ODISHA JUDICIARY PRELIMINARY EXAMINATION 2019

1. Who among the following was the Special Public Prosecutor in the Disproportionate Assets Case in which Tamil Nadu Chief Minister Jayalalithaa was convicted for four years?
(A) Anand Grover
(B) Bhavani Singh
(C) Siddarth Luthra
(D) None of them

Ans [B]

2. Government of India Act, 1935 was a lengthy document consists of 321 Sections and 10 Schedules. The statement is:
(A) True
(B) False
(C) Partly correct
(D) None of these

Ans [A]

3. How many times has the Preamble to the Constitution of India amended?
(A) Once
(B) Twice
(C) Thrice
(D) None

Ans [A]

4. The First Session of the Constituent Assembly was held at:
(A) Delhi
(B) Bombay
(C) Calcutta
(D) None of these

Ans [A]

5. Which of the following Articles of the Constitution of India guarantees freedom to marriage religious affairs?
(A) Article 25
(B) Article 26
(C) Article 27
(D) Article 28

Ans [*]

6. Which one of the following Articles about Fundamental Rights is directly related to the exploitation of Children?
(A) Article 18
(B) Article 19
(C) Article 22
(D) Article 24

Ans [D]

7. Which of the following Articles was/were amended to rectify the effect of Golaknath's judgement?
(A) Article 13
(B) Article 368
(C) Article 31
(D) Both (A) and (B)

Ans [D]

8. How many items are there in the Ninth Schedule when it was introduced?
(A) 8
(B) 9
(C) 10
(D) 12

Ans [*]

9. Which of the following cases upheld the right against solitary confinement?
(A) Sunil Batra Case
(B) Ramesh Thapar Case
(C) Prem Shanker Shukla Case
(D) None of these

Ans [A]

10. Is Judicial Review a part of basic structure of Indian Constitution?
(A) Yes
(B) No
(C) Depends
(D) None of these

Ans [A]

11. "Decree" has been defined in Section of the Code of Civil Procedure.
(A) Section 1(1)
(B) Section 1(2)
(C) Section 2(1)
(D) Section 2(2)

Ans [D]

12. In the case of inconsistency between Sections and the Rules - shall prevail.
(A) Sections
(B) Rules
(C) Orders
(D) None of these

Ans [A]

13. The body of the Code of Civil Procedure containing Sections can be amended by:
(A) The Supreme Court
(B) The High Courts

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(C) The Parliament
(D) None of these

Ans [C]

14. Civil Proceedings instituted by Presentation of Plaint is called
(A) Suit
(B) Caveat
(C) Application
(D) None of these

Ans [A]

15. Can a Civil Court pass more than one orders in suit?
(A) Yes
(B) No
(C) Never
(D) None of these

Ans [A]

16. The first uniform Code of Civil Procedure was enacted in the year:
(A) 1908
(B) 1859
(C) 1882
(D) 1872

Ans [D]

17. The substantive part of the Code of Civil Procedure is contained in:
(A) Sections
(B) Rules
(C) Orders
(D) None of these

Ans [A]

18. Is it necessary to state the amount of costs incurred in the suit?
(A) Yes
(B) No
(C) Depends
(D) None of these

Ans [A]

19. Can the Court issue commission for examination of a person in prison?
(A) Yes
(B) No
(C) Never
(D) Depends

Ans [A]

20. Is it necessary for the Court to pronounce the judgement in all issues?
(A) Yes
(B) No
(C) Never
(D) None of these

Ans [A]

21. Section 2(g) of the Code of Criminal Procedure 1973 defines:
(A) Enquiry
(B) Inquiry
(C) Investigation
(D) None of these

Ans [B]

22. In a Warrant case instituted on police report, the trial begins when the:
(A) Accused appears
(B) Charge in framed
(C) Witnesses are examined
(D) None of these

Ans [*]

23. An illegality in the investigation:
(A) Vitiate the trial
(B) Does not vitiate the trial in any case
(C) Does not vitiate the trial unless miscarriage of justice has been caused
(D) None of these

Ans [C]

24. Identification of arrested persons can be ordered by the Court on the a request of the facto
(A) Complainant
(B) Arrested person or his nominee
(C) Officer-in-charge of a Police Station
(D) None of them

Ans [C]

25. Every Summons shall be served by:
(A) Public Servantsvalsa
(B) Police Officer to A
(C) Officer of the Court (a) wet
(D) Any one of them

Ans [D]

