



MH PRELIMINARY EXAMINATIONS 2021-22

INDEX

S.No.	Bare Act	Question No.	Total Question
1	Constitution of India	2,4,5,6,12,20,28,46,57,60,	10
2	Indian Penal Code	9,13,14,16,18,25,41,59,66, 70,78	11
3	Indian Evidence Act	22,26,52,55,62,69,74,79,91, 98	10
4	The Code of Criminal Procedure	3,33,34,38,44,45,81,92,96	9
5	Civil Procedure Code	7,23,31,32,40,51,63,64,72, 75,86	11
6	Maharashtra Rent Control	1,11,30,35,36,50,53,65,76, 87	10
7	Transfer of Property Act	8, 15,24,42,56,82,85	7
8	Limitation Act	21,27,39,43,54,80,88,95,97, 99	10
9	Sale of Goods Act	61,68,90	3
10	Indian Partnership Act	10,19	2
11	Indian Contract Act	17,48,58,73,83,89,93,100	8
12	Specific Relief Act	29,37,47,49,67,71,77,84,94	9
			100





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1. As given in section 53 of the Maharashtra Rent Control Act, 1999 the offences under the following section is cognizable:

- (1) Section 17
- (2) Section 22
- (3) Section 24
- (4) Section 25

Ans. 1

Refer Section 53, Certain offences to be cognizable

2. We, the people of India, having solemnly resolved to constitute India into a :

- (1) Great country
- (2) Country having religious value
- (3) Sovereign Socialist Secular Democratic Republic
- (4) All the above

Ans. (3)

Description : We the people of India, having solemnly resolved to constitute India into a-

- ❖ **Sovereign-** It means an independent authority of a state to legislate on any subject and not control by any other state or external power.
- ❖ **Socilaist-** It was added by 42nd amendment act, 1976 and its purpose is to provide decent standard of life and social security to people.
- ❖ **Secular-** It was also added by 42nd amendment act, 1976 which means India is neither anti religion nor suggest separation of state and religion.
- ❖ **Democratic-** It indicates the source of power of the government vested in its people.
- ❖ **Republic-** it means head of state or nation is an elective representative.

3. Provision for default bail is made :

- (1) as per section 173(8) of Cr.P.C., 1973.
- (2) as per section 167(2) of Cr.P.C., 1973,
- (3) as per section 174 of Cr.P.C., 1973.
- (4) none of the above.

Ans. (2)

Description : Default bail- It is provided under sec 167 (2) of Cr.P.C. It provides that upon the expiry of a specified period i.e. 60 days or 90 days as the case may be, if the chargesheet has not been filed by the investigating authority, the accused has right to be released on bail.

4. Fundamental Duties are given in :

- (1) Article 51
- (2) Article 51 A
- (3) Article 52 A
- (4) Article 52 B

Ans. (2)

Description : Fundamental duties- Part IV A, Art. 51 A deals with the fundamental duties. This part was added by 42nd amendment act, 1976. The concept of fundamental duties were taken from the Constitution of the former Soviet Union (USSR). Fundamental duties can be used to interpret any statue which is uncertain and cannot be enforceable through courts.

5. Who appoints Attorney General of India?

- (1) Supreme Court
- (2) President
- (3) High Court
- (4) Parliament

Ans. (2)

Description : Attorney general of India- According to Art. 76 of the Constitution, they are the senior-most law officer of India. The President of India appoints the Attorney General of the country and part of the Union Executive.





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6. **Protection of life and personal liberty is:**

- (1) personal right
- (2) fundamental right
- (3) (1) and (2) above
- (4) none of the above

Ans. (2)

Description : Protection of life and personal liberty- It is a fundamental right provided under Art. 21 of the Constitution. It confers on every person fundamental right of life and liberty.

7. **Pleading means:**

- (1) stating material facts and not evidence.
- (2) stating brief facts of the dispute.
- (3) stating facts along with evidence.
- (4) stating only evidence.

Ans- (1)

Description : Pleading- It has been dealt with in Order 6 of the Civil Procedure Code. Order 6 Rule 1 of CPC defines pleadings as plaint or written statement. It is a basic rule of pleading that it should state material facts and not the evidence.

8. **In which transfer, right to enjoy such property transfers ?**

- (1) Sale
- (2) Mortgage
- (3) Lease
- (4) None of the above

Ans. (3)

Description : Sale- Sec. 54 of Transfer of Property Act defines the term "sale", which means transfer of ownership in exchange for a price paid or promised or part-paid and part-promised. In sale, right to enjoy such property is also transferred.

9. **As per Section 96 of the penal code, nothing is an offence which is done in the exercise of the :**

- (1) order of senior officer
- (2) right of private defence
- (3) power of military officer
- (4) power conferred by the state government

Ans. (2)

Description : Right of private defence-sec 96 Of IPC provides that nothing is an offence if done in the exercise of right of private defence. This right is available against the aggressor only and it is only the person who is in imminent danger of person or property and only when no state help is available.

10. **Which of the proposition is correct?**

- (1) Every partner has a right to take part in the conduct of business.
- (2) Every partner is bound to attend diligently to his duties.
- (3) Every partner has a right to have access to inspect.
- (4) All the above.

Ans. (4)

Description : As per section 12 of Indian Partnership Act, 1932

every partner has a right to take part in the conduct of the business;

- every partner is bound to attend diligently to his duties in the conduct of the business;

- any difference arising as to ordinary matters connected with the business may be decided by a majority of the partners, and every partner shall have the right to express his opinion, before the matter is decided, but no change may be made in the nature of the business without the consent of all the partners; and





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- every partner has a right to have access to and to inspect and copy any of the books of the firm.

