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# **Bombay HC District Judge**

**Previous Year Paper  
24 Jul, 2011**




Date of Examination :- 24/7/2011

Question Booklet

DJ : PW/LC

Booklet Series

Booklet No. 

**B**

Total Questions: 100

Time : 90 minutes.

Total Marks : 200

INSTRUCTIONS

1. The booklet contains 100 questions. All questions carry equal marks.
2. Immediately after the commencement of the examination, you should check that this booklet does not have any unprinted or torn or missing pages or items, etc. If so please get it replaced by a complete Booklet. Question booklet will not be replaced after marking answers in answer-sheet.
3. Encode clearly the booklet series A, B, C or D, as the case may be, and indicate the series of question booklet, by completely shadowing the appropriate circle, by **black ink ball pen**, in the appropriate place in the answer-sheet.
4. If the candidate shadows the circle in the answer sheet which does not match the series of his/her question booklet provided, no marks will be allotted to such answer-sheet.
5. You shall enter your Roll number on the Booklet in the box provided alongside.
6. You have to mark your choices **Only** on the separate answer- sheet provided for the same. Please see instructions on last page of the answer-sheet.
7. Penalty for wrong answer:

There will be penalty for wrong answers marked by candidate.

  - (i) There are four alternatives for the answer to every question. For each question for which a wrong answer has been given by the candidate, **one fourth** of the marks assigned to that question (**0.50**) will be deducted as penalty.
  - (ii) If a candidate gives more than one answer, it will be treated as a wrong answer, even if one of the given answers happens to be correct and there will be same penalty as above to that question.
  - (iii) If a question is left blank, i.e., no answer is given by the candidate, there will be no penalty for that question.

1. The extension of period of limitation on the ground of legal disability available under section 6 and 7 of the Limitation Act is not applicable to suits\_\_\_\_\_
  - a. to enforce right of pre-emption.
  - b. for recovery of money.
  - c. for specific performance of contract.
  - d. for declaration of easement.
  
2. When once time has begun to run \_\_\_\_\_
  - a. subsequent disability to institute the suit will not stop it.
  - b. subsequent disability to institute the suit will stop it.
  - c. subsequent disability will be a ground for condonation of delay in instituting the suit.
  - d. none of the above.
  
3. Presumption under Section 20 of the Prevention of Corruption Act, 1988, where public servant accepts gratification other than legal remuneration is not applicable in a trial for an offence punishable under\_\_\_\_\_
  - a. Section 7.
  - b. Section 11.
  - c. Clause (e) of sub section (1) of Section 13.
  - d. Clause (a) of sub section (1) of Section 13.
  
4. U/s. 7 of The Prevention of Corruption Act 1988, the word "gratification"\_\_\_\_\_
  - a. is restricted to pecuniary gratification.
  - b. is restricted to gratifications estimable in money.
  - c. is not restricted to pecuniary gratifications or to gratification estimable in money.
  - d. is restricted to gratifications computable in money.
  
5. A protection order made under Section 18 of the Protection of Women from Domestic Violence Act, 2005 shall be in force till\_\_\_\_\_
  - a. the period of 60 days expires.
  - b. the Magistrate desires.
  - c. the aggrieved person applies for discharge.
  - d. the respondent applies for discharge.

6. Which formality is essential for a valid adoption?
- Homa
  - registration
  - actual giving and taking
  - written document
7. Under Muslim law, a daughter, as a residuary, takes \_\_\_\_
- double the share of a son.
  - equal the share of a son.
  - half the share of the son.
  - no share at all if the son is alive.
8. If a Mahomedan marries a fifth wife when he already has four wives living, the marriage is \_\_\_\_
- void.
  - voidable.
  - irregular.
  - valid.
9. Under Hindu Law a Karta of the joint family can alienate the property \_\_\_\_
- only for legal necessity.
  - only for benefit of estate.
  - for both legal necessity and benefit of estate.
  - only after obtaining permission from the court.
10. If a legacy is given to two persons jointly, and one of them dies before the testator, \_\_\_\_
- the other legatee takes the whole.
  - the legacy lapses.
  - the other legatee takes nothing.
  - the other legatee and the representative of the deceased legatee share the legacy, equally.
11. No probate of Will shall be granted until after the expiration of \_\_\_\_ clear days, from the day of the testators death.
- Seven
  - Fourteen
  - Thirty
  - Ninety

