MAHARASHTRA JUDICIAL SERVICES PRELIMINARY EXAMINATION 2023

Sr. No	Subjects	Question Number	Total Q.	Weightage
1.	Constitution of India	22,29,35,39,65,82,86,91,100	9	9%
2.	Indian Penal Code, 1860	3,7,13,18,31,47,49,67,77	9	9%
3.	Code of Civil Procedure, 1908	2,25,26,27,30,51,63,84,89,91	10	10%
4.	Code of Criminal Procedure, 1973	8,20,23,28,36,42,53,61,68,78,85,88	12	12%
5.	Indian Evidence Act, 1872	5,10,14,21,32,34,37,60,66,98	10	10%
6.	Limitation Act, 1963	11,38,71,75,79,90,93,95,96,	9	9%
7.	Transfer of Property Act, 1882	1,4,9,45,50,56,64,76,94,99	10	10%
8..	Indian Contract Act, 1872	12,44,52,74,81	5	5%
9.	Maharashtra Rent Control Act	6,33,41,46,58,62,69,73,87	9	9%
10.	Specific Relief Act, 1963	15,17,19,24,54,57,72,80,83,92	10	10%
11.	Sale of Goods Act	40,43,70	3	3%
12.	Partnership Act	48,55,59	3	3%
13.	Small Cause Court	16	1	1%
Total			**100**	**100%**

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1. As per section 31 of Transfer of Property Act 'A' transfers a farm to 'B' for his life with a proviso that in case 'B' cuts down a certain wood, the transfer shall cease to have any effect. B' cuts down the wood:
Which of the following is correct?
(1) such condition is void
(2) 'B' loses his life interest in the farm
(3) As a part of ownership 'B' entitled to retain farm and wood
(4) none of the above

2. Under the Code of Civil Procedure in execution of decree the Court may instead of directing the sale to be made by public auction, authorise the sale of property through a broker when the property is:
(1) Negotiable instrument
(2) Share in corporation
(3) Immovable property
(4) (1) and (2) both correct

3. To commit an affray, minimum number of persons required are:
(1) Five
(2) Three
(3) Two
(4) Four

4. A lease of immovable property determines :
(1) by efflux of the time limited thereby
(2) by implied surrender
(3) in case the lessee renounces his character as such by claiming title in himself
(4) all of above correct

5. Under the Evidence Act, Judge's power to put questions or order production is provided in :
(1) Section 161
(2) Section 163
(3) Section 165.
(4) Section 167

6. Which of following is correct?
The Court may upon an application made to it for the purpose, fix the standard rent as the court deems just,
(1) where any premises have been or are let rent free.
(2) where any premises have been let at a nominal rent.
(3) where there is any dispute between the landlord and the tenant regarding the amount of standard rent.
(4) (1) to (3) are correct.

7. 'A' under intoxication assaults 'B' with knife causing him grievous hurt :
(1) A has committed no offence, as his act is exempted under Section 85 of Indian Penal Code
(2) A liable to be dealt with as if he had a same knowledge as if he had not been intoxicated within meaning under Section 86 of Indian Penal Code
(3) A has committed an offence u/s 325 of Indian Penal Code
(4) (2) and (3) both correct

8. Power to tender of Pardon to accomplice, at the stage of investigation are vested with :
(a) Metropolitan Magistrate
(b) Magistrate of first class
Answer options :
(1) (a) and (b) both not correct
(2) (a) not correct, (b) correct
(3) (a) correct, (b) not correct
(4) (a) and (b) both correct

9. A lease of immovable property is transfer of:
(1) title to enjoy the property
(2) right to enjoy the property
(3) interest to enjoy the property
(4) none of the above

10. Under Evidence Act, when character is relevant :
(1) In civil cases character to prove conduct imputed, is relevant
(2) In criminal cases previous good character, is relevant
(3) In criminal cases, the fact that accused person has a bad character is relevant
(4) All of above are correct

11. Where a plaintiff is made a defendant or defendant is made a plaintiff, effect of such is that:
(1) the suit shall as regards him be deemed to have been instituted when he was so made a party on tranportation.
(2) period of limitation will not be affected so far as claim made by or against him.
(3) it depends on discretion of Court.
(4) none of the above

