



Number of Questions: 155

Section Name: Law

Negative Marking – Allow

Test Duration: 2 Hours

1. Which one of the following statements is Correct
 - (a) Preamble of the Constitution is the part of the Constitution and can be amended under Article 368
 - (b) Preamble of the Constitution is not a part of the Constitution and cannot be amended
 - (c) Preamble is the part of the Constitution and can be amended only if no change in the basic structure is made**
 - (d) Preamble can be amended by Parliament simply by an objective resolution.
2. Which one of the following statements is correct
 - (a) The Constitution gives more importance to the society as a whole
 - (b) The Constitution is individual centric or individual oriented
 - (c) The Constitution is social-economic pattern of the society but ignores the individual
 - (d) The Constitution has not ignored individual but has endeavoured to harmonise the individual interest with permanent interest of the community.**
3. The term 'other authorities' as given under Article 12 includes
 - (a) Such bodies as are functioning as agents of the Executive Government only
 - (b) All authorities are created by the Constitution or statute and persons on whom powers are conferred by law**
 - (c) None of the above
 - (d) All of the above.
4. On which date the judgment passed which has changed the 50 years old law of Rent and challenged the doctrine of equality enshrined in Article 14
 - (a) 14th April, 2008
 - (b) 16th April, 2008**
 - (c) 20th April, 2008
 - (d) 2nd April, 2008.
5. Article 19(1)(d) provides right to move freely throughout the territory of India. This right is
 - (a) Subject to reasonable restriction for certain and specific purposes**
 - (b) Absolute and unchallengeable
 - (c) Not subjected to any restriction
 - (d) Guaranteed and any restriction is infringement.
6. Under which one of the following cases the traditional rule of filing petition only by the person aggrieved except in the case of habeas corpus is relaxed
 - (a) Trilokchand Moichand V. H.B. Munshi
 - (b) Loginder Nath v. LIOI
 - (c) Rabindranath Bose V. 1101

(d) **Upendra Baxz' v. State of UP.**

7. In which recent case the meaning and rationale of "preventive detection" is being discussed in the Constitution or statute

(a) **State of Maharashtra v. Bhalurao Runjabrao Gawande**

(b) Rajinder Arora v. Union of India.

(c) Naresh Kumar Goel v. Union of India

(d) A.K. Ray v. Union of India.

8. The term 'State' in connection with the Directive Principles

(a) Has a meaning given to it in reference to fundamental rights

(b) **Means only Union and State Legislature**

(c) Means all three organs of the Government

(d) Means the same thing as in connection with the fundamental rights.

9. Assertion (A): Directive Principles are relevant for determining the reasonableness of restrictions under Article 19.

Reason (R): Directive Principles have been declared superior to Fundamental Rights

(a) Both A and R are correct and R is correct explanation of A

(b) Both A and R are correct and R is not correct explanation of A

(c) A is true but R is false

(d) **A is false but R is true.**

10. The Legal power or position of the President of India is

(a) **The same as in the English Constitution**

(b) Like the President of America

(c) Like the Administrator of Sikkim

(d) Like that of Chief Justice of Supreme Court.

11. Propositions under Evidence Act are

i. Statement is a genus, admission is a species & confession is sub species.

ii. Statement & admission are species & confession is a sub species.

iii. Statement & admission are genus confession is a species.

In this context which of the following correct

(a) **I is correct, II & III are incorrect**

(b) I & II are correct & III is incorrect

(c) II & III are correct & I is incorrect

(d) III is correct & I & II are incorrect.

12. Which of the following admission is no evidence?

(a) An admission by one of the several defendants in a suit against another defendant

(b) An admission by a guardian *ad litem* against a minor

(c) An admission by one of the partners of a firm against the firm or other partners

(d) **Only (a) & (b).**

13. A dying declaration.

(a) **Can form the sole basis of conviction without any corroboration by independent evidence**

(b) Can form the basis of conviction only on corroboration by independent witness

(c) Cannot form the sole basis of conviction unless corroborated by independent witness

(d) Only (b) & (c) are correct.

14. A disputed handwriting can be proved.

(a) By calling an expert

(b) By examining a person acquainted with the handwriting of the writer of the questioned document

(c) By comparison of the two-admitted & disputed handwriting

- (d) All the above.**
15. Section 88A of Evidence Act provides for.
(a) Presumption as to the electronic message forwarded corresponds with the message as fed in the computer
(b) Presumption as to the person by whom the message is sent
(c) Both (a) & (b)
(d) Only (b) but not (a).
16. Section 91 of Evidence Act.
(a) Prohibits admission of oral evidence as to the existence or non-existence of a factum
(b) Permits admission of oral evidence as to the existence or non-existence of a factum but prohibits admission of oral evidence of the terms of that factum, if in existence
(c) Prohibits admission of oral evidence as to the existence or non-existence of a factum and also the terms of the factum if in existence.
(d) None of the above
17. Which of the following is true as to the standard of proof in criminal & civil proceedings?
(a) In criminal proceedings the standard is beyond reasonable doubt and also in civil proceedings
(b) In criminal proceedings the stand is beyond reasonable doubt while in civil proceedings it is upon the balance of probabilities
(c) In criminal & civil proceedings both it is 'upon the balance of probabilities
(d) In criminal proceedings it is upon the balance of probabilities while in civil beyond reasonable doubt.
18. In cases a child is born within 280 days of dissolution of marriage, the mother remaining unmarried the presumption of legitimacy of child under section 112 of Evidence Act arises.
(a) If the father alive on the day the child is born
(b) If the father is not alive on the day the child is born
(c) Irrespective of whether the father is alive or dead on the day the child is born
(d) Either in (a) or (b).
19. Admissibility of the evidence under section 122 of Evidence Act has to be adjudged.
(a) In the light of the status on the date when the communication was made
(b) In the light of the status, on the date when the communication is sought to be tendered in court
(c) In the light of the status, on the date when the evidence is to be given in the court
(d) Either (a) or (b) or (c).
20. Questions as to admissibility of evidence.
(a) Should be decided as they arise
(b) Should be reserved until judgment
(c) May be decided as they arise or may be reserved until judgment
(d) Either (b) or (c).
21. In matters of condonation of delay under section 5, Limitation Act the Government, has to be accorded
(a) Treatment similar to a private citizen and no latitude is permissible
(b) Treatment stricter than a private citizen as the Government is supposed to act in a more responsible manner
(c) Treatment similar to a private citizen, however, certain amount of latitude is not impermissible
(d) Either (a) or (b).
22. An application for condonation of delay under section 5, Limitation Act
(a) Has to be considered by the court on merits and order has to be passed with reasons
(b) Has to be considered by the courts on merits-however, the order need not be passed with reasons
(c) Has to be considered by the court on merits-however, the order may not be passed with reasons

