



Previous Year Paper

U.P. Judicial Service Civil Judge Main Examination, 2015

PAPER – I {LANGUAGE}

Time Allowed: Three Hours

Maximum Marks: 200

SPECIFIC INSTRUCTIONS

- All Questions are compulsory.
- Marks are allotted against each question.
- Word limit in questions, wherever specified, should be adhered to.

1. Write an essay in English on any one of the following topics in about 500 words:

- (a) Advances in recent technologies.
- (b) Women Empowerment and Judiciary.
- (c) Global Warming and its causes.

2. Make a précis of the following passage in your own words in about one-third of its length and suggest a suitable title to it:

Pride of race is even more harmful than national pride. When I was in China I was struck by the fact that cultivated Chinese were perhaps more highly civilized than any other human beings, that it has been my good fortune to meet. Nevertheless, I found numbers of gross and ignorant white men who despised even the best of the Chinese solely because their skins were yellow. In general, the British were more to blame in this than Americans, but there were exceptions. I was once in the company of a Chinese scholar of vast learning, not only of the traditional Chinese kind, but also of the kind taught in Western universities, a man with a breadth of culture which I scarcely hoped to equal. He and I went together into a garage to hire a motor car. The garage proprietor was a bad type of American, who treated my Chinese friend like dirt, contemptuously accused him of being Japanese, and made my blood boil by his ignorant malevolence. The similar attitude of the English in India, exacerbated by their political power, was one of the main causes of the friction that arose in that country between the British and the educated Indians. The superiority of one race to another is hardly ever believed in for any good reason. Where the belief persists it is kept alive by military supremacy. So long as the Japanese were victorious, they entertained a contempt for the white man, which was the counterpart of the contempt that white man had felt for them while they were weak. Sometimes, however, the feeling of superiority has nothing to do with military prowess. The Greeks despised the barbarians, even at times when the barbarians surpassed them in warlike strength, the more enlightened among the Greeks, held that slavery was justifiable so long as the masters were greek and the slaves barbarians, but that otherwise it was contrary to nature. (323 words)





3. Translate the following passage into English:

लोकतन्त्र में विरोध प्रदर्शन करना मौलिक अधिकार है बशर्ते उसमें सामान्य जनजीवन का उत्पीड़न न हो, सरकारी सम्पत्ति को हानि न पहुँचे और निजी सम्पत्तियों से खिलवाड़ न हो। अगर आह्वानकर्ता की माँगों से सामान्य जन खुद को जोड़ते हुये उसमें भाग लेना चाहे तो किसी को एतराज नहीं है। जन सभा करें, भाषण में तर्कपूर्ण ढंग से अपनी बात रखें, पोस्टर टाँगे, झण्डे - बैनर लगाये, ज्ञापन दें, सब चलेगा अगर आम जनता को असुविधा न हो। बच्चे विद्यालय से घर न जा सके, कर्मचारी कार्यालय न पहुँच सक, मरीज को इलाज न मिल सके, यह नहीं चलेगा। आन्दोलन चाहे राजनीतिक दलों का हो या सरकारी कर्मचारी संगठनों का, आन्दोलन चाहे श्रमिकों का हो या बिजली, पानी उपभोक्ताओं का, सभी की एक सी प्रवृत्ति हो चुकी है। आरक्षण की माँग हो या नौकरी पक्की करने की, सबका आन्दोलन यहीं से शुरू होता है और यहीं पर खत्म। पब्लिक को रोको, जाम लगा दो, सरकारी वाहन पर पथराव कर दो, मौका लगे तो आग लगा दो। सरकार के कान तक अपनी बात पहुँचाने का सभी के पास एकमात्र यही रास्ता रह गया है। हिंसात्मक प्रदर्शन भारतीय जनतन्त्र की प्रगति में एक बड़ा रोड़ा है।

4. Translate the following passage into Hindi :

Most people seek the help (guidance) of god-men not for spiritual purposes but for improving their material lives. Will I get a promotion or will my colleague beat me to it? Will I get the party ticket to contest elections, if yes, will I win? Will my new venture make profits? These are some of the typical problems for which people seek guidance or answers. These issues stem from fear-fear of the uncertain. Humans love to peep into the future and when they are assured by their baba or mataji that all will be well (if not today, then tomorrow), they have a sigh of relief, when some of their problems are resolved, thanks to some luck or the normal course of things, they attribute it to the miracles and the protective hand of the guru.