11. As per section 33 of the Maharashtra Rent Control Act, 1999 the jurisdiction of the court for the area of Brihan Mumbai is :

- (1) City Civil Court, Mumbai.
- (2) Metropolitan Magistrate, Mumbai.
- (3) Court of Small Causes, Mumbai.
- (4) The Court in which the property is situated.

Ans. (3)

Description : As per Section 33(1)(a) of Maharashtra Rent Control Act, 1999 the suit or proceeding would not, but for this provision, be within its jurisdictions, (a) in Brihan Mumbai, the Court of Small Causes, Mumbai

12. Which Court shall have power to issue directions in case of violation of fundamental rights ?

- (1) District Court
- (2) High Court
- (3) Special Tribunal
- (4) Supreme Court

Ans. (4)

Description : Under Art. 32 of the Constitution, SC has power to issue directions or orders or writs for the enforcement of any of the fundamental rights.

13. Provision of common object is given in :

- (1) Section 34 of the penal code
- (2) Section 100 of the penal code
- (3) Section 141 of the penal code
- (4) Section 149 of the penal code

Ans. (4)

Description : Common object- Section 149 of the Indian Penal Code deals with Common Object. According to this

provision, every member of an unlawful assembly is held liable for any criminal act done in furtherance of a common object. common object applies when 5 or more people are involved and offences are within the categories of Section 141. Only membership is sufficient in the case of the common object.

14. Voluntarily causing grievous hurt by dangerous weapon is defined in:

- (1) Section 323 of the penal code
- (2) Section 324 of the penal code
- (3) Section 325 of the penal code
- (4) Section 326 of the penal code

Ans- (4)

Description : Voluntarily causing grievous hurt by dangerous weapons- Sec. 326 Of IPC provides that Whoever voluntarily causes grievous hurt by means of any instrument for shooting, stabbing or cutting, or any instrument which, used as a weapon of offence, is likely to cause death, shall be punished with imprisonment for life, or with imprisonment upto 10 years and shall also be liable to fine.

15. Definition of mortgage is given in :

- (1) Section 57 of the Transfer of Property Act.
- (2) Section 58 of the Transfer of Property Act
- (3) Section 59 of the Transfer of Property Act.
- (4) Section 60 of the Transfer of Property Act.

Ans. (2)

Description : Mortgage- It is defined under sec. 58(a) of Transfer of Property Act. A mortgage is a transfer of an interest in specific immovable property as a security for the repayment of debt. It is of 6 types-

- Simple Mortgage [Section 58(b)]
- Mortgage by Conditional Sale [Section 58(c)]





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- Usufructuary Mortgage [Section 58(d)]
- English Mortgage [Section 58(e)]
- Mortgage by deposit of title deeds (Equitable Mortgage) [Section 58(f)]
- Anomalous Mortgage [Section 58(g)]

16. The provisions of penal code apply to any offence committed by :

- (1) any person in any place not within India.
- (2) person who is above twenty one years.
- (3) person who is above eighteen years.
- (4) any citizen of India in any place without and beyond India.

Ans. (4)

Description : Sec. 3 and 4 of IPC provides that provisions of this code apply to any offence committed by any citizen of india in any place without and beyond india.

17. Where, on a transfer of property, an interest therein is created in favour of a person to take effect only on the happening of a specified uncertain event is called :

- (1) rule against perpetuity.
- (2) contingent interest.
- (3) vested interest
- (4) none of the above.

Ans. (2)

Description : Contingent interest- Section 21 of the TPA defines Contingent interest Where, on a transfer of property, an interest therein is created in favour of a person to take effect only on the happening of a specified uncertain event, or if a specified uncertain event shall not happen, such person thereby acquires a contingent interest in the property.

18. In which chapter of the penal code "General exceptions" are given ?

- (1) Chapter III
- (2) Chapter IV
- (3) Chapter V
- (4) Chapter VI.

Ans. (2)

Description : General exceptions- Chapter 4 (Sec 76 to 106) of the IPC deals with general exceptions and these are the cases where accused cannot be punished. He is immune from his criminal liability.

19. Where no provision is made by contract between the partners for the duration of their partnership, or for the determination of their partnership, the partnership is :

- (1) sleeping partnership
- (2) particular partnership
- (3) no partnership
- (4) partnership at will

Ans. (4)

Description : A Partnership at Will is a form of business partnership where there is no fixed term agreed for the duration of the partnership. In other words, it is completely open ended.

20. Power to amend Constitution is with:

- (1) Supreme Court
- (2) High Court
- (3) Parliament
- (4) (1) and (2) above

Ans. (3)

Description : Amendment in constitution- It can be done by Parliament under art. 368 of the Constitution.

21. As per Article 121, an order to set aside an abatement is :

- (1) thirty days
- (2) sixty days





- (3) ninety days
(4) none of the above

Ans. (2)

Description : Article 121 of limitation act provided the period of limitation for an application under the CPC for an order to set aside abatement which is sixty days and the limit commences from the date of abatement.

22. The dying declaration is the statement by the person :

- (1) before police officer only.
(2) before doctor only.
(3) as to cause of his death.
(4) none of the above.

Ans. (3)

Description : Dying declaration- sec 32 of Indian evidence act deals with the dying declaration. It is a statement made by a person who is dead, or who cannot be found, or who has become incapable of giving evidence, or whose attendance cannot be procured without an amount of delay or expense with regard to cause of his death or which exhibits the circumstances of transaction which resulted in his death.