- (d) Has to be considered by the court on merits-however, it is discretionary for the court to pass order with or without reasons.
23. Which is not correct of law of limitation
- (a) Limitation bars the judicial remedies
 - (b) Limitation is negative in its operation
 - (c) Limitation is a procedural law
 - (d) Limitation bars the extra judicial remedies.**
24. Under section 21, qua a defendant a suit is deemed to have been instituted against a newly added defendant
- (a) On the date on which the new defendant is impleaded**
 - (b) On the date on which the suit was initially instituted
 - (c) On the date on which the application for impleading a new defendant is made
 - (d) None of the above.
25. Under section 19, the part payment! Acknowledgement extends the period of limitation
- (a) From the date of expiry of initial period of limitation
 - (b) From the date of payment**
 - (c) From the date of the writing evidencing payment
 - (d) From the date of extended period of limitation.
26. Under section 12(2) of Limitation Act the time taken/elapsed between the date of judgment the date of decree
- (a) Has to be excluded without any application for certified copy having been made during this period**
 - (b) Has to be excluded only if any application for obtaining the certified copy has been made during this period
 - (c) In both (a) & (b)
 - (d) In neither (a) nor (b) nor (c).
27. According to section 27 of CPC summons to the defendant to be served on such date not beyond
- (a) 30 days from the date of institution of suits**
 - (b) 60 days from the date of institution of suits
 - (c) 45 days from the date of institution of suits
 - (d) 90 days from the date of institution of suits
28. If a document, which ought to be produced in the court along with the pleadings, is not produced, under Order VII, Rule 14(3) of CPC, at the hearing of the suit
- (a) The same shall not be received in evidence on behalf of the plaintiff**
 - (b) The same shall not be received in evidence on behalf of the defendant
 - (c) The same shall not be received in evidence on behalf of either party
 - (d) The same shall not be received in evidence on behalf of a third party.
29. Supreme Court in case of *Union of India v. Somasundaram Mills (P) Ltd.* Held that under section 73 of CPC, the debts due to the State
- (a) Stand on equal footing with all other debts
 - (b) Are to be paid only after payment of all other debts
 - (c) Are entitled to priority over all other debts**
 - (d) Either (a) or (b).
30. Under Order VI, Rule 15 of CPC pleading must be verified by
- (a) All the parties
 - (b) Any one of the parties
 - (c) All the parties if there are more than one or any one of the parties**
 - (d) Only (a) & not (b).

31. Copy of the judgment shall be made available to the parties, under Order XX, Rule 1(2) of CPC
- (a) After 7 days from the pronouncement of judgment
 - (b) Immediately after the pronouncement of judgment**
 - (c) After 14 days from the pronouncement of judgment
 - (d) After 21 days from the pronouncement of Judgment
32. Where the plaintiff fails to pay the court fee or postal charges for service of summons of the suit, on the defendant, the suit can be dismissed under
- (a) Order IX, Rule 1 of CPC
 - (b) Order IX, Rule 2 of CPC**
 - (c) Order IX, Rule 3 of CPC
 - (d) Order IX, Rule 8 of CPC.
33. After being proceeded against ex-parte, the defendant is
- (a) Precluded absolutely from participating in any proceeding in the suit
 - (b) At liberty to join the proceedings at the stage where the proceedings are pending**
 - (c) At liberty to join the proceedings and do all the things which it could have done, had he not been proceeded against ex-parte, without getting the ex-parte order set aside
 - (d) Either (a) or (c).
34. Documents which are meant for cross-examining a witness of the other party or meant for refreshing the memory of the witness, may be produced
- (a) At or before the settlement of issues
 - (b) After the settlement of issues
 - (c) At the time when they are required**
 - (d) None of the above.
35. Where a party wishes to appear as a witness, as a general rule
- (a) The party shall appear as a witness after all other witnesses are examined
 - (b) The party shall appear first before any witness on his behalf has been examined**
 - (c) The party has the discretion to appear either before or after examination of other witnesses
 - (d) As directed by the court.
36. A decree can be transferred for execution another court
- (a) If the judgment debtor actually voluntarily resides or carries on businesses or personally works for gain, within local limits of that other court
 - (b) If the judgment debtor does not sufficient property to satisfy the decree within the local limits of the court, passing the decree and has property within local limits of that other court
 - (c) If the decree directs sale or delivery immovable property situate outside the jurisdiction of the court passing the decree
 - (d) All the above.**
37. In the prosecution for an offence punishable under section 175, I.P.C for non-compliance/disobedience of the summon/issued under section 91 of CrPC.
- (a) The accused cannot take the defense that the document (s)/thing ordered to be produced is not necessary or desirable for the investigation, inquiry or trial.
 - (b) The accused can take the defense that the document(s)thing ordered to be produced is not necessary or desirable for the investigation, inquiry or trial**
 - (c) The accused cannot question the necessity or desirability of the document (s)/thing ordered to be produced, for the investigation, inquiry or trial
 - (d) The accused cannot be permitted to take the defense that the document(s)/thing ordered to be produced is not necessary or desirable for the investigation, inquiry or trial, as the necessity or desirability already stand adjudged before the issuance of summon to produce the document (s)/thing.