12. The report of the Probation Officer is considered to be \_\_\_\_
- privileged.
  - confidential.
  - a piece of evidence.
  - indispensable in all cases.
13. Rights to do acts necessary to secure full enjoyment of an easement are called \_\_\_\_
- prescriptive rights.
  - customary rights.
  - proprietary rights.
  - accessory rights.
14. A "cheque" is a bill of exchange drawn on a specified banker and not expressed to be payable
- on demand.
  - otherwise than on demand.
  - to payee.
  - either to order or to bearer.
15. Under Negotiable Instrument Act 1881, where no rate of interest is specified in the instrument, interest on the amount due thereon shall be calculated at the rate of \_\_\_\_ per centum per annum.
- six
  - nine
  - fifteen
  - eighteen
16. Under the SC and ST (Prevention of Atrocities Act), 1989, "Scheduled Caste and Scheduled Tribes" shall have the meanings, assigned to them.
- under the Fifth Schedule of the Constitution.
  - under the Schedule annexed to the SC and ST (Prevention of Atrocities) Rules, 1995.
  - under Clause (24) and Clause (25) of Article 336 of the Constitution.
  - under the Ninth Schedule of the Constitution.
17. In a contract of Sale of goods, the breach of a warranty, gives rise to \_\_\_\_
- a right to reject the goods.
  - a right to treat the contract as repudiated.

- c. a claim for damages.  
d. none of the above.
18. Under The General Clauses Act 1897, "District Judge" shall \_\_\_\_\_
- include a High Court in the exercise of its original Jurisdiction.
  - mean the judge of a Principal Civil Court of Original Jurisdiction.
  - mean a judge of any civil court situated at the District place.
  - denote a person who is empowered by law, to give, in any legal proceeding, civil or criminal, a definitive judgment.
19. The principle of "Sustainable development", relates to \_\_\_\_\_
- Business Development Law.
  - Banking Law.
  - International Law.
  - Environmental Law.
20. A opens a coaching class in front of B's coaching class. Majority of the students of B shift to A. The situation will be governed by which one of the following principles.
- injuria sine damnum
  - damnum sine injuria
  - vis major
  - volenti non fit injuria
21. The Rule of "strict liability" was enunciated in which one of the following cases:
- Ashby v. White
  - Donoghue vs. Stevenson
  - Stanely v. Powel
  - Ryland v. Fletcher
22. Where the death of, or bodily injury to, any person gives rise to a claim for compensation under Motor Vehicles Act, 1988 and also under the Workmen's Compensation

Act, 1923, the person entitled to compensation may claim such compensation

- a. under Motor Vehicles Act, 1988 only
  - b. under the Workmen's Compensation Act, 1923 only
  - c. under either of those Acts
  - d. under both the Acts
23. "Suppressio Veri" means -
- a. suppression of verification
  - b. suppression of truth
  - c. valid supersession
  - d. verification by superior authority.
24. "Res nullius" means -
- a. Things newly introduced
  - b. Things belonging to no one
  - c. Nobody
  - d. Non-existent.
25. "Necessitas non habet legem" means -
- a. Necessity is the cause of law
  - b. Necessity knows no law
  - c. Necessity legitimates habits
  - d. Necessity is the mother of invention.

**Directions :** The following 1 to 8 items consist of two statements, one labeled as the 'Assertion (A)' and the other as 'Reason (R)'. You are to examine these two statements carefully and select the answers to these items using the codes given below:

**Codes:**

- a. Both A and R are individually true and R is the correct explanation of A
- b. Both A and R are individually 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



26.

Statement 1:

In an action for malicious prosecution, it must be proved that the defendant had initiated criminal proceeding maliciously and without reasonable and probable cause.

Statement 2:

Action for malicious prosecution can not succeed unless the plaintiff proves that he suffered special damages .

27.

Statement 1:

A registered document shall operate from the time which it would have commenced to operate if no registration thereof had been required or made, and not from the time of its registration.

Statement 2:

If two registered documents are executed by the same person in respect of the property in favour of two different persons, at different times, the one which was executed first has priority over the other, although the former was registered subsequent to the latter.

28.

Statement 1:

If any person is dispossessed without his consent of immovable property otherwise than in due course of law, he may by suit under Section 6 Specific Reliefs Act, recover possession thereof without reference to the question of title.

Statement 2:

Section 6 precludes institution of a suit to establish title to such property and to recover possession thereof.

