

DO NOT OPEN THIS TEST BOOKLET UNTIL YOU ARE ASKED TO DO SO

**TEST BOOKLET
LAW OFFICER (IND)-2016**

Time Allowed : 2 Hours]

[Maximum Marks : 100

All questions carry equal marks.

INSTRUCTIONS

1. Immediately after the commencement of the examination, you should check that test booklet does not have any unprinted or torn or missing pages or items, etc. If so, get it replaced by a complete test booklet.
2. Write your Roll Number only in the box provided alongside.
Do not write anything else on the Test Booklet.
3. This Test Booklet contains **100** items (questions). Each item comprises four responses (answers). Choose only one response for each item which you consider the best.
4. After the candidate has read each item in the Test Booklet and decided which of the given responses is correct or the best, he has to mark the circle containing the letter of the selected response by blackening it completely with Black or Blue ball pen. In the following example, response "C" is so marked :

(A) (B) ● (D)
5. Do the encoding carefully as given in the illustrations. While encoding your particulars or marking the answers on answer sheet, you should blacken the circle corresponding to the choice in full and no part of the circle should be left unfilled. After the response has been marked in the ANSWER SHEET, no erasing/fluid is allowed.
6. You have to mark all your responses **ONLY** on the ANSWER SHEET separately given according to 'INSTRUCTIONS FOR CANDIDATES' already supplied to you. Responses marked on the Test Booklet or in any paper other than the answer sheet shall not be examined.
7. All items carry equal marks. Attempt all items. Your total marks will depend only on the number of correct responses marked by you in the Answer Sheet. There will be no negative marking.
8. Before you proceed to mark responses in the Answer Sheet fill in the particulars in the front portion of the Answer Sheet as per the instructions sent to you.
9. 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.
10. After you have completed the test, hand over the Answer Sheet only, to the Invigilator.

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Law Officer (Ind)-2016

Time Allowed : 2 Hours]

[Maximum Marks : 100

1. Match List I with List II and select the *correct* answer by using the codes given below the lists :

List I

List II

- | | |
|-----------------------|-----------------------------|
| (a) Court of justice | (i) Section 20, IPC, 1860 |
| (b) Dishonestly | (ii) Section 24, IPC, 1860 |
| (c) Reason to believe | (iii) Section 26, IPC, 1860 |
| (d) Fraudulently | (iv) Section 25, IPC, 1860 |

Codes :

- | | | | |
|-----------|-------|-------|------|
| (a) | (b) | (c) | (d) |
| (A) (i) | (ii) | (iii) | (iv) |
| (B) (iii) | (iv) | (ii) | (i) |
| (C) (i) | (iii) | (ii) | (iv) |
| (D) (ii) | (iii) | (iv) | (i) |

2. Where the offence is punishable with imprisonment as well as fine, as per Section-65 of IPC, 1860 the imprisonment in default of payment of fine

(A) shall not exceed $\frac{1}{4}$ th of the term of imprisonment which is the maximum fixed for the offence

(B) shall not exceed $\frac{1}{2}$ of the term of imprisonment which is the maximum fixed for the offence

(C) shall not exceed $\frac{1}{4}$ th of the term of imprisonment which is minimum fixed for the offence

(D) shall not exceed $\frac{1}{2}$ of the term of imprisonment which is minimum fixed for the offence

3. In calculating fractions of terms of punishment, imprisonment for life shall be reckoned as equivalent to imprisonment :

(A) for 10 years

(B) for 14 years

(C) for 20 years

(D) for 30 years

4. In which of the following cases, the right of private defence of property *does not* extend to causing death ?
- (A) Robbery
 - (B) House-breaking by night
 - (C) Mischief by fire
 - (D) None of the above
5. In order to commit extortion, putting any person in fear of an accusation for which of the following offences against that person or any other, is punishable with imprisonment for life ?
- (A) the offence punishable under *Section 376-B of the Indian Penal Code, 1860*
 - (B) the offence punishable under *Section 377 of the IPC, 1860*
 - (C) the offence punishable under *Section 396 of the IPC, 1860*
 - (D) the offence punishable under *Section 302 of the IPC, 1860*