38. Where a Magistrate, not empowered by law to issue a search warrant for a place suspected to contain stolen property, erroneously issue a search warrant.
- (a) The search proceeding shall be void & liable to be set aside
 - (b) The search proceeding shall not be void & not liable to be set aside
 - (c) The search proceeding shall be set aside only if challenged by any person aggrieved by the search
 - (d) Either (a) or (c).**
39. A statement of a witness recorded under section 161 of CrPC, in writing during investigation and is signed by the person making the statement is hit by.
- (a) Section 161 (2) of CrPC
 - (b) Section 161 (3) of CrPC
 - (c) Section 161 (1) of CrPC**
 - (d) Section 162 (2) of CrPC
40. The confession of an accused or the statement of a witness, under section 164 of CrPC, may be recorded.
- (a) Before the beginning of the investigation
 - (b) In the course of investigation only
 - (c) In the course of investigation or at any time afterwards before the commencement of inquiry or trial**
 - (d) In the course of investigation or at any time afterwards during the inquiry but before the commencement of trial.
41. Section 463 of CrPC permits.
- (a) Oral evidence by the Magistrate of the confession made to him
 - (b) Oral evidence to prove that the procedure laid down under section 164, CrPC had actually been followed, where the record, which ought to show that, does not do so**
 - (c) Both (a) & (b)
 - (d) Neither (a) nor (b)
42. Continuation of investigation, in a summons case triable by a Magistrate, beyond the period of six months, from the date of arrest of the accused, without the previous permission of the Magistrate.
- (a) Shall render the entire investigation vitiated bad and the accused liable to be discharged
 - (b) Shall not render the entire investigation bad but the accused is liable to be discharged
 - (c) Shall not render the entire investigation bad, but the prosecution cannot rely on the investigation so carried out and the evidence so collected shall not be admissible**
 - (d) Either (a) or (b).
43. Amount of maintenance under section 125 of CrPC is.
- (a) Limited to Rs. 500 per month
 - (b) Limited to Rs. 1000 per month
 - (c) Limited to Rs 5000 per month
 - (d) Without any limit.**
44. At time of taking cognizance the Magistrate is to see.
- (a) Whether there are sufficient ground on record to proceed against the accused person**
 - (b) Whether there is a prima facie case against the accused person to frame the charge
 - (c) Sift or appreciate the evidence with reference to the material and come to the conclusion whether prima facie case is made out against the accused
 - (d) All of the above
45. In a complaint disclosing commission of offence triable by a Magistrate.
- (a) It is necessary to examine the complainant and all the other witnesses on oath
 - (b) It is not necessary to examine the complainant and all the other witnesses
 - (c) It is necessary to examine the complainant on oath & it is not necessary to examine all the other witnesses**

- (d) Both (a) & (c).
46. In a non-bailable offence triable by a Magistrate application for bail under section 437 of CrPC can be moved before the Court of.
- (a) Magistrate competent to try & entertain the case
 - (b) Chief judicial Magistrate or additional Chief judicial Magistrate
 - (c) Court of Sessions
 - (d) **Only (a) & (c).**
47. Right to private defense under section 99.
- (a) Extends to causing more harm than is necessary for the purpose of defense
 - (b) **Does not extend to causing more harm than is necessary for the purpose of defense**
 - (c) Does not extend to causing the harm necessary for the purpose of defense
 - (d) Restricts the harm caused to be less than the one necessary for the purpose of defense.
48. If the act abetted is committed in consequence, the abettor is punishable with punishment provided for the offence.
- (a) If the offence committed is the same as abetted
 - (b) If the offence committed is different from the one abetted, for the offence committed
 - (c) If the doer commits the offence with
 - (d) **All the above.**
49. For application of section 149 of IPC.
- (a) A Person should be a member of the unlawful assembly and should actively participate in the commission of offence
 - (b) **A person should be a member of unlawful assembly but need not necessarily participate himself in the commission of the offence**
 - (c) The not be a member of unlawful assembly but must share a common intention to commit the offence
 - (d) Need not be a member of unlawful assembly but must participate in the commission of offence.
50. Culpable homicide is not murder, if it is committed under.
- (a) Exercise of right of private defense being in good faith
 - (b) Without premeditation in a sudden fight in the heat of passion upon a sudden quarrel
 - (c) Grave & sudden provocation
 - (d) **All the above.**
51. Wrongful restraint has been defined under.
- (a) **Section 339 of IPC**
 - (b) Section 340 of IPC
 - (c) Section 341 of IPC
 - (d) Section 342 of IPC.
52. X, a police officer, has a warrant of arrest for Y. He asks Z as to the identity of Y. Z knowingly tells X that M is Y and consequently X arrests M.
- (a) **Z is guilty of abetment by instigation**
 - (b) Z is guilty of abetment by aiding
 - (c) Z is guilty of abetment by false representation
 - (d) Z is guilty of abetment of any kind only of mischief.
53. A boy over 11 years but below 12 years of age picked up a knife and proceeded towards with a threatening gesture saying that he would cut him into pieces actually stabs him to death.
- (a) The boy will not be guilty, as a child under 12 years of age cannot be guilty of an offence
 - (b) **The boy will be guilty because he had attained maturity of understanding to judge the nature and consequence of his conduct of mind and the act concurred in this case**

