



## Previous Year Paper

### WEST BENGAL JUDICIAL SERVICE (PRELIMINARY) 2016

81. The letters of the word EDUCATION are arranged in Alphabetical order. Which letter will be in the middle position?  
(A) N  
(B) O  
(C) E  
(D) I
82. Price of LPG is increased by 10%. To keep total expenses on LPG same consumption of LPG must be less by  
(A) 9%  
(B) 10%  
(C) 11%  
(D) 97%
83. Is B entitled to claim any compensation for the loss caused to her by the non-performance of A's promise in the following case? A contracts to marry B, being already married to C, and being forbidden by the Law to which he is subject to practise polygamy.  
(A) No  
(B) Yes  
(C) Contract is void  
(D) None of the above
84. A contracts to act at a theatre for six months in consideration of a sum paid in advance by B. On several occasions A is too ill to act. Is the contract void?  
(A) No  
(B) Voidable  
(C) Contract to act on those occasion becomes void  
(D) Both (A) and (B)
85. A supplied B, a lunatic, with necessities suitable to his conditions in life. Is A entitled to be reimbursed from B's property?  
(A) No  
(B) Yes  
(C) A is entitled to proceed personally against B  
(D) None of the above
86. A, B and C jointly promise to pay D Rs. 3000.00. Can D compel either 'A' or 'B' or 'C' to pay him Rs. 3000.00.  
(A) Yes  
(B) No  
(C) Both (A) and (B)  
(D) None of the above
87. What do the words SAP stand for in Data Processing?  
(A) Systems, Applications and Products  
(B) Standards, Applications and Products  
(C) Systems, Applications and Processes  
(D) None of the above
88. From which foreign language is the word Cinema taken?  
(A) German  
(B) French  
(C) Korean  
(D) Russian
89. What mineral is tender coconut water rich in?  
(A) Sodium  
(B) Potassium  
(C) Iron  
(D) Carbon
90. Cordelia is the name of a character in which of Shakespeare's plays?  
(A) Twelfth Night  
(B) Much ado about nothing  
(C) As you like it  
(D) King Lear
91. Which is the world's fifth largest Ocean?  
(A) Pacific Ocean  
(B) Atlantic Ocean  
(C) Arctic Ocean  
(D) Mediterranean Sea
92. World Tsunami Awareness Day is observed on which date?  
(A) 5th November  
(B) 24th November  
(C) 8th November  
(D) 24th December
93. World Bank has recently approved the loan of \$35 million to which country for Indus River Basin?





- (A) Afghanistan  
(B) Pakistan  
(C) India  
(D) Sri Lanka
94. The Directive Principles of State Policy are contained in Article  
(A) 38  
(B) 39  
(C) 40  
(D) 41
95. A contingent contract' is a contract to do or not to do something, if some event, collateral to such contract  
(A) does not happen  
(B) does happen  
(C) both (A) and (B)  
(D) None of the above
96. When was Postal Index Number (PIN) introduced in India?  
(A) 1962  
(B) 1972  
(C) 1970  
(D) 1980
97. What is the name of Mulk Raj Anand's autobiography?  
(A) The Seven Ages of Man  
(B) The Five Secrets of Life  
(C) The Three Ways of Happiness  
(D) None of the above
98. Which Romantic Poet had once remarked: "A thing of beauty is a joy forever"?  
(A) R. K. Narayan  
(B) Pablo Neruda  
(C) Haruki Murakami  
(D) John Keats
99. Who was the first Chief Election Commissioner of India?  
(A) T. N. Seshan  
(B) Rajendra Prasad  
(C) Sukumar Sen  
(D) Dr. S. Radhakrishnan
100. Which is the biggest source of tax revenues for the Government of India?  
(A) Entertainment tax  
(B) Gift tax  
(C) Corporate (Corporation) tax  
(D) Wealth tax
101. Give the correct response: 'Decree' includes  
(A) any adjudication from which an appeal lies as an appeal from an order.  
(B) return of plaint.  
(C) rejection of plaint.  
(D) any order of dismissal for default.
102. Point out the correct.  
A Plaint may be returned by the Court for amendment under  
(A) Order 6 Rule 16 of C.P.C.  
(B) Order 6 Rule 17 of C.P.C.  
(C) Order 7 Rule 11 of C.P.C.  
(D) Order 7 Rule 10 of C.P.C.
103. A 'Caveat remains in force  
(A) before the expiry of Ninety days from the date on which it was lodged.  
(B) after the expiry of Ninety days from making order of the Court of law.  
(C) after the expiry of Ninety days when it comes to the knowledge of the other Party.  
(D) after the expiry of Ninety days from the date on which it was lodged.
104. The Principle of Res judicata is based on  
(A) Substantive Law  
(B) Law of Evidence  
(C) Law of Principle  
(D) Law of Procedure
105. "Preliminary decree' may be passed in suits for  
(A) Partition  
(B) Pre-emption  
(C) Dissolution of partnership  
(D) All of the above
106. The offence of personation at an election is punishable for imprisonment for  
(A) one year or with fine or both.  
(B) two years or with fine or both.  
(C) five years or with fine or both.  
(D) three years or with fine or both.
107. Which among the following is a non compoundable offence?  
(A) Section 147, I.P.C.  
(B) Section 298, I.P.C.  
(C) Section 334, I.P.C.  
(D) Section 491, I.P.C.





