



PUNJAB JUDICIAL PRELIMINARY EXAM 2011

1. **Point out incorrect response-The period of limitation for taking cognizance of an offence shall be**
(A) Six months, if offence is punishable with fine only
(B) One year, if the offence is punishable with imprisonment for a term not exceeding one year
(C) Three years, if the offence is punishable with imprisonment for a term exceeding one year but not exceeding three years;
(D) Five years, if the offence is punishable with death sentence
2. **Which of the following courts, can under Section 106 Cr.P.C. release a convict on security for keeping the peace and good behaviour?**
(A) Sessions Courts
(B) Magistrate 1st Class
(C) Appellate or Revisional Court
(D) All the above
3. **Which of the following can not claim maintenance under Section 125 Cr.P.C.?**
(A) Wife who can not maintain herself
(B) Mother or father who can not maintain herself or himself
(C) Major married daughter who can not maintain herself
(D) Minor illegitimate daughter who can not maintain herself
4. **Procedure for 'summary trial' is provided in which Sections of the Cr.P.C.?**
(A) Sections 251 to 260
(B) Sections 238 to 250
(C) Sections 260 to 265
(D) Sections 255 to 265
5. **Whether the Court can issue search warrant where it has no knowledge about the document or thing to be in the possession of any person?**
(A) No
(B) Only when it comes to know about the specific article
(C) Yes
(D) When specific place or person is specified
6. **Whether a Criminal Court can Impound any document produced before it:**
(A) Yes
(B) Only civil court can impound
(C) No
(D) Only with the consent of police officer
7. **If a Magistrate administers oath before recording the confession of an accused, the confessional statement is:**
(A) good in law and admissible in evidence
(B) bag in law and inadmissible in evidence
(C) good in law but admissible only on corroboration
(D) bad n law but becomes admissible on corroboration
8. **Compounding of offence under the provisions of Cr.P.C. results in:**
(A) acquittal of accused
(B) acquittal only if the charges have been framed
(C) discharge of accused
(D) discharged only if the charge have been framed
9. **In a cognizable case the police will have powers to:**
(A) investigate except the power to arrest without warrant
(B) investigate and arrest without warrant only after seeking permission from the Magistrate
(C) investigate including the power to arrest without warrant
(D) investigate and arrest without, only after informing the Magistrate having jurisdiction to inquire into or try the offence
10. **An offence is committed by a British citizen on an aircraft registered in India. The offender may be dealt with under which provision of the Cr.P.C., 1973?**
(A) Section 188
(B) Section 183
(C) Section 182
(D) Section 186
11. **The Court may alter the charge:**





- (A) before the evidence of the prosecution is taken
(B) before the accused enters upon his defence
(C) when the evidence of prosecution and defence both is taken
(D) before the judgment is pronounced
- 12. In which of the cases a plea bargain can not be effected:**
(A) where the offence is punishable with imprisonment exceeding 7 years
(B) where the offence is against a child below 14 years
(C) where the offence is against a woman
(D) all of the above
- 13. A Magistrate may take cognizance of an offence:**
(A) on police report
(B) on private complaint
(C) suo motu
(D) all of the above
- 14. While living with her father at Indore, a minor became intimate with the accused and ran away with him to Bhopal. After some time they eventually settled in Mumbai. An offence of kidnapping may be tried at:**
(A) Indore
(B) Bhopal
(C) Mumbai
(D) any place mentioned above
- 15. A Magistrate can authorize the detention of accused in police custody for a period of fifteen days. When does this period begin to run?**
(A) from the time of arrest by the police
(B) after first remand
(C) on expiry of twenty four hours of his arrest
(D) after production of the accused before the Magistrate
- 16. Under Section 28 of the Indian Contract Act, 1872 an agreement not to pursue any legal remedy to enforce the right is:**
(A) Valid
(B) Voidable
(C) Void
(D) Unenforceable
- 17. Which one of the following does not am 'fraud' under the Indian Contract Acta**
- (A) Suggestion as a fact which is not to but one who does not believe it to be true
(B) active concealment of a fact
(C) representation made without kno it to be false, honestly believing it to true
(D) a promise made without any intention of performing it
- 18. A contract not specifying the place of performance:**
(A) can be performed at any place to the knowledge of the promisee
(B) the promisor has to apply to the promise for appointment of a place of performance and perform the promise at the place
(C) the promisor need not seek any instructions from the promise as to the place of performance
(D) the promisor can perform the promise at a place other than the place appointed by the promisee
- 19. Novation of a contract means:**
(A) renewal of original contract
(B) substitution of a new contract in place of original contract
(C) cancellation of contract
(D) alternation of the contract
- 20. A contract signed between two countries, without specifying as to which country's law shall govern in case of dispute:**
(A) by the law of the country where the proposal was made
(B) by the law of the country where the contract was concluded
(C) by the law of the country which the parties intended to apply, i.e., where the contract is localised
(D) by the law where the contract performed
- 21. Revocation of offer by letter or telegram be complete:**
(A) when it is despatched
(B) when it is received by the offeret
(C) when it reaches the offeree
(D) both (A) and (C)
- 22. The pawnee has a right to retain the goods pledged:**
(A) for payment of debt interest & all necessary expenses in respect of goods pledged