Linking Laws

"Link the Life with Law"

All Judiciary Exam





U.P. Judicial Service Civil Judge Main Examination, 2015
PAPER – II {GENERAL KNOWLEDGE}

Time Allowed: Three Hours

Maximum Marks: 200

SPECIFIC INSTRUCTIONS

- All Questions are compulsory.
- Marks carried by each question are indicated against it.
- Word limit in questions, wherever specified, should be adhered to.

1. (a) Citing relevant Court cases, explain judicial activism' in India. (words limit-150)
(b) Write explanatory notes on the following. (Word limit 75 each)
 - (i) Rule of Law.
 - (ii) 'Doctrine of pleasure' for public servants.
2. Critically analyse the outcome of the visits of Prime Minister Narendra Modi to the following countries: (Word limit - 75 each)
 - (i) Sri Lanka (March 2015)
 - (ii) China (May 2015)
 - (iii) Bangladesh (June 2015)
 - (iv) UAE (August 2015)
3. (a) Mention the objectives of 'Make in India' campaign and critically discuss the progress of this campaign. (word limit : 150)
(b) What has been the effect of the recent devaluation of Chinese Currency Yuan on Indian Economy ? (word limit : 75)
(c) Explain the difference between 'vote on account' and 'vote on credit'. (Word limit: 75)
4. Based on the figures of Census 2011, arrange the following in descending order:
 - (a) Chandigarh, Daman and Diu, Delhi, Puducherry and Lakshadweep Union Territories in accordance with population density.
 - (b) Goa, Himachal Pradesh, Kerala, Mizoram and Tripura States in accordance with literacy rate.
 - (c) Azamgarh, Ambedkar Nagar, Jaunpur, Mau and Pratapgarh districts of Uttar Pradesh in accordance with sex-ratio.
 - (d) Deoria, Sant Kabirnagar, Sant Ravidasnagar, Gautam Buddhanagar and Varanasi districts of Uttar Pradesh in accordance with population density.





5. Write notes on the following: (Word limit: 50 each)
- (a) Pentavalent Vaccine
 - (b) Astrosat
 - (c) International Space Station (Alfa)
 - (d) Solar Impulse
 - (e) Withings Home
 - (f) Agni-V
 - (g) SAGA-220
 - (h) BT-Cotton
 - (i) Ebola Virus
 - (j) Cold Cloud
- 6.
- (a) What are the benefits that India will have by getting a permanent membership of the United Nations Security Council and what are the main obstacles in the way? (Word limit: 150)
- (b) Why have the following been in the news? (word limit : 50 each)
- (1) Sunder Pichai
 - (2) Vijay Sheshadri
 - (3) Dr. A. Sivathanu Pillai
 - (4) Benny Tai-Yiuting
 - (5) Patrick Modiano
7. Write notes on the following: (word limit: 75 each)
- (i) Sagar Mala Project
 - (ii) Sir Creek
 - (iii) MAST (Telescope)
 - (iv) TAPI pipeline
- 8.
- (a) Analyse the statement: "Though Directive Principles and Fundamental Rights are complementary to each other, yet these differ in some aspects." (word limit: 150)
- (b) Write notes on the following: (word limit: 75 each)
- (i) Jahangir's interest in painting
 - (ii) Geographical position of Andaman and Nicobar
- 9.
- (a) Write explanatory notes on the following: (word limit : 50 each)
- (i) MUDRA Bank
 - (ii) NITI Aayog
 - (iii) Deficit Financing
 - (iv) Shadow Banking System
 - (v) India's National Solar Mission





(b) Write full form of the following abbreviations:

- (i) HTTPS
- (ii) ISO
- (iii) OECD
- (iv) IPCC
- (v) AMRUT

10.

(a) Give the location and importance of the following: (word limit : 50 each)

- (i) Eleventh rock edict of Ashoka
- (ii) Buland Darwaza
- (iii) Banawali
- (iv) Sarnath
- (v) Khusro Bagh

(b) What were the reactions of Jawaharlal Nehru and Muhammad Ali Jinnah on Government of India Act, 1935? (word limit : 75)

(c) Who are the authors of the following books?

