

HIMACHAL PRADESH JUDICIARY

LINKING PAPERATHON BOOKLET

Unique Features

- 👍 Subject wise Analysis
- 👍 Weightage Table (Year wise)
- 👍 Linked Provision
- 👍 Linking Explanation
- 👍 Section- Switching Table (Old to New Laws)
- 👍 Video Linked QR Code
- 👍 Exam Coverage (Year 2013-2023)



Scan this QR
to install the
Linking App

©All Rights Reserved

Visit Official Website www.LinkingLaws.com for other Linking Publications or
Install Linking App for E-Access of Linking Study Materials

Himachal Pradesh Paperathon

Covered Last 11 Years



Tansukh Paliwal
CA, LL.M
Ex-officer in State PSU
Founder Linking Laws
Director (Judiciary) Unacademy



Linking Publication

Jodhpur, Rajasthan

HPJS PAPERATHON

INDEX		
Sr. No.	SUBJECTS	PAGE NO.
i.	Syllabus	3-4
ii.	Analysis Table	6
	CIVIL PAPER I	
1.	Code of Civil Procedure, 1908	7-29
2.	Indian Evidence Act, 1872	30-50
3.	Specific Relief Act, 1963	51-59
4.	Himachal Pradesh Court Act, 1976	60-63
5.	Himachal Pradesh Stamp Act / Indian Stamp Act	64-72
	CIVIL PAPER II	
6.	Indian Contract Act, 1872	74-88
7.	Limitation Act, 1963	89-100
8.	Transfer of Property Act, 1882	101-113
9.	Hindu Law	114-127
10.	H.P. Urban Rent Control Act	128-141
	CRIMINAL PAPER	
11.	Indian Penal Code, 1860	142-161
12.	Code of Criminal Procedure, 1973	162-178
13.	N.I. Act (Chapter 17)	179-185
14.	Wild Life Protection Act	186-192
15.	Indian Forest Act	193-199
16.	H.P. Excise Act, 2011 / Punjab Excise Act	200-206
17.	Module on judicial Sensitivity to Sexual Offences	207-210

Note : The above index contain the various subjects of laws as per latest syllabus for Himachal Pradesh Judiciary Prelim/mains Examination

Disclaimer: All efforts have been made to assure accuracy of the answer given and explanation provided. However, any Bonafede or unintentional error or mistake as to typing, printing or otherwise will not entitled any reader of the book for any kind of damages or compensation whatsoever.

HPJS PAPERATHON

Analysis Table (HPJS 2013-2023 Years Previous Papers)									
Sr. No.	SUBJECTS	Totoal Questions no, (in %)							
		2013	2015	2016	2018	2019	2023	Total No. of Q.	Average of Last Six HPJS Exams (%)
	CIVIL PAPER I								
1.	Code of Civil Procedure, 1908	16	16	16	22	21	21	112	12.44
2.	Indian Evidence Act, 1872	16	16	16	13	19	19	99	11
3.	Specific Relief Act, 1963	8	8	8	6	5	7	42	4.66
4.	Himachal Pradesh Court Act,1976	2	2	2	3	2	2	13	1.44
5.	Himachal Pradesh Stamp Act /Indian Stamp Act	8	8	8	6	3	1	34	3.77
	CIVIL PAPER II								
1.	Indian Contract Act, 1872	10	12	10	10	11	10	63	7
2.	Limitation Act, 1963	10	9	10	10	9	10	58	6.44
3.	Transfer of Property Act, 1882	10	6	10	10	10	10	56	6.22
4.	Hindu Law	10	11	10	10	10	10	61	6.77
5.	H.P. Urban Rent Control Act	10	12	10	10	10	10	62	6.88
	CRIMINAL PAPER III								
1.	Indian Penal Code,1860	15	20	20	15	15	9	94	10.44
2.	Code of Criminal Procedure, 1973	15	10	10	15	15	16	81	9
3.	N.I. Act (Chapter 17)	5	5	5	5	5	4	29	3.22
4.	Wild Life Protection Act	5	5	5	5	5	2	27	3
5.	Indian Forest Act	5	5	5	5	5	2	27	3
6.	H.P. Excise Act,2011 / Punjab Excise Act	5	5	5	5	5	4	29	3.22
7.	Module on judicial Sensitivity to Sexual Offences	-	-	-	-	-	13	13	1.44
Total		150	150	150	150	150	150	900	100%

Code of Civil Procedure, 1908

Year- Wise Weightage Analysis

Year	Question No.	Total No. of Questions	Weightage (%)
2013	31 - 46	16	10.66%
2015	15 - 30	16	10.66%
2016	31 - 46	16	10.66%
2018	1, 8- 28	22	14.66%
2019	1 - 21	21	14%
2023	13-33	21	14%
Total		112	12.44%

Linking Laws
"Link the Life with Law"
 All Judiciary Exam

**Scan this QR code for watching video solution of
HPJS Paperathon**



HPJS PAPERATHON
Code of Civil Procedure, 1908

2013

31. Which of the following is not a suit of civil nature?

- (A) suit relating to right of worship
- (B) suit relating to taking out of religious procession
- (C) suit against expulsions from caste
- (D) suit for right to hereditary office

Ans [C]

Linked Provisions:- Sec.9 L/w Sec.15-21 CPC.