108. The period of limitation for taking cognizable of the offence under section 323, I.P.C. is  
(A) six months  
(B) one year  
(C) two years  
(D) three years
109. 'A' indulges voluntarily in sexual intercourse with a married woman 'B' without the consent of her husband. 'B' is liable to be tried with 'A' as an  
(A) Abettor  
(B) Adultress  
(C) Jointly as co-accused  
(D) None of the above
110. Which section of Cr.P.C. provides that a person once convicted or acquitted cannot be tried again for the same offence?  
(A) Section 299  
(B) Section 300  
(C) Section 302  
(D) Section 298
111. 'A' instigates 'B' to murder 'C'. B refuses to do so. 'A' is guilty of  
(A) Murder  
(B) No offence  
(C) Abetment of murder  
(D) Culpable Homicide
112. When a person competent to compound an offence under section 320 Cr.P.C. is dead  
(A) The offence cannot be compounded.  
(B) The offence can be compounded by the prosecutor.  
(C) Legal representative of such person can compound the offence with the permission of the court.  
(D) None of the above
113. Which of the following provisions of the Criminal Procedure Code deals with sanction to the prosecution of a public servant?  
(A) Section 200  
(B) Section 197  
(C) Section 231  
(D) Section 198
114. 'A' under the influence of passion excited by a provocation given by 'Z' intentionally kills 'Z's child 'Y'. 'A' is guilty of  
(A) Culpable homicide  
(B) Murder  
(C) Grievous Hurt  
(D) No offence as he was under grave provocation
115. Right of private defence of the body extending to causing death has been dealt with under  
(A) Section 100 I.P.C.  
(B) Section 101 I.P.C.  
(C) Section 102 I.P.C.  
(D) Section 103 I.P.C.
116. Identify, which one is not the primary source of Muslim Law.  
(A) Quran  
(B) Sunna  
(C) Urf  
(D) Ijmaa
117. Give the correct response. A marriage under Muslim Law is  
(A) Monogamous  
(B) Polygamous  
(C) Unlimited Polygamous  
(D) Polygamous but not unlimited
118. 'Dower' under Muslim Law is a  
(A) Personal property of the wife and she can appropriate it whenever she likes.  
(B) is not a personal property of the wife and she can not appropriate it.  
(C) The wife can appropriate it with the consent of the husband.  
(D) None of the above
119. A Muslim woman can make a will when she attains the age of  
(A) Puberty  
(B) 21 years  
(C) 18 years  
(D) 15 years
120. Point out the correct answer. 'Adoption' under Muslim Law is  
(A) unlawful  
(B) voidable  
(C) irregular  
(D) depends upon the sweet will of the parties.
121. Dissolution of Partnership under C.P.C. is in  
(A) Order 20 Rule 15  
(B) Order 20 Rule 14  
(C) Order 20 Rule 13  
(D) Order 20 Rule 18
122. The mode of service of summons is prescribed under C.P.C. in  
(A) Order 5 Rule 9  
(B) Order 6 Rule 10