23. Decree may be _____.

- (1) prepared within one year of passing the judgement.
(2) prepared at any time after passing the judgement.
(3) either preliminary or final.
(4) none of the above.

Ans. (3)

Description : Decree- Sec 2(2) of CPC provides definition of decree. The decree is a formal expression of adjudication by which the court determines the rights of parties regarding the matter in controversy or dispute. It may be preliminary or final or partly preliminary or partly final.

24. Provision for determination of lease is given in :

- (1) Section 109 of the Transfer of Property Act.
(2) Section 110 of the Transfer of Property Act.
(3) Section 111 of the Transfer of Property Act.
(4) Section 112 of the Transfer of Property Act.

Ans. (3)

Description : Determination of lease- Sec. 111 of TPA provides the ways in which lease can be determined. These are as follows-

- Lapse of time
- Specified event (When there is a condition on time of lease depending upon a happening of an event).
- Interest (Lessor's interest to lease the property may cease, hence resulting in the termination of the lease).
- Same owner (When the interest of both lessor and lessee are transferred or vested in the same person).
- Express Surrender
- Implied Surrender
- Forfeiture
- Expiry of Notice to Quit

25. Out of the following propositions, which is correct one in respect of non-payment of fine ?

- (1) for any term not exceeding two months when the amount of fine shall not exceed fifty rupees.
(2) for any term not exceeding two months when the amount of fine shall not exceed one hundred rupees.





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(3) for any term not exceeding two months when the amount of fine shall not exceed two hundred rupees.

(4) for any term not exceeding two months when the amount of fine shall not exceed five hundred rupees.

Ans. (1)

Description : Non-payment of fine - sec 67 of IPC deals with non-payment of fine. It provides that where the offence committed by the offender punished with-

- Maximum term of two months- where the fine is not more than fifty rupees,
- Maximum term of four months- where the fine is not more than Rs. one hundred,
- Maximum term of six months- where the fine is more than one hundred rupees.

26 "Evidence" means and includes:

- (1) Oral evidence
- (2) Documentary evidence
- (3) (1) and (2) above
- (4) Pleadings of the parties

Ans. (3)

Description : as per the definition of evidence given under section 3 of Indian Evidence Act whose clause 1 provides definition of oral evidence and clause 2 definition of documentary evidence

27. First division of the schedule of period of limitation is prescribed for-

- (1) petitions
- (2) suits
- (3) appeals
- (4) applications

Ans. (2)

Description : as the 1st division of the schedule of period of limitation is prescribed for Suits from Article (1-113)

2nd division provides for - appeals from Article (114-117)

3rd division provides for - applications from Article (118-137)

28. Concurrent list is given in :

- (1) Schedule IV of Constitution
 - (2) Schedule V of Constitution
 - (3) Schedule VI of Constitution
 - (4) Schedule VII of Constitution
- Ans. (4)

Description : i.e. Concurrent List is given in Schedule VII

Option (1) is incorrect as Schedule IV provides - allocation of seats in Council of states

Option (2) is incorrect as Schedule V provides - provisions as to the administration and control of Scheduled areas and Scheduled tribes

Option (3) is incorrect as Schedule VI provides - provisions as to the administration of tribal areas in the states of Assam, Meghalaya, Tribal and Mizoram

29. In view amendment in the year 2018, which of the following objects of the Specific Relief 1963, has been amended ?

- (1) Grant of specific performance as an exception.
- (2) Grant of specific performance as a general rule.
- (3) Awarding damages as a general rule.
- (4) Awarding damages as an exception.

Ans. (1)

Description : as The Specific Relief (Amendment) Act, 2018, The amending Act has eliminated the discretion of the courts by entirely substituted Section 10 and Section 20 of the Act. The amended Section 10 stipulates that specific performance of contract shall be





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enforceable subject to provisions of Section 14 and Section 16.

30. **By which calendar, rent shall be recovered ?**

- (1) Marathi calendar
- (2) Devanagari calendar
- (3) British calendar
- (4) As per terms and condition of contract

Ans. (3)

Description : as per section 32 of Maharashtra Rent Control Act which states the — Recovery of rent to be done in accordance to British Calendar.

31. **Judicial magistrate may arrest any person as per Section 44 of the Cr.P.C., 1975.**

- (1) when any offence is committed in the presence of a magistrate, within his local jurisdiction
- (2) when any offence is committed in the presence of a magistrate, even beyond his local jurisdiction.
- (3) (1) and (2) above.
- (4) it is not the job of a magistrate.

Ans. (1)

Description : as per Section 44 (1) of CrPC which states — When any offence is committed in the presence of a Magistrate, whether Executive or Judicial, within his local jurisdiction, he may himself arrest or order any person to arrest the offender, and may thereupon, subject to the provisions herein contained as to bail, commit the offender to custody.

32. **Provision of arrest and detention is given in :**

- (1) Section 54 of C.P.C., 1908.
- (2) Section 55 of C.P.C., 1908.

(3) Section 57 of C.P.C., 1908.

(4) None of the above.

Ans. (2)

Description : as Section 55 provides for arrest and detention.

Contrarily,

Option (1) is incorrect as Section 54 provides - partition of estate or separation of share

Option (3) is incorrect as Section 57 provides - subsistence allowance

33. **As per Section 29 of the Cr.P.C., 1973, the court of a magistrate of the first class may pass a sentence of imprisonment for a term not exceeding :**

- (1) One year
- (2) Seven years
- (3) Three years
- (4) Three and half years

Ans. (3)

Description : as per Section 29(2) The Court of a Magistrate of the first class may pass a sentence of imprisonment for a term not exceeding three years, or of fine not exceeding ten thousand rupees, or both.

