



## Previous Year Paper

### RAJASTHAN JUDICIAL SERVICE MAINS EXAM 2008-2009

#### LAW-I CIVIL LAW AND PROCEDURE

##### Part-'A'

- Q. 1 Whether the Code of Civil Procedure, 1908 extends automatically to the State of Nagaland ?
- Q. 2 In a suit for possession, when can a preliminary decree be passed?
- Q. 3 Whether for the judgment of a petition or application, a decree may be prepared?
- Q. 4 What is difference between sale and lease?
- Q. 5 Differentiate tort and crime?
- Q. 6 Under which section, pecuniary jurisdiction has been defined? Ans. Under Section 6, Code of Civil Procedure, 1908.
- Q. 7 Whether a party can file a suit in his adjoining Court?
- Q. 8 Where the suit relating to a lease will be filed?
- Q. 9 Whether an advocate may appoint another advocate for arguments?
- Q. 10. Whether a stranger can be a legal representative?
- Q. 11 After decree of foreclosure, whether the possession of a mortgagor on the mortgaged property is valid?
- Q. 12 State those grounds of divorce which are not grounds for judicial separation?





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- Q. 13. When the Code of Civil Procedure came into force for the first time? Code of Ans. In the year 1859.
- Q. 14. Whether a suit relating to caste comes with the purview of a civil suit?
- Q. 15. Not available.

## Part 'B'

- Q. 16 Narrate the objects of the Code of Civil Procedure. 1908?
- Q. 17 From legal point of view, whether the Civil Procedure Code, 1908 creates primary rights?
- Q. 18 On what conditions, the provisions of the Civil Procedure Code, 1908 are applied to Revenue Courts?
- Q. 19 What reliefs are available to a tenant if the if the agricultural land of the tenant is " in unlawful possession of another person?
- Q. 20. Where a suit for beach of contract will be instituted, if the parties reside in india ?
- Q. 21. In which Court a suit relating to torts will be instituted?
- Q. 22. What points are dealt with in the draft of a plaint?
- Q. 23. What description is narrated in the title of a plaint?
- Q. 24. A Government Company/department wants to select an ineligible or incapable person. Prepare a draft of an application for temporarylad interim injunction for its stay.
- Q. 25. Not available.

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## Part 'C'

- Q. 26. What do you understand by representative suit? Describe its procedure.