- (i) Tahqiq-i-Hind
- (ii) Jai Somnath
- (iii) Soz-e-Watan
- (iv) The Man Who Divided India
- (v) Emerging India: Economics, Politics & Reforms

Linking Laws

"Link the Life with Law"

All Judiciary Exam





U.P. Judicial Service Civil Judge Main Examination, 2015

LAW PAPER – I {SUBSTANTIVE LAW}

Time Allowed: Three Hours

Maximum Marks: 200

SPECIFIC INSTRUCTIONS

- Candidates have to attempt Question Nos. 1 and 2, and any four of the remaining ones. Attempt six questions in all.
- Marks carried by each question are indicated at its end.

1.

- (a) It is fallacious to think that Directive Principles and Fundamental Rights are opposed to one another in their ultimate objectives. They are in fact complementary and supplementary to each other and both striving to secure socio- economic welfare by ensuring a social order in which justice and individual liberty are safeguarded. Comment critically.
- (b) "Freedom of speech can be restricted only in the interest of the security of the state, friendly relations with foreign states, public order, decency or morality or in relation to contempt of Court, defamation or incitement to an offence." Elucidate the above statement with suitable case laws in relation to the freedom of the press.
- (c) Explain what is meant by the expression "Failure of constitutional machinery in a state under Article 356 of the Constitution of India." Which situation will fall and which will not fall within the expression? Explain.
- (d) Critically evaluate the scope of the expression 'Personal Liberty' in Article 21, of the Constitution of India. Do you thin that the expression 'procedure established by law' in Article 21 introduces in India, the American 'due process clause' on the subject? Discuss.

2.

- (a) Who are the persons governed by Hindu Law? Who are entitled to share a partition in joint Hindu family? Explain divorce by mutual consent under the Hindu Marriage Act, 1955.
- (b)
- (i) Describe the main provisions of the Shariat Act, 1937. State the changes brought about by it.
 - (ii) 'A' has a wife 'B', an unmarried daughter 'C' and a son 'D'. 'A' makes a gift of his entire property to his son 'D'. Is the gift valid? What steps must be taken to protect the right of maintenance of 'B' and 'C' against the gift? Explain.
- (c) How can an offer be made, revoked or accepted? What rules apply when an offer is made through post or over the telephone? Discuss.





- 3.**
- (a) Discuss property. What are the properties which cannot be transferred? Distinguish between 'Sale' and 'Agreement to Sell'.
 - (b) Discuss the doctrine of election with the help of illustrations. Also discuss the important conditions relating to doctrine of election as provided under Section 35 of Transfer of Property Act, 1882.
- 4.**
- (a) What is Partnership? State its essential elements. Distinguish between partnership and joint Hindu family.
 - (b) Under what circumstances can a partnership firm be dissolved by the Court? What are the consequences, if a partnership firm is not registered? Discuss.
- 5.**
- (a) "The rule in Rylands v. Fletcher is interpreted in the light of the Constitutional provision by the Supreme Court in M.C. Mehta v. Union of India, (1987)." Explain the rule laid down in Rylands v. Fletcher. Keeping in mind the aforementioned statement, elaborate the corresponding development in India with reference to the said rule.
 - (b) "A statement made in performance of duty is privileged." Examine such statement referring to tort of defamation.
- 6.**
- (a) Define trust. Discuss its creation and the different kinds.
 - (b) Define trustee. Describe duties and liabilities of trustees.
 - (c) Explain the following maxims with illustrations:
 - (i) Equality is equity.
 - (ii) Equity will not suffer a wrong to be without a remedy.
- 7.**
- (a) What do you mean by easement? Explain its origin and development. What is distinction between customary right and customary easement? State.
 - (b) Which are the contracts which would be specifically performed under the Specific Relief Act, 1963? Explain about the rescission of contracts with illustrations.
- 8.**
- (a) "The sanctity of a contract is the foundation of the Law of Contract and the doctrine of impossibility cannot be permitted to become a device for destroying the sanctity." Explain this statement.
 - (b) Who can give adoption? Who can adopt? What are the effects of adoption? Discuss.





