



Odisha Civil Judge (Main) Examination, 2021-22

PAPER – I : General English

Time Allowed: 2.5 Hours

Maximum Marks: 150

The figures in the right-hand margin indicate marks.

Answer all questions

1. Translate the following into English :

[25]

ଗଣତନ୍ତ୍ର ଶାସନ ହେଉଛି ଗଣଙ୍କ ଦ୍ଵାରା ଶାସନ । ଏଥିରେ ଜନତାଙ୍କ ଜନତାର ଶାସନ ପ୍ରତ୍ୟକ୍ଷ ନ ହୋଇ ପରୋକ୍ଷ ହେବାହିଁ ସ୍ଵାଭାବିକ । ସିଧାସଳଖ ଭାବରେ ଶାସନ ତୁଲାଇ ଥାନ୍ତି ଜନତାର ପ୍ରତିନିଧି । ସେହି ପ୍ରତିନିଧିମାନଙ୍କୁ ସେମାନେ ନିଜେ ବାଛନ୍ତି ଓ ଯାହାଙ୍କ ହାତରେ ଶାସନ କ୍ଷମତା ଓ ଶାସନ ଭାର ଜାଣିଶୁଣି ସମର୍ପି ଦେଇଥାନ୍ତି । ସୁତରାଂ ଲୋକ ପ୍ରତିନିଧି ମନୋନୟନ ହେଉଛି ଗଣତନ୍ତ୍ର ର ମେରୁଦଣ୍ଡ । ଯେଉଁ ଦେଶରେ ଲୋକମାନେ ଶାସନ ସମ୍ବନ୍ଧୀୟ ଜ୍ଞାନରେ ସୁଶିକ୍ଷିତ, ସେମାନେ କେବଳ ଯଥାର୍ଥ ପ୍ରତିନିଧି ବାଛି ପାରିବେ । ସେ ଦେଶର ଭୋଟ ଦାତାମାନେ ଲୋକପ୍ରତିନିଧି ହେବାପାଇଁ ଉପଯୁକ୍ତ । ଅନ୍ୟଭାବରେ ବିଚାର କଲେ ଯେଉଁ ଦେଶର ଜନତା ନିଜ ଅଧିକାର ତଥା କର୍ତ୍ତବ୍ୟ ଜ୍ଞାନ ସମ୍ବନ୍ଧରେ ଅଜ୍ଞ ସେ ଦେଶରେ ଗୁଣ ଅପେକ୍ଷା

ପ୍ରୋପାଗଣ୍ଡା ବେଶି କାମ କରିଥାଏ, ସେଠାରେ ଭଲମନ୍ଦ ଚିହ୍ନିବାର ଯୋଗ୍ୟତା ନଥାଏ ।

ଗଣତନ୍ତ୍ର ଶାସନରେ ପ୍ରଭୁ କିମ୍ବା ଦାସ, ଶୋଷକ କିମ୍ବା ଶୋଷିତ ର କଳ୍ପନା କରାଯାଇ ନପାରେ । ତେଣୁ ସାମାଜିକ ନ୍ୟାୟ, ଅର୍ଥନୈତିକ ସମତା, ବ୍ୟକ୍ତିଗତ ଅଧିକାର ଓ ବ୍ୟକ୍ତିଗତ ସ୍ଵାଧୀନତା ଲାଭ ସଙ୍ଗେ ସଙ୍ଗେ ସମସ୍ତଙ୍କ ପ୍ରଗତି ଉପଯୁକ୍ତ ଶାସନ ର ସ୍ଵାଭାବିକ ପରିଣତି ବୋଲି ବୁଝି ହୁଏ । ସୁତରାଂ ବ୍ୟକ୍ତିର କ୍ରିୟା କଳାପ, ମାନସିକ ଦୃଷ୍ଟିକୋଣ, ସାଧୁତା ଓ କାର୍ଯ୍ୟ ଦକ୍ଷତା ସମ୍ପର୍କରେ ବିଚାର କରି ଉପଯୁକ୍ତ ପ୍ରତିନିଧି ବାଛିବା ଉଚିତ୍ ।