26. A warrant may be directed to any and person for the arrest of:
(A) Any escaped convict
(B) A proclaimed offender
(C) Any person who is accused of on a non bailable offence and is evading arrest
(D) All of them

Ans [D]

27. Can the evidence of witnesses be taken on oath by the Magistrate conducting an enquiry?

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(A) Yes 20
(B) No
(C) Depends
(D) None of these

Ans [A]

28. Any Court may alter or add to any charge at any time before the:
(A) Evidence is closed
(B) Evidence is started on
(C) Judgement is pronounced
(D) None of these

Ans [C]

29. What is the maximum sentence of imprisonment which can be imposed for an offence tried as Summary ato Trial?
(A) Six months melo ne
(B) One yearvan
(C) Two years leida va
(D) Three months

Ans [D]

30. Can a witness refuse to sign the deposition if it is not read over to him?
(A) Yes
(B) No
(C) Depends
(D) None of these

Ans [A]

31. Which of the following types of evidence means "testimony"?
(A) Direct Evidence
(B) Cirumstantial Evidence
(C) Both (A) and (B)
(D) None of these

Ans [A]

32. Who drafted the Indian Evidence Act, 1872?
(A) Lord Denning
(B) A.V. Dicey
(C) Lord Macaulay
(D) J. F. Stephen

Ans [D]

33. The Indian Evidence Act, 1872 does not mention:
(A) Relevancy of Evidence
(B) Admissible Evidence
(C) Weight of Evidence
(D) All of these

Ans [C]

34. The word 'relevant' is derived from the Latin term "relevare" which means:
(A) Important
(B) Legally pertinent
(C) Significant
(D) None of these

Ans [B]

35. Which of the following is not a Public document?
(A) Order of a competent authority fixing price of commodities
(B) An order issuing a search warrant
(C) A crop cutting report by a Collector
(D) Plaint on written statement in a

Ans [D]

36. Relevancy is a
(A) Question of fact
(B) Question of law
(C) Mixed question of fact and law
(D) None of these

Ans [B]

37. Res gestae is an exception to the
(A) Relevancy Rule
(B) Hearsay Rule
(C) Circumstantial Evidence
(D) None of these

Ans [B]

38. Proof of a fact depends upon:
(A) Accuracy of Statements
(B) Probability of it having existed
(C) Both (A) and (B)
(D) None of these

Ans [B]

39. When one is unable to decide how the fact stands precisely, it can be termed as:
(A) Proved
(B) Disproved
(C) Not proved
(D) None of these

Ans [C]

40. The maxim falsus in UNO, falsus in Omnibus is
(A) A sound rule of law
(B) A sound rule of evidence
(C) Both (A) and (B)
(D) None of these

Ans [D]

41. The principle of criminal liability "Actus non facit reum nisi means sit rea" is of origin of:
(A) India
(B) Mohammedan Criminal law
(C) Common law
(D) None of these

Ans [C]

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42. Which of the following is not a sine qua non for making a person criminally liable ?
(A) Mens rea
(B) Actus-rea
(C) Motive
(D) All of these

Ans [C]

43. Which of the following is an inchoate offence?
(A) Attempt
(B) Abetment
(C) Criminal conspiracy
(D) All of these

Ans [D]

44. Which of the following Sections of the Indian Penal Code is added by the Information Technology Act, 2000?
(A) Section 28A
(B) Section 29A
(C) Section 27A
(D) Section 30A

Ans [B]

45. Loss by unlawful means of property to which the person losing it is legally entitled:
(A) Dishonest loss
(B) Wrongful loss
(C) Unlawful loss
(D) None of these

Ans [B]

46. The word "electronic record" shall have the same meaning assigned to them is in the
(A) General Clauses Act
(B) Information Technology Act
(C) Right to Information Act
(D) Indian Evidence Act

Ans [B]

47. No Court shall take cognizance of the offence punishable under Sec. 153A, except with the previous sanction of the:
(A) Central Government
(B) State Government
(C) Either (A) or (B)
(D) District Magistrate

Ans [C]

48. In a prosecution of an offence of criminal conspiracy the onus of proof is on:
(A) Prosecution
(B) Accused
(C) Depends
(D) None of these

Ans [A]

49. Which of the following is not a punishment provided under Indian Penal Code?
(A) Forfeiture of property
(B) Imprisonment with hard labour
(C) Transportation for life
(D) Death

Ans [C]

50. Which of the following theory recognizes the principles of "eye for eye" and "tooth for tooth"?
(A) Deterrent theory
(B) Retribution theory
(C) Reformative theory
(D) None of these

Ans [B]