- 9.
- (a) Define Talak. Explain various modes of talak in Muslim Law. What are the distinctions between Sunni and Shia Law regarding talak? Explain.
 - (b)
 - (i) Explain different kinds of Mehr in Muslim Law.
 - (ii) Heena, a Muslim widow, re-marries within 30 days of the death of her husband. Justify it.
10. Solve any three of the following problems by referring to relevant laws :
- (a) 'A' shakes his fist at 'Y', intending or knowing it to be likely that he may thereby cause 'Y' to believe that 'A' is about to strike 'Y'.
 - (b) 'A' supplies 'B', who is a lunatic, with necessities suitable to his condition in life. 'A' is entitled to be reimbursed from B's property.
 - (c) One of the partners of a firm, while on touring for business of the firm, usually travelled in rail without ticket. In consequence, he was caught by railway police. The other partners objected to his conduct and sought dissolution of firm through Court. Whether the partners would succeed?
 - (d) 'A' being on friendly terms with Y goes into Y's library in Y's absence and takes away a book without Y's express consent for the purpose merely of reading it and with intention of returning it to his friend.





U.P. Judicial Service Civil Judge Main Examination, 2015
LAW PAPER – II {PROCEDURE & EVIDENCE}

Time Allowed: Three Hours

Maximum Marks: 200

SPECIFIC INSTRUCTIONS

- Attempt five questions in all. Question No. 1 is compulsory.
- At least one question must be attempted from each Section.
- Marks carried by each question have been indicated against the question.

1.

- (a) On 4.7.2000, Radhey Shyam entered into an agreement with Ram Kumar for purchase of a piece of land of 5 acre at Rs. 26,000 per acre, i.e., for a total consideration of Rs. 1,30,000. On that day itself, Radhey Shyam had paid Rs. 20,000 to Ram Kumar towards advance with a specific understanding to pay the entire balance of sale consideration within four months and obtain a regular registered sale deed for the land in his name. Radhey Shyam paid the balance of sale consideration on 28.8.2001 and the possession of the land was delivered to him. Thereafter, Ram Kumar executed a possessory sale agreement dated 28.8.2001 in favour of Radhey Shyam confirming his possession over the said land. On 4.1.2014 the Murti Bank had got issued a legal notice to Radhey Shyam stating that the said land was under equitable mortgage with Murti bank. Then Radhey Shyam got issued a reply notice setting out his right, title and interest and also possession over the said land and also making an accusation that Ram Kumar had cheated him by suppressing the mortgage in respect of the said land with the Murti Bank. Draft a plaint on behalf of Radhey Shyam on the basis of aforesaid facts claiming all types of reliefs whether primary or alternative, which could be claimed against the defendants, in the matter.

- (b) Draft a written statement on behalf of Ram Kumar in reply to the aforesaid plaint, taking all possible defences in reference to aforesaid allegations.

OR

On 10.6.2014, Ram Kishan and his nephew Rajeev were going on a motorcycle carrying Rs. 1,50,000 with them in the dicky, for purchasing a piece of land. While they were near a Farm in Gajraula, Jyotiba Phule Nagar District of Uttar Pradesh at around 10 A.M., two accused persons-Ranjeet and Rajender came from behind in Maruti Car. They brandished country made pistol and asked them to stop and as they stopped. Ranjeet and Rajender asked them to hand over the money. Ram Kishan and Rajeev handed over the key of the motorcycle to them. Ranjeet and Rajender took out the money from the dicky and sped away. Ram Kishan gave the information of this incident to ASI Akhilesh Kumar whom he met on the way to the Police Station. On the basis of this information an FIR was registered at Gajraula Police Station. Location of the mobile phones of Ranjeet and Rajender was traced near the place of crime on the date and time of incident. Recording of Closed Circuit Camera showed that the Maruti Car used for crime passed and paid toll at N.H. 24 toll booth situated at Gajraula half an hour before the incident.