6. House-breaking by night, in order to commit theft is punishable with imprisonment which may extend to *fourteen years* :
- (A) under Section 457 of IPC, 1860
 - (B) under Section 454 of IPC, 1860
 - (C) under Section 455 of IPC, 1860
 - (D) under Section 458 of IPC, 1860
7. The accused persons, armed with deadly weapons and having found guilty by criminal court of offence under Section 398 (attempt to commit robbery), were sentenced to seven years' RI which is minimum sentence under Section 398. In respect to the above, which of the following is *true/correct* ?
- (A) The sentence of 7 years be reduced to period already undergone by them.
 - (B) The sentence of 7 years cannot be reduced to period already undergone by them.
 - (C) The sentence of 7 years be reduced if the committing court takes lenient view of the family circumstances of the accused.
 - (D) The sentence of 7 years can be enhanced by one year since the accused were committed under Section 25 of the Arms Act, and sentenced to suffer RI for one year.

8. Which of the following is *not correct* ?

- (A) In case both the families (that of the wife and of the husband) were engaged in offering gifts to each other, in accord with prevailing practice and tradition, gifts cannot be held to be "dowry."
- (B) A demand for money on account of some financial stringency or for meeting some urgent domestic expenses or for purchasing manure, cannot be termed as demand for a 'dowry' as the said word is normally understood.
- (C) The term 'dowry' expressed in Section 304-B of the IPC, 1860 would not be limited to the traditional meaning attached to the aforesaid expression, but would included a demand for money for other purposes as well.
- (D) None of the above

9. "The expression 'office' appearing in the relevant provisions of the *Prevention of Corruption Act*, 1988, is referable to a position which has existence independent of the person who fills up the same and which is required to be filled up in succession by successive holders".

In which of the following cases the Apex Court had approved the above views expressed by Lord Atkin in *McMillan Vs. Guest* (1942) AC 561 :

- (A) *P.V. Narasimha Rao Vs. State (CBI/SPE)* AIR 1999 SC 2120
- (B) *Mahesh Trivedi Vs. State of Rajasthan*, AIR 2014 SC 648
- (C) *Statesmen (P) Ltd. Vs. H.R. Deb*, AIR 1968 SC 1495
- (D) *Govt. of A.P Vs. P. Venku Reddy*, AIR 2002 SC 3346

10. The offence of "conspiracy to murder" i.e. "criminal conspiracy" is defined in which Section of *the Indian Penal Code, 1860* ?
- (A) Section 34 (B) Section 120 A
- (C) Section 120 B (D) Section 124 A
11. Monitoring the use by a woman of the internet, email, or any other form of electronic communication, by any man, constitutes an offence under :
- (A) Section 354 D (B) Section 354 A
- (C) Section 354 B (D) Section 354 C
12. " 'A' on grave and sudden provocation, fires a pistol at 'Z', under such circumstances that if he thereby caused death, he would be guilty of culpable homicide not amounting to murder." What offence 'A' has committed ?
- (A) *Culpable homicide not amounting to murder*
- (B) Murder
- (C) No offence
- (D) Attempt to commit culpable homicide

13. " 'A' intending to murder 'Z' by poison, purchases poison and mixes the same with food. 'A' places the food on 'Z' table or delivers it to Z's servant to place it on Z's table." What offence A has committed ?
- (A) Attempt to murder
 - (B) No offence
 - (C) Murder
 - (D) Offence under *Section 328 of IPC, 1860*
14. Voluntarily throwing or attempting to throw acid, as defined under *Section 326 B* constitutes an offence punishable with :
- (A) Imprisonment for five years which may extend to *seven years* and fine
 - (B) Imprisonment for not less than ten years
 - (C) Life imprisonment
 - (D) Imprisonment for ten years which may extend to life imprisonment and fine

