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# **Haryana Judicial Services**

**Previous Year Paper  
16 July 2017**



## **Haryana Civil Services (Judicial Branch) Preliminary Examination-2017** **(held on 16.07.2017)**

In order to ensure transparency and fairness, on the orders of Hon'ble Recruitment Committee, the Question Booklet Code 'A' with proposed answers in **bold** are uploaded hereunder for the information of all concerned:

### **Online Objection Module:**

1. Any candidate may file online objection(s) through e-mail ID [objectionshcs2017@gmail.com](mailto:objectionshcs2017@gmail.com) to any question or proposed answer as per question booklet Code 'A' only, though he/she have attempted questions as per booklet Code B, C or D.
2. The objections are permissible only through E-mail. Objection by way of hard copy, by hand or by post will not be entertained.
3. Filing of objection is permissible till **4.00 P.M on 19.07.2017**. No objection will be entertained in any eventuality after the given time. High Court shall not be maintaining E-mail account/data after the expiry of time given for filing of objections.
4. Candidate shall type his/her name, roll number and question number in the subject box of the E-mail.
5. The objection shall be written in the space given in the E-mail and supported by reasons. Before writing objection and reasons, candidate shall have to write the mandatory particulars as under:-
  - (a) Question No.....
  - (b) High Court proposed Answer.....
  - (c) Answer suggested by objector.....
6. Candidate can file objections to more than one question. Only one objection will be entertained in one E-mail message. For next objection, candidate will have to send new E-mail message. Candidate can send as many E-mails as the objections preferred.

7. If candidate wants to support his objection by way of reference to any judgment or book, the complete citation of the judgment; title of the book, name of the Author, year or edition of publication, name of publisher and relevant page number must be mentioned in the objection. Further such judgment / relevant book page must be uploaded by way of attachment in PDF format only.
8. The objections are being entertained in the interest of transparency, fairness and objectivity. Therefore, any attempt to play prank will be viewed seriously.
9. The High Court will not be responsible for any loss of contents, data, delay etc. due to any defect / fault.

**10. No objection(s) submitted in violation of these instructions will be entertained.**

Dated: 17.07.2017

  
**Registrar Recruitment,  
Punjab & Haryana High Court,  
Chandigarh**



**Note: For filling up blanks/answering the questions, choose the best option out of the given five.**

1. A compromise which is voidable under Indian Contract Act, 1872 shall not be deemed to be ..... within the meaning of Order XXIII Rule 3 of Code of Civil Procedure, 1908.
  - a) void
  - b) voidable
  - c) illegal
  - d) lawful
  - e) None of the above
2. Where an appellant has withdrawn the appeal preferred against a decree passed *ex parte*, a subsequent application filed under Order IX Rule 13 of Code of Civil Procedure, 1908 shall be:-
  - a) Rejected
  - b) Returned
  - c) **Maintainable**
  - d) Referred to the appellate court
  - e) None of the above
3. Which provision of Code of Civil Procedure, 1908 debars a tenant from filing inter-pleader suit against his landlord?
  - a) Section 88
  - b) Section 90
  - c) Order XXXV Rule 3
  - d) Order XXXV Rule 4
  - e) **None of the above**
4. Composition of an offence under Code of Criminal Procedure, 1973 will result in ..... of the accused.
  - a) **acquittal**
  - b) discharge
  - c) compromise
  - d) probation
  - e) None of the above
5. In one trial, X is convicted against which no appeal lies, whereas conviction against Y is appealable. Whether X can file an appeal against his conviction ?
  - a) No
  - b) **Yes**
  - c) Only with special leave
  - d) There is no such provision
  - e) None of the above
6. Under section ..... of Code of Criminal Procedure, 1973, it is mandatory for a police officer to inform the person arrested without warrants, about the right of bail if the offence is not non-bailable.
  - a) 41A
  - b) **50**
  - c) 50A
  - d) 54
  - e) None of the above
7. X, a blacksmith, is seized by a gang of dacoits and forced, by threat of instant death to take his tools and forced him to open the door of Y's house. The dacoits then looted Y's money and jewels and also killed Y's son Z. What, among the following offence under Indian Penal Code, 1860 has been committed by X?
  - a) Dacoity with murder
  - b) Abetment of dacoity and murder
  - c) **No offence**
  - d) Preparation to commit dacoity
  - e) None of the above
8. For constituting an offence of 'Abduction' under Indian Penal Code, 1860, the abducted male person should be:-
  - a) Below 16 years of age
  - b) Below 18 years of age
  - c) Insane
  - d) **Of any age**
  - e) None of the above
9. How many minimum number of persons are required to constitute the offence of rioting under Section 146 of Indian Penal Code, 1860 ?
  - a) 2
  - b) **5**
  - c) 7
  - d) 11
  - e) None of the above
10. The five golden principles which constitute the '*Panchsheel*' of the proof of a case based on circumstantial evidence are laid down in:-
  - a) *Haricharan Kurmi v. State of Bihar* (AIR 1964 SC 1184)
  - b) *Sharad v. State of Maharashtra* (AIR 1984 SC 1622)
  - c) *Ram Singh v. Col. Ram Singh* (AIR 1986 SC 3)
  - d) *Kashmir Singh v. State of M.P.* (AIR 1952 SC 159)
  - e) None of the above
11. What minimum number of witnesses are required to prove offence of dacoity in a trial ?
  - a) 5
  - b) 8
  - c) Judge directs how many witnesses are to be examined
  - d) **No particular number of witnesses is prescribed**
  - e) None of the above