34. **The court may attach property of absconding accused under:**

- (1) Section 82 of Cr.P.C., 1973
- (2) Section 83 of Cr.P.C., 1973
- (3) Section 84 of Cr.P.C., 1973
- (4) Section 85 of Cr.P.C., 1973

Ans. (2)

Description : as Section 83 provides for Attachment of property of person absconding.

Option (1) is incorrect as Section 82 provides for - Proclamation for person absconding





Option (3) is incorrect as Section 84 provides for – Claims and objections to attachment

Option (4) is incorrect as Section 85 provides for – Release, sale and restoration of attached property

35. Standard rent in relation to any premises means :

- (1) rent fixed by the court
- (2) rent fixed by the tenant.
- (3) rent fixed as per schedule.
- (4) all the above.

Ans. (1)

Description : as per section 7(14) of Maharashtra Rent Control Act which provides "standard rent", in relation to any premises means - where the standard rent is fixed by the Court

36. When sub-tenants can become tenants :

- (1) after determination of tenancy though it is sub-let illegally.
- (2) after completing a period of one year as sub-tenant.
- (3) after completing a period of two years as sub-tenant.
- (4) when the interest of a tenant of any premises is determined for any reason, any sub-tenant to whom the premises have been lawfully sub-let.

Ans. (4)

Description : as per section 25 of Maharashtra Rent Control Act which states — When the interest of a tenant of any premises is determined for any reason, any sub-tenant to whom the premises or any part thereof have been lawfully sub-let.

37. Provision for substituted performance of contract is given in :

- (1) Section 18 of the Specific Relief Act.
- (2) Section 19 of the Specific Relief Act.
- (3) Section 20 of the Specific Relief Act.
- (4) Section 20-A of the Specific Relief Act.

Ans. (3)

Description : as Section 20 of SRA provides for substituted performance of contract.

Option 1 is incorrect as Section 18 provides for – non enforcement except with variations.

Option 2 is incorrect as Section 19 provides for – relief against parties and persons claiming under them by subsequent title.

Option 4 is incorrect as Section 20-A provides for – Special provisions for contract relating to infrastructure project

38. Under the provisions of Cr.P.C., 1973, every summons shall be served by a :

- (1) informant
- (2) police officer
- (3) senior clerk of court
- (4) none of the above

Ans. (2)

Description : as per section 62(1) of CrPC which states — Every summons shall be served by a police officer, or subject to such rules as the State Government may make in this behalf, by an officer of the Court issuing it or other public servant.

39. The provision for condonation of delay is given in :

- (1) Section 3 of Limitation Act.
- (2) Section 4 of Limitation Act.
- (3) Section 5 of Limitation Act
- (4) Section 6 of Limitation Act

Ans. (3)





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Description : i.e. provisions of condonation of delay are provided under Section 5 of limitation act which states about extension of prescribed period in certain cases.

Option (1) is incorrect as Section 3 provides for – Bar of Limitation

Option (2) is incorrect as Section 4 provides for – expiry of prescribed period when the court is closed

Option (4) is incorrect as Section 6 provides for – Legal disability.

40. **Order V Rule 20 of C.P.C., 1908 provides for :**

- (1) service of summons by post.
- (2) service of summons by hamdust.
- (3) substituted service.
- (4) service on defendant in prison.

Ans. (3)

Description : as Order V Rule 20 provides for substituted service.

41. **"Documents" means any matter expressed or described upon any substance by means of :**

- (1) letters
- (2) figures
- (3) marks
- (4) all the above

Ans. (4)

Description : all of the above as per the definition of document under section 3 of Indian Evidence Act which states – Document means any matter expressed or described upon any substance by means of letters, figures or marks.

42. **Every transfer of immovable property made with intent to defeat or delay the creditors of the transferor is called :**

- (1) transfer by ostensible owner.
- (2) valid transfer.

(3) voidable transfer.

(4) fraudulent transfer.

Ans. (4)

Description : as per Section 53(1) of Transfer of Property Act 1882 which provides the definition of fraudulent transfer stating that every transfer of immovable property made with intent to defeat or delay the creditor shall be voidable at the option of any creditor so defeated or delayed.

43. **As per Article 65, period of limitation for possession of immovable property or any interest therein based on title is :**

- (1) twelve years
- (2) thirty years
- (3) three years
- (4) none of the above

Ans. (1)

Description : as per Article 65 of period of limitation for possession of immovable property or any interest therein based on title is — twelve years.

44. **Magistrate of the first class may issue search warrant, if he has reason to believe that any person is confined under such circumstances that the confinement amounts to an offence :**

- (1) under section 97 of Cr.P.C., 1973.
- (2) under section 98 of Cr.P.C., 1973.
- (3) under section 99 of Cr.P.C., 1973.
- (4) under section 100 of Cr.P.C., 1973.

Description : i.e. Section 97

Option (2) is incorrect as Section 98 provides – Power to compel restoration of abducted females

Option (3) is incorrect as Section 99 provides – Direction, etc., of search-warrants





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Option (4) is incorrect as Section 100 provides – Persons in charge of closed place to allow search

45. "Warrant Case" means :

- (1) a case relating to an offence punishable with death, imprisonment for life or imprisonment for a term exceeding two years.
- (2) a case relating to an offence punishable with death and life only.
- (3) a case relating to an offence punishable with an imprisonment for a term exceeding two years only.
- (4) none of the above.