- (c) The boy will not be guilty of murder
(d) The boy will not be guilty of murder as he had not attained sufficient maturity of understanding to judge the nature and consequence of his conduct.
54. In which of the following cases the Supreme Court held that "Doctors cannot be held guilty only because something has gone wrong.
(a) Maniben v. State of Gujrat, AIR 2010 SC 1261
(b) Southern Railway officer v. Union of India, AIR 2010 SC 1241
(c) Tameswar v. Ramvishal, AIR 2010 SC 1209
(d) Malaya Kumar Ganguly v. Sukumar, AIR 2010 SC 1162.
55. The Committee which led to the passing the Criminal Law (Amendment) Act, 2013 was headed by.
(a) Justice Dalveer Bhandari
(b) Justice Altamas Kabir
(c) Justice J.S Verma
(d) Justice A.S Anand.
56. In the light of the Criminal Law following statement (s) Is/are incorrect.
(a) The word rape in section 375 of Indian Penal Code, 1860 has been replaced with "sexual assault"
(b) Rape is now a gender-neutral offence.
(c) The Amendment has fixed the age for consensual sex as 16 years
(d) All the above.
57. Communication of acceptance is complete as against the acceptor.
(a) **When it comes to the knowledge of the proposer**
(b) When it is put in the course of transmission
(c) When it is communicated to the acceptor that the acceptance has reached the proposer
(d) When the proposer conveys the acceptance to the acceptor.
58. Consent under section 13 means.
(a) **Agreeing on the same thing in the same sense**
(b) Agreeing on the same thing at the same time
(c) Agreeing on the same thing at different time
(d) Agreeing on different things at different times.
59. An agreement to refer the dispute to the arbitrator is valid.
(a) In respect of disputes already arisen
(b) In respect of disputes which may arise in future
(c) Both (a) & (b)
(d) Neither (a) nor (b).
60. A contingent contract based on the specified uncertain event happening within a fixed time under section 35.
(a) Remains valid even if the even does not happen within that fixed time
(b) Becomes void at the expiration of the time fixed
(c) Becomes void if the happening of that event becomes impossible before the expiry of time fixed
(d) Both (b) & (c).
61. Where one of the joint promisors makes a default in contribution of performance.
(a) The other joint promisors have no right against the defaulter
(b) Have to bear the loss in equal share
(c) Not supposed to bear the loss
(d) The contract becomes void to that extent.

62. 'X' agreed to supply 100 tons of iron at Rs. 20 per ton to 'Y' to be delivered not later than 31-1-2002. 'X' also entered into a contract with 'A' for purchase of 1000 tons of iron at Rs. 80 per ton telling 'A' clearly that the iron is needed before 31-1-2002 for supply to 'Y' to fulfil the contract with Y. 'A' failed to supply the iron to 'X' who in turn failed to supply the same to 'Y' In an action by 'X' against 'A'
- (a) 'X' can recover damages for the loss of profit at the rate of Rs. 20 per ton i.e the loss of profit
 - (b) X can recover damages for the loss or profit he would have earned by timely supply to 'Y' and also the damage which 'X' might have paid to 'Y' on account of breach of contract**
 - (c) 'X' can recover damages which 'X' might have paid to 'Y' on account of breach of contract
 - (d) X can recover damages in the form of penalty.
63. The further relief under section 34 must be
- (a) The one available as additional on the date of the suit**
 - (b) The one available after the filing of the suit
 - (c) The one available as alternative on the date of the suit
 - (d) The one available as alternative during the pendency of the suit.
64. In which of the following cases, the specific performance of a contract will not be ordered
- (a) Where pecuniary compensation would afford adequate relief
 - (b) Where the acts would require continued supervision by the court
 - (c) Where the contract provides for personal affirmative acts or personal service
 - (d) All the above.**
65. Section 12 of the Specific Relief Act, 1963, permits the grant of specific performance of a part of a contract
- (a) Where the part left unperformed bears only a small portion of the whole in value and admits of compensation in money**
 - (b) Where the part left unperformed is a substantial portion of the whole in value and admits of compensation in money
 - (c) Where the part left unperformed is a small portion of the whole in subject matter and does not admit a compensation in money
 - (d) Both (a) and (b).
66. Dismissal of the suit of the plaintiff seeking injunction by virtue of section 40 of the Specific Relief Act, 1963
- (a) Does not bar the plaintiff to sue for damages for the breach for which the injunction was sought
 - (b) The plaintiff can sue for damages for the breach for which the injunction was sought only with the permission of the court
 - (c) Bars the plaintiff to sue for damages for the breach for which the injunction was sought**
 - (d) Either (b) or (c).
67. In a suit for specific performance is necessary party to proceedings
- (a) Vendors
 - (b) Subsequent purchaser
 - (c) Mortgagee bank**
 - (d) None of the above.
68. Any person suing for the specific performance of a contract for the transfer of immovable property may, in an appropriate case, ask for:
- (a) Possession, or partition and separate possession, of the property, in addition to such performance.
 - (b) Refund of any earnest money or deposit paid or made to him, in case his claim for specific performance is refused.
 - (c) Both (a) and (b).**
 - (d) None of the above.
69. Under section 16 of Transfer of Property Act, 1882 where an interest created for the benefit of a person or class of persons fails then.

(a) Any interest created in the same transaction intended to make effect or upon failure of such prior interest also fails

(b) Any interest created in the same transaction and intended to take effect after or upon failure of such prior interest does not fail

(c) Such failure does not affect

(d) None of the above.

70. Under the provisions of section 35 of the Transfer of Property Act, 1882, where a person professes to transfer property which he has no right to transfer, and as part of the same transaction confers any benefit on the owner of the property then.

(a) Such owner must elect either to confirm such transfer or to dissent from it

(b) Such owner can elect to confirm such transfer only

(c) Such owner can dissent from transfer only

(d) None of the above.