15. "A finds a purse with money, not knowing to whom it belongs; he afterwards discovers that it belongs to Z, and appropriates it". What offence A has committed, if any ?
- (A) Criminal breach of trust
 - (B) Receiving stolen property
 - (C) Dishonest misappropriation of property
 - (D) No offence
16. Voluntarily assisting in concealing or disposing of or making away with property, which he knows or has reason to believe to be stolen property, constitutes an offence under which of the following Sections ?
- (A) Section 414 of the IPC, 1860
 - (B) Section 411 of the IPC, 1860
 - (C) Section 412 of the IPC, 1860
 - (D) Section 201 of the IPC, 1860

17. "Criminal Procedure is a subject in which of the lists of Seven Schedule to the Constitution of India ?
- (A) Union list
 - (B) Concurrent list
 - (C) State list
 - (D) A subject under the Residuary Jurisdiction of the Union Parliament
18. The term 'Complaint' is defined in which Section of the Code of Criminal Procedure, 1973 ?
- (A) Section 2(d)
 - (B) Section 2(e)
 - (C) Section 2(b)
 - (D) Section 2(n)
19. Which in the following is *incorrect* in reference to the *Cr.P.C., 1973* ?
- (A) "*Judicial proceedings*" includes any proceeding in the course of which evidence is or may be legally taken on oath.
 - (B) "*Victim*" means a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged.
 - (C) Within the meaning of *Cr.P.C., 1973*, the term 'victim' does not include the victim's guardian or legal heir.
 - (D) 'Notification' means a notification published in the Official Gazette.

20. It is mandatory to produce, the person arrested by a police officer, without warrant, before the Magistrate, within 24 hours of his arrest under which Section of the *Code of Criminal Procedure, 1973* ?

(A) Section 59

(B) Section 58

(C) Section 57

(D) Section 56

21. Which of the following is *not correct* ?

(A) F.I.R. under Section 154 of *Cr. P. C., 1973* is not a substantive piece of evidence. Its only use is to contradict or corroborate the matter thereof.

(B) Mere delay in lodging the F.I.R. is necessarily fatal to the case of the prosecution.

(C) An unanimous call reporting a cognizable offence information received on phone by a police officer, without any detail as regards the identity of the accused or the nature of injuries caused to the victim, as well as, the name of the culprits may not be treated as F.I.R.

(D) When the prosecution has explained the delay in lodging the complaint, prosecution's case cannot be doubted on the same delay between the time of occurrence and in the registration of the F.I.R.

22. Procedure for investigation of a cognizable offence by an officer-in-charge of a police station is contained in
- (A) Section 156 of the Cr.P.C., 1973
 - (B) Section 157 of the Cr.P.C., 1973
 - (C) Section 158 of the Cr.P.C., 1973
 - (D) Section 159 of the Cr.P.C., 1973
23. Which of the following Sections of the Code of Criminal Procedure, 1973 confers inherent power on the High Court to make such orders as may be necessary to give effect to any order under this *code* ?
- (A) Section 481
 - (B) Section 482
 - (C) Section 484
 - (D) None of these
24. When any application is made to any court in the course of any inquiry, trial or other proceeding, under the *Cr.P.C., 1973* evidence on affidavit can be given
- (A) for allegation made in respect of a public servant
 - (B) by any person whose evidence is of formal character
 - (C) (A) and (B) both
 - (D) Neither (A) nor (B)

25. Contents of a charge made under the *Cr.P.C. 1973*, with which the accused is charged, are mentioned in
- (A) Section 214 of Cr.P.C., 1973
- (B) Section 213 of Cr.P.C., 1973
- (C) Section 211 of Cr.P.C., 1973
- (D) Section 212 of Cr.P.C., 1973
26. Which of the following is *incorrect* in respect of framing of charge under the *Cr.P.C., 1973* ?
- (A) 'A' is accused of theft of a certain article at a certain time and place. The charge need not set out the manner in which the theft was effected.
- (B) 'A' is accused of cheating 'B' at a given time and place. The charge need not set out the manner in which 'A' cheated 'B'.
- (C) 'A' is accused of giving false evidence at a given time and place. The charge must set out that portion of the evidence given by 'A' which is alleged to be false.
- (D) 'A' is accused of the murder of 'B' at a given time and place. The charge need not state the manner in which 'A' murdered 'B'.

