



## Previous Year Paper

### RAJASTHAN JUDICIAL SERVICE MAINS EXAM 1994

#### LAW-I (CIVIL LAW AND PROCEDURE)

##### Part 'A'

- Q. 1. How an indigent person has been defined under Civil Procedure Code?
- Q. 2. What do you mean by masne profits?
- Q. 3. What do you mean by an executing Court?
- Q. 4. Which orders are not included in the definition of 'Decree'?
- Q. 5. How costs are imposed for causing delay?
- Q. 6. How 'interest is awarded in a money-decree?
- Q. 7. What do you mean by 'Sapinda-Relationship' under Hindu Law?
- Q. 8. What are Latent and Patent ambiguities? Can evidence be led to explain them?
- Q. 9. What do you know about 'Documents thirty years old'?
- Q. 10. What is meaning of 'Iddat' under Mohmmedan Law?
- Q. 11. What do you mean by 'Conclusive Proof'?
- Q. 12. What is 'Unpaid Seller's lien'?
- Q. 13. What do you mean by 'Hindu'?
- Q. 14. Can an unregistered-partnership firm sue or be sued?
- Q. 15. On what grounds can an award be challenged under Arbitration Act?





## Part 'B'

- Q. 16. What is the procedure prescribed for the institution and disposal of summary suits?
- Q. 17. On what basis temporary injunction is issued in a suit? Can an injunction be issued without giving notice of application to the opposite party?
- Q. 18. How 'Lease' is defined under Transfer of Property Act? How 'Lease' is created? How it is determined?
- Q. 19. What are 'Conditions' and 'Warranties' in a contract of sale? Can a condition be treated as warranty?
- Q. 20. What are the rights of a female heir in a dwelling house occupied by members of Hindu undivided family?
- Q. 21. Which Marriage avoidable under the Hindu Marriage Act? marriage can be presented?
- Q. 22. What are the general rules of succession to property in the case of a female Hindu dying intestate?
- Q. 23. What do you mean by a 'Wakf? How it is created? What is the difference between "Mutawalli' and a 'Sajjadanashin'?
- Q. 24. What do you know about the 'Doctrine of frustration of contract'?
- Q. 25. How handwriting of a person can be proved?

## Part 'C'

- Q.26. Assuming necessary facts draft  
(i) a plaint and  
(ii) a written statement taking all defences  
in a suit for specific performance of a contract.
- Q. 27. Write a judgment on the facts taken in Question No. 26 above.
- Q. 28. What are the consequences of non-appearance of parties in general in a suit? What are the remedies?