- (B) for payment of debt other than the debt in respect of goods pledged
(C) for payment of interest & necessary expenses in respect of goods other than the one pledged
(D) all the above
23. **B, the proprietor of a newspaper, publishes, at A's request, a libel upon Cin the paper, and A agrees to indemnify B against the consequences of the publication, and all costs and damages of the action in respect thereof. Bis sued by C and has to pay damages and also incurs expenses. Decide in the light of Section 224 of the Indian Contract Act, 1872.**
(A) A is not liable to B upon indemnity
(B) A is liable to B upon indemnity
(C) A is not liable to Cupon indemnity
(D) None of above
24. **Which of the following are 'goods' within the meaning of Section 2(7) of the Sale of Goods Act, 1930:**
(A) things attached to land which are agreed to be severed before sale
(B) things forming part of the land agreed to be served before sale
(C) both (A) and (B)
(D) neither (A) nor (B)
25. **"Mercantile agent" means the person:**
(A) who sells goods, or consigns for the purpose of sale, or buy goods or raises money on security of goods
(B) who only sells or purchases
(C) who only consigns goods
(D) who only transfers goods
26. **A'sale of goods' under tne Sale of Goods Act, 1930, creates:**
(A) a jus in rem
(B) a jus in personam
(C) both (A) and (B)
(D) either (A) or (B) depending on the facts and circumstances of the case
27. **If a contract for sale of goods is for sale of two or more things under an entire contract, the 32 perishing of some of them would:**
(A) avoid the whole contract
(B) not avoid the contract at all
(C) avoid the contract relating to the goods perished and not the whole contract
(D) either (B) or (C)
28. **Under Section 51 of the Sale of Goods Act, 1930, the goods are in transit so long as they are in:**
(A) possession of the carrier qua buyer
(B) possession of the carrier qua carrier
(C) possession of the carrier appointed by the buyer qua the buyer
(D) none of the above
29. **In a sale of goods by auction, as soon as the hammer falls, the goods:**
(A) become the property of the buyer only on payment of price
(B) become the property of buyer even if there is a condition that the goods shall not be removed before payment
(C) become the property of the buyer only f there is no condition that the goods shall not be removed before payment
(D) do not become the property of the buyer however, the bidder is vested with the right to deal with them as owner
30. **A suit for recovery of possession of any immovable property under Section 6 of the Specific Relief Act can be filed against:**
(A) a private individual only
(B) a government
(C) both (A) and (B)
(D) neither (A)nor (B)
31. **Section 8 of the Specific Relief Act can be invoked:**
(A) against a person who has possession or control over the article
(B) against a person who is the owner of the article claimed
(C) by a person not entitled to the possession of the article
(D) in respect of an ordinary article
32. **In case of specific performance of part of contract the purchaser:**
(A) may relinquish claim to further performance of the remaining part of contract and has right to compensation