ଅନେକ ବ୍ୟକ୍ତି ଗଣତନ୍ତ୍ର ଶାସନର ସ୍ଵାଭାବିକ ପରିଣତିକୁ କଳ୍ପନାର ବିଳାସ ବୋଲି ଭାବିଥାନ୍ତି । କାରଣ ଏଥିରେ ପୁଞ୍ଜି ପତି ର ବିଶାଳ ପ୍ରସାଦ ଓ ଭିକାରୀର ପତ୍ର କୁଡ଼ିଆ ତଥା ରାସ୍ତାକଡ଼ର ଗରିବ ଲୋକ ମଧ୍ୟରେ ଅର୍ଥନୈତିକ ସମତା ଆଣିବା ଅସମ୍ଭବ । ଯେଉଁଠି ଶିକ୍ଷିତ ଭୋଟଦାତାମାନେ ଉଦାସୀନ ରହିବେ ସେଠାରେ ଅସାଧୁ ପ୍ରଚାର ସର୍ବସ୍ଵ ବ୍ୟକ୍ତିମାନଙ୍କର କଇଁ ହୋଇଥାଏ । ଯଥାର୍ଥ ପ୍ରତିନିଧି ଚୟନ କରିବା ଦାୟିତ୍ଵ ସାଧାରଣ ଜନତାଙ୍କ ଉପରେ ନ୍ୟସ୍ତଯୋଗ୍ୟତା ନଦେଖି ନୀତି ହୀନ ବ୍ୟକ୍ତିଙ୍କୁ ଉଚ୍ଚ ଆସନ ଦେଲେ ପରିଣତି ଭୟଙ୍କର ହୋଇଥାଏ ଭଲ ଶାସକ ନିକଟରେ । ସାଧୁତା, ସଜୋଟତା, ସତ୍ୟନିଷ୍ଠା, ମୈତ୍ରୀ, କ୍ଷମା ପ୍ରଭୃତି ସ୍ଵଗୁଣ ରହିବା ଉଚିତ । ତଦ୍ଵାରା ଏକ ସ୍ଵଚ୍ଛ ସୁନ୍ଦର ସମାଜ ଗଠନ ହୋଇପାରିବ ।

2. Translate the following into Odia :

[25]

A great part of Arabia is desert. Here there is nothing but sand and rock. The sand is so hot that you cannot walk over it with your bare feet in the daytime. Here and there in the desert are springs of water that comes from deep down under the ground-so deep that the sun cannot dry them up. These springs are few and far apart but whenever there is one, green grass very soon covers the ground all around it. Soon fig trees and palm trees grow tall and graceful, making a cool, green, shady place around the spring. Such place is called an oasis. The Arabs who are not in the cities live in the desert all the year round. They live in tents that can be put up and taken down very easily and quickly so that they can move from one oasis to another, seeking grass and water for their sheep, goats, camels and horses. These desert Arabs eat ripe sweet figs and also the dates that grow upon the palm trees; they dry them too, and use them as food all the year round. These Arabs have finest horses in the world. An Arab is very proud of his riding horse and loves him almost as he loves his wife and children. He never puts heavy loads upon his horse and often lets him stay in the tent with his family. The camel is much more useful to the Arab than his beautiful horse, however, for he is much larger and stronger. One camel can carry as much as or more than two horses. The Arab loads the camel with goods and rides him too for miles and miles across the desert- just as if he were really the 'Ship of the Desert', which he is often called.

3. Write short essay in about 150 (One hundred and fifty) words on any one of the following:

[50]

- (a) Role of Media in a democracy
- (b) Right to Privacy as a fundamental right
- (c) Independence of Judiciary
- (d) Consumer protection in India
- (e) Capital Punishment
- (f) Right to Information

4. Make a precis of the following passage in about 100 (one hundred) words:

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[25]

The habit of reading is one of the greatest resources of mankind; and we enjoy reading books that belong to us much more than if they are borrowed. A borrowed book is like a guest in the house; it must be treated with punctiliousness, with a certain considerate formality. You must see that it sustains no damage. It must not suffer while under your roof. You cannot leave it carelessly, you cannot mark it, you cannot turn down the pages, you cannot use it familiarly. And then, someday, although this is seldom done, you really ought to return it. But your own books belong to you; you treat them with that affectionate intimacy that annihilates formality. Books are for use, not for show; you should own no book that you are afraid to mark up, or afraid to place on the table, wide open and face down. A good reason for marking favourite passages in books is that this practice enables you to remember more easily the significant saying, to refer to them quickly and then in later years is like visiting a forest where you once blazed a trail. You have the pleasure of going over the old ground and recalling both the intellectual scenery and your own earlier self.