1. Ubi jus ibi remedium – 'where there is a right, there is a remedy'.

Explanation:- In the suit, if the principal question relates to the determination of a civil right, then the suit is of a civil nature. The expression suit of civil nature covers the private rights and obligations of a citizen. If the principal question relates to caste or religion, it is not a suit of civil nature. Section 9 of CPC deals with the jurisdiction of civil courts to try cases of civil nature.

32. Preliminary decree can be passed in a suit for:

- (A) pre-emption
- (B) sale of mortgaged property
- (C) redemption of a mortgage
- (D) all of the above

Ans [D]

Linked Provisions:-

1. Section 2(2) – Decree.
2. Section 33 – Decree and Judgment.
3. Order 20 Rule 12,13, 15,16,18,- Preliminary decree.

Explanation:- A preliminary decree refers to a decision that court makes before the parties, conclusive rights have been established when it is unable to grant them the final decree. The following circumstances are ensured by the CPC in which the preliminary decree may be issued:

1. Order 20, Rule 12 – Suits for possession and mesne profit.
2. Order 20, Rule 13 – Administration suit.
3. Order 20, Rule 14 – Suits of pre-emption.
4. Order 20, Rule 18 – Suit for partition and separate possession.
5. Order 34, Rule 2 – Suits related to the foreclosure of a mortgage.
6. Order 34, Rule 4 – Suits for the sale of the mortgaged property.

33. Decision which is not a decree?

- (A) order of abatement of suit
- (B) dismissal of appeal as time barred
- (C) order granting interim relief
- (D) rejection of plaint for non-payment of court fee

Ans [C]

Linked Provisions:-

1. Order 39 – Temporary injunction and Interlocutory orders.

2. Order 20 Rule 12,13, 15,16,18,- Preliminary decree.

Explanation:- The term "decree" is defined under Section 2 (2) of the Code of Civil Procedure (1908), as it is the formal expression of an adjudication of dispute by the civil court that conclusively determines the rights of parties with regard to all or any matters in controversy in the civil suit.

Interlocutory orders on matters of procedure which do not decide the substantive rights of the parties are not decrees. Decree must be conclusive in nature.

34. In the case of 'res sub judice' under Section 10 of the Code of Civil Procedure, the court can:

- (A) pass interim orders
- (B) grant of injunction
- (C) appoint a receiver
- (D) all of the above

Ans [D]

Linked Provisions:-

1. Section 52 of TPA – Lis pendens.
2. Section 11 – Res-judicata.

Explanation:- Section 10 of the Civil Procedural Code, 1908 deals with the conditions required to apply the principle of res sub judice. The doctrine of res sub judice aims to stay the proceedings when two or more cases are filed in the same court between the same parties. An order of stay under Section 10 does not take away the power of the court to pass interim orders. Therefore, the courts can pass such interim orders as it thinks fit like appoint a receiver, injunction etc.

35. 'Res judicata' does not apply to:

- (A) between co-plaintiffs
- (B) between co-defendants
- (C) public interest litigation
- (D) writ of habeas corpus

Ans [D]

Linked Provisions:-

1. Section 11 – Res-judicata.
2. Article 32 of COI – Writ petition to Supreme Court.
3. Article 226 of COI – Writ petition to High Court.
4. Section 97 of CrPC – Mini Habeas corpus.

Explanation:- The general principle of res judicata applies even to writ petitions filed under Article 32 or Article 226 of the Indian Constitution. The only exception is the Habeas corpus. The writ of Habeas Corpus is an issue against the unlawful confinement of any individual. It is immune from the rule of res judicata, which gives that issue once chosen or declined on merits cannot be re-agitated in the equivalent or any court.

36. Who is not a legal representative?

- (A) Executor
- (B) Reversioner

HPJS PAPERATHON
Code of Civil Procedure, 1908

- (C) Trespasser
(D) Hindu coparcener

Ans [C]

Linked Provisions:-

1. Section 50 – Legal representative.
2. Section 52 – Enforcement of the decree against the legal representative.

Explanation:- A legal representative is a person who acts in the place of another and represents their interests. Section 2(11) of the Civil Procedure Code of 1908 deals with the definition of Legal Representative which says that the Legal representative is any person who has been given the authority to act in charge of the person who is deceased and also has to act as the representative in the matters of estate.

37. Under Section 2(9) of the Code of Civil Procedure 'Judgement' means:

- (A) decree
(B) order
(C) statement of grounds of a decree or order
(D) decree and order

Ans [C]

Linked Provisions:-

1. Section 33 – Judgment and decree.
2. Order 20 – Judgment and decree.
3. Section 353-365 of CrPC – Judgment.

Explanation:- Judgment is defined in section 2(9) of the C.P.C. which says judgment is the statement given by the Judge on the grounds of a decree or order. Judgment refers to what the judge writes regarding all the issues in the matter and the decision on each of the issues.