- (B) may not relinquish claim to further performance of the remaining part of contract and has no right to compensation
(C) specific performance of part of contract not possible
(D) none of above
- 33. Rise in value since agreement is:**
(A) a ground to refuse specific performance in case of an agreement to sell immovable property
(B) a ground to refuse performance in case of an agreement to sell movable property
(C) a ground to refuse specific performance in case of an agreement to sell immovable and movable property both
(D) not a ground to refuse specific performance in case of an agreement to sell either immovable or movable property
- 34. In which of the following cases, the specific performance of a contract will not be ordered:**
(A) where pecuniary compensation would afford adequate relief
(B) where the acts would require contained supervision by the Court
(C) where the contract provides for personal affirmative acts or personal service
(D) all the above
- 35. Under Section 11 of the Specific Relief Act, 1930 a contract made by a trustee in excess of his powers or in the breach of a trust is:**
(A) specifically enforceable at the instance of the trustee
(B) specifically enforceable at the instance of the second party
(C) specifically enforceable either at the instance of the trustee or at the instance of a second party
(D) not specifically enforceable
- 36. Under the Indian Constitution, which one of the following is NOT a specific ground on which the State can place restrictions on freedom of religion?**
(A) public order
(B) morality
(C) social justice
(D) health
- 37. Respect for the National Flag and the National Anthem is:**
(A) a fundamental right of every citizen
(B) a fundamental duty of every citizen
(C) a directive principle of state policy
(D) an ordinary duty of every citizen
- 38. Law declared by the Supreme Court shall be binding on all the courts within the territory of India. Here 'courts' means:**
(A) all courts including the Supreme Court of India
(B) all courts except the Supreme Court of India
(C) all courts including the Supreme Court except such benches of the Supreme Court which consist of seven judges or more;
(D) all courts including the Supreme Court except a bench of the Supreme Court which consists of all the judges of the Supreme Court
- 39. The text of the Preamble of the Constitution of India aims to secure:**
(A) fundamental rights to all individuals
(B) fundamental duties to citizens of India
(C) dignity of the individual and unity and integrity of the nation
(D) security of service to the Government servant
- 40. Which one of the following is the correct description of the powers of the President of India under Article 356 of the Constitution?**
(A) if the Chief Minister in spite of commanding the confidence of the Legislative Assembly, can not run his government in accordance with the Constitution, the President can proclaim emergency
(B) if the State Legislative Assembly fails to transact any business consecutively in two sessions
(C) the President can refer the matter to the Supreme Court for advice and act in accordance with such advice
(D) the President can not make proclamation of emergency if the Governor refuses to make a report
- 41. The Supreme Court does not have original jurisdiction re: a dispute between:**
(A) the Government of India and a State or States
(B) the Government of India and one State on one side and one or more States on the other side





- (C) two States
(D) a Citizen and a State
42. Which one of the following statements is correct in respect of state power of reservation in admissions to educational Institutions?
(A) caste can be the sole criterion
(B) poverty can be the sole criterion
(C) both caste and poverty are relevant criteria
(D) residence in rural areas and lack of educational facilities can be the exclusive criteria
43. Double jeopardy means:
(A) trying two persons jointly for the same offence
(B) trying the same person for two offences at two different times
(C) putting the same person on trial twice for the same offence
(D) trying a person for different offences committed by him in one incident
44. On receipt of a Constitution Amendment Bill, after passing by each House of Parliament, the President:
(A) shall give his assent
(B) may give his assent
(C) may withhold his assent
(D) may return the bill for reconsideration
45. The right to 'equality before the law' contained in Article 14 of the Constitution of India is available to:
(A) natural persons only
(B) legal persons only
(C) citizens of India
(D) all persons whether natural or legal
46. The power of judicial review means:
(A) the power of the courts to define and interpret Constitution
(B) the powers of the courts to declare null and void any legislative or executive act, which is against the provisions of the Constitution
(C) the power of the judiciary to define and interpret laws;
(D) the power of the courts to legislate when there is no statutory provision
47. Which of the following Fundamental Rights can not be suspended during emergency?
(A) freedom under Article 19
(B) right to Constitutional remedies under Article 32 and 226
(C) rights under Articles 21 and 22
(D) right under Article 20 and 21
48. When a criminal act is done by several persons in furtherance of the common intention of all:
(A) each of such person is liable for that act in the same manner as if it were done by him alone
(B) each of such person is liable for his own overt act
(C) each of such person shall be liable according to the extent of his participation in the crime
(D) none of the above
49. To establish Section 34 of IPC:
(A) a common intention is to be proved but not overt act be proved
(B) common intention and overt act both have to be proved
(C) common intention need not be proved but overt act be proved
(D) all the above
50. A is warehouse-keeper, z, going on a journey, entrusts his furniture to A, under a contract that it shall be returned on payment of a stipulated sum for warehouse room. A dishonestly sells the goods. For which offence A is liable:
(A) Cheating
(B) Criminal misappropriation of property
(C) Criminal breach of trust
(D) None of the above
51. Sentence of imprisonment for non-payment of fine under Section 64 of IPC:
(A) shall be in excess of any other imprisonment to which an offender has been sentenced
(B) shall be concurrent of any other imprisonment
(C) shall not be in excess of any other imprisonment
(D) both (B) and (C)
52. A, a snake-charmer, persuaded B to allow himself to be bitten by a poisonous snake, including B to believe that he had power to protect B from harm. B consented, and as a result died:
(A) A is not liable, as consented to suffer the harm
(B) A is liable, although B consented, such consent was founded on a misconception fact, ie, in the belief that A had the power to cure snake bites