Everyone should begin collecting a private library in youth; the instinct of private property, which is fundamental in human beings can here be cultivated with every advantage and no evils. One should have one's own bookshelves which should not have doors, glass windows or keys; they should be free and accessible to the hand as well as to the eye. The best of decorations is books; they more varied in colour and mural appearance than any wall paper, they are more attractive in design and they have the prime advantage of being separate personalities, so that if you sit alone in the room in the firelight you are surrounded with intimate friends. The knowledge that they are there in plain view is both stimulating and refreshing. You do not have to read them all.

Most of my indoor life is spent in a room containing six thousand books; and I have a stock answer to the invariable question that comes from strangers. "Have you read all these books?" "Some of them twice." This reply is both true and unexpected.

There are of course, no friends like living, breathing, corporeal men and women; my devotion to reading has never made me a recluse. How could it be? Books are of the people, by the people, for the people. Literature is the immortal part of history; it is the best and the most enduring part of personality. But book-friends have this advantage over living friends; you can enjoy the most truly aristocratic society in the world whenever you want it. The great dead are beyond our physical reach, and the great livings are usually almost inaccessible; as for our personal friends and acquaintances, we cannot always see them. Perchance they are asleep, or away on a journey.

But in a private library, you can at any moment converse with Socrates or Shakespeare or Dumas or Dickens or Shaw or Galsworthy. And there is no doubt in these books you see these men at their best. They wrote for you, they "laid themselves out", they did their ultimate best to entertain you, to make a favourable impression, you are necessary to them as an audience is to an actor, only instead of seeing them masked, you look into their most heart of hearts.

5. Read the following passage and answer the questions that follow:

[5x5 = 25]

In this age of changing values when the entire world is dominated by a materialistic approach to life, it is of utmost importance for scientists, philosophers and artists and others to think together and see how our contribution to the modern world can help bring greater happiness and peace to all living beings.


We may classify human beings as being scientists, artists, technologists and so on. For intellectuals, the most dominant topic of interest for the present age is science with all its branch of knowledge. As the desire for scientific studies and knowledge increases in the world, the more imperative it becomes to emphasize the human values, for without it, the human intellect can become a formidable and dangerous force. The people of the world are afraid of the hydrogen bomb, nuclear weapons and many other such deadly devices which have been invented. In fact, actually, one should be more afraid of the human intellect what is able to produce all these things than of the weapons themselves. How much further will the human mind go and what more miracles of knowledge are we going to witness?

Modern scientists, with rare exceptions, generally think of science as an end in itself. The everyday human being thinks of all the material benefits to humanity by science. We may add that man cannot live by the advantages of a materialistic age alone and that we are in danger of becoming more and more materialistic. With all the discoveries that make travel and communication easier, our world is more torn by strife and misunderstanding than ever before. Though the World War II came to an end, wars have not ceased and since 1945 we live still in fear of another world war. We heave a sigh of relief when one crisis is over only to be faced with another similar crisis. What man can do is incomprehensibly great and is a miracle in itself, but yet, when man does 'not understand himself, all this capacity is of no use to the world.

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Right relationship in life can only be achieved through the qualities of the heart and mind. If human values are important as we know they are, urgent revolution must take place in the educational system. Morality must be the foundation of all aspects of living and knowledge. Investigation into right living, knowing how to live creatively and consciously, is in itself a science of life. True morality teaches us that there is no good end without the right means. The greatest gift of the human being is to be truly human and this is the basis of human values applicable to scientists, artists, politicians and all others. For this the education of the heart is important. Morality at the highest level is as important in the field of art as in the field of science. While art without vulgarity and crudity is important, so must science be without cruelty and selfishness.