This car was registered in the name of accused Ranjeet. Ranjeet and Rajender also made confessional statement before the Investigation Officer and said that they have spent Rs. 94,000 out of the looted money and the remaining amount of Rs. 56,000 is lying at the house of Ranjeet. The amount of Rs. 56,000 was recovered from the house of Ranjeet. Ranjeet and Rajender also made disclosure statement before the police thereby alleging the role of two employees at the firm of Ram Kishan, Rajesh and Raman as the informers of the group and said that Rajesh and Raman had informed Ranjeet and Rajender of the fact that Ram Kishan is carrying the money in a motorcycle and that they could loot him. It is further alleged that they received a share of Rs. 10,000 each from the looters. Further, the evidence against Rajesh and Raman is their own disclosure statement to the police. pursuant to which, allegedly, the police recovered Rs. 5,000 (Rajesh's share left unspent) and rs. 4,000 (Raman's share left unspent) from them.

Ranjeet and Rajender denied having made any disclosure statement before the police and also denied the charge and stated that they were not present in Gajraula on the day of incident and pleaded that they did not commit the robbery. During the trial Rajesh and Raman also denied having made the disclosure statement and pleaded false implication.

The accused were charge-sheeted for the offence punishable under Sections 120-B, 392, 397 of the Indian Penal Code and Section 25 of the Arms Act.

On the basis of facts stated above write a judgment of conviction.

Part A

2.
 - (a) Explain the essential ingredients of summon. What are the different modes of service of summons to the defendant?
 - (b) What is meant by ex parte decree? Examine the circumstances where an ex parte decree may be set aside.
 - (c) What do you understand by inter-pleader suit? Explain the conditions and procedure relating to inter-pleader suit.
3.
 - (a) 'B' appoints 'A' as Factory Representative of his firm for Chennai territory for appointing dealers of his products there. Firm's Head Officer is situated at Kolkata. 'B' posted a letter at Kolkata terminating the appointment of 'A' as Factory Representative, which was received by 'A' at Chennai. 'A' wants to file a suit against 'B' for damages and accounts. What is the proper place of suing in this case?
 - (b) A Junior Engineer of Public Works Department was dismissed from service by the Superintending Engineer. He challenged the said decisions by filing a writ petition in the High Court on the ground that he was not afforded a reasonable opportunity of being heard. The writ petition was dismissed. He then filed a civil suit and raised an additional plea that he was appointed by the Chief Zonal Engineer and, therefore, Superintending Engineer being lower in rank, was not competent to pass this order against him. In this civil suit, contention of State is that the suit was barred by res judicata. Decide.





- (c) 'A' files a suit in the name and on behalf of his minor ward 'B' against 'C' under Order XXXII. During pendency of the suit 'B' attains majority and seeks your advice for further course of action. Advice 'B' Will it make any difference if 'B' happens to be a Co-plaintiff?
- (d) 'A' filed a suit for damages on account of defamatory article published in a periodical. 'A' dies during the pendency of suit. Can legal heirs of 'A' continue the suit?

4.

- (a) What are the main principles which guide the Court, while dealing with an application for temporary injunction?
- (b) Discuss the provisions in respect of attachment of property in execution of decree.
- (c) State the duties and powers of first appellate Court with reference to:
- (i) Remand;
 - (ii) Framing of additional issues;
 - (iii) Additional evidence;
 - (iv) Modification of decree.

Part B

5.

- (a) What is meant by 'relevancy of facts'? When are opinions of third persons relevant? Discuss in brief.
- (b) 'A' is accused of raping a seven years old girl 'B'. The evidence against 'A' is the testimony of B, which was recorded in the Court without administering oath. The mother of 'B' has deposed that 'B' narrated the whole thing to her after four hours of incident. Are these two evidences admissible? Can 'A' be convicted on the basis of this evidence? Give reasons in support of your answer.
- (c) 'A' is accused of the murder of 'B'. 'A' wrote a letter addressed to his friend 'C' stating that he had committed that crime. The letter fell into the hands of a police officer. Are the contents of this letter relevant as evidence against 'A'?

6.

- (a) Explain the doctrine of estoppel and distinguish between admission and estoppel.
- (b) 'A' taken a house on lease from 'B' and lives there as tenant. 'B' made a demand to 'A' for payment of arrears of rent for three months. 'A' contends that 'B' is not the owner of the bhouse. Can 'A' be permitted to deny the title of 'B' in the said house? Give reason for your answer.
- (c) Explain the doctrine of Res Gestae.

7.

- (a) Discuss the essential elements of 'dying declaration'. When is dying declaration relevant? Can dying declaration form the sole basis of conviction?