38. A court may issue a commission to:

- (A) Make local investigation
(B) Make partition
(C) Adjust accounts
(D) All of the above

Ans [D]

Linked Provisions:-

1. Order 26 of CPC – Commission.
2. Section 284-290 of CrPC – Issue of Commission.

Explanation:- The purpose of issuing commission by the court is to impart complete justice to the parties to the suit. Section 75 states that Court may issue a commission for any of the following purposes:

1. Examination of witnesses.
2. Perform a local investigation.
3. For adjustment of accounts.
4. To do a partition.
5. To hold investigation.
6. For conducting a sale.
7. For the performance of a ministerial act.

39. Which of the following is an incorrect statement?

- (A) In legal set-off the amount claimed must be recoverable at the date of suit, while in the case of counter-claim the amount claimed must be recoverable at the date of written-statement
(B) Set-off cannot exceed plaintiff's claim while the counter-claim can exceed the plaintiff's claim
(C) Set-off cannot exceed the pecuniary jurisdiction of the court while the counter-claim can exceed the pecuniary jurisdiction of the court
(D) Legal set-off must be for an ascertained sum of money while the counter-claim may be for an unascertained sum of money

Ans [C]

Linked Provisions:-

1. Order 20 Rule 19 – Equitable set-off.
2. Section 3 of Limitation Act – Limitation for filing application of set-off or counter-claim.

Explanation:- Order VIII Rule 6 states that Set-off cannot exceed the pecuniary jurisdiction of the court and Order VIII Rule 6A provides that counter-claim shall not exceed the pecuniary jurisdiction of the court.

40. In the Code of Civil Procedure, Section 35B is added by the Amendment Act of 1976 for providing:

- (A) compensatory costs
(B) costs for causing delay
(C) general costs
(D) miscellaneous costs

Ans [B]

Linked Provisions:-

1. Section 35 – costs.
2. Section 35A – Compensatory costs in respect of false or vexatious claims.
3. Section 25(4) – Compensation for frivolous or vexatious application.

Explanation:- By the Amending Act 104 of 1976, Section 35B has been added thereby making a provision in the Code toward costs to the aggrieved party for the delays in the prosecution of the suit caused by its opponent.

41. For an 'interpleader suit' which of the following conditions is not necessary?

- (A) There must be some debt or the property in dispute
(B) Two or more persons claiming the debt or the property in dispute adversely to one another
(C) There must be suit pending wherein the rights of rival claimants for the debt or the property in dispute can be properly adjudicated
(D) All of the above

Ans [C]

Explanation:- Order XXXV and Section 88 of the CPC 1908 deal with the provisions of inter-pleader suit. The main object to filing an interpleader suit is to get

About the Linking App

Linking App Features

Get all E-Book of

- Linking Charts
- Paperation Booklets
- Study Material E-Notes
- Free Video Lectures Links



How to use Linking App

- Register Yourself then Login
- Subscribe to the plan on validity basis (i.e. 1 Month, 6 Months or 12 Months)
- Go to My Courses
- Get access to all Linking Publications

How to download Linking App

You can download Linking App
via Play Store



If you can't find the App on Play Store
Kindly use this QR Code to
download the App.



Tansukh Paliwal





Linking Laws

"Link the Life with Law"

Why Linking Laws?



Scan this QR Code to buy Linking Publications.

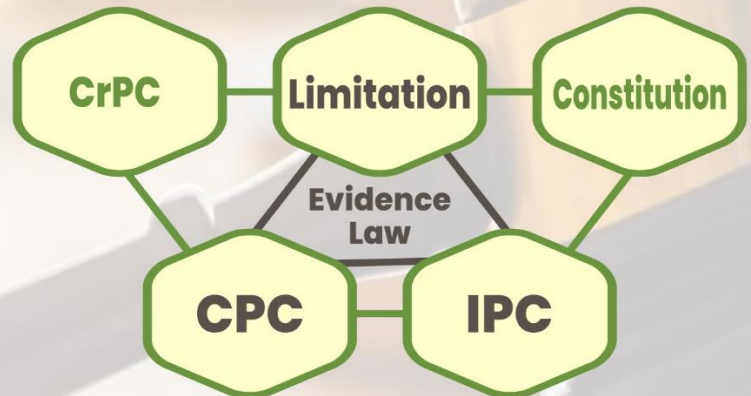
Online Platform For Judiciary Exam Preparation



- Legal Debate Competition.
- Judges / Senior Advocates Interview Session.
- Previous Exam Papers Bird View.
- Test Series (Pre. & Mains)
- Mock Interview & Many More.

INTER LINKING

Section ↔ Section
Chapter ↔ Chapter
Act ↔ Act



Linking Charts

Linking Charts & Paperathon Booklets

now available at



Linking App



Scan this QR to install the Linking App



Major Laws Linking Chart



Alpha Minor Amendment Linking Chart