Questions:

- (a) Why is it imperative to emphasize human values in our age?
- (b) What is the major fear gripping the mind of humanity at present?
- (c) Why should one be more afraid of the human evil of war e intellect than even nuclear weapons?
- (d) What does true. morality teach scientists, artists, politicians and all others alike?
- (e) What does the writer mean by 'education of the heart'?



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PAPER – II : Jurisprudence & Constitution of India

Time Allowed: 3 Hours

Maximum Marks: 150

The questions are of equal value.

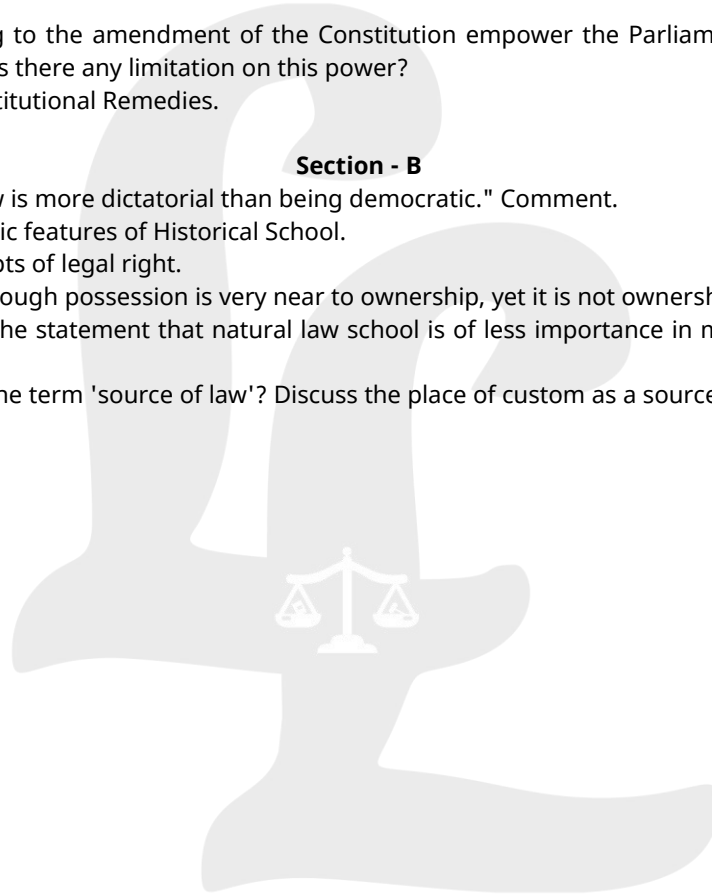
Candidates should attempt six questions, selecting three from Section - A and three from Section - B.

Section - A

1. Analyse the Constitutional Powers and Position of the President of India. Discuss the concept of 'equality before law and equal protection of laws'. Is there any exception to this rule? If so, discuss them.
3. "Although they are not Justiciable yet the Directive Principles of State Policy (DPSP) are fundamental in the governance of the country." Discuss.
4. Explain the term 'preventive detention'. What are the safeguards provided to the person arrested under a preventive detention law.
5. 'The provisions relating to the amendment of the Constitution empower the Parliament to amend any part of the Constitution.' Discuss. Is there any limitation on this power?
6. Write an essay on Constitutional Remedies.

Section - B

7. "Austinian theory of law is more dictatorial than being democratic." Comment.
8. Discuss the characteristic features of Historical School.
9. Explain different concepts of legal right.
10. Discuss the view that though possession is very near to ownership, yet it is not ownership.
11. How can you react on the statement that natural law school is of less importance in modern age despite having it's everlasting character?
12. What do you mean by the term 'source of law'? Discuss the place of custom as a source of law.



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PAPER – III : Law of Crime and Law of Torts

Time Allowed: 3 Hours

Maximum Marks: 150

The figures in the right-hand margin indicate ' marks.

Candidates should attempt six questions, selecting three from Section - A and three from Section - B.