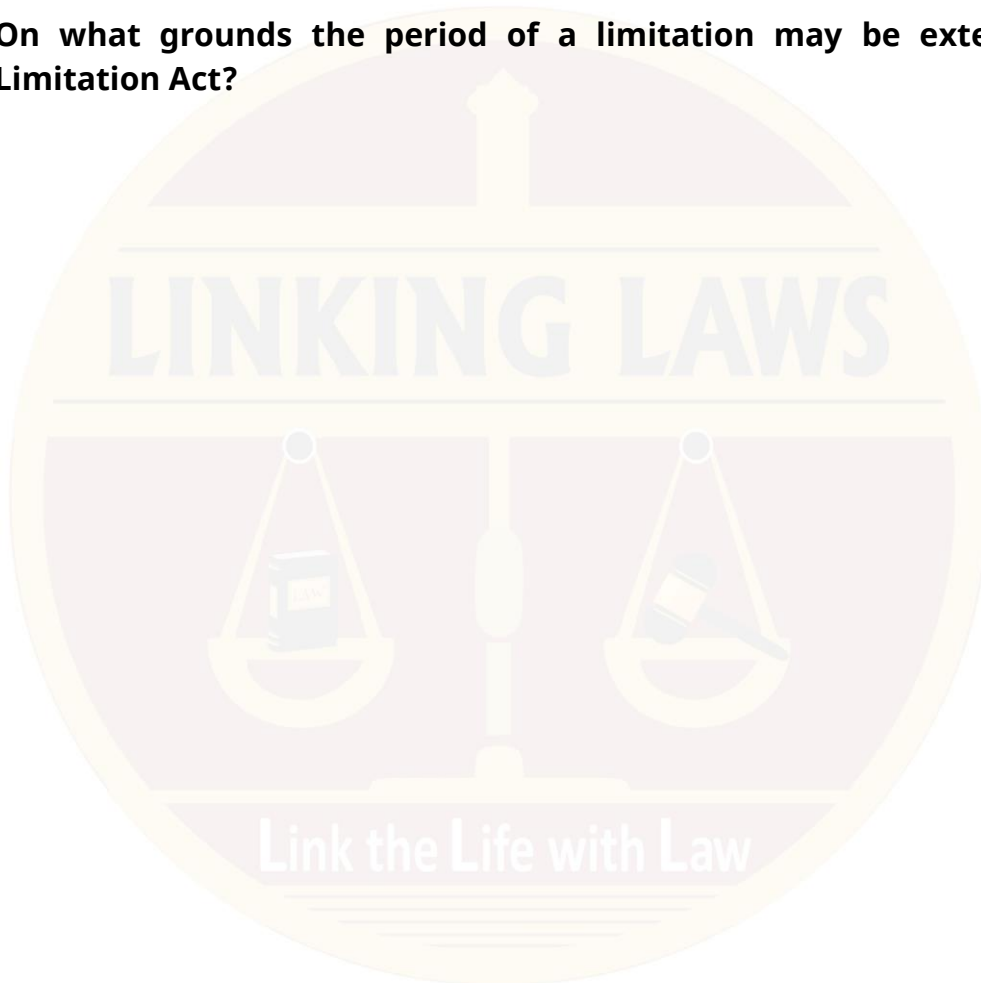


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- Q. 29. Distinguish between 'facts in issue' and 'issues of fact'. From what materials issues are framed? What issues may be tried first? Q. 28 What are the consequences of non-appearance of parties in general in a suit? What are the remedies?
- Q. 30. What are the rights and liabilities of buyer and seller in a sale? What fraudulent transfer?
- Q. 31. On what grounds the period of a limitation may be extended under the Limitation Act?



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## LAW-II (CRIMINAL LAW AND PROCEDURE)

### Part 'A'

- Q. 1. A is a minor girl. She is sent to market to make purchases by her mother. B and C take her away so that she may be forced to marry D. What offence has been committed by B and C?
- Q. 2. Which Court can exercise inherent powers under Section 482 CrPC?
- Q. 3. A loans his book to B. Later he takes away his book from the house of B in his absence and without his consent. Whether A has committed any offence? If so, what?
- Q. 4. What maximum sentence can be passed by a Sessions Judge?
- Q. 5. Who can investigate a cognizable offence?
- Q. 6. Can a criminal trial be transferred from one State to another? If so by whom  
Ans. Yes, by the order of the Supreme Court, a criminal trial can be transferred from State to another.
- Q. 7. How many Judges are minimum required for confirming a death sentence?
- Q. 8. A, a zamindar, tortures a rayat in order to compel him to pay his rent. Whether A commits any offence? If so, what?
- Q. 9. What Courts have Jurisdiction to try Juveniles?
- Q. 10. 'A' has sexual intercourse with his wife aged 13 years. Has he committed any offence? If so, what?
- Q. 11. Who can commute sentences?
- Q. 12. A shoots at B aiming at his head but misses completely. What offence, if any, is committed?
- Q. 13. 'A' appears as a witness before a Magistrate. The Magistrate says that 'A' is a liar. In a fit of rage A kills the Magistrate. Do these facts disclose any offence?
- Q. 14. What is the difference between a Judicial Magistrate and a Metropolitan Magistrate?





Q. 15. Who can record confession of an accused?

## Part 'B'

Q. 16. At what stage an accused is examined in a criminal trial? What questions must be put to him?

Q. 17. What is the nature of revisional jurisdiction of High Court?

Q. 18. Define theft. What is the maximum sentence for an offence of theft?

Q. 19. 'Every criminal appeal shall finally abate on the death of appellant'. Is there any exception to the rule

Q. 20. What is a dying declaration? How and by whom it can be recorded?

Q.21. What is an Anticipatory Bail? Which Court can grant it, and on what conditions?

Q. 22. Who is an approver?

Q.23. What are the provisions regarding probation in CrPC?

Q. 24. Whether a divorced wife can claim maintenance? What is the maximum amount of maintenance permissible in CrPC?

Q. 25. 'A' creates such commotion in the Court of S.D.M. that the voice of advocate arguing the case can not be heard. What powers, if any, S.D.M. has to deal with 'A'?

Q. 26. Frame a charge for an offence of attempt to murder.

Q. 27. Draft a complaint for an offence of dishonest misappropriation of property.

Q.28. Write a judgment acquitting an accused of an offence of receiving stolen property.

Q. 29. What is common object? How will you distinguish it from common intent? Frame a charge for an offence of hurt where common intention is also there.

Q. 30. Define Murder.





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- Q. 31. Describe the procedure to take security for keeping good behaviour and peace?
- Q. 32. What are considerations for grant of bail? when can bail be cancelled?



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