- (C) Order 5 Rule 10  
(D) Order 6 Rule 9
123. **Section 115 C.P.C deals with**  
(A) Reference  
(B) Revision  
(C) Review  
(D) Appeal
124. **Which provision of C.P.C deals with the consequences of disobedience of the breach of injunction?**  
(A) Order 39 Rule 1  
(B) Order 39 Rule 2  
(C) Order 39 Rule 2A  
(D) Order 39 Rule 3A
125. **Which one of the followings is not a suit relating to immovable property?**  
(A) Suit for recovery of immovable property.  
(B) Suit for partition of immovable property.  
(C) Suit for redemption of mortgaged property.  
(D) Suit for rent in respect of immovable property.
126. **Making or publishing imputation on some one who is dead is**  
(A) no offence.  
(B) amounts to an offence of defamation.  
(C) amounts to defamation of his family members.  
(D) a civil wrong.
127. **Error or omission in framing charge**  
(A) is material in all circumstances and shall vitiate trial.  
(B) is immaterial in all cases.  
(C) is material only if it has caused prejudice to the accused and occasioned a failure of justice.  
(D) entitles the accused to acquittal.
128. **Which section of I.P.C. is based on the maxim "volenti non fit injuria"?**  
(A) Sec. 80  
(B) Sec. 90  
(C) Sec. 94  
(D) Sec. 87
129. **Under which section of Cr.P.C., a police officer can release an accused on bail in a non-bailable case?**  
(A) Sec. 337  
(B) Sec. 336  
(C) Sec. 437  
(D) Sec. 436
130. **An order for maintenance or interim allowance can be cancelled under the circumstances stated under**  
(A) Sec. 125(5) Cr.P.C.  
(B) Sec. 127(2) Cr.P.C.  
(C) Sec. 127(3) Cr.P.C.  
(D) Sec. 127(4) Cr.P.C.
131. **The provision of legal disability' is provided in the Limitation Act under**  
(A) Section 6  
(B) Section 8  
(C) Section 10  
(D) Section 21
132. **Special law should prevail over the general law of the Limitation Act as provided in the Limitation Act, 1963 under**  
(A) Section 26  
(B) Section 25  
(C) Section 29  
(D) Section 30
133. **The period of time of limitation for the execution of decree other than mandatory injunction is provided in the Limitation Act in**  
(A) Article 126  
(B) Article 128  
(C) Article 133  
(D) Article 136
134. **The period of limitation by a mortgagor to redeem or recover possession of immovable property mortgaged is**  
(A) 3 years  
(B) 12 years  
(C) 20 years  
(D) 30 years
135. **At the determination of the period hereby limited to any person for instituting a suit for possession of any property his right to such property shall extinguish as provided in the Limitation Act under**  
(A) Section 15  
(B) Section 16  
(C) Section 26  
(D) Section 27
136. **The period of limitation for realization of arrear rent under Article 5 of the Limitation Act is**  
(A) 1 year  
(B) 5 years  
(C) 3 years  
(D) 10 years