24. What can a catalogue of books, listing price of each book and specifying the place where the listed books are available, be termed as ?

- An offer
- An obligation to sell book
- An invitation to offer**
- A promise to make available the book at the listed place
- None of the above

25. X, being in debt to Y, the moneylender of his village, contracts a fresh loan on terms which appear to be unconscionable. That the contract was not induced by undue influence is to be proved by :-

- Y
- X
- Both X and Y
- Either X or Y
- None of the Above

26. The principle 'facts speak for themselves' can be expressed by the maxim :-

- Ubi jus ibi remedium*
- Res ipsa loquitur**
- Novus actus interveniens*
- Causa Causans*
- None of the above

27. How many grounds of divorce are provided for a Muslim woman under Section 2 of the Dissolution of Muslim Marriage Act, 1939?

- 7
- 8
- 9
- 10
- None of the above

28. 'X' and 'Y' are husband and wife having a son and a daughter. They have adopted a girl 'Z'. The adoption under Hindu Adoption and Maintenance Act, 1956, is :-

- Valid
- Void**
- Voidable
- Illegal
- None of the above

29. Which Section of the Hindu Succession Act, 1956 lays down the order of succession among agnates and cognates?

- Section 8
- Section 10
- Section 12**
- Section 14
- None of the above

30. If, at the time of solemnization of marriage, wife has been subject to re-current attacks of insanity, under Hindu Marriage Act, 1955 the marriage will be :-

- Valid
- Void
- Voidable**
- Legal
- None of the above

31. Unavoidable delay upto \_\_\_\_\_ in presentation of a document for registration under the Registration Act, 1908 may be condoned by Registrar.

- two months
- four months**
- six months
- one month
- None of the above

32. Which of the following is/are 'goods' according to Sale of Goods Act, 1930 ?

- Actionable claim
- Money
- Stocks and Shares**
- All of the above
- None of the above

33. Alienation of the minor's property made by a natural guardian without the previous permission of the Court, under Section 8 (3) of Hindu Minority and Guardianship Act, 1956 will be voidable at the instance of :-

- Seller
- Purchaser
- Minor**
- Both (b) & (c)
- None of the above

34. Pecuniary limits of jurisdiction of Civil Judges (Junior Division) are determined, under Punjab Courts Act, 1918 by \_\_\_\_\_.