29.

Statement 1:

The specific performance of any contract may be enforced when the act agreed to be done is such that compensation in money for its non performance would not afford adequate relief.

Statement 2:

The court shall presume that the breach of a contract to transfer immovable property cannot be adequately relieved by compensation in money.

30. Statement 1:

The period of limitation for a suit for possession of immovable property based on previous possession and not on title, when the plaintiff while in possession of the property has been dispossessed, is twelve years.

Statement 2:

The period of limitation for such a suit begins to run when the possession of the defendant becomes adverse to the plaintiff.

31. Statement 1:

In case the sole plaintiff dies and no application is moved to bring the legal representative within the statutory period, the suit shall abate.

Statement 2:

The death of such a plaintiff, even between the conclusion of hearing and the pronouncing of the judgment, results in abatement.

32. Statement 1:

The Supreme Court is a Court of record.

Statement 2:

The judgments of the Supreme Court are reported in Law Reporters.

33. Statement 1:

Any private transfer of the property attached in execution of decree, shall be void as against all claims enforceable under the attachment.

Statement 2

The bar applies to any private transfer of the attached property, even made in pursuance of any contract entered into and registered before the attachment.

34. In the cases of consecutive sentences on conviction for several offences at one trial by a Metropolitan Magistrate, the aggregate punishment \_\_\_\_\_

- a. shall not exceed twice the amount of punishment which the Magistrate is competent to inflict for a single offence.

- b. shall not exceed the amount of punishment which the Magistrate is competent to inflict for a single offence as prescribed under section 29 of Cr.P.C.
- c. shall not exceed thrice the amount of punishment which the Magistrate is competent to inflict for a single offence.
- d. shall not exceed 3 years, in any case.
35. If the accused, though not of unsound mind, cannot be made to understand the proceedings, and if such proceedings result in a conviction, the final order has to be passed by \_\_\_\_\_
- a. the Judicial Magistrate. First Class conducting the trial.
- b. the Chief Judicial Magistrate.
- c. the Sessions Court.
- d. the High Court.
36. Statements of witness recorded under Section 164 of the Code of Criminal Procedure can be used \_\_\_\_\_
- a. for contradiction only.
- b. for corroboration only.
- c. both for corroboration and contradiction.
- d. neither for corroboration nor for contradiction.
37. As per Section 468 of the Code of Criminal Procedure, the period of limitation for an offence punishable with imprisonment for a term of two years is \_\_\_\_\_
- a. one year.
- b. two years.
- c. three years.
- d. seven years.
38. The statements or facts stated by an accused in an application for plea bargaining \_\_\_\_\_
- a. can be used in any other case against the accused.
- b. can be used in any other case against the accused only with the permission of the Court.
- c. cannot be used for any other purpose except for the purpose of plea bargaining.
- d. can be used for any other purpose.

39. Court can take cognizance of the offence punishable under Section 498-A of the Indian Penal Code, even if the complaint is made by \_\_\_\_\_
- brother of the aggrieved person.
  - neighbour of the aggrieved person.
  - Police Patil of the village.
  - Women Welfare Committee.
40. An application for maintenance under Section 125 of the Code of Criminal Procedure by the father against his son has to be filed in any district where \_\_\_\_\_
- the son resides.
  - both of them last resided together.
  - the father resides.
  - the mother resides.
41. In an appeal from a conviction, the Appellate Court **cannot**
- alter the finding, maintaining the sentence.
  - without altering the finding, alter the nature of the sentence.
  - alter the extent of the sentence, so as to enhance the same.
  - alter the extent of the sentence, so as to reduce the same.
42. Which one of the following does **not** amount to criminal conspiracy \_\_\_\_\_
- an agreement to do an illegal act coupled with some act to carry out that agreement.
  - an agreement to commit an offence without doing any act to carry out that agreement.
  - an agreement to do an illegal act without doing any act to carry out that agreement.
  - mere agreement to pay bribe to a Public Servant.
43. To constitute the offence of kidnapping from lawful guardianship, in respect of the person of unsound mind, the outer age limit is -
- 16 years, if female.
  - 18 years, if male.
  - 21 years.
  - not prescribed.

44.

A is attacked by a mob who attempt to murder him. He can not effectually exercise his right of private defence without firing on the mob, and he cannot fire without risk of harming young children who are mingled with the mob. A fires and harms one child.