Ans. (1)

Description : as per the definition of Warrant Case provided under Section 2(x) of CrPC which states "warrant-case" means a case relating to an offence punishable with death, imprisonment for life or imprisonment for a term exceeding two years.

46. Which court is called as court of record ?

- (1) District Court
- (2) Civil judge junior division
- (3) Supreme Court
- (4) All the above

Ans. (3)

Description : As a Court of Record, the Supreme Court has two powers:

- The judgements, proceedings and acts of the Supreme Court are recorded for perpetual memory and testimony. These records are admitted to be of evidentiary value and cannot be questioned when produced before any court. They are recognised as legal precedents and legal references.

It has the power to punish for contempt of court, either with simple

imprisonment for a term up to six months or with a fine or with both.

47. Specific performance of a contract cannot be enforced in favour of a person:

- (1) who has obtained substituted performance of contract under section 20.
- (2) who has become capable of performing the contract.
- (3) who does not fail to prove that he has performed the essential terms of the contract.
- (4) all the above.

Ans. (1)

Description : as per Section 16 of SRA which states – Specific performance of a contract cannot be enforced in favour of a person

- (a) who has obtained substituted performance of contract under section 20; [thus option 1 is correct]
- (b) who has become incapable of performing, or violates any essential term of, the contract [thus option is incorrect]
- (c) who fails to prove that he has performed or has always been ready and willing to perform the essential terms of the contract which are to be performed by him [thus option 3 is incorrect]

48. The court may refuse to rescind the contract :

- (1) where the plaintiff has not ratified the contract
- (2) where third parties have not acquired rights in good faith
- (3) where only a part of the contract is sought to be rescinded and such part is





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not severable from the rest of contract
(4) all the above

Ans. (3)

Description : as Section 27(2) of SRA provides

(a) where the plaintiff has expressly or impliedly ratified the contract [thus option 1 is incorrect]

(b) where, owing to the change of circumstances which has taken place since the making of the contract (not being due to any act of the defendant himself), the parties cannot be substantially restored to the position in which they stood when the contract was made; or

(c) where third parties have, during the subsistence of the contract, acquired rights in good faith without notice and for value [thus option 2 is incorrect]

(d) where only a part of the contract is sought to be rescinded and such part is not severable from the rest of the contract. [hence option 3 is correct]

49. **Mandatory injunction may be granted :**

(1) when it is not necessary to compel the performance

(2) when no any acts are necessary to be performed

(3) when to prevent the breach of an obligation, it is necessary to compel the performance of certain acts

(4) none of the above

Ans. (3)

Description : as per Section 39 of SRA which provides — When, to prevent the breach of an obligation, it is necessary to compel the performance of certain acts which the Court is capable of enforcing, the Court may in its discretion grant an Mandatory injunction to prevent the breach

complained of, and also to compel performance of the requisite acts.

50. **The landlord shall be entitled to inspect the premises let or given on licence :**

(1) at after every interval of six months.

(2) at a reasonable time after giving prior notice to the tenant

(3) at the beginning of lease agreement.

(4) at the end of lease agreement.

Ans. (2)

Description : as per Section 28 of the Maharashtra Rent Control Act which provides for inspection of a tenanted premises. The provision says: "The landlord shall be entitled to inspect the premises let out or given on licence, at a reasonable time after giving prior notice to the tenant, licensee or occupier."

51. **Mesne profit shall not include:**

(1) profits due to improvements made by the person in wrongful possession.

(2) profits due to improvements made by the person in legal possession.

(3) profits earned out of business.

(4) none of the above.

Ans:- (1)

Explanation : - In CPC under section 2(12) it is clearly written that means profit shall not include profit due to improvements made by the person in wrongful possession

52. **The plea of alibi is admissible :**

(1) as per section 9 of the Evidence Act.

(2) as per section 10 of the Evidence Act.

(3) as per section 11 of the Evidence Act.

(4) as per section 12 of the Evidence Act.

Ans:- (3)

Explanation :- Doctrine of plea of Alibi comes under the section 11 of the Indian





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evidence act. which says one person can only be present in one place or in one situation at a time.

53. The provisions of the Maharashtra Rent Control Act, 1999 shall, in the first instance, apply to premises let for the purpose of residence, education, business, trade or storage in the areas specified in:

- (1) the notification issued by State of Maharashtra.
- (2) section 57 of this Act.
- (3) the order issued by State of Maharashtra.
- (4) schedule I and schedule II

Ans:- (4)

Explanation:- Section 2 of the application of Maharashtra rent control act defines that it applies to the schedule 1st and 2nd.

54. Period of limitation for money payable for money lent as per Article 19 is :

- (1) one year
- (2) two years
- (3) three years
- (4) five years

Ans. (3)

Description : As per Article 19 of the Schedule of Limitation Act, 1963 the period of limitation for money payable for money lent is 3 years

55. Burden of proof means :

- (1) person who asserts, must prove that those facts exist.
- (2) person against whom allegations are levelled, must prove that those allegations are false.
- (3) person who has the evidence with him.
- (4) (2) and (3) above.

Ans:- (1)

Explanation :- Under Section 101 Of evidence act we can say that burden of proof mainly means the person who asserts must prove those facts & most suitable answer is option first.

56. Where a person in the town of Bombay, delivers to a creditor documents of title to immovable property, with intent to create a security thereon, the transaction is called :

- (1) mortgage by conditional sale.
- (2) simple mortgage.
- (3) English mortgage.
- (4) mortgage by deposit of title deeds.