Section - A

1. Write an essay on the doctrine of Mens Rea and the scope of its applicability under the IPC. [25]
2. Give an account of the offences relating to cruelty by husband and his relatives. [25]
3. Examine insanity as a defence under the Indian Penal Code. [25]
4. What are the ingredients of theft? Can a person commit theft of his own property? [25]
5. Examine the utility of capital punishment of contemporary times. [25]
6. Write notes on the following: [5x5=25]
 - (a) Stages of crime
 - (b) Right of private defence
 - (c) Public nuisance
 - (d) Abetment and conspiracy
 - (e) Kidnap and Abduction

Section - B

7. Discuss when defamatory statement does not involve any criminal liability. [25]
8. Discuss the principles relating to an action in Tort for malicious prosecution. [25]
9. 'Negligence is the complex concept of duty to take care, its breach as consequential damage.' Comment. [25]
10. Referring to leading cases, describe the limitations and scopes of State's Liability for torts committed by its servants or agents. [25]
11. Describe, in details, the facts and principles of Law laid down Donoghue vs. Stevenson (1932 A. C. 567) and Raynald vs. Fletcher 1869 (H. L. 380). [25]
12. Write notes on the following: [5x5=25]
 - (a) Vicarious liability
 - (b) Damage for nervous and mental shock
 - (c) Disability to sue and to be sued
 - (d) Torts founded on contract
 - (e) Injuria sine damno

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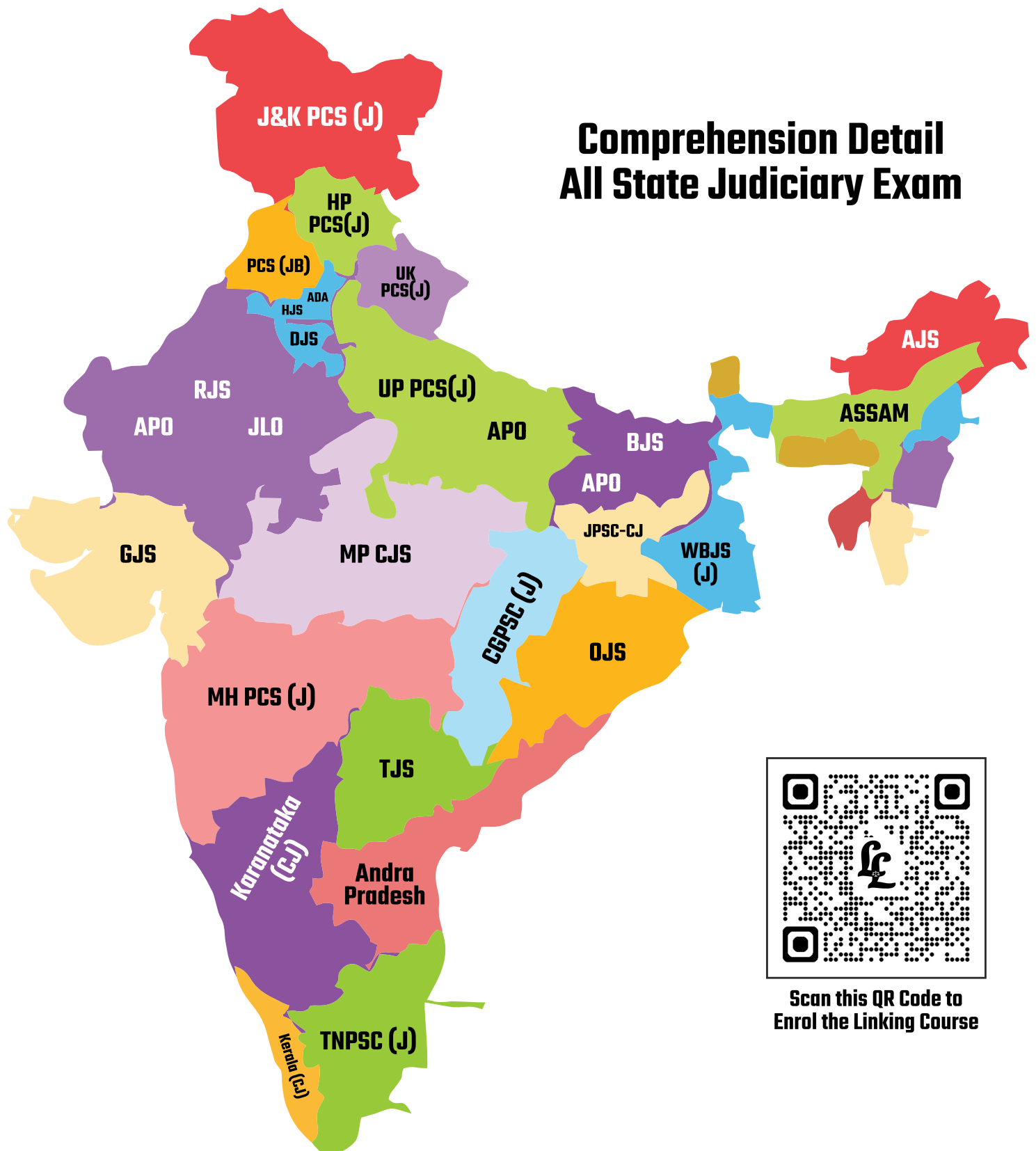