71. Within the provision of section 39 of the Transfer of Property Act, 1882 the Word "Maintenance" covers also residence. This was decided in case of.

(a) Kaveri v. Parameswari, AIR 1971 Ker 216

(b) Ramamurthi v. Kanakarathnam, (1948) Mad 315

(c) Akhoy Kumar v. Corporation of Calcutta, (1915) 42 Cal 625

(d) Maina v. Bachchi, (1906) 26 All 655.

72. Under section 42 of the Transfer of Property Act, 1882 if a person has a right to transfer property, after exercising a right to revoke a previous transfer, a transfer of such property by him will imply an exercise of.

(a) Right of revocation

(b) Right of Transfer

(c) Right of Surrender

(d) None of the above.

73. In case of a transfer hit by the doctrine of *lis pendens*, the question of good faith which is essential to be established before a equitable relief can be granted in favor of a subsequent vendee under in favor of a subsequent vendee under section 41 or 51 of the Transfer of Property Act, 1882 is.

(a) Relevant

(b) Partly relevant

(c) Totally irrelevant

(d) Partly irrelevant.

74. A marriage settlement made to defeat and defraud creditor is voidable under section 53 of the Transfer of Property Act, 1882. This was held in case of.

(a) Sultan Ahmad v. Rashid Ahmad, air 1990 All 47

(b) Vinayak v. Mureshwar, AIR 1956 Punj 46

(c) Alamelu Achie v. Meenakshi, AIR 1960 Mad 536

(d) None of the above.

75. Can the legal representative of a deceased person negotiate a promissory note, bill of exchange or cheque payable to order by delivery only which was indorsed by the deceased but not delivered by him?

(a) Yes, the legal representative can negotiate the instrument by delivery only

(b) No, the legal representative can not negotiable an instrument by delivery only. He must re-indorse and deliver the instrument for negotiating it

(c) An instrument indorsed by a deceased person has no legal validity and is void

(d) None of the above.

76. Under section 76(b) of the Negotiable Instruments Act, 1881, the engagement to pay must have been entered into

(a) At maturity (Mehtar v. Hari Gaur, AIR 1935 Lab 666)

- (b) After maturity (Sivaram V. Iyaram, AIR 1960 Mad 297 (DB))
(c) Prior to maturity (Thakur Din v. Oudh Commercial Bank Ltd., AIR 1999 Oudh 16)
(d) None of the above.
77. Chapter XVII was inserted into the Negotiable Instruments Act, 1881, by amendment of the Act in the year
(a) 1888
(b) 1988
(c) 1998
(d) None of the above.
78. Cognizance of an offence under section 138 can be taken by a court only on a/an
(a) Police report (section 142)
(b) Complaint (section 142)
(c) Application to the District Judge (section 142)
(d) None of the above.
79. Under Negotiable Instrument Act, 1881 an instrument in writing containing an unconditional order signed by the maker, to pay a certain sum of money only to, or to the order of, a certain person or to the bearer of the instrument is a
(a) Promissory Note
(b) Bill of Exchange
(c) Currency Note
(d) Truncated Cheque
80. As per the provision of section 93, when a cheque is dishonoured by non-acceptance or non-payment the holder
(a) May or may not give notice to the parties whom the holder seeks to make liable thereon
(b) Must give notice to the parties whom the holder seeks to make
(c) Must give notice to the parties whom the holder seeks to make liable, but after notifying
(d) Must not give any notice to anyone.
81. "No member of Parliament shall be liable to any proceedings in any court in respect of anything said or any vote given by him in Parliament or any committee thereof, and no person shall be so liable in respect of the publication by or under the authority of either House of Parliament of any report, paper, votes or proceedings". The statement is
(a) True (b) False (c) Partly correct (d) None of the above
82. The members of State Public Service Commission are appointed and suspended by the "
(a) President **(b) Governor**
(c) President and Governor respectively (d) Governor and President respectively
83. Who is the Chairman of National Water Resource Council?
(a) The President of India (b) The Home Minister of India
(c) The Prime Minister of India (d) The Vice-President of India
84. Judicial review means
(a) The power of the courts to examine the constitutionality of legislation and executive acts
(b) Power of the Supreme Court to examine the decisions of the High Courts
(c) Power of courts to punish for their contempt
(d) Power to entertain public interest litigation
85. According to Article 74(2) of the Constitution, which of the following statements relating to the question whether any, and if so what, advice was tendered by Ministers to the President would be correct?
(a) It shall not be inquired into in any court
(b) It can be inquired into the Supreme Court