137. The period of limitation for filing a suit for compensation for false imprisonment is one year from when imprisonment ends under
- (A) Article 77
  - (B) Article 73
  - (C) Article 79
  - (D) Article 90
138. A suit for property which the plaintiff conveyed while he was insane may be filed within the following period from when he is restored to sanity under Article 102:
- (A) 1 year
  - (B) 3 years
  - (C) 5 years
  - (D) 10 years
139. The period of limitation to enforce a right of pre-emption as provided in Art 97 is
- (A) 1 year
  - (B) 3 years
  - (C) 5 years
  - (D) 10 years
140. The period of limitation under Article 121 of the Limitation Act for setting aside an order of abatement under Civil Procedure code from the date of abatement is
- (A) 30 days
  - (B) 60 days
  - (C) 90 days
  - (D) One year
141. An Advocate is appointed under
- (A) Order 2 of C.P.C.
  - (B) Order 3 of C.P.C.
  - (C) Order 4 of C.P.C.
  - (D) Order 5 of C.P.C.
142. Jurisdiction of the Court in a civil matter does not arise in
- (A) as to the subject matter.
  - (B) with the consent of both the parties.
  - (C) as to the pecuniary value of the suit.
  - (D) as to the place.
143. Interpleader suit means
- (A) suits between the plaintiffs.
  - (B) suits between the defendants.
  - (C) suits against the government.
  - (D) None of the above
144. A civil court can not issue commission in the following cases. Point out the correct.
- (A) For examining a person
  - (B) For examining accounts
  - (C) To execute a partition
  - (D) To execute a decree
145. Any order for an injunction may be varied under
- (A) Order 39 Rule 1 of C.P.C.
  - (B) Order 39 Rule 2 of C.P.C.
  - (C) Order 39 Rule 3 of C.P.C.
  - (D) Order 39 Rule 4 of C.P.C.
146. The right of easement under the Limitation Act is acquired after continuous peaceable enjoyment without interruption for the period of
- (A) 12 years
  - (B) 20 years
  - (C) 25 years
  - (D) 30 years
147. The law of limitation as provided in section 29(3) of the Limitation Act excludes the applicability of the Limitation Act in case of
- (A) Marriage and Divorce
  - (B) Succession
  - (C) Arbitration
  - (D) Probate
148. The effect of Fraud is provided in the Limitation Act, 1963 under
- (A) Section 12
  - (B) Section 16
  - (C) Section 17
  - (D) Section 21
149. The period of limitation for a suit for which no period of limitation is provided in the schedule to the Limitation Act is
- (A) 12 years for the date from which right to sue accrues.
  - (B) 3 years for the date from which right to sue accrues.
  - (C) 30 years for the date from which right to sue accrues.
  - (D) 10 years for the date from which right to sue accrues.
150. Suit does not include an appeal under the Limitation Act,
- (A) No
  - (B) Yes
  - (C) None of the two
  - (D) Ordinarily
151. Trespass is an unlawful act, it is an act of
- (A) malfeasance
  - (B) misfeasance





- (C) nonfeasance  
(D) both (B) and (C)
152. An insolvent can not sue in respect of torts against his property so long he remains an undischarged insolvent. The above statement is  
(A) correct  
(B) incorrect  
(C) partly correct  
(D) None of the above
153. Interference with an easement is a private nuisance and actionable. This statement is  
(A) correct  
(B) incorrect  
(C) partly correct  
(D) None of the above
154. A public nuisance is called a common nuisance. It offends against the public either by an act or an omission to the people in general. So public nuisance is  
(A) tort  
(B) crime  
(C) Both (A) and (B)  
(D) None of the above
155. Existence of intention and malice is of importance in tort, in a breach of contract it is of no consequence. This distinction is  
(A) correct  
(B) incorrect  
(C) partly correct  
(D) Both (B) and (C)
156. Opinions of experts are relevant  
(A) under Section 45 of the Indian Evidence Act.  
(B) under Section 46 of the Indian Evidence Act.  
(C) under Section 47 of the Indian Evidence Act.  
(D) under Section 48 of the Indian Evidence Act.
157. Certified copies of public documents include  
(A) that it is the true copy.  
(B) the date of the issue of the copy.  
(C) the name of the officer and his official title.  
(D) All of the above
158. The contents of electronic records may be proved in accordance with the provisions of the Indian Evidence Act  
(A) Section 64  
(B) Section 65  
(C) Section 65A  
(D) Section 65B
159. Mr. A in his statements under section 161 of the Criminal Procedure Code made a particular statement and while deposing in the court made contradictory statements then the remedy lies for the adverse party under  
(A) Section 143  
(B) Section 155  
(C) Section 156  
(D) None of the above
160. The reliability of dying declaration cannot be made when the police official who delivered the Memo was never produced or examined before court as held by the Apex Court in  
(A) State of Maharashtra-Vs-Hemant Kawadu AIR 2016 SC 287  
(B) Sodexo 54C India Private Vs. State of Maharashtra AIR 2016 SC 413  
(C) Nan Kaunoo-Vs-State of U.P. AIR 2016 SC 447  
(D) None of the above
161. Under section 8 of the Indian Evidence Act  
(A) motive is relevant  
(B) preparation is relevant  
(C) conduct is relevant  
(D) All of the above
162. Indian Evidence Act was drafted by  
(A) Lord Macaulay  
(B) Sir James F. Stephen  
(C) Huxley  
(D) Sir Henry S. Maise
163. Alibi is governed by  
(A) Section 6 of the Indian Evidence Act.  
(B) Section 8 of the Indian Evidence Act.  
(C) Section 12 of the Indian Evidence Act.  
(D) Section 11 of the Indian Evidence Act.
164. Standard of proof in  
(A) Civil and criminal cases is the same.  
(B) Criminal cases is much more higher than in civil cases.  
(C) Criminal case is lower than in civil cases.  
(D) Either (A) or (C) is correct
165. An accomplice is a person  
(A) who participates in the commission of the crime for which the accused has been charged.  
(B) who is a pretended confederate.  
(C) who is an informer.  
(D) Both (A) and (B)
166. Law relating to marriages amongst Hindus has been codified under





