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AP HC District Judge

**Previous Year Paper
05 Sept, 2021**





HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

NOTIFICATION

NO.73/2020

dated: 14.09.2021

Ref:- Notification No.73/2020-RC, dated 10.09.2020

It is hereby informed to all the candidates, who have appeared for the Screening Test held on 05.09.2021 for recruitment to three (03) posts of District Judge (Entry Level), notified for the year 2020 issued vide reference cited, that the question paper along with key/answers are uploaded herewith.

Any objection(s) on the key/answer(s) and question(s) shall be sent to the undersigned with supporting documents by Post/Courier on or before 27.09.2021 by 5.00 P.M.

A. Singh Chauhan
14/9/2021
REGISTRAR (RECRUITMENT)

Note: Any objections received after 5.00 p.m. on 27.09.2021 will not be entertained.

HIGH COURT OF ANDHRA PRADESH: AMARAVATI
QUESTION PAPER OF SCREENING TEST WITH KEY FOR
RECRUITMENT TO THE POST OF DISTRICT JUDGE (ENTRY LEVEL)

Date: 05-09-2021

Questions:100

1. The offence of gang rape on woman under sixteen years of age is punishable under-

- A: Section 376-D
- B: Section 376-A
- C: Section 376-C
- D: None of the above

Answer: A

2. A places a man with fire arms at the entrance of a building and tells Z that the armed man will fire at Z, if Z attempts to leave the building. What offence A has committed?

- A: Wrongful Restraint
- B: Wrongful Confinement
- C: Criminal Force
- D: None of the above

Answer: B

3. An officer in-charge of a police station fails to record an information given to him under sub-section (1) of section 154 of Code of Criminal Procedure in relation to an offence under section 376 of IPC. Under which penal provision of Indian Penal Code he shall be punished ?

- A: Section 167
- B: Section 166-A
- C: Section 219
- D: Section 217

Answer: B

4. In case of an offence which is punishable with imprisonment as well as fine, the period of imprisonment in default of payment of fine shall not exceed:

- A: Half of the maximum term of imprisonment provided for the offence
- B: One Fourth of the maximum term of imprisonment provided for the offence
- C: Maximum limit of imprisonment provided for the offence
- D: None of the above.

Answer: B

5. The Supreme Court of India in Rajnesh Vs. Neha on 4.11.2020 laid down comprehensive guidelines regarding_____

- A: Trial of Rape cases
- B: Trial of POCSO cases
- C: Trial of NDPS cases
- D: Trial of Maintenance cases

Answer: D

6. In which case the Supreme Court held that compulsory death sentence for murder committed by a life convict undergoing imprisonment for life (303 IPC) violates Article 21?

- A: Machi Singh Vs State of Punjab
- B: Mithu Vs State of Punjab
- C Inderjeet Vs State of UP
- D None of the above

Answer: B

7. In which case the Supreme Court held that a couple is free to marry irrespective of their caste/religion?

- A: Priya Patel Vs State
- B: Lata Singh Vs State of UP
- C: Rameshwari Devi Vs State of Bihar
- D: None of the above

Answer: B

8. A shakes his fist at Z, intending or knowing it to be likely that he may thereby cause Z to believe that A is about to strike Z, A has committed the following offence of:

- A: Assault
- B: Criminal Force
- C: Hurt
- D: None of the above

Answer: A

9. A child cannot be prosecuted for a crime who is aged -

- A: 6 years
- B: 7 years
- C: 15 years
- D: 18 years

Answer: A

10. Minimum number of persons required to declare an assembly as unlawful assembly under section 141 of Indian Penal Code is-

- A: Five
- B: Seven
- C: Nine
- D: Six

Answer: A

11. Section 89 of Code of Civil Procedure provides for settlement of disputes by referring the matter to,

- A: Arbitration or Conciliation
- B: Fast Track Court
- C: Government Pleader
- D: All the above

Answer: A

12. A suit against the Government cannot be filed before expiry of _____ after notice in writing has been served on the Government?