27. Section 451 of the Cr.P.C. 1973 deals with the order for custody and disposal of property pending trial in certain cases. For the purpose of this Section "property" includes

- (A) property of any kind or document which is produced before the court
- (B) property of any kind or document which is in the custody of the court
- (C) any property in the custody of the accused
- (D) (A) and (B) both

28. Which of the following irregularities vitiate a proceeding ?

- (A) Issuance of a search warrant under Section 94 of the Code
- (B) A magistrate, not empowered by law to do so, holds an inquest under Section 176 of the Code
- (C) A magistrate, not empowered by law to do so, issues order under Section 155 to the police to investigate an offence
- (D) A magistrate, not being empowered by law in this behalf, attaches and sells property under Section 83 of the Code

31. In a case triable by a Magistrate, where the trial of a person, accused of non-bailable offence, is not concluded within a period of sixty days from the first date fixed for taking evidence, in the case, such person, if he is in custody during the whole of the said period, be released on bail, unless for reasons to be recorded in writing, the Magistrate otherwise directs.

Which of the following provides for such bail in case of non-bailable offences ?

- (A) Section 437 (B) Section 436A
(C) Section 167 (D) None of these

32. Which of the following *does not* mean a decree ?

- (A) Rejection of plaint
(B) Determination of any question under Section 144 of the *Code of Civil Procedure, 1908*
(C) A formal expression of an adjudication which conclusively determines the rights of the parties
(D) Any order of dismissal for default

33. Match List I with List II and select the *correct* answer using the codes given below the lists :

List I

List II

- | | |
|--------------------|--|
| (a) Foreign court | (i) Section 2(5) of the C.P.C. 1908 |
| (b) Order | (ii) Section 2(14) of the C.P.C. 1908 |
| (c) Public officer | (iii) Section 2(17) of the C.P.C. 1908 |
| (d) Rules | (iv) Section 2(18) of the C.P.C. 1908 |

Codes :

- | | | | |
|----------|-------|-------|-------|
| (a) | (b) | (c) | (d) |
| (A) (i) | (ii) | (iii) | (iv) |
| (B) (ii) | (iii) | (i) | (iv) |
| (C) (i) | (ii) | (iv) | (iii) |
| (D) (i) | (iii) | (iv) | (ii) |

34. Which of the following lays down the procedure for substituted service of summons ?

- (A) O V R 20 of the C.P.C., 1908
- (B) O V R 20-A of the C.P.C., 1908
- (C) O V R 21 of the C.P.C. 1908
- (D) O V R 18 of the C.P.C. 1908

35. Which of the following is correct when the defendant is confined to prison ?
- (A) the summons shall be delivered or sent to the officer-in-charge of the prison for service on the defendant
 - (B) the summons shall be served on the defendant only
 - (C) the summons shall be served on any adult member of family of the defendant
 - (D) the summons shall be delivered to the legal representative of the defendant
36. Which of the following provides exemption from arrest and detention under civil procedure to members of legislative bodies ?
- (A) Section 132 of C.P.C., 1908
 - (B) Section 133 of C.P.C., 1908
 - (C) Section 135 of C.P.C., 1908
 - (D) Section 135-A of C.P.C., 1908

37. Where any period is fixed or granted by the court for doing of any act under the *code of Civil Procedure, 1908*, the court may in its discretion enlarge the period in terms of Section 148 of the code