12. If any part of single consideration for one or more objects is unlawful then :
(1) it can be partly enforced

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(2) the agreement is void
(3) the entire agreement is enforceable
(4) none of the above

13. 'A' puts his hand in the pocket of 'B' for stealing money but he found nothing in B's pocket as it was empty. 'A' has committed offence of:
(1) attempt to commit theft
(3) theft
(2) mischief
(4) no offence

14. A witness who is unable to speak may give his evidence, in any other manner, as by writing, evidence so given shall be deemed to be:
(1) documentary evidence
(2) oral evidence
(3) evidence through interpretor
(4) none of the above

15. Where the contract is broken due to non-performance of promise by any party
Statement:
(a) the party who suffers by such breach shall have option of substituted performance through a third party or by his own agency.
(b) the party who suffers by such breach shall not be entitled to recover the expenses and costs, unless he has got the contract performed through a third party or by his own agency.
(1) (a) and (b) both not correct
(2) (a) and (b) both correct
(3) (a) not correct (b) corrected
(4) (a) correct (b) not correct

16. The District Court may at any stage withdraw any such suit, proceeding or application pending in the Court of small causes established for any area under the Provincial small causes Act 1887 and transfer the same for trial or disposal to the court of:
(1) the District Judge
(2) the Civil Judge (Junior Division)
(3) the Civil Judge (Senior Division)
(4) the Metropolitan Magistrate

17. Under Specific Relief Act: joane
Statement:
(a) when through fraud or a mutual mistake of parties, a contract in writing does not express their real intention, such instrument may be rectified by filing suit.
(b) the article of association of company to which Companies Act 1956 applies, can not be rectified.
(1) (a) and (b) both correct
(2) (a) and (b) both not correct
(3) (a) not correct (b) correct
(4) (a) correct (b) not correct

18. A beats B which resulted in dislocation of B's bone, A committed an offence under the Indian Penal Code, punishable under :
(1) Section 323
(2) Section 324
(3) Section 325
(4) Section 326

19. Notwithstanding anything contained in the Code of Civil Procedure 1908, a suit filed under the provision of Specific Relief Act shall be disposed of by the Court from the date of service of summons to the defendant within a period of :
(1) twelve months
(2) twenty months
(3) two years
(4) six months

20 As per Section 436-A of Code of Criminal Procedure, subject to other condition, maximum period for which an undertrial prisoner can be detained is :
(1) one-third of maximum period of imprisonment
(2) one-half of maximum period of imprisonment
(3) ninety days
(4) sixty days

21. Under Section 114 of the Evidence Act Court may presume the existence of any fact which it think likely to have happened regards being had to the common course of:
(a) natural event
(b) public and private business
(c) human conduct
Answer options:
(1) (a) and (c) correct, (b) not correct
(2) (a) and (b) correct, (c) not correct
(3) (a), (b) and (c) correct
(4) (a) correct, (b) and (c) not correct

22. Under Constitution of India subject-matter of laws made by Parliament and by the Legislature of State are enumerated in:
(1) Third Schedule
(2) Seventh Schedule

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(3) Eighth Schedule
(4) Ninth Schedule

23. No Magistrate shall order an investigation under Section 156 of Code of Criminal Procedure (Maharashtra Amendment) against public servant, except with previous sanction u/s 197 of this code. On such proposal the sanctioning authority shall take decision within period of :
(1) 30 days
(2) 60 days
(3) 90 days
(4) 120 days

24. The dismissal of a suit for Specific Performance of a contract or part thereof :
Statement :
(a) shall bar the plaintiff's right to sue for compensation for breach of such contract or part, as the case may be.
(b) shall not bar his right to sue for any other relief to which he may asons be entitled, by reason of such breach.
(1) (a) correct (b) not correct
(2) (a) and (b) both correct
(3) (a) and (b) both not correct
(4) (a) not correct and (b) correct

25. A sues B for compensation on account of tresspass. B holds a promissory note for Rs. 1000 from A, claims to set off that amount against any sum that A may recover in the suit:
(1) B may not do so, as suit of A is for compensation on account of tresspass which is not a definite sum of money at the time of filing suit
(2) As both claims do not arise out of same transaction therefore set off claimed by B is not maintainable
(3) B can do so in execution proceeding only
(4) B may do so, for, as soon as A recovers, both sums are definite pecuniary demands