- (C) A is liable for murder and not culpable homicide (D) None of the above is correct
53. In one of the famous cases, the Supreme Court has made the following observation: "The right of private defence is a right of defence and it is not a right of retribution".
(A) State of U.P. v. Ram Swarup
(B) State of Punjab v. Nanak Chand
(C) O Deo Narain v. State of U.P.
(D) State of H.P. v. Wazir Chand
54. Under Section 80 IPC, the exception of accident is available when an offence is committed while:
(A) doing a lawful act in a lawful manner by lawful means
(B) doing a lawful act in any manner by any means
(C) doing a lawful act in a lawful manner by any means
(D) both (B) and (C)
55. Abetment by aid requires:
(A) active aiding
(B) passive aiding
(C) intentional aiding
(D) none of these
56. Section 83 of IPC enunciates:
(A) a presumption of fact
(B) an inconclusive or rebuttable presumption of law
(C) a conclusive or irrebuttable presumption of law
(D) irrebuttable presumption of fact
57. 'A' commits house-trespass by making a hole through the wall of Z's house and hand through the aperture. For which of the following is A liable?
(A) lurking trespass
(B) trespass
(C) house-breaking
(D) none of the above
58. Is 'Irresistible impulse' a defence?
(A) in India
(B) in England
(C) Both in India and England
(D) Neither in India nor in England
59. Which of the following statements is correct:
(A) in conspiracy, there is no distinction between principal and accessory
(B) in conspiracy, principal and accessory are distinct
(C) there has to be a distinction between principal and accessory in all offences
(D) None of the above is correct
60. Which of the following is sufficient to prove the offence of sedition?
(A) Comments expressing disapproval of the government policies with a view to obtain a change in policies by lawful means
(B) proof of disloyalty or ill feelings
(C) comments expressing disapproval of the administrative action even though these do not excite hatred or disloyalty
(D) Exciting disaffection towards the government
61. The defence of 'consent' applies to:
(A) private wrongs
(B) public wrongs
(C) both (A) and (B)
(D) neither (A) nor (B)
62. Give correct response with respect to difference between Section 34 and 149:
(A) Section 34 does create specific offence while Section 149 does not
(B) active participation is needed in Section 34 thus not necessary in Section 149
(C) Both (A) and (B)
(D) None of these
63. Cognizance of offence of defamation under Chapter XXI of IPC can be taken:
(A) on a police report
(B) on a complaint made by an aggrieved person
(C) suo motu
(D) all of the above
64. In a case of free fight between two parties:
(A) right of private defence is available to both the parties
(B) right of private defence is available to individuals against individual
(C) no right of private defence is available to either party
(D) right to private defence is available only to one party





65. 'A' pulled an ear ring away from a woman's ear and thereby tore and wounded her ear. 'A' is guilty of:
(A) extortion
(B) mischief
(C) misappropriation
(D) robbery
66. 'Z' strikes B. 'B' is by this provocation excited to violent rage. 'A', a bystander, intending to take advantage of B's rage, and to cause him to kill 'Z'. puts a knife into B's hand for that purpose, 'B' kills 'Z' with the knife. For which offence 'A' is liable?
(A) Culpable homicide
(B) Murder
(C) Attempt to murder
(D) No offence
67. For abetment:
(A) it is necessary that the person abetted should be capable of committing an offence under the law
(B) it is necessary that the person abetted should have the same guilty intention
(C) it is not necessary that the person abetted should be capable of committing an offence under the law or should have the same guilty intention
(D) none of the above
68. A fact forming part of the same transaction is relevant under Section 6 of the Evidence Act:
(A) if it is in issue and have occurred at the same time and place
(B) if it is in issue and may have occurred at different times and places
(C) though not in issue and may have occurred at the same time and place or at different times and places
(D) though not in issue, must have occurred at the same time and place
69. A person is proving his defence under one of the following exceptions. State which of the following exceptions is correct:
(A) by oral evidence
(B) beyond all reasonable doubt
(C) no evidence is applicable
(D) when he is pleaded preponderance of probabilities