Ans :- (4)

Explanation :- According to section 58 of TPA act this illustration shows mortgage by deposit of title deed.

57. Principle of doctrine of eclipse is given in :

- (1) Article 13, Laws inconsistent with or in derogation of the fundamental rights.
- (2) Article 14, Equality before law.
- (3) Article 15, Prohibition of discrimination on ground of religion, race, caste, sex or place of birth.
- (4) Article 17, Abolition of untouchability.

Ans:- (1)

Explanation :- Doctrine of eclipse is contended in Article 13(1) of the Indian Constitution. Article 13 states that any law which was made before the commencement of the constitution must be consistent with the part III of the Indian Constitution.

58. Every agreement is restraint of the marriage of any person, other than a minor, is :

(1) voidable





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(2) valid

(3) void

(4) legal

Ans:- (3)

Explanation :- Sec 26 of Indian contract gives clear provision about this.

59. **A instigates B to murder C. B refuses to do so :**

(1) A is not guilty of any offence.

(2) A is guilty of attempt to commit murder.

(3) A is guilty of abetting B to commit murder.

(4) None of the above.

Ans:- (3)

Explanation :- under sec 108 of IPC Explanation 2 says clearly that it is not necessary the act abetted should be done abetment itself is punishable.

60. **Who gives oath to the Governor ?**

(1) President

(2) Prime Minister

(3) Chief Justice of the High Court

(4) Chief Justice of the Supreme Court

Ans:- (3)

Explanation :- under Article 159 of Indian constitution it is clearly defined.

61. **Which of the following proposition is correct?**

(1) To disclose to the buyer any material defect in the property.

(2) To produce to the buyer on his request for examination all documents of title relating to property.

(3) To pay all public charges and rent accrued due in respect of the property upto the date of sale.

(4) All above are correct.

Ans:- (4)

Explanation :- under sec 55 of TPA act rights and liabilities of buyer and seller are defined.

62. **Res-gestae means :**

(1) facts in issue and relevant facts.

(2) facts forming part of same transaction.

(3) facts pleaded in pleadings.

(4) all the above.

Ans:- (2)

Explanation :- Sec 6 of Indian evidence act talks about the doctrine of res gestate which says fact forming part of same transaction are relevant.

63. **Provisions for execution of decrees and orders is given in :**

(1) order XIX of C.P.C., 1908.

(2) order XXI of C.P.C., 1908.

(3) order XX of C.P.C., 1908.

(4) order XXII of C.P.C., 1908.

Ans. (2)

Description : Order 21 of CPC specifically provides for the execution of decrees and order

64. **Defendant has to file his written statement within thirty days from:**

(1) the date of service of summons.

(2) the date of his appearance in the court.

(3) the date of signing of vakalatnama

(4) none of the above.

Ans:- (1)

Explanation :- under order 8 rule 1 defendant has to present written statement within 30 from the date of summon but not more than 90 days.





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65. As per following section tenancy agreement to be compulsorily registered :

- (1) Section 52 of Maharashtra Rent Control Act.
- (2) Section 53 of Maharashtra Rent Control Act.
- (3) Section 54 of Maharashtra Rent Control Act.
- (4) Section 55 of Maharashtra Rent Control Act.

Ans:- (4)

Explanation :- Title of section 55 of Maharashtra rent control act.

66. Whoever does anything with the intention of causing wrongful gain to one person or wrongful loss to another person, is said to do that thing:

- (1) dishonestly
- (2) fraudulently
- (3) wrongfully
- (4) (2) and (3) above

Ans:- (1)

Explanation :- IPC section 24 defines definition of section 24.

67. No injunction shall be granted by a court in a suit under Specific Relief Act, 1963 involving a contract relating to :

- (1) private project work
- (2) domestic project
- (3) very old project
- (4) an infrastructure project

Ans:- (4)

Explanation :- Section 20 A(1) of SRA act clearly says that no injunction shall be granted to infrastructure project.

68. Under the provisions of sale of Goods Act, it is the duty of seller:

- (1) to accept and pay for them.
- (2) to deliver the goods.
- (3) (1) and (2) above.

(4) none of the above.

Ans:- (2)

Explanation :- Section 31 of sales of goods act defines the rights and duties of buyer and seller.

69. Which of the following proposition is correct?

- (1) All the facts may be proved by oral evidence including contents of documents.
- (2) Primary evidence means the document itself produced before the court.
- (3) Facts admitted need to be proved.
- (4) Confession before police is admissible in court.

Ans:- (2)

Explanation :- Under section 62 of evidence act it is clearly defined primary evidence means the document itself produced for the inspection of the court.

70. Which of the following proposition is correct?

- (1) Nothing is an offence which is done by a judge when acting judicially.
- (2) Nothing is an offence which is done by any person who is justified by law.
- (3) Nothing is an offence which is done by any person by accident.
- (4) All the above.

Ans:- (4)

Explanation :- Section 77, 79, 80 are the general exceptions of Indian penal code.

71. Which of the following proposition is correct?

- (1) where a party to the contract has not obtained substituted performance of contract in accordance with the provisions of section 20 of the Specific Relief Act, 1963.





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(2) a contract, the performance of which involves the performance of a continuous duty which the court cannot supervise.

(3) a contract, which is in its nature not determinable.

(4) all the above.