Which one of the following is the liability of A?

- A commits no offence as he exercised right of private defence.
- A commits an offence punishable under section 304-A as he fired in a rash or negligent manner.
- A commits an offence punishable under Section 304 part II only as there was no intention to cause death of the child.
- A commits an offence 302 I.P.C. as the act of firing was so imminently dangerous that it must have caused death of child.

45.

A instigates B to murder C.

B refuses to do so.

Which one of the following is the liability of A ?

- since essentials to constitute an offence of abatement are not fulfilled, A is not guilty of instigating B to murder C.
- the refusal of B to act on the instigation of A, puts an end to the matter and A is not guilty of any abatement.
- A is guilty of abetting B to commit murder as to constitute abatement it is not necessary that the act abetted should be committed.
- since the offence was not committed there can be no abatement for an offence which is not committed. Hence A is not liable.

46.

X intended to kill A but instead killed B, whom he had no intention to kill.

Under which doctrine X is liable for the murder of B.

- doctrine of means rea
- doctrine of transfer of malice
- doctrine of extended malice
- doctrine of agency

47. A lays sticks and turf over a pit, with the intention of causing death or with the knowledge that death is likely to be thereby caused. Z believing the ground to be firm trades on it, falls and is killed.  
A is guilty of
- murder.
  - culpable homicide not amounting to murder.
  - voluntarily causing grievous hurt.
  - no offence as Z fell in the pit by accident.
48. A, a 17 year old boy, by instigation, voluntarily causes Z, a girl under 18 years of age to jump of a 50 meter bridge into sea. Z jumps and dies.  
Choose correct answer.
- A has not committed any offence as Z took the risk of death with her own consent.
  - A abetted suicide by Z.
  - A, himself being a 17 year old boy, cannot be fastened with any criminal liability.
  - A will get the benefit of section 87 of the IPC as Z jumped into the sea with her own consent.
49. A's wallet falls out of his pocket unknown to him. His friend, B, who sees this, picks up the same. On finding that the wallet contains Rs. 2000/- B uses the money for his own purposes. After six hours, B puts Rs. 2000/- back in the wallet and returns the same to A.  
B is guilty of
- no offence.
  - theft as B has caused wrongful loss to A for Six hours.
  - criminal misappropriation of property.
  - cheating as he deceived A.
50. X is an agent for Y. There is a contract between X and Y that all sums remitted by Y to X shall be invested by X, according to Y's direction. Y, remits Rs. 10 lakh to X, with a direction to X to invest the same in 'infrastructure bonds'. X dishonestly disobeys the direction and puts the money in his own business with a hope that the investment will generate more profit.



X has committed

- a. no offence.
- b. criminal misappropriation.
- c. criminal breach of trust.
- d. extortion.

51. A fresh suit in respect of the same cause of action is permissible \_\_\_\_\_

- a. where a suit is dismissed under Order 9, Rule 8.
- b. where a suit is dismissed under Order 9, Rule 3.
- c. where the suit abates under Order 22, Rule 3 (2).
- d. where the plaintiff abandons the suit under Order 23, Rule 1 (1).

52. A party dissatisfied with an order of injunction may move the Court which passed the order for

- a. setting aside the order
- b. discharge of the order
- c. variation in the order
- d. all the above

53. In a suit for restraining the defendant from committing a breach of contract, the Court may grant temporary injunction restraining the defendant from committing the breach of contract,

- a. only before judgment.
- b. only after judgment.
- c. either before or after judgment.
- d. neither before nor after judgment, as the plaintiff is entitled to damages for breach of contract.

54. A claims a sum of money as due to him from X or Y, and in a suit against both obtains a decree against X. X appeals and A and Y are arrayed as respondents.

In the above situation the Appellate Court

- 1. can decide in favour of X and pass a decree against Y
- 2. can decide in favour of X and only dismiss the suit.