- A: One month
- B: Two months
- C: 15 days
- D: 90 days

Answer: B

13. A Plaintiff shall be rejected-

- A: If it does not disclose a cause of action
- B: If it is filed in the wrong Court
- C: If proper parties are not added
- D: None of the above

Answer: A

14) The Supreme Court of India in State of Karnataka by Nonavinakere Police Vs. Shivanna on 25.04.2014 issued directions regarding _____

- A: Medical examination of the accused in rape cases
- B: Recording of statement of rape victim under Section 164 of Cr.P.C.
- C: Recording of statement of rape victim under Section 174 of Cr.P.C
- D: Recording of statement of victim of atrocity under Section 174 of Cr.P.C

Answer: B

15. A Decree against the Government can be put into execution if it remains unsatisfied for a period of:

- A: One month
- B: Three months
- C: One year
- D: Six months

Answer: B

16. At what rate default interest is payable under sections 63 and 63A of Transfer of Property Act, 1882:

- A: 6% per annum
- B: 12% per annum
- C: 9% per annum
- D: 8% per annum

Answer: C

17. The effect of rules in the first schedule of the Code of Civil Procedure, 1908 is prescribed under-

- A: Section 123
- B: Section 121
- C: Section 124
- D: Section 54

Answer: B

18. Genuinity of the grounds for resistance (or) obstruction by a stranger to the suit in taking possession of the immovable property by the decree holder must be decided by the executing Court under:

- A: Order XXI Rule 101 of Code of Civil Procedure
- B: Order XXI Rule 35 of Code of Civil Procedure
- C: Section 47 of Code of Civil Procedure
- D: Order XXI Rule 97 of Code of Civil Procedure

Answer: D

19. In the year 2018, a part of Section 377 of IPC was struckdown by the judgment of

- A: Naz Foundation Vs. Government of NCT Delhi
- B: NALSA Vs. Union of India
- C: Navtej Singh Johar Vs. Union of India
- D: Arun Kumar Vs. Inspector General of Rajasthan

Answer: C

20. In the year 2017, Triple Talaq was declared unconstitutional by the Supreme Court in the judgment of

- A: Masoor Ahmed Vs. State (NCT of Delhi)
- B: Shayara Bano Vs. Union of India
- C: Mohd. Ahmed Khan Vs. Shah Bano Begum and ors
- D: Shamin Ara Vs. State of U.P.

Answer: B

21. Which among the following is liable to attachment/ sale in execution of a decree?

- A: Wages of labourers or domestic servants, whether payable in money or in kind
- B: Government securities
- C: Books of account
- D: None of the above

Answer: B

22. Under which provision of the Code of Civil Procedure can an executing Court direct a receiver to be appointed for execution of a prohibitory injunction order at the cost of the judgment debtor?

- A: Order XXI Rule 32
- B: Order XXI Rule 33
- C: Order XXI Rule 34
- D: None of the above

Answer: A

23. A files a suit seeking declaration of title and permanent injunction against B and it is dismissed. If he files a subsequent suit only for permanent injunction against B on the same cause of action in respect of the same schedule property, is the suit barred by Res Judicata?

- A: Yes
- B: No

Answer: A

24. What is the judgement that has been landmark in elections introducing the NOTA concept?

- A: I R Coelho (dead) by LRs Vs. State of Tamil Nadu & Ors., 2007
- B: Kuldip Nayar Vs. Union of India & Ors., 2006
- C: People's Union for Civil Liberties and Anr. Vs. Union of India, 2003
- D: People's Union for Civil Liberties and Anr. Vs. Union of India, 2013

Answer: D

25. Under which Article of the Constitution, the President may promulgate Ordinance?

- A: 121
- B: 123
- C: 124
- D: None of the above

Answer: B

26. Proposal for impeachment of the President of India shall be signed by not less than _____ of the total members of the House of Parliament where it is preferred:

- A: 1/10th
- B: 1/5th
- C: 2/3rd
- D: 1/4th

Answer: C

27. Under Article 356 of the Constitution of India, a proclamation of Emergency to remain operative must be approved within two months by-

- A: Loksabha only
- B: Rajyasabha only
- C: Both the houses of Parliament
- D: Either A or B.