- (A) for not exceeding *thirty* days in total
- (B) for not exceeding *sixty* days in total
- (C) for not exceeding *forty-five* days in total
- (D) for any number of days, there is no such limit

38. When the court orders return of plaint to be presented to the court in which the suit should be instituted

- (A) the court (the judge) returning the plaint shall endorse on the plaint the date of its presentation
- (B) the court (the judge) returning the plaint shall endorse on the plaint the name of the party presenting it
- (C) the court (the judge) returning the plaint shall endorse on the plaint the date of its return
- (D) the court (the judge) returning the plaint need not give any reasons for returning the plaint.

Which of the above is *not correct* ?

39. Under which of the following circumstances, a foreign judgment *shall not* be conclusive ?
- (A) When it has been pronounced by a court having jurisdiction
 - (B) When it has been given on the merits of the case
 - (C) When principles of natural justice have been followed in pronouncing it
 - (D) Where it sustains a claim founded on a breach of any law in force in India
40. Doctrine of *Res-judicata* as contained in Section 11 of *the Code of Civil Procedure*, 1908, is based on the maxim
- (A) *Nemo debet bis vexari, pro una et eadem cause*
 - (B) *Interest reipublicae ut sit finis litium*
 - (C) Both (A) and (B)
 - (D) Neither (A) nor (B)

41. In which of the following judgments, the Apex Court ruled "existence of a substantial question of law is the *sine qua non*", for the exercise of jurisdiction under the Provisions of Section 100 of *the C.P.C., 1908* ?

(A) *Raghavendra Swamy Mutt Vs. Uttaradi Mutt*, AIR 2016 SC 1589

(B) *Roop Singh Vs. Ram Singh* AIR 2000 SC 426

(C) *Ram Phel Vs. Banarasi* (2003) IISCC 762

(D) All of the above

42. 'A' employed in a company, having its registered office in Aurangabad, having worked at that place, was on promotion transferred to company's office in Pondicherry. Serving there for some time, was removed from service on the closure of company's establishment at Pondicherry. 'A' challenges his termination. Which of the following courts would have jurisdiction to entertain his complaint ?

(A) The court at Aurangabad only

(B) The court at Pondicherry only

(C) The courts at both these places

(D) Neither (A) nor (B)

43. The legal principles for the invocation of Section 11 of the C.P.C. 1908, were laid down by the Apex Court in which of the following judgments ?

(A) *Sheodan Singh Vs. Daryao Kunwar*, AIR 1966 SC 1322

(B) *Syed Mohd Salia Labbas Vs. Mohd. Hanifa*, AIR 1976 SC 1569

(C) *Daryao Vs. State of U.P.* AIR 1961 SC 1457

(D) All of the above

44. In which of the following judgments, the Apex Court laid down the law as to the existence of Revisional power under Section 115 of the C.P.C., 1908 ?

(A) *Mahavir Singh Vs. Naresh Chandra* AIR 2001 SC 134

(B) *Kessowji Issur Vs. G.I.P. Rly.* ILR (1907-08) 31 Bom 381

(C) *A. Andisamy Vs. A.Subburaj* AIR 2016 SC 79

(D) (A) and (C) only

45. In which of the following decisions the Provisions of Section 98 of the C.P.C., 1908 came to be considered ?

(A) *Reliance Industries Ltd. Vs. Pravinbhai Jasbhai Patel*, AIR 1997 SC 3892

(B) *Tej Kaur Vs. Kirpal Singh* AIR 1995 SC 1681

(C) *Dhanaraju Vs. Motilal Daga* AIR 1929 (Mad) 641

(D) All the above

46. Which is *not* true/correct in the following ?

(A) 'Fact' for the purposes of the *Indian Evidence Act*, 1872, includes not only physical fact but also psychological facts

(B) For the purposes of the I.E. Act, 1872 the expression 'Court' includes arbitrators'

(C) Within the meanings of the I.E. Act, 1872, a caricature is a document

(D) A fact is said to be not proved when it is neither proved nor disproved

47. "Leading question" may be asked in

- (A) Cross-examination
- (B) Examination-in-chief
- (C) Re-examination
- (D) No circumstances

Which of the above is *correct* ?