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PAPER – IV : Law of Contract

Time Allowed: 3 Hours

Maximum Marks: 150

The figures in the right-hand margin indicate marks.

Candidates should attempt six questions, selecting two from Section - A, two from Section - B and one each from Section- C and Section - D.

Section - A

1.
(a) Define Consent. When is it said to be free? [10]
(b) What is 'Coercion'? What happens to the contract where the consent is caused by 'Coercion'? Distinguish between Coercion and Undue Influence. [15]
2.
(a) An offer has value or legal consequences only when accepted. Define acceptance. Explain the conditions for a valid acceptance. [15]
(b) Explain the law relating to 'Mistake'. [10]
3.
(a) Define 'Indemnity'. Distinguish between 'Contract of Indemnity' and 'Contract of Guarantee'. [15]
(b) What are the rights of 'indemnity-holder'? [10]

Section - B

4.
(a) What is a contract of Sale? Distinguish between Sale and Agreement to sell. [15]
(b) Explain the implied conditions in a contract of sale of goods. [10]
5.
(a) Define Price. How is the price of goods ascertained? [10]
(b) Differentiate between 'Condition' and 'Warranty'. [15]
6.
(a) Explain the maxim Nemo Dat Quod Non- Habet. State the exceptions to this, if any. [15]
(b) Define 'Unpaid seller'. Comment on the following:
'The right of stoppage in transit is just an extension of the right of lien'. [10]

Section - C

7.
(a) Define Partnership. What are the different kinds of partnership? [10]
(b) Write a note on the types of partners. [15]
8.
(a) Differentiate between a Partnership and a Company. [10]
(b) Explain the rights and duties of Partners. [15]
9.
(a) What do you understand by the registration of partnership firm? What are the consequences of non-registration?

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- (b) Discuss the provisions with respect to dissolution of the firm. [15]

Section - D

10. (a) Differentiate between the three kinds of negotiable instruments mentioned in the Negotiable Instruments Act. [15]
(b) Write a note on the crossing of cheques. [10]
11. (a) Differentiate between Holder and Holder in Due Course. [10]
(b) What is negotiation under the Negotiable Instruments Act. Explain the various kinds of negotiation. [15]
12. Section 138 of the NI Act deals with the punishment for dishonour of cheques. Discuss, in detail, the important points of the said provision. [25]



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PAPER – V : Law of Property

Time Allowed: 3 Hours

Maximum Marks: 150

The figures in the right-hand margin indicate marks.

Candidates should attempt six questions, selecting two from Section - A, two from Section-B and two from Section - C.

Section - A

1.
 - (a) Under what circumstances a person can be said to have notice of a fact? [10]
 - (b) State the essential conditions for a valid attestation of an instrument. [10]
 - (i) Can a money lender to the mortgagee validly attest the mortgage instrument? [5]
2.
 - (a) Referring to the provisions of the Transfer of Property Act, 1882, state the properties which cannot be transferred. [15]
 - (b) Discuss the validity of following conditions on transfers:
 - (i) 'A' mortgages a property to 'B' with a condition that 'B' will never sub mortgage the property to anyone. [5]
 - (ii) 'A' transfers a farm to 'B' for his life with a condition that in case 'B' cuts down any tree of the farm, the transfer shall cease to have any effect. [5]
3.
 - (a) What kinds of subrogations are recognized by the Transfer of Property Act? [15]
 - (b) Point out the circumstances under which a lease of an immovable property is determined. [10]
4.
 - (a) Explain the rights of a mortgagor on redemption of a mortgage. [10]
 - (b)
 - (i) Can a person interested in a share only of the mortgaged property redeem his own share only? [5]
 - (ii) Who is regarded as universal donee? [10]