Choose the answer using the correct code:

- a. 1 only
- b. 2 only
- c. both 1 and 2
- d. neither 1 nor 2

55. A continuing guarantee may at any time be revoked by the surety \_\_\_\_
- as to past transactions.
  - as to future transactions.
  - as to both past and future transactions.
  - as to concluded transactions only.
56. Which one of the following constitutes an offer?
- display of goods with price tag in the window of a self service shop.
  - advertisement announcing a reward of Rs.1,00,000/- to any person who finds the missing son of the advertiser.
  - publishing a catalogue containing titles of books and their prices.
  - an auctioneer's announcement that specified goods will be sold by auction on a certain day.
57. Which one of the following statements is correct?
- an agreement is void unless supported by adequate consideration.
  - under Indian Contract Act, 1872, consideration, need not move at the desire of the promisor.
  - the Indian Contract Act, does not recognise past consideration.
  - an agreement made without consideration, is a contract, if it is a promise to compensate a person who has already voluntarily done something for the promisor.
58. Which of the following statements is/are correct?
- When consent to an agreement is caused by undue influence, the agreement is a contract voidable at the option of the party whose consent was so caused.
  - Where both the parties to an agreement are under a mistake as to a matter of fact essential to the agreement, the agreement is void.
- Code:**
- 1 only
  - 2 only
  - 1 and 2
  - neither 1 nor 2



59.

Which of the statements given below is/are correct?

1. An agreement, without consideration, in writing and registered, made on account of natural love and affection between parties standing in a near relation, is a valid contract.
2. If any part of a single consideration for one or more objects, is unlawful, the agreement is a voidable contract.

**Code:**

- |                 |                    |
|-----------------|--------------------|
| a. 1 only       | b. 2 only          |
| c. both 1 and 2 | d. neither 1 nor 2 |

60.

A person who finds goods belonging to another, and takes them into his custody is subject to the same responsibility as \_\_\_\_\_

- |               |              |
|---------------|--------------|
| a. a trustee. | b. an agent. |
| c. a bailee.  | d. a pawnee. |

61.

No consideration is necessary to create

- a. a contract of guarantee.
- b. a contingent contract.
- c. an agency.
- d. a contract of insurance.

62.

X, a publisher of a newspaper, agrees to publish, at Y's request a defamatory article in respect of Z as Y agrees to indemnify X against the consequences of the publication. In a Suit by Z, X has to pay damages and incur expenses.

Which one of the following is the correct statement regarding the liability of Y?

- a. Y is liable to indemnify X on the contract of indemnity.
- b. Y is not liable as the act was criminal.
- c. Y is liable as a joint tort feaser and thus must pay half of the damages and costs.
- d. Y is liable as a principal.

63.

In which of the following situations is there stipulation by way of penalty?

- 1) A borrow Rs. 1,000/- from B and gives him a bond of Rs.2,000/- payable by five yearly installments of

Rs. 400/-, with a stipulation that, in default of payment of any installment, the whole shall become due.

- 2) A gives B a bond for repayment of Rs. 1000/- with interest at 12% p.a. at the end of 1 year, with a stipulation that in case of default, interest shall be payable at the rate of 60% p.a., from the date of default.

Select the correct answer using the code given below:

**Code**

- a. 1 only  
b. 2 only  
c. both 1 and 2  
d. neither 1 nor 2

64.

Consider the following statements with regard to the consequences of breach of contract.

- 1) In case of breach of contract, the party who suffers is entitled to receive compensation for any loss or damage caused to him thereby, which the parties knew, when they made the contract, to be likely to result from the breach of it.
- 2) Such compensation is to be given for any remote and indirect loss or damage sustained by reason of the breach.

Which of the statements given above is/are correct?

- a. 1 only  
b. 2 only  
c. both 1 and 2  
d. neither 1 nor 2

65.

In which of the following situations, is the surety discharged?

- 1) A becomes surety to C for B's conduct as a Manager in C's Bank. Afterwards, B and C contract, without A's consent, that B shall become liable for one fourth of the losses on overdrafts. B allows a customer to overdraw, and the Bank loses a sum of money.
- 2) B owes to C a debt guaranteed by A. The debt becomes payable. C does not sue B for a year after the debt has become payable.

Select the correct answer using the code given below:

- a. 1 only  
b. 2 only  
c. both 1 and 2  
d. neither 1 nor 2

66.

An outgoing partner of a firm \_\_\_\_\_

- a. may represent himself as carrying on the business of that firm.