- State Government
- High Court**
- District Judge
- Civil Judge (Senior Division)
- None of the above

35. Who among the following was the first person to be honoured with 'Bharat Ratna' posthumously ?

- B.R. Ambedkar
- K. Kamaraj
- Lal Bahadur Shastri**
- Vinoba Bhave
- None of the above

36. 'Decibel' is the unit used for measuring :-

- Speed of light
- Intensity of sound**
- Intensity of heat
- Intensity of earthquake
- None of the above

37. Which of the following State in India has launched 'Quit India Movement 2' against social ills ?

- Maharashtra**
- Bihar
- West Bengal
- Tamil Nadu
- None of the above







75. In the Indian Constitution, criminal procedure is included in the \_\_\_\_\_.  
 a) Concurrent list    b) Union list  
 c) State list    d) Residuary list  
 e) None of the above

76. A proclamation under Section 82 of Code of Criminal Procedure, 1973 shall specify time for not less than 30 days from the date of \_\_\_\_\_, of such proclamation :-  
 a) Issuing    b) Receiving  
 c) Publishing    d) Returning  
 e) None of the above

77. Under which section of Code of Criminal Procedure, 1973, Court can grant adjournment subject to payment of costs by a party:-  
 a) 310    b) 311  
 c) 312    d) 316  
 e) None of the above

78. If, in a complaint case it is made to appear to Magistrate that an investigation by the police is in progress in relation to the same offence, which of the following order(s) a Magistrate may pass under Section 210 of Code of Criminal Procedure, 1973 ?  
 I) Return the complaint to be re-filed after police investigation  
 II) Stay the proceeding of inquiry or trial on such complaint  
 III) Call a report from the Investigating Officer  
 IV) Refer the complaint for investigation by police  
 V) Refer the complaint to Chief Judicial Magistrate

Answers:  
 a) III and V    b) II and V  
 c) II and III    d) II only  
 e) None of the above

79. Judgment in Mahboob Shah Vs. Emperor, AIR 1945 PC 118 explained the penal law relating to:-  
 a) Right to private defence  
 b) Defence of unsound mind  
 c) Common object  
 d) Common intention  
 e) None of the above

80. Which Section of the Indian Penal Code, 1860 defines 'sedition' ?  
 a) Section 121-A    b) Section 123  
 c) Section 124    d) Section 124-A  
 e) None of the above

81. The question is as to the date of Y's birth. An entry in the diary of a deceased surgeon regularly kept in the course of business, stating that, on a given day he attended Y's mother and delivered her of a son, is a relevant fact under which of the following Section of the Indian Evidence Act, 1872 ?  
 a) Section 32    b) Section 33  
 c) Section 34    d) Section 73  
 e) None of the above

82. The constitutional validity of which of the following section of Indian Evidence Act, 1872 has been upheld by Supreme Court in State of U.P. Vs. Deoman Upadhyaya (AIR 1960 SC 1125):-  
 a) 27    b) 32  
 c) 73    d) 119  
 e) None of the above

83. Who among the following is empowered to finally determine whether a Bill is Money Bill or not?  
 a) The Prime Minister of India  
 b) The Council of Ministers  
 c) The Finance Minister  
 d) The Speaker of the Lok Sabha  
 e) None of the above

84. Which of the following is not a writ issued by a superior court to an inferior Court?  
 a) Mandamus    b) Certiorari  
 c) Quo Warranto    d) Prohibition  
 e) None of the above

85. Which of the following section of the Limitation Act, 1963 gives recognition to the concept of 'Adverse Possession' ?  
 a) 22    b) 24  
 c) 26    d) 27  
 e) None of the above

86. Who among the following was in news for *National Anthem* decision (2016)?  
 a) Justice J.S. Khehar  
 b) Justice Dipak Misra  
 c) Justice T.S. Thakur  
 d) Justice J. Chelameswar  
 e) None of the above

87. A and B jointly purchased a tea shop. Each of them contributed half of the expense incurred for pottery and utensils. Then they leased out the shop and shared the rent equally. They are :-  
 a) Partners    b) Co-owners  
 c) Co-obligants    d) Agent of each other  
 e) None of the Above





