order, specify in this behalf, cannot be arrested under this Code.
- III. Such consent (as mentioned in I above), may be given with respect to a specified suit or to several specified suits or with respect to all suits of any specified class or classes.
- IV. Such consent (as mentioned in I above), may specify, in the case of any suit or class of suits, the Court in which the foreign State may be sued, but it shall only be given when it appears to the Central Government that the foreign State has not expressly or impliedly waived the privilege accorded to it, under the provisions of section 86 of this Code.

Choose the correct option:

- (A) Only I, II and III are correct
- (B) Only I and III are correct
- (C) I, II, III and IV are correct
- (D) Only I and II are correct

Ans. [A]

89. Which recent judgment of the Supreme Court of India pertains to the issue of whether there is an embargo on publishing the counterclaim after filing the written declaration under the provisions of Order VIII Rule 6A of the Code of Civil Procedure, 1908?

- (A) Shivaji Balaram Haibatti v. Sri Avinash Maruthi Pawar, AIR 2017 SC 5494.
- (B) Ashok Kumar Kalra v. Wing Cdr. Surendra Agnihotri & Ors., (2020) 2 SCC 394.
- (C) Ranvir Dewan v. Rashmi Khanna, AIR 2018 SC 62.
- (D) Samar Kumar Roy (D) through L.R. (Mother) v. Jharna Bera, AIR 2018 SC 334.

Ans. [B]

90. Which recent judgment of the Supreme Court of India laid down directions for speedy enforcement





proceedings, considering the difficulties involved in an enforcement proceeding?

- (A) Manish Kumar v. Union of India, 2021 SCC OnLine SC 30.
- (B) Yashwant Sinha & Ors. v. Central Bureau of Investigation & Ors., AIR 2019 SC 1802.
- (C) Rahul S. Shah v. Jinendra Kumar Gandhi & Ors.(2021) 6 SCC 418.
- (D) Pankajbhai Rameshbhai Zalavadia v. Jethabhai Kalabhai Zalavadiya, AIR 2018 SC 490.

Ans. [C]

91. Which of the following statement(s) is/are correct with regard to an application for summary judgment, as per the provisions of the Code of Civil Procedure, 1908?

- I. The application must precisely disclose all material facts and identify the point of law, if any.
- II. If the applicant seeks to rely upon any documentary evidence, (s)he must include such documentary evidence in his/her application, and also identify the relevant content of such documentary evidence upon which (s)he relies.
- III. Where a hearing for summary judgment is fixed, the respondent must be given at least thirty days' notice of the date fixed for the hearing.
- IV. The application is not required to state the reason why there are no real prospects of succeeding on the claim or defending the claim, as the case may be.

Choose the correct option:

- (A) Only I is correct
- (B) Only I and II are correct
- (C) Only I, II and III are correct
- (D) I, II, III and IV are correct

Ans. [C]

92. Which of the following statement(s) is/are correct with regard to Second Appeal, as per the provisions of the Code of Civil Procedure, 1908?

- I. An appeal shall lie to the High Court from every decree passed in appeal by any Court subordinate to the High Court, if the High Court is satisfied that the case involves a substantial question of law.
- II. In an appeal under section 100 of this Code, the memorandum of appeal shall precisely state the substantial question of law involved in the appeal.
- III. An appeal cannot lie from an appellate decree which was passed ex parte.

IV. Where the High Court is satisfied that a substantial question of law is involved in any case, it shall formulate that question.

Choose the correct option:

- (A) Only I, III and IV are correct
- (B) I, II, III and IV are correct
- (C) Only I, II and III are correct
- (D) Only I, II and IV are correct

Ans. [D]

93. In which of the following situations is it possible for one person to sue or defend on behalf of all in same interest, as per the provisions of the Code of Civil Procedure, 1908?

- I. For the purpose of determining whether the persons who sue or are sued, or defend, have the same interest in one suit, it is necessary to establish that such persons have the same cause of action as the persons on whose behalf, or for whose benefit, they sue or are sued, or defend the suit, as the case may be.
- II. Where there are numerous persons having the same interest in one suit, one or more of such persons may, with the permission of the Court, sue or be sued, or may defend such suit, on behalf of, or for the benefit of, all persons so interested.
- III. A decree passed in a suit under Order I Rule 8 shall be binding on all persons on whose behalf, or for whose benefit, the suit is instituted, or defended, as the case may be.
- IV. Where there are numerous persons having the same interest in one suit, the Court cannot direct that one or more of such persons shall defend such suit, on behalf of, or for the benefit of, all persons so interested.