26. A person guilty of disobediance or breach of injunction and therefore his property is attached under order XXXIX of code of Civil Procedure by the Order of Court, such attachment shall remain in force :
(1) for not more than one year
(3) at the mercy of plaintiff
(2) for not more than three years
(4) till conclusion of trial

27. Where two or more persons may sue or be sued in the name of firm and any of such person dies, during the pendency of suit.
(A) Legal representative of deceased shall have right to apply to be made a party to the suit.
(B) It shall not be necessary to join the legal representative of deceased as a party to the suit.
(1) (A) correct and (B) not correct
(2) (A) and (B) both correct
(3) (A) not correct and (B) correct
(4) (A) and (B) both not correct

Ans. [2]

28. As per Code of Criminal Procedure, Court having jurisdiction over any local area may inquire into or try an offence:
(1) where it consists of several acts done in different local areas
(2) when it is uncertain in which of several local areas an offence was committed
(3) (1) and (2) both correct
(4) (1) is correct, (2) not correct

29. Under Article 141 of Constitution of India law declared by Supreme Court shall be binding on :
(1) all the citizens within the territory of India
(2) all the Courts within the territory of India
(3) only the parties to the proceeding
(4) all State Governments only

30. The Court executing transferred decree shall have powers of the court which passed the decree. Such powers include:
(1) Power to send the decree for execution to another court of competent jurisdiction.
(2) Power to execute decree against legal representative of the deceased judgement debtor.
(3) Power to order attachment of decree.
(4) All of the above

Ans. [4]

31. Section 349 of Indian Penal Code pertains to:
(1) Assault
(2) Criminal force
(3) Force
(4) Wrongful confinement

32. Opinion of an expert under Section 45 of Evidence Act :
(1) are relevant facts
(2) are conclusive proof
(3) if evidence of an expert is recorded, then court is bound by such opinion
(4) none of the above

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33. No suit for recovery of possession shall be instituted against tenant on the ground of non-payment of the standard rent, without notice in writing of the demand of the standard rent or permitted increases has been served upon the tenant. Such suit shall not be instituted until the service of such notice and expiration of:
(1) 30 days
(2) 60 days
(3) 90 days
(4) 120 days

34. Under Evidence Act Secondary evidence means:
(1) Certified copies
(2) Copies made from and compared with original
(3) Oral accounts of the contents of a document given by some person who has himself dino got seen it
(4) All of the above

35. Under Article 24 of Constitution of India no child shall be employed to work in any factory or mine who is below the age of:
(1) 14 years
(2) 16 years
(3) 18 years
(4) 21 years

36. Which of the following is true?
(1) Penal law always having retrospective effect
(2) Person accused of any offence shall be compelled to be a witness against himself
(3) Person shall not be prosecuted and punished for the same offence more than once
(4) None of the above

37. No Judge or Magistrate shall be compelled to answer any question to his own conduc Magistrate or as to anything which came to his knowledge ir in court as such Judge or Magistrate court as such Judge or Magistrate except :
(1) with the permission of some court to which he is subordinate
(2) upon special order of some court to which he is subordinate
(3) on direction of President/Governor
(4) on request of party to the proceeding

38. Where payment on account of debt or of interest is made before the expiration of th prescribed period of limitation by the person liable to pay the debt; then :
(1) rest of debt be recovered within the balance period of Limitation.
(2) fresh period of limitation shall be computed from the time when the payment was made.
(3) plaintiff will get extra period of limitation over the balance period of limitation.
(4) none of the above.

Ans. [2]

39. Freedom of religion is guaranteed under Constitution of India by :
(1) Directive Principles
(2) Fundamental Rights
(3) Convention
(4) The preamble

40. Where there is a breach of warranty by the seller :
(1) the buyer is not by reason only of such breach of warranty entitled to reject the goods.
(2) set up against the seller the breach of warranty in diminution or extinction of th price.
(3) sue the seller for damages for breach of warranty.
(4) all of above are correct.