(b) 'A' is accused of defamation of 'B' by publishing a defamatory article about 'B' in a magazine. Is the evidence of publication of defamatory statement by 'A' about 'C' in the previous issue of same magazine admissible? Give reasons for your answer.

(c) 'All facts except the contents of document may be proved by oral evidence, which in all cases be direct.' Discuss in brief.

8.

(a) What is the procedure to be followed in executing a warrant beyond the jurisdiction of Court which issued it?

(b) When the warrant against an accused is not executed, what is the next step for compelling his appearance before the Court?

(c) Is the Magistrate bound to take cognizance of an offence on the basis of the final report filed by the police under Section 173(2) of Cr. P.C.? Is there any restriction for taking such cognizance? Discuss with case law.

9.

(a) A police investigation officer, while investigating cognizable offence concluded that only a non cognizable offence was committed and accordingly submits his report before the Magistrate after completion of investigation. What course shall the Magistrate adopt?

(b) Discuss the provisions related to maintenance of wife, children and parents under the Code of Criminal Procedure.

(c) Explain the nature and procedure of summary trial. 'A' commits theft by stealing property of 'B' worth Rs. 500. Can this offence be tried summarily?

10.

(a) "For every distinct offence, of which any person is accused, there shall be separate charge and every such charge shall be tried separately." Discuss. Are there any exceptions to this rule?

(b) 'A' committed theft at the house of 'B' on 28 August, 2015 and committed second theft on the same date at the house of 'C' and again committed theft at the house of 'D' on 30 August, 2015. Can he be prosecuted for all the three offences in one trial? Discuss with reasons.

(c) Distinguish between :

(i) Cognizable and non-cognizable offence.

(ii) Bailable and non-bailable offence.





Linking Laws

Link the Life with LAW

Why Linking Laws?

Inter-Bare Act
Linking

Inter-Section
Linking

Inter-Chapter
Linking

**All State
Judicial
Services**

More About Linking Laws

Bilingual
approach

Real time
event linking

Meditation
of sections

Diagrammatic
Notes
Techniques

Newspaper
Cutting
Approach

Previous Exam
Paper Bird
View

Mock test

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U.P. Judicial Service Civil Judge Main Examination, 2015
LAW PAPER – III {PENAL, REVENUE & LOCAL LAWS}

Time Allowed: Three Hours

Maximum Marks: 200

SPECIFIC INSTRUCTIONS

- Candidates should answer six questions in all. Question Nos. 1 and 2 are compulsory and rest two each should be from Section - A and Section -B.
- Marks carried by each question are indicated at its end.

1. Write short notes on the following

- Effects of notification issued under section 4(2) of U.P Consolidation of Holding Act, 1953.
- Land excluded from consolidation scheme.
- Meaning and confirmation of the provisional consolidation scheme.
- Closure of Consolidation operations. Discuss the following

- 2.**
- No confidence motion against Gram Pradhan under UP Panchayat Raj Act, 1947.
 - Determination of standard rent.
 - Composition of municipality and consequences of its dissolution.
 - Removal of the member of the municipality.

3. Discuss the following:

- Main reasons for the abolition of zamindari.
- Gaon fund and consolidated gaon fund.
- Distinction between Sir land and Khudkasht land.
- Distinction between the rights of a bhumidhar with transferable rights and a bhumidhar with non-transferable rights.

- 4.**
- What do you understand by surrender and abandonment of holding? Answer giving reference to relevant provisions of U.P. Zamindari Abolition and Land Reforms Act, 1950. State the Difference between surrender and abandonment.





- (b) Which are those category of land on which Land Management Committee cannot admit a person as a Bhumidhar? Answer referring to the relevant provisions of U.P. Zamindari Abolition and Land Reforms Act, 1950. State the order of preference to be followed under U.P. Zamindari Abolition and Land Reforms Act, 1950, while allotting agricultural land to a Bhumidhar with non-transferable rights or to an Asami.

5.