112. Which High Court declared Ganga Yamuna rivers as 'living human' ? :-  
a) Allahabad      b) **Uttarakhand**  
c) Himachal Pradesh    d) Delhi  
e) None of the above

113. 'X' residing in Chandigarh, publishes statements defamatory to 'Y' in Ludhiana. 'Y' may sue 'X' at :-  
a) Chandigarh only  
b) Ludhiana only  
c) anywhere in India  
**d) either in Chandigarh or in Ludhiana.**  
e) None of the above

114. On production of a certified copy of the foreign judgment, the presumption as to the competency of the court, under section 14 of Code of Civil Procedure, 1908 is a :-  
a) presumption of fact  
b) presumption of fact & law both  
**c) rebuttable presumption of law**  
d) irrebuttable presumption of law  
e) None of the above

115. Under Section 199 of Code of Criminal Procedure, 1973, in a prosecution for defamation of the Vice President of India, Sessions Court may take cognizance of such offence without the case being committed to it, but only upon a complaint in writing made by \_\_\_\_\_  
a) The President of India  
b) Director General of Police  
c) District Magistrate  
**d) Public Prosecutor**  
e) None of the above

116. Constitution Bench of Supreme Court in judgment 'Hardeep Singh Vs. State of Punjab', decided on 10.01.2014 settled controversy regarding law containing in section \_\_\_\_\_ of Code of Criminal Procedure, 1973 :-  
a) 125      b) 311  
**c) 319**      d) 357  
e) None of the above

117. Which section of Indian Penal Code, 1860 makes sexual intercourse by husband upon his wife, during separation, without her consent, punishable ?  
a) 376-A      b) **376-B**  
c) 376-C      d) 376-E  
e) None of the above

118. A alongwith his gang members B, C and D holds X down and fraudulently takes X's money and jewels from X's clothes without his consent. Out of the following, what offence A and his gang members committed under Indian Penal Code, 1860:-  
a) Extortion      b) **Robbery**  
c) Dacoity      d) theft  
e) None of the above

119. Who wrote the book 'The Argumentative Indian' ?  
a) Jhumpa Lahiri      b) Shashi Tharoor  
**c) Amartya Sen**      d) Vikram Seth  
e) None of the above

120. Which of the following statement(s) is/are incorrect in the context of Section 165 of Indian Evidence Act, 1872 regarding judge's power ?  
I) A Judge can ask any question he pleases, even irrelevant  
II) Judge may order production of any document or thing  
III) Any party has right to make any objection to such question or order  
IV) The parties have inherent right to cross examine witness upon said question/answer.

Answers:

a) I and II      b) II and III  
**c) III and IV**      d) I and IV  
e) None of the above

121. Which of the following judgment, Supreme Court laid down the procedure regarding dealing with the objections as to the admissibility of the documents and other items of evidence ?  
a) Baldev Singh Vs. State of Punjab, (AIR 2009 SC 913)  
b) Balu Yadav Vs. State of Bihar, (AIR 1997 SC 2678)  
c) Chhotanney Vs. State of UP, (AIR 2009 SC 2013)  
**d) Bipan Chander Panchal Vs. State of Gujarat, (AIR 2001 SC 1158)**  
e) None of the above

122. Which of the following Directive Principle of State Policy, directs the state to take steps for preserving and improving the breeds, and prohibiting the slaughter of cows and calves and other milch and draught cattle ?  
a) 46      b) 47  
**c) 48**      d) 48-A  
e) None of the above

123. M agrees to pay N 10,000 rupees if two parallel lines should enclose a space. The agreement is:-

- a) Voidable at the instance of Promisee
- b) Void because of uncertainty and ambiguity
- c) Void because of future event
- d) Void because of impossible event.**
- e) None of the above

124. If an intestate deceased has left no heir qualified to succeed his property under Hindu Succession Act, 1956 the property shall, devolve on :-

- a) Orphan home      b) Charitable trust
- c) Government**      d) All the above
- e) None of the above

125. The headquarters of SAARC Secretariat is situated in :-

- a) Kathmandu**      b) Thimphu
- c) Dhaka      d) Colombo
- e) None of the above