41. Under Maharashtra Rent Control Act, local authority means:
Statement:
(a) The Nagpur Municipal Corporation Constituted under the Nagpur Municipal Corporation Act 1948.
(b) The Nagpur Improvement Trust Constituted under the Nagpu improvement Trust Act 1936.
Answer options :
(1) (a) and (b) both correct
(2) (a) correct and (b) not correct
(3) (a) not correct and (b) correct
(4) (a) and (b) both not correct

42. For offence punishable with fine only the period of limitation for taking cognizance is :
(1) one year
(2) six months
(3) three months
(4) two years

43. Period of limitation for the balance of money advanced in payment of goods to be delivered, time from which period begins to run is:
(1) from the date of such advanced.
(2) when the goods ought to be delivered.
(3) (1) or (2) at the discretion of defendant.
(4) none of the above.

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44. A contract of indemnity means by which one party promises to save the other from loss caused to him by the conduct of:
(1) any other person
(2) the promisor himself
(3) the promisee himself
(4) (1) and (2) both correct

45. Which of the following is true?
A contract for the sale of immovable property, itself does not create :
(1) any interest in such property but there may be a charge on such property.
(2) any interest in or charge on such property.
(3) any charge on such property but may create interest on such property.
(4) none of the above.

46. Landlord shall not without just or sufficient cause cut-off or withhold any essential supply or service enjoyed by the tenant. A landlord contravening the same has to face.
(1) only civil action
(2) only penal action
(3) both civil and penal action
(4) none of the above

47. A finds a valuable ring not knowing to whom it belongs. A sells it immediately without attempting to discover the owner.
A has committed offence of :
(1) mischief
(2) criminal breach of trust
(3) dishonest misappropriation of property
(4) theft

48. Where the goodwill of a firm is sold after dissolution, seller has one of the following rights:
(1) use the firm name
(2) represent himself as carrying on the business of the firm
(3) may carry on a business competing with that of the buyer
(4) solicit the custom of persons who were dealing with the firm before its dissolution

49. Making or publishing any imputation on someone who is dead,
(1) amounts to an offence of defamation
(2) amounts to an offence of defamation of legal heir
(3) is only a civil wrong
(4) is no offence leemid motion on

50. Which of following is correct?
A mortgagee in possession of property has right to spend money and add such money with interest to principal money,
(1) for supporting the mortgagor's title to the property.
(2) for making his own title thereto good against the mortgagor.
(3) for the preservation of the mortgaged property from destruction, forfeiture or sale.
(4) all of above are correct.

51. As per code of Civil Procedure decree shall include:
(1) any adjudication from which an appeal lies as an appeal from an order
(2) any order of dismissal for default
(3) (1) and (2) both correct
(4) none of the above

52. The person making the proposal is called :
(1) promisee
(2) promisor
(3) promise
(4) none of the above

53. The Magistrate may at any time direct to sell perishable property if :
(a) property is subject to speedy and natural decay.
(b) value of such property is less than five hundred rupees.
(1) (a) and (b) both correct
(2) (a) correct, (b) not correct
(3) (a) not correct, (b) correct
(4) (a) and (b) both not correct

54. Which of the following is correct?
A declaration made under chapter VI of Specific Relief Act is :
(1) not binding on persons claiming through parties to the suit.
(2) not binding on trust properties.
(3) binding on all the persons, being judgement in rem.
(4) binding only on the parties to the suit.

55. Under Partnership Act, in settling the accounts of a firm after dissolution, losses including deficiencies of capital shall be paid, choose the correct order.
(a) out of capital
(b) by partners individually in the proportions in which they were entitled to share profits
(c) out of profits
(1) (c), (a), (b)

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(2) (a), (b), (c)
(3) (c), (b), (a)
(4) (b), (c), (a)

Ans. [2]

53. Under Transfer of Property Act "actionable claim" does not include :
(1) a debt secured by mortgage of immovable property.
(2) hypothecation of movable property.
(3) pledge of movable property.
(4) all of the above.

57. Specific Performance of contract can not be enforced in favour of a person :
(1) 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.
(2) who fails to aver and 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.
(3) who fails to deposit consideration in court.
(4) none of the above.