51. Which of the following Sections of the Limitation Act, 1963 gives an inclusive definition of "easement"?
(A) 2(c)
(B) 2(1)
(C) 2(9)
(D) 2(h)

Ans [B]

52. Which of the following Sections of Limitation Act, 1963 defines "Period of Limitation"?
(A) 2(1)
(B) 2(0)
(C) 2(K)
(D) 2(C)

Ans [*]

53. Expiry of period of limitation :
(A) Extinguishes the debt
(B) Renders the debts unen forceable
(C) Extinguishes the debt and renders it unenforceable
(D) None of these

Ans [B]

54. As defined in Section 2 (i) of the Limitation Act, 1963, 'suit includes:
(A) An appeal
(B) Application
(C) Both (A) and (B)
(D) Neither (A) nor (B)

Ans [*]

55. An order made on an application; filed beyond the period of limitation is:
(A) Illegal
(B) Without jurisdiction

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(C) Irregular
(D) None of these

Ans [A]

56. In a suit for recovery of possession of a house from a deemed trustee of waqf property:
(A) No limitation applies
(B) Limitation is applicable
(C) Depends
(D) None of these

Ans [A]

57. Limitation runs from the:
(A) Date the plaint is returned
(B) Date of order by which plaint is directed to be returned
(C) Depends
(D) None of these

Ans [A]

58. Which of the following Sections of the Limitation Act, 1963 deals with acquisition of easement by prescription?
(A) 25
(B) 26
(C) 27
(D) 28

Ans [A]

59. The period of limitation for a suit for an account and a share of the profits of dissolved partnership is:
(A) One year
(B) Two years
(C) Three years
(D) Five years

Ans [C]

60. The period of Limitation for the suits relating to decrees and instruments is:
(A) One year
(B) Two years
(C) Three years
(D) Five years

Ans [C]

61. Inter Vivos means and includes:
(A) Only living persons
(B) Living as well as dead persons
(C) Living as well as juristic persons
(D) None of these

Ans [C]

62. As per Section 13 of the Transfer of Property Act, 1882 a transfer of property is valid in the case of an unborn person if the interest therein is created for:
(A) Enjoyment
(B) Possession
(C) The benefit
(D) All of these

Ans [C]

63. "Subrogation" is a Roman word, which means :
(A) Surrender
(B) Exhaustion
(C) Substitution
(D) Alteration

Ans [C]

64. Contribution to Mortgage debt in the Transfer of Property Act, 1882 comes under:
(A) Section 82
(B) Section 83
(C) Section 82A
(D) None of these

Ans [A]

65. The definition of actionable claims was substituted by the amendment in which year?
(A) 2002
(B) 1929
(C) 1900
(D) None of these

Ans [A]

66. To make the assignment of actionable claims perfect notice to the debtor is :
(A) Necessary by the transferor
(B) Necessary by the transferee
(C) Necessary by both the parties
(D) Not necessary

Ans [D]

67. Right derived to a mortgagee to obtain a decree for foreclosure in the event when the mortgage money:
(A) Is outstanding
(B) is defaulted
(C) Becomes payable
(D) Becomes due

Ans [D]

68. Pendency of suit for the purpose of Section 52 commences from the date on which :
(A) Plaint presented
(B) Summons issued
(C) Suit admitted
(D) None of these

Ans [A]

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69. Doctrine of Holding out is related to:
(A) Transfer by an ostensible owner
(B) Election
(C) Feeding the grant by Estoppels
(D) None of these

Ans [A]

70. Doctrine of Election is explained in the Transfer of Property Act, 1882 in:
(A) Section 35
(B) Section 36
(C) Section 34
(D) None of these

Ans [A]

71. The Indian Contract Act, 1872 is not exhaustive. The statement is:
(A) True
(B) False
(C) Partly correct
(D) None of these

Ans [A]

72. The popular case Askari Mirza vs Jaikishori relates to:
(A) Fraud
(B) Undue Influence
(C) Coercion
(D) Mistake

Ans [C]

73. Which of the following right(s) is/are not available to the agent?
(A) Right to sell
(B) Right to compensation
(C) Right to retain
(D) All of these

Ans [A]

74. A guarantee obtained by means of keeping silence as to material circumstances is:
(A) Valid
(B) Void
(C) Invalide
(D) Voidable

Ans [C]

75. Which one is not a remedy for breach of contract ?
(A) Damages
(B) Injunction
(C) Fine
(D) Specific performance

Ans [C]