Section - B

5.
 - (a) Explain the provisions of Specific Relief Act relating to recovery of possession of immovable property. [15]
 - (b) Discuss liability of person in possession of movable property, of which he is not the owner, to deliver the same to the person entitled to its immediate possession. [10]
6.
 - (a) State the conditions for enforcing the specific performance of a contract. [15]
 - (b) When can the court direct the specific performance of a part of a contract? [10]
7.
 - (a) Who are the persons against whom specific performance of a contract may be enforced? [15]
 - (b) Explain the provisions relating to substituted performance of contract under the Specific Relief Act, 1963.

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8. [10]
- (a) What are special provisions under the Specific Relief Act, 1963 for contracts relating to infrastructure projects? [10]
- (b) Discuss the power of court to award compensation in a suit for specific performance of a contract. [15]
- Section - C
9. [15]
- (a) Explain the principles for extension of prescribed period under Section 5 of the Limitation Act, 1963. [15]
- (b) Limitation bars the remedy but not the right. Explain with illustrations. [10]
10. [15]
- (a) Explain the provisions with illustrations under the Limitation Act, 1963 relating to extension of period of limitation on the ground of legal disability. [15]
- (b) [5]
- (i) The limitation period for instituting a suit by M expired when M was a minor. Should M file the suit within a reasonable time immediately after he becomes a major or within the prescribed period of limitation, after he becomes a major? [5]
- (ii) A house belonging to P is taken possession of by a trespasser. The period of limitation for recovery of the possession is 12 years from the date of dispossession. P dies before the expiry of this period, leaving a minor son S, who attains majority after the period has expired and brings a suit for recovery of the house in 14th year from the date of dispossession. Is S entitled to extension of period of limitation on the ground of legal disability? [5]
11. [15]
- (a) Explain the provisions under the Limitation Act, 1963 relating to exclusion of time in legal proceedings in computing the period of limitation. [15]
- (b) Discuss the provision under the Limitation Act, 1963 relating to exclusion to time of proceeding bona fide in Court without jurisdiction. [10]
12. [15]
- (a) State the requisites of a valid acknowledgement for extension of limitation period. [15]
- (b) What is the effect of death, fraud or mistake in computing the period of limitation? [10]

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PAPER – VI : Personal Law

Time Allowed: 3 Hours

Maximum Marks: 150

The questions are of equal value.

Candidates should attempt six questions, selecting three from Section - A and three from Section - B.

Section - A

1. "Development of schools and sub-schools under Hindu law has not been influenced by the view (opinion) of single Hindu Sage." Examine above statement.
2. Discuss the impact of the Prohibition of Child Marriage Act, 2006 on the institution of Hindu Marriage.
3. With the help of decided cases, explain when the courts have considered the fact and circumstances concerning respondent are relevant and important, lack of which declared the marriage as voidable.
4. Explain the meaning of coparcenary property under the Mitakshara school of Hindu law and discuss rules of its devolution amongst the heirs of propositus.
5. "Nature of adoption under the Hindu Law has been changed from religious to secular." Discuss above statement with help of the provisions of the Hindu Adoption and Maintenance Act, 1956 and decided cases.
6. Do you agree that the Section 9 of the Hindu Marriage Act, 1955 put a unreasonable restriction on the rights and liberty of working Hindu Women? Give reasons and cite decided cases in support of your view.