70. Admissions:
(A) must be examined as a whole and not in parts
(B) can be examined in parts
(C) can be examined as a whole or in parts
(D) none of the above
71. Burden of proof:
(A) partially determines the right to begin
(B) substantially determines the right to begin
(C) wholly determines the right to begin
(D) none of the above
72. Confession of one accused is admissible against the co-accused:
(A) if there are jointly for the same offences
(B) if they are tried jointly for different offences
(C) if they are tried for the same offences but not jointly
(D) if they are tried for different offences and not jointly
73. Contents of a document may be proved under Section 61 of the Evidence Act:
(A) by primary evidence
(B) by secondary evidence
(C) either by primary or by secondary evidence
(D) only by primary evidence and not by secondary evidence
74. Due execution and authentication of a power of attorney shall be presumed under Section 85 of Evidence Act when executed before and authenticated by:
(A) a notary
(B) a judge
(C) a magistrate
(D) all of the above
75. Estoppel can be:
(A) by silence
(B) by negligence
(C) by election
(D) all the above
76. Husband and wife both are competent witness for and against each other:
(A) in civil proceedings
(B) in criminal proceedings
(C) in both civil and criminal proceedings
(D) neither in civil nor in criminal proceedings





- 77. In case a child is born within 280 days of dissolution of marriage, the mother remaining unmarried the presumption of legitimacy of child under Section 112 of Evidence Act arises:**
(A) if the father is alive on the day the child is born (B) if the father is not alive on the day the child is born
(C) irrespective of whether the father is alive or dead on the day the child is born
(D) none of the above
- 78. In Section 8 of the Indian Evidence Act, which one of the following is made relevant?**
(A) Occasion, intention and motive
(B) Motive, preparation and conduct
(C) Motive, conduct and intention
(D) Intention, motive and preparation
- 79. Latent ambiguity in a document means ambiguity:**
(A) not subject to clarification by oral evidence
(B) apparent on the face of the document
(C) of hidden character and for the clarification of which oral evidence may be given
(D) not allowed to be proved by oral evidence
- 80. Facts can be:**
(A) physical facts
(B) psychological facts
(C) physical as well as psychological facts
(D) only physical facts and not psychological facts
- 81. Under Section 145 of Evidence Act. A witness may be cross-examined as to statement in writing:**
(A) without proving the same and without showing the same to the witness
(B) only after proving the same, may be without showing the same to the witness
(C) without proving the same but only after showing the same to the witness
(D) only after proving the same and showing the same to the witness
- 82. Under Section 118 who amongst the following are competent witnesses:**
(A) Child
(B) Accused
(C) Lunatic
(D) All the above
- 83. 'Self-regarding statements:**
(A) can be self-serving statements
(B) can be self-harming statements
(C) can be self-serving or self-harming
(D) none of the above
- 84. The 'relationship' in Section 50 of the Evidence Act means.**
(A) relationship by blood only
(B) relationship by blood or marriage
(C) relationship by blood or marriage or adoption
(D) none of the above
- 85. The presumption under Section 90 of the Evidence Act can be drawn in respect of:**
(A) original documents only
(B) certified copies only
(C) uncertified copies only
(D) all the above
- 86. A person of which of the following blood groups is called a universal donor?**
(A) O
(B) AB
(C) A
(D) B
- 87. What is the minimum age prescribed for membership to the Lak Sabha ?**
(A) 21 years
(B) 25 years
(C) 30 years
(D) 35 years
- 88. The Indian rule who defeated the English in the early stage of English rule in India was:**
(A) Ranjit Singh
(B) Mahadaji Sindhia
(C) Hyder Ali
(D) Tipu Sultan
- 89. Which of the following mountains are the oldest?**
(A) Nilgiris
(B) Aravali
(C) Himalaya
(D) Satpura range
- 90. Playing time of the full version of National Anthem is:**
(A) approx. 90 seconds