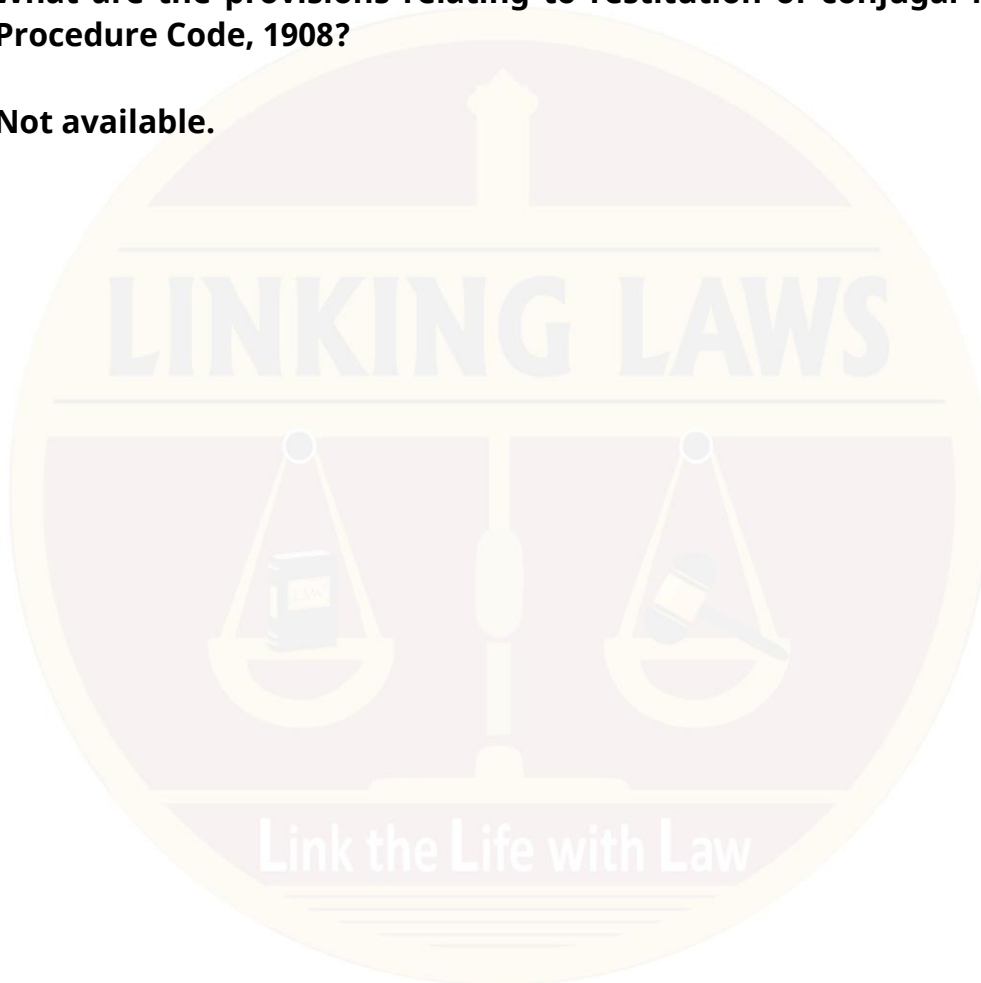


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- Q. 27. State briefly the main principles relating to the interpretation of the Constitution.
- Q. 28. What do you know about the rights of the advocates to practice?
- Q. 29. How a suit is disposed of against a minor?
- Q. 30. How the suits relating to mortgage are disposed of?
- Q. 31. What are the provisions relating to restitution of conjugal rights in the Civil Procedure Code, 1908?
- Q. 32. Not available.



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## LAW-II (CRIMINAL LAW AND PROCEDURE)

### Part - 'A'

- Q. 1 In which Court an appeal can be filed against an acquittal order passed by the Sessions Judge by the State Government?
- Q. 2 Define Judicial custody?
- Q. 3 Where an appeal will be preferred when the High Court passes an order of n punishing the accused for six months imprisonment?
- Q. 4 Explain "such punish Will commence after the expire Several offences at one trial?
- Q. 5 When can a confession be recorded and by whom?
- Q. 6 When an appeal may be preferred where an accused has been convert the basis of pleading guilty by him?
- Q. 7 When a wife shall not be entitled to claim maintenance allowance from b husband?
- Q. 8 Explain acquittal and discharge; and what is difference between them?
- Q. 9 What do you understand by leading question?
- Q. 10 Define "good faith".
- Q. 11 Whether an affray can be committed in a public place?
- Q. 12 During evidence in a Court, the Court refused to admit certain evidence. Whether against such refusal, a revision can be filed?
- Q. 13 When a confession made by the accused while in-custody of police may be proved against him?
- Q. 14 Not available.
- Q. 15 Not available.







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- Q. 16. When a summons-case may be converted into a warrant-case?
- Q. 17. What do you mean by police diary? When can a Magistrate, police officer and accused person make its use?
- Q. 18. What will you advise to the applicant when the first information report has not been entered/registered/recorded?
- Q. 19. 'A' goes to the house of 'B' with an intention to commit theft. But, 'A' commits rape on 'C' there. Whether both the offences can be tried together?
- Q. 20. What do you understand by preparation? When it is punishable?
- Q. 21. For which acts, in spite of the criminal acts and men's rea, the person is not held liable?
- Q. 22. 'A' enters the house of 'B' with intention to commit theft. But, since 'B' was too poor. "A" leaves the currency-note of Rs. 500/- at the house 'B' and returns. What offence has been committed by "A"?
- Q. 23. In a joint trial, amongst several accused persons, one of the co-accused makes a confession affecting himself and other such persons. What are legal provisions in prove such confession?
- Q. 24. What do you understand by refreshing the memory? When and how it may be refreshed?
- Q. 25. Accused 'A' was induced by the priest of the temple of Shrinath by saying, "By speaking the truth, you will be benefited in the next world." and by such inducement, 'A' makes a confession. Whether such confession may be proved?