- (a) Who is the preferent heir in the following cases?
- (i) 'A' a male Bhumidhar dies intestate in 2010. 'A' leaves behind him his widow 'W', a son 'X', a widow of predeceased son 'Y' and step son 'Z'.
- (ii) A female Bhumidhar holding in her own rights dies intestate leaving behind her father, husband, son and unmarried daughter.
- (b)
- (i) In a joint family 'A', 'B' and 'C' were three brothers. 'A' was eldest and major. B and C were minors. All the three brothers were joint bhumidhars. 'A' transferred the disputed land to 'D'. The sale deed was executed by 'A' on his own behalf as a major and on behalf of 'B' and 'C' as a guardian. Is this valid? Explain.
- (ii) A possesses 10 acres of bhumidhari land and B possesses only 5 acres of bhumidhari land. 'B' transfers his 5 acres land to 'A'. Is this sale valid? Explain with reasons.

6.

- (a) State the grounds on which suit for the eviction of a tenant on the termination of his tenancy may be instituted. Discuss with the help of relevant provisions and decided case law.
- (b) State the circumstances in which a landlord or tenant of a building shall be deemed to have ceased to occupy the building. Answer referring to the relevant provisions and decided case law.

7. State with reasons what offence, if any, has been committed:

- (a) 'A' is in a house which is in fire with 'Z', a child, People below hold out a blanket, 'A' drops the child from the house top knowing it to be likely that the fall may kill the child, but not intending to kill the child and in good faith for the child's benefit. The child is killed by the fall.
- (b) 'A' a surgeon, in good faith, communicates to a patient, his opinion that he cannot survive. The patient dies in consequence of the shock.
- (c) 'A' instigates 'B' to murder 'D'. 'B' in pursuance of the instigation stabs 'D'. 'D' recovers from the wound.
- (d) 'A' puts jewels into a box belonging to 'Z' with the intention that they may be found in that box and the circumstance may- cause 'Z' to be convicted of theft.





- (e) 'A' attempts to pull 'Z's nose, 'Z' in the exercise of the right of private defence, lays hold of 'A' to prevent him from doing so. 'A' is moved to sudden and violent passion in consequence and kills 'Z'.

8.

- (a) What do you understand by culpable homicide? When it is murder and when it is not murder? Explain.
- (b) A, intending to commit theft enters the house of 'B' at night and removes from one of the rooms a heavy box to the courtyard where he opens it. He does not find in the box anything worth taking and leaving it there goes away. Did 'A' commit any offence? If yes, what offence?

9.

- (a) What is criminal breach of trust? What are its essentials? How it differs from criminal misappropriation?
- (b) 'A' finds a valuable ring, not knowing to whom it belongs. A sells it immediately without attempting to discover the owner. Whether A has committed any offence? If yes, what offence?

10.

- (a) Define the offence of defamation. What are its essentials? Explain with illustrations.
- (b) 'A' is the paramour of 'Z's wife. She gives a valuable property to A which A knows that it belongs to her husband Z and as such she has no authority from 'Z' to give it to A. In spite of this 'A' takes the property. Whether 'A' has committed any offence? If yes, what offence?





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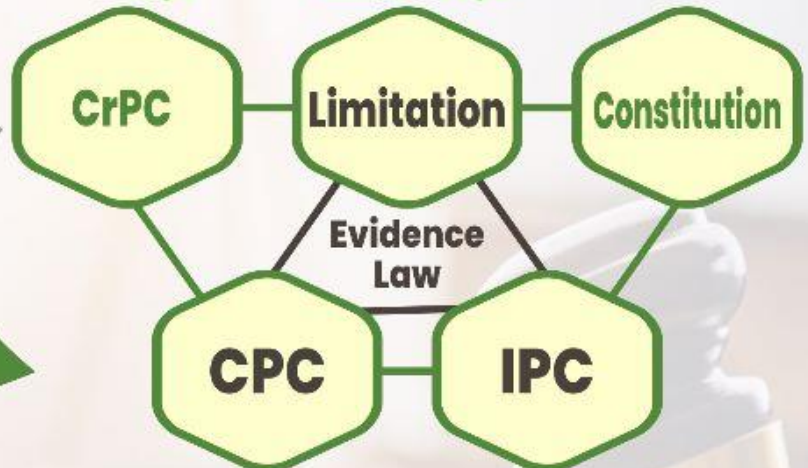
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For More Information : 7737745465



Tansukh Paliwal

-(Linking Laws)-

CA, LLM,

University Topper

Ex-officer in State PSU