- b. may use that firm's name.  
 c. may carry on a business competing with that firm.  
 d. may use goodwill of that firm.
67. Under the Transfer of Property Act 'immovable property' includes \_\_\_\_\_  
 a. standing timber. b. growing crop.  
 c. grass. d. none of the above.
68. Every transfer of immovable property made without consideration with intent to defraud a subsequent transferee shall be \_\_\_\_\_  
 a. void.  
 b. voidable at the option of subsequent transferee.  
 c. illegal.  
 d. voidable at the option of the transferor.
69. For application of the doctrine of part performance, the agreement to transfer any immovable property must be \_\_\_\_\_  
 a. oral.  
 b. in writing only.  
 c. in writing and signed by the transferor.  
 d. in writing, signed and registered.
70. A gift comprising both existing and future property is \_\_\_\_\_  
 a. wholly void.  
 b. completely valid.  
 c. void as to the future property.  
 d. void as to the existing property.
71. A lease of agricultural land is terminable, on the part of either lessor or lessee, by \_\_\_\_\_  
 a. One month's notice expiring with the end of a year of the tenancy.  
 b. One month's notice.  
 c. Six month's notice.  
 d. Six month's notice expiring with the end of a year of the tenancy.

72. Where the mortgagor binds himself to repay the mortgage money on a certain date, and transfers the mortgaged property absolutely to mortgagee, but subject to a proviso that he will re-transfer it to the mortgagor upon payment of mortgage money as agreed, the transaction is called \_\_\_\_
- a simple mortgage.
  - mortgage by condition sale.
  - an English mortgage.
  - a usufructuary mortgage.
73. In a suit for specific performance of a contract Court can award compensation to the plaintiff \_\_\_\_
- only if the defendant himself offers compensation.
  - even if the plaintiff does not claim compensation.
  - only if the Court thinks fit to award compensation.
  - only if the plaintiff claims such compensation in his plaint.
74. Under Section-26 of Specific Relief Act, the Court may direct to rectify an instrument so as to express the real intention of the parties, \_\_\_\_
- if there is a mutual mistake of the parties.
  - even if there is a mistake of only one party.
  - if there is a latent mistake.
  - if there is a patent mistake.
75. Where one of the several persons jointly entitled to institute a suit is under a legal disability \_\_\_\_
- time will run against all of them without any exception.
  - time will not run at all against any of them.
  - time will run against all of them if the discharge can be given without the concurrence of such person under disability.
  - time will not run against such person even if any other person out of them becomes capable of giving such discharge without the concurrence of the others.
76. The offence of bigamy u/s. 494 of IPC takes place
- simply by reason of second marriage during the lifetime of a spouse.

- b. by reason of a marriage of a person who has a spouse living only when such marriage is void by reason of its taking place during the life of such spouse.
  - c. by reason of a marriage of a person who has a spouse living only when such marriage is voidable by reason of its taking place during the life of such spouse.
  - d. only when second marriage is performed without the consent of the living spouse
  
- 77. A, a Police Officer, tortures Z in order to induce Z to confess that he committed a crime.  
A committed
  - a. no offence.
  - b. offence punishable u/s. 384 IPC.
  - c. offence punishable u/s. 330 IPC.
  - d. offence punishable u/s. 218 of IPC.
  
- 78. In Criminal Cases, previous good character of the accused is \_\_\_\_\_
  - a. irrelevant.
  - b. relevant.
  - c. inadmissible.
  - d. conclusive proof of innocence.
  
- 79. The doctrine of estoppel is a \_\_\_\_\_
 

a. rule of law.	b. rule of equity.
c. rule of evidence.	d. rule of pleadings.
  
- 80. To an answer to a Court question, the adverse party \_\_\_\_\_
  - a. has a right to cross-examination as a matter of right.
  - b. has a right to cross-examine only with the permission of the Court.
  - c. has no right to cross examine the witness.
  - d. can cross-examine the witness with the consent of other party.
  
- 81. A carbon copy of the injury report prepared by a Doctor by one uniform process by which the original was prepared may be admitted as \_\_\_\_\_