Answer: C

28. Which one of the following fundamental right is available to both citizens and non citizens?

- A: The right to six freedoms enshrined under Article 19
- B: The right to equality before Law enshrined under Article 14
- C: Cultural and educational right enshrined under Article 29
- D: The right to equality of opportunity in public employment enshrined under Article 16

Answer: B

29. Which aspect of the Constitution cannot be amended:

- A: Fundamental Rights
- B: Basic structure of the Constitution
- C: Preamble
- D: All the above

Answer: B

30. In which case the Supreme Court held that Right to privacy is a fundamental right?

- A: Justice K.S. Puttaswamy vs Union of India
- B: Bodhisattwa Gautam vs Subhra Chakraborty
- C: Common cause vs Union of India.
- D: Subramanian Swamy vs Union of India.

Answer: A

31. In the event a law made by the State legislature is repugnant to any law made by the Parliament, which law will prevail?

- A: Law made by the State legislature
- B: Law made by the Parliament
- C: Both laws will be invalid
- D: None of the above

Answer: B

32. Which article of the Constitution provides for the Fundamental Right to free and compulsory education upto the age of 14 years?

- A: Article 21 A
- B: Article 14
- C: Article 29
- D: Article 32

Answer: A

33. In which judgment the Supreme Court prohibited discrimination based on gender identity?

- A: Maneka Gandhi Vs Union of India
- B: A.K.Gopalan Vs State of Madras
- C: NALSA Vs Union of India
- D: A.K. Kraipak Vs Union of India

Answer: C

34. The Principle of collective responsibility has been incorporated in:

- A: Article 75 of Constitution of India
- B: Article 73 of Constitution of India
- C: Article 74 of Constitution of India
- D: Article 76 of Constitution of India

Answer: A

35. Which article of the Constitution confers upon a High Court the power to punish for contempt of itself?

- A: Article 215
- B: Article 217
- C: Article 225
- D: Article 226

Answer: A

36. Which one of the following is not a constitutional body?

- A: Election commission
- B: NITI AYOG
- C: GST Council
- D: National Commission for Scheduled Castes

Answer: B

37. Which provision of the Evidence Act regulates the admissibility of electronic evidence:

- A: Section 65 B
- B: Section 61 B
- C: Section 74 B
- D: None of the above

Answer: A

38. Expert evidence is admissible under section:

- A: Section 45 of Evidence Act
- B: Section 56 of Evidence Act
- C: Section 36 of Evidence Act
- D: None of the above

Answer: A

39. Whether previous sexual experience of victim is relevant in a rape trial:

- A: Yes
- B: No

Answer: B

40. A files a suit claiming B is dead. The defendants show that B was seen alive within 30 years. On whom does the burden of proof lie to show B is dead?

- A: A
- B: Defendants
- C: Both
- D: None of the above

Answer: A

41. Plea of self defence must be proved by the accused-

- A: Beyond reasonable doubt
- B: On a preponderance of probability

Answer: B

42. When confession of an accused is inadmissible?

- A: If made before victim of crime
- B: If made before a Police Officer
- C: If made before Village Revenue Officer
- D: None of the above

Answer: B

43. Under what provision of the Evidence Act, 1872 evidence given by a witness is relevant in a subsequent judicial proceedings between the same parties?

- A: Section 33
- B: Section 34
- C: Section 35
- D: Section 36

Answer: A

44. A witness who is unable to speak, gives evidence by verbal signs in open Court, such evidence may be deemed as-

- A: Oral evidence
- B: Sign evidence
- C: Documentary evidence
- D: None of the above

Answer: A

45. When attesting witness denies execution of document, can the document be proved by other evidence?

- A: Yes
- B: No

Answer: A

46. Can a person cross examine his own witness?

- A: Yes
- B: No

Answer: A

47. Which Provision of Code of Criminal Procedure empowers the appellate Court to receive additional evidence in a Criminal Appeal?

- A: Section 311
- B: Section 386
- C: Section 378
- D: Section 391

Answer: D

48. Which Provision of Code of Criminal Procedure bars a revision when there is provision for appeal against the order sought to be revised ?