- (c) It can be inquired into in all courts
 (d) It cannot be inquired into in the High Courts
86. In the questions given below are two statements labeled as Assertion (A) and Reason (R). In the context two statements, which of the following is correct?
 Assertion (A) : Provisions of the Indian Evidence Act are not applicable to the proceedings before a Commission of Inquiry.
 Reason (R) : The proceedings before a Commission of Inquiry constituted under the Commission of Inquiry Act, 1952. Are not judicial proceedings.
(a) Both A and R are true and R is the correct explanation of A
 (b) Both A and R are true but R is not the correct explanation of A
 (c) A is true but R is false
 (d) A is false but R is true
87. In relation to the expressions defined in section 3 of the Indian Evidence Act, which of the following statements is not correct?
 (a) Facts include not only physical facts but also psychological facts.
(b) Court includes arbitrators
 (c) An Inscription on a stone is a document.
 (d) A fact is said to be not proved when it is neither proved nor disproved.
88. Which of the following sections of the Indian Evidence Act deals with the relevancy of judgments of courts?
(a) Sections 40-44 (b) Sections 45-51
 (c) Sections 52-55 (d) Sections 56-58
89. In the question given below are two statements labeled as Assertion (A) and Reason (R). In the context of the two statements, which of the following is correct?
 Assertion (A): There is no difference between the mode of proof of the offence of conspiracy and that of any other offence.
 Reason (R) : In most cases it will be difficult to get direct evidence of the agreement, but a conspiracy can be inferred even from circumstances giving rise to a conclusive or irresistible inference of an agreement between two or more persons to commit an offence.
(a) Both A and R are true and R is the correct explanation of A
 (b) Both A and R are true but R is not the correct explanation of A
 (c) A is true but R is false
 (d) A is false but R is true
90. In the questions given below are two statements labeled as Assertion (A) and Reason (R) . In the context of the two statements, which of the following is correct?
 Assertion (A) : The Indian Evidence Act is not exhaustive of the rules of evidence
 Reason (R) : There are special rules of evidence contained in special statutes.
(a) Both A and R are true and R is the correct explanation of A
 (b) Both A and R are true but R is not the correct explanation of A
 (c) A is true but R is false
 (d) A is false but R is true
91. Every suit instituted, appeal preferred, and application made after the prescribed period shall be dismissed
 (a) If limitation has been set up as a defense
 (b) If limitation is pleaded at any time
(c) Although limitation has not been set up as defense
 (d) None of the above
92. For the purpose of the Limitation Act, 1963, which of the following claim/s shall be treated as a separate suit?
 (a) Set off (b) Counter claim **(c) Both (a) and (b)** (d) None of the above

93. Which of the following sections of the Limitation Act, 1963 deals with 'extension of prescribed period in certain cases'?
- (a) 2 (b) 3 (c) 4 (d) **5**
94. Extended period of limitation cannot stretch beyond years from the cessation of disability
- (a) 2 (b) **3** (c) 5 (d) 6
95. For the purpose of the limitation Act, 1963. a suit shall be deemed to have been instituted in the case of a counter claim, on the date on which the counter claim is made in court. The statement is
- (a) **True** (b) False (c) Partly Correct (d) None of the above
96. In which of the following cases the Supreme Court held that amendments made by the High Courts in the first schedule also form part of the code of Civil Procedure as if enacted in the Code ?
- (a) *Sudhir v A Sajeev* (b) *Prem lal v Chandi Prasad*
 (c) ***State of UP v Chandra Bhushan*** (d) None of the above
97. Decree can be
- (a) Preliminary (b) Final
 (c) Partly preliminary and partly final (d) **All of the above**
98. Decree shall be deemed to include rejection of a plaint and the determination of any Question within Section 144 of the Code of Civil Procedure
- (a) Wrong
 (b) **Right**
 (c) It includes rejection of plaint but does not includes the determination of any question within Section 144 of the Code of Civil Procedure
 (d) It includes determination of any question within section 144 but shall not include the rejection of a plaint
99. In *Phoolchand v Gopal lal* the Supreme Court held that 'nothing in the Code prohibits passing of more than one preliminary decree in a suit'. But it confined the judgment applicable to
- (a) **Partition suits only** (b) Suits for pre-emption only
 (c) Administration suits only (d) None of the above
100. 'Judgment Debtor' is defined under of the Code of Civil Procedure, 1908.
- (a) Section 2(6) (b) section 2(4) (c) **Section 2(10)** (d) Section 2(2)
101. In which of the following cases. Constitution Bench of the Supreme Court delivered the judgment resolving the conflict between many two and three Judge Benches of the Supreme Court and various High Courts regarding the scope and ambit y^ of powers of the Criminal Court regarding adding additional accused in a criminal case?
- (a) ***Hardeep Singh v Slate of Punjab*** (b) *Mohd. Shafi v Mohd. Rafiq*
 (c) *Ranjit Singh v Slate of Punjab* (d) None of the above
102. If the offence was committed outside the limit of a police station, the officer-in-charge of the police station can transmit the FIR to the police station having such territorial jurisdiction.
- (a) **True** (b) False (c) Partly Correct (d) None of the above
103. X is arrested for an offence under the Bombay Prevention Gambling Act, which is bailable and cognizable. The sub-inspector did not release him on bail on the ground that under a circular order issued by the District Superintendent of police. the persons arrested under the above statute should be produced before the nearest magistrate The action is
- (a) Legal (b) **Illegal** (c) Improper (d) Irregular

104. Executive magistrates are appointed under section.....of the Code of Criminal Procedure, 1973.
(a) **Section 20** (b) Section 18 (c) Section 14 (d) Section 15
105. Under the newly added proviso to section 24(8) of the Code of Criminal Procedure. 1973.
(a) The court may permit the victim to engage an advocate of his choice to conduct the prosecution.
(b) **The court may permit the victim to engage an advocate of his choice to assist the prosecution.**
(c) The court may permit the victim to engage an advocate of the court's choice to assist the prosecution.
(d) None of the above
106. Who among the following was a member of the law commission headed by Lord Macaulay which drafted the Indian Penal Code,1860?
(a) F Millet (b) GW Anderson (c) JM Macleod (d) **All of the above**
107. In a criminal action, the general conditions of penal liabilities are indicated in the old maxim
(a) *Sequi debet potentia justitiam, non praecedere*
(b) *Vigilantibus non dormientibus jura subvenient*
(c) *Volenti non fit injuria*
(d) **Actus non facit reum nisi mens sit rea**
108. A suffering somnambulism, steps on B. who was sleeping on the floor and hurts him, here
(a) A is liable
(b) **A is not liable because his actions were not conscious or wilful**
(c) Depends
(d) None of the above
109. The minority judgment (Justice Subba Rao) in *Slate of Maharashtra v M H George* AIR 1965 SC 722 is followed by holding that '*mens rea* by necessary implication may be excluded from a statute only where it is absolutely clear that the implementation of the object of the statute would otherwise be defeated' in a later judgment in the case of
(a) **Nathulal v State of MP**
(b) *Kehar Singh v Delhi Administration*
(c) *Sanjay Dath v Union of India*
(d) None of the above
110. Section 3 of the Indian Penal Code 1860, deals with.....
(a) Punishment of offences committed tied within India
(b) **Punishment of offences committed beyond, but which by law may be tried within India**
(c) Extension of Code to extraterritorial offences
(d) None of the above
111. Which one of the following constitutes an offer in a self-service store?
(a) Display of goods at the shop window
(b) When the customer asks for some goods
(c) There is no offer in such cases
(d) **Picking up an article and approaching the cashier's desk for payment.**
112. Past consideration means
(a) The price received in the past without making even a proposal of any sort
(b) The price which is more than the promisor expected
(c) **The price or service rendered at the desire or request of the promisor in the past followed by a subsequent promise**
(d) None of these
113. In *Lalman Shukla v Gauri Dutt* it was held that