48. An accomplice is a competent witness against the accused under

- (A) Section 133 of the I.E. Act, 1872
- (B) Section 132 of the I.E. Act, 1872
- (C) Section 135 of the I.E. Act, 1872
- (D) Section 118 of the I.E. Act, 1872

49. Which of the following facts *need to be proved* ?

- (A) Facts judicially noticeable
- (B) Facts of which the court must take judicial notice
- (C) Facts admitted by parties
- (D) None of the above

50. In which of the following judgements the Apex court ruled that entries in jamabandi/mutation entries, are *not* proof of the title in respect of an immovable property ?
- (A) *Guru Amarjit Singh Vs. Rattan Chand* AIR 1994 SC 227
- (B) *Jattu Ram Vs. Hakam Singh* AIR 1994 SC 1653
- (C) *Prem Nath Khanna Vs. Narinder Nath Kapoor*, AIR 2016 SC 1433
- (D) All of the above
51. Which of the following are *not* privileged professional communication under Section 126 of the Indian Evidence Act, 1872 ?
- (A) Pleadings signed and filed in the court
- (B) Communications made to the Vakil by his client, in the course of and for the purpose of his employment as such Vakil
- (C) The contents or conditions of any document with which the Vakil has become acquainted in the course of and for the purpose of his professional employment
- (D) Any advice given by the Vakil to his client in the course and for the purpose of such employment

52. Which of the following statements is *correct* in respect of *dying declaration* ?
- (A) Once the court has come to the conclusion that the dying declaration was the truthful version as to the circumstances of the death and the assailants of the victim, there is no question of further corroboration
 - (B) A valid dying declaration may be made without obtaining a certificate of fitness of the declarant by a medical officer
 - (C) There is no requirement of law that a dying declaration must necessarily be made to a Magistrate and when such statement is recorded by a Magistrate, there is no specified statutory form for such recording
 - (D) All of the above
53. Explaining the logic of Section-134 of the Indian Evidence Act, 1872, the Apex court in which of the following judgments observed : "There is no legal impediment in convicting a person on the sole testimony of a single witness, provided the testimony of single witness found reliable." ?
- (A) *Prithipal Singh Vs. State of Punjab*, (2012) 1 SCC 10
 - (B) *Sudip Kr. Sen alias Bittu Vs. State of W.B.*, AIR 2016 SC 310
 - (C) *Joseph Vs. State of Kerala*, AIR 2003 SC 507
 - (D) (A) and (B) only

54. Principles in respect of evidentiary value and reliability of *extra-judicial confession* were summarized by the Supreme Court in

- (A) *Sahadevan Vs. State of T.N.*, AIR 2012 SC 2435
- (B) *Vijay Shankar Vs. State of Haryana*, AIR 2015 SC 3686
- (C) *Bablu Vs. State of Rajasthan*, AIR 2007 SC 697
- (D) *S.B. Sarda Vs. State of Maharashtra* AIR 1984 SC 1622

55. A witness, who is not a party to the suit cannot be compelled to produce :

- (i) his title-deeds to any property
- (ii) any document by which he became the pledgee or mortgagee of any property
- (iii) any document which might tend to criminate him

The above provision is contained in which of the following Sections of *The Indian Evidence Act, 1872* ?