- A: Section 397(3)
- B: Section 399(2)
- C: Section 401(4)
- D: None of the above

Answer: D

49. Which Provision empowers the Court of Session to reduce the amount of bail bond required to be furnished before the Police Officer or Magistrate?

- A: Section 439(2)
- B: Section 440(2)
- C: Section 441-A
- D: None of the above

Answer: B

50. Under what provision under Code of Criminal Procedure sanction to prosecute may be granted against a public servant?

- A: Section 197
- B: Section 200
- C: Section 198
- D: Section 196

Answer: A

51. The Power of High Court to transfer cases and appeals is provided under-

- A: Section 386 Code of Criminal Procedure
- B: Section 407 Code of Criminal Procedure
- C: Section 410 Code of Criminal Procedure
- D: Section 482 Code of Criminal Procedure

Answer: B

52. Plea bargaining was incorporated in the Code of Criminal Procedure in the year-

- A: 2005
- B: 2006
- C: 2007
- D: 2008

Answer: B

53. The temporary release of the prisoner is called-

- A: Parole
- B: Amnesty
- C: Discharge
- D: Pardon

Answer: A

54. Under which rule of Criminal Rules of Practice case copies will be furnished to the accused?

- A: Rule 9
- B: Rule 8
- C: Rule 10
- D: Rule 21

Answer: B

55. Examination of witness in the absence of offender who has absconded can be done under:

- A: Section 299 Code of Criminal Procedure
- B: Section 321 Code of Criminal Procedure
- C: Section 224 Code of Criminal Procedure
- D: Section 301 Code of Criminal Procedure

Answer: A

56. Under section 313 Code of Criminal Procedure, the statement of accused-

- A: Has to be recorded on oath
- B: Has to be recorded without oath
- C: Either on oath or without oath as per the discretion of the Court
- D: None of the above

Answer: B

57. What provision in Code of Criminal Procedure bars Criminal Court/Court of Session from reviewing its own judgment?

- A: Section 235 Code of Criminal Procedure
- B: Section 361 Code of Criminal Procedure
- C: Section 362 Code of Criminal Procedure
- D: Section 363 Code of Criminal Procedure

Answer: C

58. A proclamation requiring a person to appear must be published giving-

- A :Not less than 30 days time to the person concerned
- B: Not less than 10 days time to the person concerned
- C: Not less than 25 days time to the person concerned
- D: Not less than 35 days time to the person concerned

Answer: A

59. How many offences of same kind committed in the course of one year may be tried at one trial:

- A: Five
- B: Three
- C: Two
- D: None of the above

Answer: B

60. Under which provision can a Criminal Court make a reference to the High Court with regard to constitutional validity of any Act?

- A: Section 395 of Code of Criminal Procedure
- B: Section 401 of Code of Criminal Procedure
- C: Section 482 of Code of Criminal Procedure
- D: None of the above

Answer: A

61. Under the provisions of the Transfer of Property Act, 1882, if there are patent defects in the property:

- A. The maxim of caveat emptor will apply
- B. The maxim of uberrima fides will apply
- C. Both A and B
- D. Neither A nor B

Answer: A

62. Which provision of Transfer of Property Act, 1882 deals with conditional transfer?

- A: Section 25
- B: Section 26
- C: Section 27
- D: Section 29

Answer: A

63. A threatens to commit suicide and compels B to enter into contract to sell his house.

- A: The contract is void
- B: The contract is voidable at the option of A
- C: The contract is voidable at the option of B
- D: None of the above

Answer: C

64. A accepted proposal of B to purchase A's house and the acceptance is dispatched by post. But, it is not received by B, the acceptance is complete-

- A: So far as A is concerned
- B: So far as B is concerned
- C: Both A and B
- D: None of these

Answer: A

65. Consider the following statements:

Contract can be avoided if consent is obtained under:

| | |
|-------------------|---------------------|
| I. Mistake of law | II. Mistake of fact |
| III. Fraud | IV. Undue influence |

Which of the statements given above are correct?