## Part 'C'

- Q. 26. When bail may be granted in the cases relating to the offences punishable with death-sentence or life-imprisonment?
- Q. 27. What do you know about the power of a Sessions Judge to transfer cases and appeals?
- Q. 28. When culpable homicide is not murder? Explain with examples.



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Tansukh Paliwal  
(Linking Sir)

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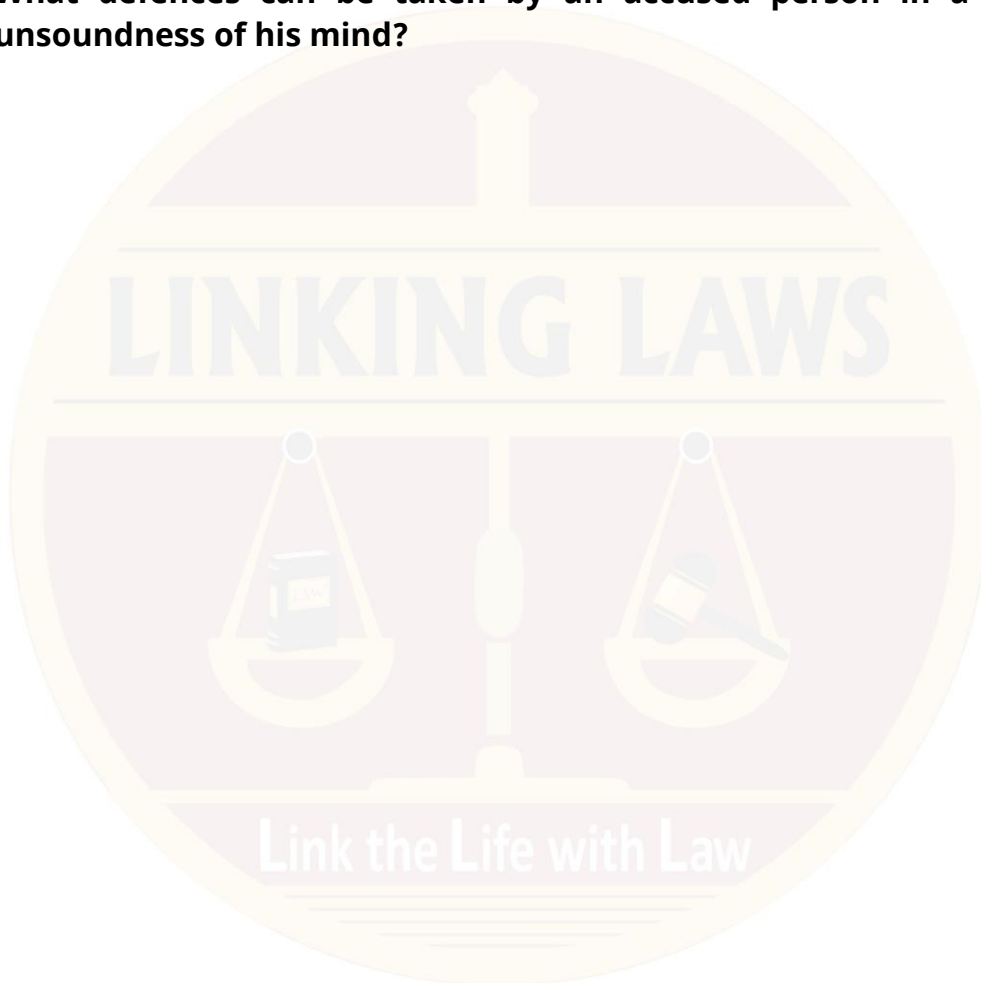


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- Q. 29. Define theft and narrate its essential elements. When a person may commit theft of his own property? Explain with illustration.
- Q. 30. What is accomplice? Whether an accused may be convicted on the basis of the uncorroborated testimony of an accomplice?
- Q. 31. "Hearsay evidence is inadmissible in evidence." Explain, narrating its exceptions.
- Q. 32. What defences can be taken by an accused person in a case relating to unsoundness of his mind?



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