- a. secondary evidence.
  - b. primary evidence.
  - c. direct evidence.
  - d. circumstantial evidence.
82. Section 27 of the Indian Evidence Act is based on \_\_\_\_\_
- a. doctrine of agency.
  - b. doctrine proportionality.
  - c. doctrine of confirmation by subsequent events.
  - d. doctrine of eclipse.
83. A sues B for Rs. 10,000/- and shows entries in his account books showing B to be indebted to him to this amount. The entries are \_\_\_\_\_
- a. irrelevant.
  - b. relevant, but are not sufficient, without other evidence, to prove the debt.
  - c. relevant and by themselves sufficient to prove the debt.
  - d. relevant only when expressly admitted by B.
84. Under the Indian Evidence Act 1872, which of the following statements the court may take into consideration.
1. A and B are jointly tried for the murder of C. It is proved that A said -- "B and I murdered C".
  2. A alone is on his trial for the murder of C. There is evidence to show that C was murdered by A and B, and that B said -- "A and I murdered C".
- Choose the correct answer using the code given below:
- a. 1 only
  - b. 2 only
  - c. both 1 and 2
  - d. neither 1 nor 2
85. The execution of a document required by law to be attested, **cannot** be proved by other evidence, if \_\_\_\_\_
- a. no attesting witness can be found.
  - b. the attesting witness denies the execution of the document.
  - c. the attesting witness does not recollect the execution of the document.
  - d. the attesting witness fails to prove the execution of the document.



86. A sues B on an agreement and gives B notice to produce it. At the trial, A calls for the document and B refuses to produce it. A gives secondary evidence of its contents. B seeks to produce the document itself to contradict the secondary evidence given by A, or in order to show that the agreement is not stamped.  
In this situation, under the Indian Evidence Act, B \_\_\_\_\_
- can produce the document without any restrictions.
  - cannot produce the document under any circumstance.
  - can produce the document with the consent of the other party or order of the court,
  - cannot produce the document for the reason that once secondary evidence is admitted, primary evidence cannot be given.
87. Under Article 226 of the Constitution the High Courts have power to issue directions, orders or writs -
- co-extensive with the Supreme Court.
  - for the enforcement of the fundamental rights only.
  - for the enforcement of the fundamental rights and for any other purpose.
  - inferior to that of Supreme Court.
88. A Citizen of India can be appointed as a Judge of the Supreme Court, if \_\_\_\_\_
- he has been for at least three years a Judge of a High Court.
  - he has for at least 10 years held a judicial office.
  - he has been for at least 7 years an advocate of High Court.
  - he is, in the opinion of the President, a distinguished jurist.
89. Every person who is a member of a civil service of a State holds office during the pleasure of -
- his immediate superior officer.
  - the Chief Secretary.
  - the Governor.
  - the Government.

90. Under the Constitution of India right to property is -
- a fundamental right.
  - a constitutional right.
  - unfettered.
  - not available at all.
91. Final Judgments or orders delivered or passed by Civil Court in any part of the territory of India shall be capable of execution
- only within the local limits of the Jurisdiction of that court.
  - only within the local limits of the District, in which that court is situated.
  - only within the territory of the state in which that court is situated.
  - anywhere within the territory of India.
92. "Law" under Article 13 (3)(a) of the Constitution includes
- ordinance, Order, notification
  - bye-law, rule, regulation
  - custom or usage having in the territory of India the force of law.
- Select the correct answer using the code given below:
- 1,2, and 3
  - 1 & 2 only
  - 1 and 3 only
  - 2 and 3 only
93. Which of the following is known as *Habeas Corpus Case*
- Keshwanand Bharati V/s. State of Kerala
  - Bhimsing V/s. State of J & K
  - Hussainara V/s. Home Secretary State of Bihar
  - ADM Jabalpur V/s. Shukla
94. Which of the following statements as per the Constitution of India is/are correct?
- The State shall endeavour to provide early childhood care and education for all children until they complete the age of 6 years.
  - The State shall provide free and compulsory education to all children of the age of 6 to 14 years.





- c. by both attachment of the property and detention in the civil prison.
- d. by arresting the judgment debtor and taking him/her to the house of the decree holder.

99. Where the appellant does not appear when the Civil Appeal is called on for hearing,

- a. the court may dismiss the appeal on merits.
- b. the appeal can be dismissed on merits after appointing an amicus curiae.
- c. the court cannot allow the appeal on merits.
- d. the court can allow the appeal on merits.

100. In which of the following cases, B may institute an interpleader suit.

- 1. A deposits a box of jewels with B as his agent. C alleges that the jewels were wrongfully obtained from him by A, and claims them from B.
- 2. A deposits a box of jewels with B as his agent. He then writes to C for the purpose of making the jewels a security for a debt due from himself to C. A afterwards alleges that C's debt is satisfied, and C alleges the contrary. Both claim the jewels from B.

Choose the correct answer from the code given below:

Code

- |                 |                    |
|-----------------|--------------------|
| a. 1 only       | b. 2 only          |
| c. both 1 and 2 | d. neither 1 nor 2 |

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