58. On determination of service tenancy as per section 22 of Maharashtra Rent Control Act and tenant fails to vacate such premises immediately, then landlord may file application before competent authority within a period of :
(1) 30 days
(2) 60 days
(3) 90 days
(4) 120 days

59. Under Section 42 of Partnership Act a firm is dissolved on the happening of certain contingencies, which do not include one of the following :
(1) if constituted for fixed term, by the expiry of that term.
(2) by death of partner.
(3) by giving notice in writing, where the partnership is at will.
(4) by adjudication of a partner as an insolvent.

60. Within meaning of Section 99 of Evidence Act Persons may give evidence of any facts tending to show a contemporaneous agreement varying the terms of the document are :
(1) persons who are parties to the document or their representatives in interest
(2) persons who are not parties to the document or their representatives in interest
(3) (1) and (2) both correct
(4) none of the above

61. The appropriate Government may, without the consent of the person sentenced, Commute :
(1) a sentence of imprisonment for life, for imprisonment for a term not exceeding fourteen years.
(2) a sentence of imprisonment for life, for fine.
(3) (1) and (2) both correct
(4) none of the above

62. When landlord filed suit for recovery of possession on the ground of bonafide requirement for the purpose of erecting new building on the same place and on undertaking that floors to be erected by the landlord include a premises for each tenant with carpet area equivalent to the area of the premises in his occupation in the building sought to be demolished subject to variation of:
(1) six per cent in area
(2) ten per cent in area
(3) five per cent in area
(4) four per cent in area

63. When suit is withdrawn by plaintiff with liberty to institute a fresh suit, plaintiff shall be bound:
(1) to file fresh suit within fresh limitation period from the date of liberty granted
(2) to file fresh suit within limitation which was balance if first suit had not been instituted
(3) the period required to obtain certified copy of liberty granted to file fresh suit will be exempted in calculation of limitation
(4) none of above is correct position

64. Which of the following is false?
(1) A transfer of property passes forthwith to the transferee all the interest which the transferror is then capable of passing in the property.
(2) Every person competent to contract and authorised to disposed of transferable property not his own is competent to transfer such property either wholly or in part.
(3) An easement can be transferred apart from the dominant heritage.
(4) A mere right to sue can not be transferred.

65. Under Article 236 of Constitution of India the expression judicial service' means:
(1) all the staff working in Courts
(2) all the officers of registry at District Courts
(3) a service consisting exclusively the post of district judge and other civil judicial posts
(4) none of the above

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66. In order to ascertain whether a digital signature is that of the person by whom it has purports to be affixed, the court may direct:
(a) that person to produce the digital signature certificate.
(b) any other person to apply the public key listed in the digital signature certificate and verify the digital signature purported to have been affixed by that person.
(1) (a) correct (b) not correct
(2) (a) not correct, (b) correct
(3) (a) and (b) both correct
(4) (a) and (b) both not correct

Ans. [3]

67. A shakes his fist at Z, intending or knowing it to be likely that he may thereby cause Z to believe that A is about to strike Z. A has committed an offence of :
(1) criminal force
(2) assault
(3) criminal intimidation
(4) voluntarily causing hurt

68. Any offence under the Indian Penal Code may be tried by:
(a) the Supreme Court of India
(b) the High Court
(c) any other Court by which such offence is shown in the first schedule to be triable
(1) (a) and (b) correct, (c) not correct
(2) (a) and (b) not correct, (c) correct
(3) (a) not correct, (b) and (c) correct
(4) (a), (b) and (c) correct

69. Which of the following is correct?
"Premises belonging to the Government or local authority" in section 3(1) of Maharashtra Rent Control Act.
(1) shall include a building erected on any land held by any person from the Government or local authority under an agreement, lease, licence or other grant.
(2) shall not include a building erected on any land held by any person from the Government or local authority under an agreement lease, licence or other grant
(3) shall include private trust property used for religious purpose.
(4) none of the above.

70. Under Sale of Goods Act, unless a different intention appears from the terms of contract, stipulation as to time of payment:
(1) are deemed to be of the essence of a contract of sale.
(2) are not deemed to be of the essence of a contract of sale.
(3) no any such type of stipulation is provided under Sale of Goods Act.
(4) none of the above.