Choose the correct option:

- (A) I, II, III and IV are correct
- (B) Only I, II and III are correct
- (C) Only II and III are correct
- (D) Only II is correct

Ans. [C]

94. 'A' alleging that he is the adopted son of 'X', sues 'B' to recover certain property granted to him by 'X', under a deed and forming part of 'X's estate. The Court finds that 'A' is not the adopted son of 'X', but he is entitled to the property under the deed and a decree is passed for 'A'. The finding that 'A' is not the adopted son of 'X':





- (A) Will not operate as res judicata in a subsequent suit between A and B in which the question of adoption is in issue.
- (B) The question as to whether 'A' is the adopted son of 'X', will have to be decided by a Court of competent jurisdiction.
- (C) Will operate as res judicata in a subsequent suit between A and B.
- (D) Depends on the discretion of the Court.

Ans. [C]

- (B) It may be invoked for the recovery of a liquidated demand in money payable by the defendant arising out of a written contract.
- (C) It requires the defendant to seek the leave of the Court to defend which is required to be granted unconditionally.
- (D) It may be invoked for the recovery of an unliquidated demand in money payable by the defendant arising out of a written contract.

Ans. [B]

95. Which of the following sections of the Code of Civil Procedure, 1908, deals with the power of the Court to make up for the deficiency of court fees?

- (A) Section 146
- (B) Section 147
- (C) Section 148
- (D) Section 149

Ans. [D]

96. Which of the following statement(s) is/are correct with regard to 'counter-claim', as per the provisions of the Code of Civil Procedure, 1908?

- I. Counter-claim by defendant shall have the same effect as a cross-suit to enable the Court to pronounce a final judgment in the same suit, both on the original claim and on the counter-claim.
- II. Counter-claim by defendant shall be treated as a plaint and governed by the rules applicable to plaints.
- III. If in any case in which the defendant sets up a counter-claim, the suit of the plaintiff is stayed, discontinued, or dismissed, the counter-claim cannot be proceeded with.
- IV. Counter-claim of defendant shall not exceed the pecuniary limits of the jurisdiction of the court.

Choose the correct option:

- (A) Only II and IV are correct
- (B) Only I, III and IV are correct
- (C) Only I, II and IV are correct
- (D) I, II, III and IV are correct

Ans. [C]

97. Which of the following statements is correct in the context of summary procedure for civil suits, as per the provisions of the Code of Civil Procedure, 1908?

- (A) It may be applied suo motu by any civil court in its discretion in the interest of expeditious adjudication.

98. Match Column I with Column II, as per the provisions of the Code of Civil Procedure, 1908:

- | Column - I | Column - II |
|--|------------------|
| A) Notice to Garnishee | i. Order XXVI |
| B) Suits relating to mortgage of immoveable property | ii. Order XXXII |
| C) Suits by or against minor | iii. Order XXXIV |
| D) Commissions to make local investigation. | iv. Order XXI |

Choose the correct option:

a b C d

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

Ans. [A]

99. Which of the following statements is correct with regard to 'precepts', under the provisions of the Code of Civil Procedure, 1908?

- (A) Precept is issued by the Court which passed the decree, upon the application of the decree-holder, to the other competent court to stay the execution of the decree.
- (B) Precept is issued by the Court which passed the decree, upon the application of the decree-holder, to the other competent court to execute such decree.
- (C) Precept is issued by the Court which passed the decree, upon the application of the judgement debtor, to the other competent court.
- (D) The Court to which a precept is sent may proceed to attach the property in the manner prescribed in regard to the attachment of property in execution of a decree, and such attachment under a precept may continue for more than two months.

Ans. [B]

100. As per the provisions of the Code of Civil Procedure, 1908, which one of the following can be filed only in the High Court?





- (A) Revision and Reference
- (B) Review and Second Appeal
- (C) Reference and Review
- (D) Revision and First Appeal

Ans. [A]