Ans:- (2)

Explanation :- This question shows the provisions of section 14 of the SRA act and thus most suitable answer should be option (2)

72. No court shall try any suit or issue in which the matter directly and substantially in issue has been directly and substantially in issue in a former suit between the same parties is called :

(1) res ipsa loquitur

(2) res judicata

(3) ipso facto

(4) actus reus

Ans:- (2)

Description : The Correct answer is Res-judicata as per section 11 of CPC, 1908

73. Every person is competent to contract :

(1) who is of the age of majority according to the law

(2) who is of sound mind

(3) who is not disqualified from contracting by any law

(4) all the above

Ans:- (4)

Explanation :- Section 11 of Indian contract act defines the criteria for competency of contract.

74. Provision for burden of proving fact specially within knowledge is given in :

(1) Section 103 of Evidence Act.

(2) Section 104 of Evidence Act.

(3) Section 105 of Evidence Act.

(4) Section 106 of Evidence Act.

Ans. (4)

Description : Section 106 of Indian Evidence Act, 1872 provides for Burden of proving fact especially within knowledge

75. Court may issue a commission under Section 75 of C.P.C., 1908

(1) to examine any person.

(2) to make local investigation.

(3) to make partition.

(4) all the above.

Ans:- (4)

Explanation :- clause(a) (b) (d) of section 75 civil procedure code.

76. The provisions of the Maharashtra Rent Control Act, 1999 shall not apply:

(1) to any private premises

(2) to lodge and hotel

(3) to any premises belonging to the government

(4) none of the above

Ans. (3)

Description : Refer Section 3(1)

77. Provision for who may obtain specific performance is given in :

(1) Section 14 of Specific Relief Act.

(2) Section 14-A of Specific Relief Act.

(3) Section 15 of Specific Relief Act.

(4) Section 16 of Specific Relief Act.

Ans. (3)

Description : Section 15 of SRA provides "who may obtain specific performance"

78. As per the statement of objects and reasons of the Criminal Law (Amendment) Act, 2018, it amended the law relating to :

(1) rape

(2) murder

(3) theft

(4) extortion

Ans. (1)





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Description : As per the statement of objects and reasons of the Criminal Law (Amendment) Act, 2018, it amended the law relating to Rape

79. Principle of Estoppel is :

- (1) Rule of law
- (2) Rule of equity
- (3) Rule of justice
- (4) (1) and (3) above

Ans. (2)

Description : Estoppel is based upon the rule of equity which is the natural law of the land.

80. The schedule for periods of limitation is divided in :

- (1) three division
- (2) four division
- (3) five division
- (4) six division

Ans. (1)

Description : The schedule for periods of limitation is divided in three division namely, suits, appeals & applications

81. A magistrate exercising jurisdiction in respect of a charge on which he has power only to commit for trial to another court, is:

- (1) called as executive magistrate
- (2) not a judge
- (3) called as district magistrate
- (4) none of the above

Ans. (2)

Description : as per section 19 IPC Illustration (d) A Magistrate exercising jurisdiction in respect of a charge on which he has power only to commit for trial to another Court, is not a Judge.

82. The transfer of certain existing immovable property voluntarily and without consideration is called :

- (1) lease

- (2) mortgage

- (3) pledge

- (4) gift

Ans. (4)

Description : As per section 122 of TPA the transfer of certain existing immovable property voluntarily and without consideration is called gift.

83. A lets a farm to B on condition that he shall walk a hundred miles in an hour :

- (1) The lease is voidable at the option of B.

- (2) The lease is valid.

- (3) The lease is void.

- (4) The lease is neither valid nor void.

Ans. (3)

Description : A lets a farm to B on condition that he shall walk a hundred miles in an hour is void as per section the illustration given in 25 TPA

84. Which injunction may be granted to prevent the breach of an obligation existing in favour of person, whether expressly or by implication ?

- (1) Temporary injunction

- (2) Mandatory injunction

- (3) Ad-interim injunction

- (4) Perpetual injunction

Ans. (4)

Description : As per section 38 SRA perpetual injunction may be granted to prevent the breach of an obligation existing in favour of person, whether expressly or by implication.

85. Which of the following proposition is correct?

- (1) A right to future maintenance can be transferred.

- (2) A mere right to sue can be transferred.

- (3) A public office cannot be transferred.

- (4) (1) and (2) above.

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Ans. (3)

Description : A public office Cannot be transferred as per section 6 TPA

86. A decree may be executed :

- (1) not by the court which passed it.
- (2) not by the court to which it is sent for execution.
- (3) either by the court which passed it or by the court to which it is sent for execution.
- (4) by the appellate court.

Ans. (3)

Description : As per section 38 CPC decree may be executed either by the court which passed it or by the court to which it is sent for execution.

87. On the commencement of the Maharashtra Rent Control Act, 1999 the following laws shall stand repealed :

- (1) the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.
- (2) the Central Provinces and Berar Regulation of Letting of Accommodation Act, 1946.
- (3) the Hyderabad Houses (Rent, Eviction and Lease) Control Act, 1954.
- (4) all the above.

Ans. (4)

Description : As per section 58 Maharashtra Rent Control Act, 1999 On the commencement of this Act, the following laws, that is to say,-

- The Bombay Rents, Hotel and Lodging House Rates Control Act, 1947;
- The Central Provinces and Berar Regulation of Letting of Accommodation Act, 1946 including the Central Provinces and Berar Letting of Houses and Rent Control Order, 1949; and

- The Hyderabad Houses (Rent, Eviction and Lease) Control Act, 1954;

shall stand repealed

88. Provision of section 5 of the Limitation Act, 1963 applies to the :

- (1) suit
- (2) appeal
- (3) application
- (4) (2) and (3) above

Ans. (4)

Description : Provision of section 5 of the Limitation Act, 1963 applies to the : appeal & application

89. A, a tradesman, leaves goods at B's house by mistake. B treats the goods as his own :

- (1) B is not bound to pay A for them.
- (2) B is bound to pay A for them.
- (3) B would say that goods are bad.
- (4) None of the above.