- (a) Acceptance can be given without knowledge of the offer
(b) Acceptance cannot be given without knowledge of the offer
(c) Acceptance can be given with or without knowledge of the offer
(d) None of the above
114. A letter of acceptance communicated by post is lost in transit
(a) There is no contract as the acceptance has not come to the knowledge of the proposer
(b) There is no contract as the acceptance is not communicated
(c) There is a contract as the letter of acceptance is put in the course of transmission
(d) None of the above
115. Which one of the following statement about a valid acceptance of an offer is not correct?
(a) Acceptance should be absolute and unqualified
(b) Acceptance should be in the prescribed manner
(c) Acceptance should be made while the offer is subsisting.
(d) Acceptance should in all cases be through registered post.
116. In a suit for specific performance of contract can the Court decide whether the sale deed is fraudulent?
(a) Yes **(b) No** (c) Depends (d) None of the above
117. A person claiming title to suit property also set up a plea of adverse possession.
(a) Both pleas are alternative and permissible
(b) Both pleas are not alternative and hence permissible
(c) Both pleas are not alternant and hence impermissible
(d) None of the above
118. In which of the following cases did the Supreme Court hold that section 19 of the Specific Relief Act is exhaustive on the question as to who are the parties against whom a contract for specific performance may be enforced?
(a) Kasturi v Iyyamperumal (b) Vaidyanadan v Vairavan
(c) ChandRani v Kamal Rani (d) None of the above
119. Which of the following sections of the Specific Relief Act deals with the sort of action known in English law as 'detinue'?
(a) Section 5 (b) Section 6 (c) Section 4 **(d) Sections 7 & 8**
120. In a suit for specific performance of a contract, the plaintiff may also claim compensation for its breach
(a) In addition to such performance
(b) In substitution of. such performance
(c) Either in addition to, or in substitution of, such performance
(d) None of the above
121. To avail the benefit of insurance under section 49 of the Transfer of Property Act, 1882
(a) The insurance certificate is to be transferred
(b) The immovable property alone is to be transferred
(c) The immovable property need not be transferred
(d) Both property and insurance is to be transferred
122. In rules against perpetuity interest can be created by transfer of property
(a) During the life time of living person at the date of transfer and to any minor till the attainment of majority
(b) After the life time of a living person at he date of transfer and to any minor before the attainment of majority
(c) After the life time of a living person and to any period after the attainment of majority of a minor

- (d) None of the above
123. As per section 48 of the Transfer of Property Act, 1882
 (a) Later transfer is subject to the prior transfer
 (b) Prior transfer is subject to the later transfer
 (c) Later transfer and prior transfer exist
 (d) Both do not exist
124. The restrictive enjoyment under section 40 in the Transfer of Property Act, 1882 is the
(a) Enforceability of negative covenant
 (b) Affirmative covenants
 (c) Covenants with additional obligation
 (d) Covenants to create new rights
125. Under section 52 of the Transfer of Property Act, 1882 the suit or proceeding shall be deemed to commence on presentation of the same before
 (a) Any court
(b) Court of competent jurisdiction
 (c) Quasi-judicial body
 (d) Court which lacks jurisdiction due to bonafide mistake
126. Expressions used but not defined in the Indian Partnership Act, 1932 and defined in the shall have the meanings assigned to them in that Act.
(a) The Indian Contract Act, 1872 (b) The Limited Liability Partnership Act, 2008
 (c) The Sale of goods Act, 1930 (d) The Companies Act, 1956
127. The term 'partner is defined in section.....of the Indian Partnership Act, 1932.
 (a) 2 (b) 3 **(c) 4** (d) 5
128. Chapter II of the Indian Partnership Act, 1932 deals with
(a) The nature of partnership (b) Relation of partners to one another
 (c) Relation of partners to third parties (d) Incoming and outgoing partners
129. which of the following statements is/are true?
 (a) The sharing of profits or of gross returns arising from property by persons holding a joint or common interest in that property does not of itself make such persons partners
 (b) The receipt by a person of a share of the profits of a business, or of a payment contingent upon the earning of profits or varying with the profits earned by a business, does not itself make him a partner with the persons carrying on the business
(c) Both (a) and (b)
 (d) None of the above)
130. "The existence of partnership can be inferred from the conduct of the parties. The statement is
(a) True (b) False (c) Partly true (d) None of the above
131. Which of the following is a historic decision which laid down a test for determining the existence of a partnership?
 (a) Alexander v Long **(b) Cox v Hickman** (c) Smith v Anderson (d) None of the above
132. Which of the following statement is correct?
 (a) Two Hindu Undivided Families (HUFs) can enter in to a partner ship
(b) Two Kartas can enter into a partnership
 (c) One Hindu Undivided Family (HUF) can enter partnership with another individual
 (d) None of the above