- A. I, II and III
- B. II, III and IV
- C. I, III and IV
- D. II and IV

Answer: B

66. Which of the following section of the Specific Relief Act, 1963 enables the plaintiff to seek compensation as additional relief in a suit for specific performance?

- A: Section 21
- B: Section 19
- C: Section 17
- D: None of the above

Answer: A

67. Whether the Court has discretion to refuse specific performance of a contract merely on the ground that the contract is not enforceable at the instance of the other party ?

- A: Yes
- B: No

Answer: B

68. Presumption in favour of holder of cheque under section 139 of NI Act-

- A: Extends to the existence of debt
- B : Extends to genuineness of signature of the drawer on the cheque
- C: Extends to the date on which the cheque was drawn
- D. None of the above

Answer: A

69. As per section 143 of Negotiable Instruments Act, trial under section 138 is to be completed within –

- A: Six months of filing of complaint
- B: One year of filing of complaint
- C: No time frame is provided
- D: None of the above

Answer: A

70. Special Court under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 may take cognizance-

- A: Directly on a police report filed before it
- B: Upon commitment under section 209 Code of Criminal Procedure
- C: Either A or B
- D: None of the above

Answer: A

71. Whether a victim under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 is entitled to be heard in respect of an application for bail of an accused?

- A: Yes
- B: No
- C: At the discretion of Court
- D: None of the above

Answer: A

72. Claimant in motor accident case is required to prove his/her case-

- A: Beyond reasonable doubt
- B: Preponderance of probabilities
- C: Conclusive proof
- D: None of the above

Answer: B

73. Forwarding Accident Intimation Report to the Tribunal is compulsory under:

- A: Section 134 of the Motor Vehicles Act, 1988
- B: Section 185 of the Motor Vehicles Act, 1988
- C: Section 191 of the Motor Vehicles Act, 1988
- D: Section 158(6) of the Motor Vehicles Act, 1988

Answer: D

74. Section 11 of the Family Courts Act, 1984 provides for:

- A: In camera proceedings
- B: Right to legal representation
- C: Evidence on affidavit
- D: None of the above

Answer: A

75. Which of the following statement is true with regard to right of daughters under section 8 of the Hindu Succession Act, 1956?

- A. Daughter holds her share in life interest and not absolutely
- B. Unchastity of a daughter is valid ground for her exclusion in succession
- C. Unmarried daughter will have priority over married daughter in succession
- D. Wife and daughters of a male Hindu would get an equal share in the property of a Hindu male dying intestate

Answer: D

76. A died surviving his brother's son, son of his sister and daughter of his sister. How much share will devolve on the daughter of his sister (niece) by way of intestate succession as per the Hindu Succession Act, 1956?

- A. $1/3^{\text{rd}}$
- B. $1/6^{\text{th}}$
- C. $1/4^{\text{th}}$
- D. None of the above

Answer: A

77. Which one of the following is not a ground for divorce as per the Hindu Marriage Act, 1955?

- A: Desertion
- B: Mental cruelty
- C: Adultery
- D: Irretrievable breakdown of marriage

Answer: D

78. Section 14 of the Hindu Succession Act, 1956 applies to:

- A: Movable property
- B: Immovable property
- C: Both movable and immovable property
- D: None of the above

Answer: C

79. In Mohammedan Law, a marriage with a woman before completion of her Iddat period is-

- A: Irregular
- B: Void
- C: Voidable
- D: None of the above

Answer: A

80. Who cannot be treated as a proper person to administer trust property under section 60 of the Indian Trust Act, 1882?

- A. A person domiciled abroad
- B. A married man
- C. Both A and B
- D. Neither A nor B

Answer: A

81. Section 88 of the Registration Act -

- A: Exempts the personal appearance of any Government Officer in any proceeding connected with the registration of any instrument executed by him
- B: Provides for destruction of documents
- C: Provides the procedure to be adopted after registration of documents relating to Land
- D: None of the above

Answer: A

82. Which Article governs the period of limitation for filing of a suit for the price of goods sold and delivered where no fixed period of credit is agreed upon ---

- A: Article 13
- B: Article 14
- C: Article 18
- D: Article 30

Answer: B

83. Section 21 of the Limitation Act has no application in respect of transposition of parties:

- A: Statement is not correct
- B: Statement is correct
- C: Statement is correct in certain special circumstances
- D: None of the above

Answer: B

84. Whether confession made by a person under section 67 of NDPS Act, 1985 before the officers empowered under section 53 of NDPS Act is admissible?