Section - B

7. Point out nature of Mahr in Muslim law and discuss right of Muslim widow to retain her husband's property in lieu of unpaid Mahr.
8. Discuss the law of legitimacy under Muslim law. Does Section 112 of the Evidence Act applies in determination of legitimacy of a Muslim child?
9. Explain the provision of Muslim law dealing Nafaqa of Muslim wife with special reference to the provision of Criminal Procedure Code.
10. Compare the provisions of Muslim law dealing Hiba-bil-ewaz and Hiba-ba-shart-ul-ewaz.
11. Discuss nature of the right of pre-emption. Is it a weak right? Explain different kinds of pre-emptor under Muslim law.
12. "A Muslim has limited power to make a wasiyat." Discuss and also explain Maraz-ul-maut.

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PAPER – VII : Procedural Laws

Time Allowed: 3 Hours

Maximum Marks: 150

The figures in the right-hand margin indicate marks.

Candidates should attempt six questions, selecting two from Section - A, two from Section-B and two from Section - C.

Section - A

1.
 - (a) What is the value and use of FIR? [5]
 - (b) What precautions should generally be taken by a Magistrate while recording a confession? [5]
 - (c) Can a police officer refuse to register a first information report on the ground of territorial Jurisdiction over, the place of crime? [5]
 - (d) 'A' is tried summarily by the Chief Judicial Magistrate for the charge of committing theft and is sentenced to undergo imprisonment for four months. Can 'A' challenge this decision and, if so, on what grounds? [5]
 - (e) Whether an accused person can be a competent witness? [5]
2.
 - (a) Write a short note on the framing of charge with the relevant provisions under the Criminal Procedure Code. [5]
 - (b) A police officer has come to know that certain persons sitting in a house equipped with arms are planning to commit a decoity. The police officer approaches the house and arrests all the persons without getting any order from the Magistrate and without any warrant. Examine the validity of their arrest. [10]
 - (c) Discuss the provision relating to cognizance of offence by Magistrate. [10]
3.
 - (a) Discuss the evidentiary value of statement recorded under Section 313, Cr.PC. [15]
 - (b) Discuss briefly confession made in police custody. [5]
 - (c) Write a short note on commitment of case to court of sessions when offence is triable exclusively by it. [5]
4.
 - (a) 'A' is tried upon a charge of theft as a servant and acquitted. Can he be charged again with criminal breach of trust upon the same facts of the theft? State your answer giving reasons and relevant provisions. [15]
 - (b) 'Every criminal appeal shall finally abate on the death of appellant.' Is there any exception to the rule? [10]


Section - B

5.
 - (a) What do you understand by a 'retracted confession'? [5]
 - (b) What is 'Fact discovered'? Distinguish between direct and circumstantial evidence. [10]
 - (c) Can the evidence of a deaf or dumb person be recorded by a court? If, so in what manner? [5]
 - (d) What is meant by expert opinion? [5]
- 6.

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- (a) 'Hearsay evidence is no evidence.' Explain this rule of law. Is hearsay evidence ever admissible? [15]
- (b) What is a pre-condition to raise an obligatory presumption under Section 113-B of the Indian Evidence Act. [10]
- 7.
- (a) What is "Plea of alibi"? Explain effect of its failure on the case of prosecution. [10]
- (b) What do you understand by "the primary evidence and secondary evidence"? [15]
- 8.
- (a) What are the provisions in the Indian Evidence Act, 1872 regarding admissibility of electronic record? [10]
- (b) Explain a warrant case. [5]
- (c) Discuss dying declaration and its evidentiary value. [10]
- Section - C**
- 9.
- (a) What suits are of civil nature? [5]
- (b) What are the valid grounds for rejection of a plaint? [5]
- (c) When can a person lodge a caveat in the court? What is the purpose of lodging a caveat? [5]
- (d) What is meant by the pauper suit? [5]
- (e) What is the scope of compromise in a civil suit? [5]
- 10.
- (a) What are the ingredients for granting injunction? [15]
- (b) Discuss the territorial jurisdiction of the courts. [10]
- 11.
- (a) An execution court can neither go behind the decree nor question its legality or correctness. Is there any exception to this rule? If so, what? [10]
- (b) Write a note on 'Substituted Service'. [15]
- 12.
- (a) Discuss the provisions relating to the property liable to attachment and sale in execution of decree. [10]
- (b) Explain attachment before judgement. [10]
- (c) What is an interpleader suit? [5]

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