Ans. (2)

Description : As per section 72 of Indian Contract Act "B is bound to pay A for them"

90. A stipulation in a contract of sale with reference to goods which are subject thereof may be a:

- (1) warranty
- (2) guarantee
- (3) agreement
- (4) (2) and (3) above

Ans. (1)

Description : Warranty is stipulation in a contract of sale with reference to goods which are subject thereof.

91. Public records kept in any state of private documents is :

- (1) Public document
- (2) Private document
- (3) Legal document





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(4) None of the above

Ans. (1)

Description : As per section 74(2) of Evidence Act Public records kept in any state of private documents is Public document

92. Magistrate may record any confession or statement made to him in the course of an investigation :

- (1) under section 161 of Cr.P.C., 1973.
- (2) under section 162 of Cr.P.C., 1973.
- (3) under section 164 of Cr.P.C., 1973.
- (4) under section 173 of Cr.P.C., 1973.

Ans. (3)

Description : As per Section 164 CrPC Magistrate may record any confession or statement made to him in the course of an investigation

93. When one person signifies to another his willingness to do or to abstain from doing anything, with a view to obtaining the assent of that other to such act or abstinence :

- (1) he is said to make a promise.
- (2) he is said to make an agreement.
- (3) he is said to make a proposal.
- (4) none of the above.

Ans. (3)

Description : As per section 2(a) of Indian Contract Act when one person signifies to another his willingness to do or to abstain from doing anything, with a view to obtaining the assent of that other to such act or abstinence is said to make a proposal

94. No suit under Section 6 of the Specific Relief Act, 1963 shall be brought :

- (1) after the expiry of six months from the date of dispossession.
- (2) after the expiry of six months from the date of dispute between parties.

(3) after the expiry of one year from the date of dispossession.

(4) none of the above.

Ans. (1)

Description : No suit under Section 6 of the Specific Relief Act, 1963 shall be brought after the expiry of six months from the date of dispossession

95. Period of limitation for twelve years for a landlord to recover possession from a tenant starts :

- (1) when the tenant refused to handover possession.
- (2) when the tenancy is determined.
- (3) when the tenant stops to pay rent.
- (4) none of the above.

Ans. (2)

Description : Period of limitation for twelve years for a landlord to recover possession from a tenant starts when the tenancy is determined.

96. Cr.P.C., 1973 extends to :

- (1) the whole of India except state of Jammu and Kashmir
- (2) the whole of India
- (3) only some part of India
- (4) all above

Ans. (2)

Description : CrPC 1973 extends to the whole of India

97. Which X14 15 Which of the following proposition is incorrect?

- (1) Where the disability continues upto the death of that person, his legal representative may institute the suit within the same period after the death, as would otherwise have been allowed from the time so specified.
- (2) Where once time has begun to run, no subsequent disability or inability to

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institute a suit or make an application stops it.

(3) In computing the period of limitation for any suit, the day from which such period is to be reckoned shall not be excluded.

(4) In computing the period of limitation for an application to set aside an award, the time requisite for obtaining a copy of award shall be excluded.

Ans. (3)

Description : As per section 9 limitation Act where once time has begun to run, no subsequent disability or inability to institute a suit or make an application stops it.

98. **Consent is said to be free when it is not caused by:**

- (1) coercion
- (2) undue influence
- (3) fraud
- (4) all the above

Ans. (3)

Description : As per section 14 of Indian Contract Act Consent is said to be free when it is not caused by: coercion, undue influence & fraud

99. **Any appeal may be admitted after the prescribed period, if the appellant satisfies the court that.**

- (1) he is ready to pay additional court fee stamps.
- (2) he had sufficient cause for not preferring the appeal.
- (3) (1) and (2) above.
- (4) none of the above.

Ans. (2)

Description : As per section 5 of Limitation Act — any appeal may be admitted after the prescribed period, if the appellant satisfies the court he had sufficient cause for not preferring the appeal.

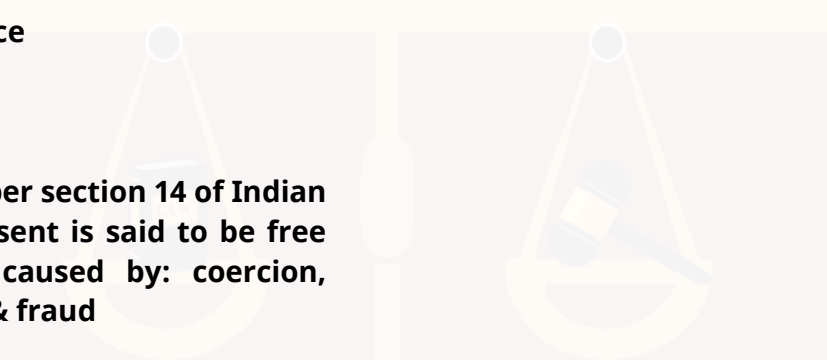
100. **When the person to whom the proposal is made signifies his assent thereto, the proposal is said to be accepted. A proposal, when accepted becomes a :**

- (1) agreement
- (2) contract
- (3) promise
- (4) agreement to sale

Ans. (3)

Description : As per section 2(b) of Indian Contract Act when the person to whom the proposal is made signifies his assent thereto, the proposal is said to be accepted. A proposal, when accepted becomes a promise.

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