76. Quasi-contracts are dealt with in :
(A) Section 62 but A
(B) Section 63-68 nu a
(C) Section 68-72 000
(D) Section 72-75 (0)

Ans [C]

77. Promissory estoppel is sometimes spoken of as a substitute for:
(A) Novation
(B) Quasi-contract
(C) Consideration
(D) Coercion to san d becibido siste

Ans [C]

78. The leading case Balfour vs Balfour relates to:
(A) Capacity of parties
(B) Acceptance of offer
(C) Communication
(D) Intention to contract

Ans [D]

79. An agency is terminated :
(A) By the principal revoking the authority
(B) By the agent renouncing the business of agency
(C) By either the principal or agent dying for becoming of unsnap mind
(D) All of these

Ans [D]

80. Which of the following Sections of Indian Contract Act, 1872 deals with bailee's particular lien?
(A) 167
(B) 168
(C) 169
(D) 170

Ans [D]

81. Which of the following Sections of the Hindu Succession Act, 1956, deals with the properties to which the Act is not applicable?
(A) Section 5
(B) Section 6
(C) Section 7
(D) Section 8

Ans [A]

82. Legacy means:
(A) A gift of property by way of will
(B) A gift of property by way of gift deed
(C) A gift of movable property
(D) A gift of immovable property

Ans [A]

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83. By the Amendment Act of 2005, Section 6 of the Hindu Succession Act was:
(A) Amended
(B) Substituted
(C) Repealed
(D) None of these

Ans [B]

84. In order to attract Section 14 of the Hindu Succession Act, 1956, the possession of property may be:
(A) Actual Possession
(B) Symbolic Possession
(C) Constructive Possession
(D) Any of these

Ans [D]

85. According to Section 10 of the Hindu Succession Act, 1956, the intestate's widow shall take __ share.
(A) 1
(B) 2
(C) 3
(D) 4

Ans [A]

86. Coparcenary is a narrower body, then joint family. The statement is:
(A) True
(B) False
(C) Partly correct
(D) None of these

Ans [A]

87. General rules of Succession in the case Succession of Female Hindus are dealt with under
(A) Section 16
(B) Section 20
(C) Section 21
(D) Section 15

Ans [D]

88. "Life estate granted to a Hindu Woman by a will also becomes her absolute estate." The statement is:
(A) True
(B) False
(C) Partly correct
(D) None of these

Ans [A]

89. When two persons are related by blood or adoption, wholly through males, it is called
(A) Cognate
(B) Agnate
(C) Both (A) and (B)
(D) Coparcener

Ans [B]

90. The property mentioned in Section 14 of Hindu Succession Act, 1956, does not include the Stridhana property. The statement is :
(A) True
(B) False
(C) Partly correct
(D) None of these

Ans [B]

91. Specific Relief is a form of judicial redress. This statement is :
(A) True
(B) False
(C) Partly correct
(D) None of these

Ans [A]

92. The remedy of a person unsuccessful in a suit under Section 6 of the Specific Relief Act, 1963 is to file
(A) Appeal
(B) Revision
(C) Review
(D) A regular suit establishing his title to the suit property

Ans [D]

93. Section 36 of the Specific Relief Act, 1963 classifies injunction into categories.
(A) TWO
(B) Three
(C) Four
(D) Five

Ans [A]

94. Which of the following Sections of the Specific Relief Act, 1963 deals with the effect of declaration?
(A) Section 36
(B) Section 37
(C) Section 38
(D) Section 35

Ans [D]

95. Which of the following is termed as the Converse of Specific Performance?
(A) Rectification
(B) Rescission
(C) Both (A) and (B)
(D) None of these

Ans [B]

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96. Can the Court award compensation in a case where Specific Performance is impossible?

(A) Yes
(B) No
(C) Depends
(D) None of these

Ans [A]

97. Which of the following Sections of the Specific Relief Act, 1963 deals with the power of the Court to award compensation?

(A) Section 19
(B) Section 20
(C) Section 21
(D) Section 22

Ans [C]

98. The Specific Relief Act, 1963 grants

(A) Specific Relief only
(B) Preventive Reliefs
(C) Both (A) and (B)
(D) None of these

Ans [C]

99. Which of the following remedies is provided by the Specific Relief Act, 1963 regarding contracts?

(A) Damages
(B) Specific Performance
(C) Both (A) and (B)
(D) None of these

Ans [B]

100. The Specific Relief Act was a result of the

(A) 10th Law Commission
(B) 11th Law Commission
(C) 9th Law Commission
(D) 8th Law Commission

Ans [C]

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