71. An application for execution of decree moved after period of twelve years.
(1) may be admitted on condonation of delay if sufficient cause shown.
(2) is not maintainable as filed after period of limitation.
(3) it can be executed any time
(4) none of the above

72. Which of the following is false ? w toob srb bongo garved
An injunction can not be granted
(1) to restrain any person from applying to any legislative body.
(2) when the plaintiff has personal interest in the matter.
(3) to prevent a continuing breach in which the plaintiff has acquiesced.
(4) to prevent the breach of contract the performance of which would not be specifically enforced.

73. A is a member of armed forces of the union having the property 'X' in occupation of 'B' as a tenant. 'A' voluntarily retired, then 'A' files application with necessary certificate before competant Authority under Section 23 of Maharashtra Rent Control Act for possession of property 'X' against 'B' here.
(1) A's application is not maintainable as he is not retired on superannuation.
(2) A's application is maintainable though his retirement is premature.
(3) A has to file regular suit and not under special provision as per chapter V.
(4) It will be at the discretion of competent authority.

74. A contracts to buy B's ship for 60,000 rupees but breaches his promise:
(1) A must pay to B, by way of compensation the excess, if any of the contract price over the price which B can obtain for the ship at the time of the breach of promise.
(2) B is entitled for compensation of 60,000 rupees only.
(3) (1) and (2) both are correct.
(4) B is entitled for 60,000 rupees and difference of over the price at the time of breach of promise.

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75. **Before amendment - Limitation Act extends to the whole of India except the State 1. Jammu and Kashmir. The word 'except the State of Jammu and Kashmir' is omitted the year:**
(1) 2017
(2) 2018
(3) 2019
(4) 2020

76. **Which of following is false ?**
A vested interest means, where, on transfer of property, an interest therein is created in favour of a person.
(1) in terms specifying that it is to take effect forthwith.
(2) on happening of a specified uncertain event.
(3) without specifying the time when it is to take effect.
(4) none of the above.

77. **'A' finds the key of Z's house door, which 'Z' had lost and commits house-trespass by entering Z's house having opened the door with that key. 'A' has committed an offence of:**
(1) theft
(2) house breaking
(3) mischief
(4) criminal trespass

78. **In calculating fraction of terms of punishment, imprisonment for life shall be reckoned as equivalent to imprisonment for**
(1) twenty years
(2) fourteen years
(3) thirty years
(4) twenty eight years

79. **As per Section 3 of Limitation Act every suit instituted after the prescribed period shall be:**
(1) regularised by condonation of delay u/s 5 of Limitation Act.
(2) dismissed.
(3) admitted with the consent of opposite party.
(4) admitted at the discretion of Court.

80. **No injunction shall be granted by a court in suit under Specific Relief Act wher granting injunction would cause delay or impediment involving a contract relating to:**
(1) transport
(2) water and sanitation
(3) social and commercial infrastructure
(4) all of the above

81. **A sells by auction, to B, a horse which A knows to be unsound, A says nothing to B about the horse's unsoundness,**
(1) This is not fraud by A
(2) This is fraud by A
(3) This is not lawful contract
(4) This is misrepresentation

82. **Every Person who is arrested and detained in custody shall be produced before the nearest Magistrate within a period of twenty-four hours, this right is provided under:**
(1) Section 167 of Code of Criminal Procedure
(2) Article 20 of Constitution of India
(3) Article 22 of Constitution of India
(4) None of the above

83. **A person entitled to the possession of specific immovable property may recover it in the manner provided by:**
(1) Specific Relief Act 1963
(2) Code of Civil Procedure 1908
(3) The Indian Contract Act 1872
(4) Transfer of Property Act 1882

84. **The court may issue a Commission:**
(1) to perform any ministerial act
(2) to make local investigation
(3) to examine on adjust account
(4) all of the above

85. **Section 2(wa) of Code of Criminal Procedure defines 'victim' which includes his or her:**
(1) guardian
(2) legal heir
(3) (1) and (2) both correct
(4) none of the above

86. **As per Preamble of the Constitution of India the word "Equality" stand for :**
(1) of status and opportunity
(2) of thought, expression, belief, faith and worship
(3) social, economic and political
(4) none of the above

87. **Statement:**
(a) **The Maharashtra Rent Control Act in the first instance apply to premises let for the purpose of residence, education, business trade or storage in the areas specified in Schedule I and Schedule II.**
(b) **The State Government may by notification in the official Gazette direct that Maharashtra Rent Control Act shall not apply to any premises left for any**

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purposes specified in sub section (1) of section (2) in the areas other than those specified in schedule I and schedule II.