- (B) approx. 60 seconds
(C) approx. 52 seconds
(D) approx. 42 seconds
91. **Who said 'Education is the best contraceptive for population stabilisation?'**
(A) Dr. Man Mohan Singh
(B) Sam Pitroda
(C) Som Nath Chatterjee
(D) Pranab Mukherjee
92. **'Sepoy Mutiny' of 1857 started from:**
(A) Agra
(B) Gwalior
(C) Jhansi
(D) Meerut
93. **The one rupee note bears the signature of:**
(A) Secretary, Ministry of Finance
(B) Governor, Reserve Bank of India
(C) Finance Minister
(D) None of these
94. **Who developed the small pox vaccination?**
(A) Eduard Jenner
(B) Alexander Fleming 916377057690
(C) Albert Einstein
(D) None of these
95. **Under Section 3 of the Limitation Act, 1963, the Court is required to consider the question of limitation:**
(A) only when objection to limitation is taken raised by the defendant
(B) only when the defendant does not contest the claim
(C) only when the defendant does not admit his liability
(D) sou motu even when the defendant has not taken an objection of limitation
96. **Section 5 of the Limitation Act is:**
(A) applicable to the proceedings under Section 34, Arbitration and Conciliation Act, 1996 and the time limit prescribed under Section 34 can be extended generally
(B) not applicable to the proceedings under Section 34 Arbitration & Conciliation Act, 1996 and the time limit prescribed under Section 34 is absolute and un extendable
(C) applicable to the proceedings under Section 34 Arbitration and Conciliation Act, 1996 and time limit prescribed under Section 34 can be extended only in exceptional circumstances
(D) not applicable to the proceedings under Section 34, Arbitration and Conciliation Act, 1996, however, the time limit prescribed under Section 34 can be extended under inherent powers of the court
97. **Which is not correct of law of limitation:**
(A) limitation bars the judicial remedies
(B) limitation is an adjective law;
(C) limitation extinguishes the right
(D) limitation is a procedural law
98. **A decree of restitution of conjugal rights, in India, can be executed by:**
(A) attachment of the property of the respondent
(B) arrest of the respondent
(C) attachment of property and arrest of the respondent both
(D) either attachment of property or by arrest of the respondent
99. **A party is regarded as not having the mental ! capacity to solemnize the marriage, if suffering from:**
(A) unsoundness of mind
(B) mental disorder
(C) insanity of epilepsy
(D) all the above
100. **Bigamy is committed, if the subsisting marriage is:** (A) valid
(B) voidable
(C) void
(D) either (A) or (B)
101. **Incapacity to consummate the marriage within the meaning of Section 12 of Hindu Marriage Act, 1955:**
(A) can be physical
(B) can be mental
(C) either physical or mental
(D) only physical and not mental
102. **Non registration of marriage under Section 8 of Hindu Marriage Act, 1955:**