133. Which of the following is not essential for creating a partnership under section 4 of the Indian Partnership Act, 1932?
(a) Sharing of profit **(b) Sharing of losses** (c) Agreement (d) None of the above
134. Which of the following is a leading cases relating to 'partnership at will'?
(a) Champaran Cane Concern v State of Bihar
(b) Karmuthu Thiagarajan Chettiar vE M Muthappa Chettiar
(c) Dulichand v CIT
(d) None of the above
135. Where two or more members of a Hindu Undivided Family (HUF) entered in to a contract with a stranger and started business and agreed to share profits. Merely because two or more persons in the business are also members of a HUF, the partnership cannot be held valid. This is held by the Supreme Court in
(a) Champaran Cane Concern v State of Bihar Sti
(b) CIT v H M and Co
(c) Dulichand v CIT
(d) None of the above
136. Whether a genuine partnership exists between the partners or not, is a
(a) Question of fact (b) Question of law
(c) Mixed question of fact and law (d) Depends
137. Which of the following general duties are incorporated in section 9 of the Indian Partnership Act, 1932?
(a) To be just and faithful to each other
(b) Partners are bound to carry on the business of the firm to greatest common advantage
(c) To render true accounts and full information of all things affecting the firm to any partner, his heir or legal representative
(d) All of the above
138. A contract between the partners may be varied by
(a) Express consent of any of the partners
(b) Implied consent of all the partners
(c) Express consent of all the partners
(d) Either (b) or (c)
139. Section 13 of the Indian Partnership Act, 1932 deals with rights, duty and liabilities of partners. Which of the following is the single duty dealt with in the section?
(a) partner shall indemnify the firm for any loss caused to it by his willful neglect in the Conduct of the business of the firm
(b) Partners are bound to carry on the business of the firm to greatest common advantage
(c) To render true accounts and full information of all things affecting the firm to any partner, his heir or legal representative
(d) None of the above
140. A partner can be convicted under section 409 of the Indian Penal Code on the ground that his failure to account for monies belonging to the firm in which he was a partner, amounts to criminal breach of trust. The statement is
(a) True **(b) False** (c) Partly true to the (d) None of the above
141. Which of the following judgments which held that Indian court's have de jurisdiction over arbitral awards seated outside of India was overruled by the constitution bench of the Supreme Court recently?
(a) Bhatia International v Bulk Trading
(b) Bharat Aluminium Co v Kaiser Aluminium Technical Service
(c) Standard Chartered Bank v HSBC

- (d) None of the above
142. A valid arbitration must be preceded by an arbitration agreement, which should be valid as per the Indian Contract Act, 1872. The statement is
(a) True (b) False (c) Partly Correct (d) None of the above
143. The naming of arbitrator in the arbitration agreement is
(a) Mandatory (b) Not necessary
(c) A condition precedent (d) **None of the above**
144. Which of the following sections of the Code of Civil procedure recommends settlement of disputes through the mechanism of Alternative Dispute Resolution (ADR)?
(a) Section 69 (b) Section 79 (c) **Section 89** (d) Section 99
145. Where there is an arbitration clause in the agreement, it is for the court to refer the parties to arbitration in terms of their arbitration agreement
(a) **Obligatory** (b) Discretionary (c) Directory (d) None of the above
146. Where the clause relating to settlement of disputes, contains words which specifically excludes any of the attributes of an arbitration agreement or contains anything that detracts from an arbitration agreement, it will not be an arbitration agreement. The statement is
(a) **True** (b) False (c) Partly Correcto (d) None of the above
147. Where there is merely a possibility of the parties agreeing to arbitration in future, as contrasted from an obligation to refer disputes to arbitration, there is no valid and binding arbitration agreement. It is so held by the Supreme Court in
(a) **Jagdish Chander v Ramesh Chande** (b) BSNL v Motorola
(c) Standard Chartered Bank v HSBC (d) None of the above
148. Where a party fails to appoint an arbitrator within thirty days from the receipt of a request to do so from the other party in violation of section 11(3) of the Arbitration and Conciliation Act, the appointment shall be made, upon request of a party, by the
(a) High Court (b) Supreme Court (c) **Chief Justice** (d) None of the above
149. Where, under an appointment procedure agreed upon by the parties, a party fails to act as required under that procedure or the parties, or the two appointed arbitrators, fail to reach an agreement expected of them under that procedure; a person, including an institution, fails to perform any function entrusted to him or it under that procedure, a party may request the to take the necessary measure, unless the agreement on the appointment procedure provides other means for securing the appointment.
(a) High Court (b) Supreme Court (c) **Chief Justice** (d) None of the above
150. Can the question of winding up of a company be referred to arbitration?
(a) Yes (b) **No** (c) Depends (d) None of the above
151. If there is a provision for statutory arbitration in legislation, it is deemed to be an arbitration agreement. The statement is
(a) **True** (b) False (c) Partly Correct (d) None of the above
152. The power of the Chief Justice to appoint an arbitral tribunal under section 11 of the Arbitration and Conciliation Act is a
(a) **Judicial power** (b) Administrative power
(c) Quasi-judicial power (d) None of the above
153. The party applying for the enforcement of a foreign award shall, at the time of the application, produces before the court

- (a) The original award or a copy thereof, duly authenticated in the manner required by the law of the country in which it was made;
- (b) The original agreement for arbitration or a duly certified copy thereof; and
- (c) Such evidence as may be necessary to prove that the award is a foreign award.
- (d) All of the above**

154. Can a party resort to arbitration and conciliation proceedings simultaneously?

- (a) Yes**
- (b) No
- (c) Depends
- (d) None of the above

155. The Conciliator is bound by

- (a) The Code of Civil Procedure, 1908
- (b) The Indian Evidence Act, 1872
- (c) Principles of natural justice
- (d) The Code of Criminal Procedure, 1973