- (A) Hindu Marriage Act, 1955  
(B) Hindu Adoption and Maintenance Act, 1956  
(C) Child Marriage Restraint Act, 1929 (Sharda Act)  
(D) All of the above
- 167. Degrees of prohibited relationship include relationship by**  
(A) full blood  
(B) half or uterine blood  
(C) adoption  
(D) All of the above
- 168. Section 7 of the Hindu Marriage Act, 1955 provides for**  
(A) Conditions of marriage  
(B) Capacity to marry  
(C) Ceremonies of marriage  
(D) All of the above
- 169. Doctrine of 'factum valet' enables to cure the violation of**  
(A) A directory provisions or a mere matter of form.  
(B) fundamental principles.  
(C) essence of transaction.  
(D) All of the above
- 170. Point out the correct answer. The exact origin of Muslim Law is**  
(A) Divine  
(B) Quran  
(C) Shariat  
(D) Prophet Hazrat Muhammad
- 171. Attempt to commit suicide is triable by**  
(A) Court of Session  
(B) Court of Assistant Sessions Judge  
(C) Magistrate of the first class  
(D) Executive Magistrate
- 172. The Indian Penal Code was enacted on**  
(A) 6th October, 1860  
(B) 6th October, 1862  
(C) 13th July, 1861  
(D) 9th November, 1861
- 173. A magistrate can order attachment of the subject in dispute under section 147 Cr.P.C. if**  
(A) it is a movable property.  
(B) one of the parties is in occupation.  
(C) a receiver has already been appointed by the civil court.  
(D) the court decides that none of the parties was then in possession of subject of dispute.
- 174. When a complaint triable, exclusively by a court of session, is made before a Magistrate, the Magistrate shall under section 202, Cr.P.C. postpone the issue of process and shall**  
(A) commit the case to the sessions court.  
(B) order the police to investigate the case.  
(C) produce the complaint before the sessions court.  
(D) call upon the complainant to produce all his witnesses and examine them.
- 175. Examination of the witnesses in the absence of the accused can be done under section**  
(A) 299 Cr.P.C.  
(B) 321 Cr.P.C.  
(C) 224 Cr.P.C.  
(D) 301 Cr.P.C.
- 176. An owner without possession generally can sue for trespass, but his tenant can not sue. This explanation is**  
(A) correct  
(B) incorrect  
(C) partly correct  
(D) Both (B) and (C)
- 177. In an action for malicious criminal prosecution the plaintiff is only to prove that he was prosecuted by the defendant and the prosecution ended in plaintiff's favour. This statement is**  
(A) correct  
(B) incorrect  
(C) partly correct  
(D) above malice and damage must be proved
- 178. Rights conferred by the constitution and other statutes if violated, afford a ground for an action in tort. This statement is**  
(A) correct  
(B) incorrect  
(C) not always correct  
(D) Both (A) and (C)
- 179. Public nuisance is a crime and its remedy lies in the hands of the state, the private nuisance is not necessarily a crime, it is a tort and its remedy lies with an individual whose rights are invaded. This distinction between public and private nuisance is**  
(A) correct  
(B) incorrect  
(C) partly correct  
(D) Both (B) and (C)
- 180. Unliquidated damages can be recovered in case of tort when unliquidated damages can not be**





claimed in crimes. This distinction between crime and tort is

- (A) correct
- (B) incorrect
- (C) not always correct
- (D) both (B) and (C)

181. The period of limitation for filing a suit for compensation for wrongful seizure of moveable property under legal process under Article 80 of the Limitation Act is