- (A) invalidates the marriage and calls for imposition of penalty
(B) does not invalidate the marriage but calls for imposition of penalty
(C) neither invalidates the marriage nor calls for imposition of penalty
(D) makes the marriage voidable
- 103. Under Dissolution of Muslim Marriage Act, repudiation of marriage as a ground for divorce is available to:**
(A) wife only
(B) husband only
(C) both wife and husband
(D) none of the above
- 104. A woman married under Muslim law shall be entitled to obtain a decree for the dissolution of marriage on the ground that the husband has failed to perform, without reasonable cause, his marital obligations for a period of:**
(A) one year
(B) two years
(C) three years
(D) seven years
- 105. A Corporation, under Section 20 of CPC, is deemed to carry on business at:**
(A) its principle office in India
(B) its subordinate office in India
(C) both (A) and (B)
(D) none of the above
- 106. A person can act as a 'next friend' if he is:**
(A) major
(B) sound mind
(C) not having any interest adverse to that of a minor or lunatic residing in India
(D) fulfilling all the above three requirements
- 107. A person who institutes a suit in a foreign court and claims a decree in personam, after the judgment is pronounced against him:**
(A) can always challenge the judgment on the ground of competency
(B) can never challenge the judgment on the ground of competency
(C) has the option to challenge it at any time
(D) none of the above
- 108. A receiver:**
- (A) can be sued generally for acts done in his official capacity by a third party
(B) can not be sued at all for acts done in his official capacity by a third party
(C) can sue and can be sued for acts done his official capacity by the third par only with the leave of the cour appointing him
(D) none of the above
- 109. After being proceeded against ex-parte defendant is:**
(A) precluded absolutely for participatino in any proceeding in the suit
(B) at liberty to join the proceedings at the stage where the proceedings are pending
(C) at liberty to join the proceedings and do all the things which it would have done, had he not been proceeded against ex parte, without getting the ex-parte order set aside
(D) none of the above
- 110. Amendment in pleading shall be effective:**
(A) from the date of the pleading
(B) from the date of the application
(C) from the date of the order
(D) none of the above
- 111. Attachment of property attached shall remain operative under Order 39 Rule 2A of CPC for a period of:**
(A) six months
(B) three months
(C) one year
(D) seven years
- 112. Awarding future interest is:**
(A) mandatory
(B) directory
(C) discretionary
(D) none of the above
- 113. Costs imposed under Section 35B of CPC:**
(A) shall be included in the costs awarded in the decree passed in the suit
(B) shall not be included in the costs awarded in the decree passed in the slut
(C) shall, if not paid, be executable against the person on whom the costs have been imposed
(D) only (B) and (C)
- 114. Decree means:**





- (A) an order adjudicating claims
(B) informal expression of an adjudication
(C) formal expression of an adjudication but shall not include any adjudication from which an appeal lies as an appeal from an order
(D) none of the above
- 115. Foreign judgment as defined under Section 2(6) of CPC means:**
(A) judgment given by an Indian Court in respect of foreigners;
(B) judgment given by a Foreign Court
(C) judgment given by an Indian Court established under any Foreign Act
(D) none of the above
- 116. In an interpleader suit, the plaintiff claims:**
(A) interest in the subject matter of the suit
(B) no interest in the subject matter of the suit except charges or costs
(C) no interest in the subject matter of the suit also not claims charges or costs
(D) none of the above
- 117. In every plaint, under Section 26 of CPC, facts should be proved by**
(A) oral evidence
(B) affidavit
(C) document
(D) none of the above
- 118. Notice under Section 80 CPC has to be served on:**
(A) the Secretary to the Government
(B) the Deputy Commissioner
(C) the President of India
(D) All the above
- 119. On abatement of suit, under Order 22, Rule 9 of CPC:**
(A) a fresh suit on the same cause of action can be brought as a matter of right
(B) a fresh suit on the same cause of action can be brought only with the permission of the Court
(C) a fresh suit on the same cause of action is barred
(D) none of the above
- 120. Provisions of Section 39 of CPC are:**
(A) permissive and not mandatory
(B) mandatory and not permissible
(C) mandatory and discretionary
(D) none of the above
- 121. Under Order 23, Rule 3 of CPC, on the basis of a compromise:**
(A) a decree has to be drawn only in respect of the subject matter that relates to the suit
(B) a decree has to be drawn for the entire compromise so long as it embraces part of the subject matter of the suit and part outside it
(C) a decree has to be drawn where the compromise does not embrace the subject matter of the suit at all
(D) none of the above
- 122. Which of the following properties of a judgment debtor are liable to be attached:**
(A) personal ornaments of religious usage of a woman
(B) tools of artisan and cattle and seed grain
(C) books of accounts
(D) shares in a corporation and government securities
- 123. 'X' dies leaving behind a son 'Y' and a married daughter 'Z', a suit filed by 'X', after his death, can be continued by:**
(A) 'Y' alone as legal representative
(B) 'Z' alone as legal representative
(C) 'Y', 'Z' and the husband of Z as legal representatives
(D) 'Y' and 'Z' both, as legal representatives
- 124. Under Section 32 of Evidence Act, the opinion:**
(A) as to public rights & customs are admissible
(B) as to private rights & customs are admissible
(C) as to both public and private rights and customs are admissible
(D) only as to customer are admissible
- 125. Under the Evidence Act, fact means:**
(A) factum probandum
(B) factum probans
(C) both factum probandum and factum probans
(D) none of the above