(1) (a) and (b) both correct
(2) (a) is correct and (b) is not correct
(3) (a) is not correct and (b) is correct
(4) (a) and (b) both not correct

88. The irregularities which do not vitiate proceeding

(1) demands security to keep the peace
(2) cancel a bond to keep the peace
(3) to tender a pardon u/s 306 of code of criminal procedure
(4) decides an appeal

89. In summary procedure under order XXXVII of Code of Civil Procedure the defendant may at any time from the service of summons of judgement, by affidavit or otherwise disclosing such facts as may be deemed sufficient to entitle him to defend, apply for leave to defend such suit within :

(1) 120 days
(2) 10 days
(3) 30 days
(4) 90 days

90. Under the Limitation Act definition of 'prescribed period' means:

(1) the period of limitation prescribed for any suit, appeal or application by the schedule
(2) the period of limitation computed in accordance with the provision of Limitation Act
(3) (1) and (2) both correct qirerow bus riffst Job
(4) none of the above

91. Statement:

(a) A person can be Governor of two or more States.
(b) The Governor shall hold office during the pleasure of Prime Minister. Answer options:

(1) (a) correct, (b) not correct
(2) (a) not correct, (b) correct
(3) (a) and (b) correct
(4) (a) and (b) not correct

92. Liability of a person in possession, not as a owner, to deliver particular article of movable property to the person entitled to its immediate possession
Statement:

(a) When the thing claimed is held by the defendant as the agent or trustee of plaintiff.
(b) When it would not be extremely difficult to ascertain the actual damage caused by its loss.

(1) (a) and (b) both correct
(2) (a) not correct (b) correct
(3) (a) correct (b) not correct
(4) (a) and (b) both not correct

93. To recover possession of immovable property mortgaged, the period of limitation is :

(1) three years
(2) twelve years
(3) thirty years
(4) no limitation

94. In which type of mortgage, the mortgagor binds himself personally to pay the mortgage money without specifying date?

(1) English mortgage
(2) Mortgage by conditional sale
(3) Simple mortgage.
(4) Usufructuary mortgage

95. Under Section 18 of Limitation Act, where the writing containing the acknowledgement is undated,

(1) oral evidence may not be given of the time when it was signed.
(2) oral evidence may be given of the time when it was signed.
(3) such writing has no value.
(4) none of the above.

Ans. [2]

96. Where a right of easement is claimed over the property belonging to the Government, such person must have been peaceably and openly enjoyed the same for the period of :

(1) twenty years
(2) twenty two years
(3) thirty years
(4) forty years

97. Where persons litigate bonafide in respect of a private right claimed in common for themselves and other and suit is finally dismissed on merit.

(1) Other person interested in such right and not a party in earlier suit can file separate suit to claim such right.
(2) Subsequent suit is not maintainable as hit by provision of Res judicata.
(3) To entertain a subsequent suit is discretion of Court.

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(4) Subsequent suit can be filed only after addition as a party to the plaintiff of earlier suit.

98. As per Evidence Act the word 'document' may be illustrated as :

(1) A writing
(2) A map or plan
(3) A caricature
(4) All of above

99. 'A' gives a lakh of rupees to 'B' reserving to himself, with B's assent the right to take back at pleasure 25,000 rupees out of the lakh :

(1) As gift is conditional therefore entire gift is void
(2) The gift is partially void as to 25,000 rupees
(3) A is entitled to receive lakh of rupees as condition is void
(4) None of the above

100. Any resignation addressed by the President to Vice-President shall forthwith be communicated by him to:

(1) Speaker of Council of State
(2) Speaker of house of people
(3) Chief Justice of India
(4) Prime Minister

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