- (A) 1 year
- (B) 2 years
- (C) 3 years
- (D) 10 years

182. Period of limitation for review of a judgement by a court other than Supreme Court

- (A) 15 days
- (B) 30 days
- (C) 60 days
- (D) 90 days

183. Period of limitation for application to set aside a decree passed exparte or to rehear a deceased exparte

- (A) 30 days
- (B) 60 days
- (C) 90 days
- (D) 1 year

184. Period of limitation for appeal under the code of civil procedure to a High Court from any decree or order

- (A) 30 days
- (B) 60 days
- (C) 90 days
- (D) 1 year

185. Period of limitation for application for delivery of possession by a purchaser of immovable property at a sale in execution of a decree

- (A) 1 year
- (B) 3 years
- (C) 2 years
- (D) 6 years

186. Point out who is not a public officer.

- (A) A Government Advocate remunerated by daily fees
- (B) An officer in the Indian Army
- (C) A Municipal Commissioner
- (D) A receiver appointed in a suit

187. Amendment of Clerical and Arithmetical mistakes in judgements is prescribed in

- (A) Sec 152 of C.P.C
- (B) Sec 154 of C.P.C
- (C) Sec 150 of C.P.C
- (D) Sec 151 of C.P.C

188. Point out the person who is not exempted from personal appearance in court in a suit of civil nature.

- (A) The Chief Justice of Supreme Court
- (B) The Chief Justice of High Court
- (C) The District Judge
- (D) Any Judge of Supreme Court

189. A suit for recovery of immovable property can be instituted in the local Court

- (A) where the owner of the property resides.
- (B) where the property is situated.
- (C) where the defendant resides.
- (D) where the owner and the defendant reside.

190. Court can issue commission for the examination on interrogatories under C.P.C.

- (A) Order XXVI Rule 3
- (B) Order XXVI Rule 4
- (C) Order XXVI Rule 2
- (D) None of the above

191. The court shall presume the authentication of every document purporting to be a power of attorney and to have been executed before the Notary Public under

- (A) Section 80 of the Indian Evidence Act.
- (B) Section 83 of the Indian Evidence Act.
- (C) Section 85 of the Indian Evidence Act.
- (D) Section 86 of the Indian Evidence Act.

192. In Narain Singh-Vs-State (1997) 2 Crimes 464 (Del) the court decided on the principle of

- (A) Relevancy of facts
- (B) Presumption of documents
- (C) Burden of proof
- (D) None of the above

193. In Gokal Chand-Vs-Parvin AIR 1952 SC 231 the Supreme Court held on the point of

- (A) presumption of marriage.
- (B) presumption of correctness of official act.
- (C) presumption of law.
- (D) None of the above

194. No witness who is not a party to a proceeding can be compelled to produce any title deed unless he has agreed in writing as under







- (A) Section 118 of the Indian Evidence Act.
- (B) Section 130 of the Indian Evidence Act.
- (C) Section 131 of the Indian Evidence Act.
- (D) Section 132 of the Indian Evidence Act.

**195. Presumption as to abetment of suicide by a married woman can be made under**

- (A) Section 113 of the Indian Evidence Act.
- (B) Section 113A of the Indian Evidence Act.
- (C) Section 113B of the Indian Evidence Act.
- (D) None of the above

**196. Confession caused by inducement, threat or promise is contained in**

- (A) Section 24 of the Indian Evidence Act.
- (B) Section 25 of the Indian Evidence Act.
- (C) Section 26 of the Indian Evidence Act.
- (D) Section 27 of the Indian Evidence Act.

**197. A dying declaration is admissible**

- (A) only in criminal proceedings.
- (B) only in civil proceedings.
- (C) in civil as well as criminal proceedings.
- (D) in criminal proceedings alone and not in civil proceedings.

**198. A dumb person is a competent witness as provided under**

- (A) Section 118 of the Indian Evidence Act.
- (B) Section 119 of the Indian Evidence Act.
- (C) Section 120 of the Indian Evidence Act.
- (D) Section 121 of the Indian Evidence Act.

**199. Husband and wife both are competent witness for and against each other**

- (A) in civil proceedings.
- (B) in criminal proceedings.
- (C) in both civil & criminal proceedings.
- (D) neither in civil proceedings nor in criminal proceedings.

**200. A husband or wife is permitted to disclose any communication between them during marriage**

- (A) in civil proceedings between the parties.
- (B) in criminal proceedings between the parties.
- (C) in matrimonial proceedings between the parties.
- (D) All of the above