- A: Yes
- B: No

Answer: A

85. Informant/Complainant under NDPS Act, 1985 can never be the investigating officer-

- A: Statement is true
- B: Statement is false
- C: Neither A nor B
- D: None of the above

Answer: B

86. Whether mother-in-law can file petition under Protection of Women from Domestic Violence Act against her daughter-in-law who resides in the shared household?

- A: Yes
- B: No

Answer: A

87. The Supreme Court of India has decided in Kehavananda Bharati Vs. State of Karnataka, that

- A) Parliament can't amend any provision of the Constitution
- B) Parliament can amend any provision of the Constitution
- C) Parliament can amend any provision of the Constitution but can't amend the basic structure of the Constitution
- D) None of the above

Answer: C

88. "Nemo judex in causa sua" means

- A) A wrong doesn't excuse a wrong
- B) No one is judge in his own case
- C) By its own force or virtue
- D) None of the above

Answer: B

89. 'Shared Household' under Section 2 (s) of PWDV Act, 2005 includes-

- A: Where the housewife ordinarily resided with the husband
- B: Joint family property of the husband which the housewife visited during festival
- C: Both A and B
- D: None of the above

Answer: A

90. Whether any child in conflict with law shall be sentenced to death or for life imprisonment without possibility of release, for any such offence, either under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 or under the provisions of the Indian Penal Code, 1860?

A: Yes

B: No

Answer: B

91. In case of a heinous offence alleged to have been committed by a child, who has completed or is above the age of sixteen years, the Juvenile Justice Board shall-

- A: Conduct a preliminary assessment with regard to his mental and physical capacity to commit such offence etc.
- B: Commit the case to POCSO Court for conducting preliminary assessment
- C: Commit the case to the Court of Session for conducting preliminary assessment
- D: None of the above

Answer: A

92. Section 25 of the Indian Easements Act, 1882 deals with?

- A: Right to alter the mode of enjoyment
- B: Liability for expenses necessary for preservation of easement
- C: Injunction to restrain disturbance
- D: Extinction by destruction of either heritage

Answer: B

93. Section 17 of the Indian Easements Act, 1882 provides;

- A: Rights which cannot be acquired by prescription
- B: Servant owner not bound to do any thing
- C: Injunction to restrain disturbance
- D: Transfer of dominant heritage passes easement

Answer: A

94. Quiet Possession under Sale of Goods Act means :

- A. Express Warranty
- B. No warranty
- C. Implied Warranty
- D. Warranty for specific period

Answer: C

95. Whether Civil Courts have jurisdiction to entertain any dispute relating to land acquisition in respect of which Collector or the Authority is empowered by or under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013?

A: Yes

B: No

Answer: B

96. Falsus in uno, falsus in omnibus means:

A: False in one thing, false in everything

B: False in one thing, false in something

C: False in one thing, false in nothing

D: None of the above

Answer: A

97. Cognizance in respect of the offence committed under Wild Life Protection Act, 1972 can be taken on-

A: Police report

B: Complaint by private person

C: Both A and B

D: Complaint by person Authorized by Government

Answer: D

98. Offences committed under the AP Forest Act, 1967 shall be tried as:

A. Sessions Case

B. Warrant case

C. Summary Trial

D. None of the above

Answer: C

99. Prosecution for the offence under section 3 of the Arms Act, 1959 shall be initiated:

- A. Without prior sanction from any one
- B. With prior sanction of the District Magistrate
- C. With prior sanction of Chief Judicial Magistrate
- D. With prior sanction of Sessions Judge

Answer : B

100. Who are competent to try the offences under the Electricity Act ,2003?

- A. Judicial Magistrate of First Class
- B. Chief Judicial Magistrate
- C. Special Judge
- D. Special Tribunal

Answer: C