- (A) Section 126
- (B) Section 132
- (C) Section 131
- (D) Section 130

56. *The Specific Relief Act, 1963 does not define expression*
- (A) Settlement (B) Trust
- (C) Obligation (D) Specific relief
57. A suit for recovery of possession of immovable property under Section 6 of the *Specific Relief Act, 1963*, cannot be filed against
- (A) a private individual (B) the government
- (C) a company (D) a registered society
58. Section 9 of *The Sp. R. Act, 1963* provides for
- (A) defences respecting suits for relief based on contract
- (B) defences, which a person against whom the relief of specific performance, is claimed may plead
- (C) defences, which a person against whom the relief of specific performance is claimed, cannot plead
- (D) (A) and (B) only

59. Which of the following Sections of the *Sp-R.A. 1963*, contain provisions relating to specific performance of a part of a contract ?
- (A) Section 11 (B) Section 12
(C) Section 13 (D) Section 14
60. Personal bars to relief of specific performance are contained in
- (A) Section 15 of the Sp. R. Act, 1963
(B) Section 16 of the Sp. R. Act, 1963
(C) Section 17 of the Sp. R. Act, 1963
(D) Section 18 of the Sp. R. Act, 1963
61. In which of the following judgments, the Apex court has ruled that "in a case of specific performance, it is settled law and indeed it cannot be doubted that the jurisdiction, to order specific performance of a contract, is based on the existence of a valid and enforceable contract" ?
- (A) *Mayawanti Vs. Kaushalya Devi* (1990) 3 SSC 1
(B) *Satish Kumar Vs. Karan Singh*, AIR 2016 SC 737
(C) *J.P. Builders Vs. A. Ramadas Rao* JT 2010 (12) SC 588
(D) (A) and (B) only

62. Match List I with List II and select the *correct* answer by using the codes given below the lists :

List I

List II

- | | |
|----------------------------------|---|
| (a) Rectification of instruments | (i) Section 27 of the Sp. R. Act, 1963 |
| (b) Rescission of contracts | (ii) Section 26 |
| (c) Cancellation of instruments | (iii) Section 34 |
| (d) Declaratory decrees | (iv) Section 31 of the Sp. R. Act, 1963 |

Codes :

- | | | | |
|-----------|-------|-------|-------|
| (a) | (b) | (c) | (d) |
| (A) (ii) | (i) | (iv) | (iii) |
| (B) (i) | (ii) | (iii) | (iv) |
| (C) (iii) | (i) | (iv) | (ii) |
| (D) (iv) | (iii) | (ii) | (i) |

63. In which of the following judgments, the Apex court, while dealing with Sections 16(C) and 20 of the *Specific Relief Act, 1963*, observed the person seeking specific performance of the contract must file a suit wherein he must allege and prove that he has performed or has been ready and willing to perform the essential terms of the contract which are to be performed by him" ?

- (A) *Bal Krishan Vs. Bhagwan Das*, AIR 2008 SC 1786
- (B) *Padmakumari Vs. Dasayyan* (2015) 8 SCC 695
- (C) *N.P. Thirugnanam Vs. D.R. Jagan*, AIR 1996 SC 116
- (D) All of the above

64. Which of the following statements is *not correct* ?

- (A) A contract made by a trustee in excess of his powers or in breach of trust *cannot* be specifically enforced
- (B) An injunction *cannot* be granted to restrain any person from instituting or prosecuting any proceeding in a criminal court
- (C) An injunction *can* be granted against any person restraining him from applying to any legislative body
- (D) An injunction *can* be granted restraining a medical practitioner from publishing the past immoral life of his client

65. In respect of *the Indian Contract Act, 1872*, which of the following statements is correct ?
- (A) Essence of a contract is *consensus ad idem*
 - (B) *The Indian Contract Act, 1872*, is not a complete code
 - (C) The law of contract determines the circumstances in which a promise shall be legally binding on the person making it
 - (D) All of the above
66. Which of the following Sections of the Indian Contract Act, 1872 defines the expression *reciprocal promises* ?
- (A) Section 2(f)
 - (B) Section 2(e)
 - (C) Section 2(i)
 - (D) Section 2(j)
67. "A positive assertion, in a manner not warranted by the information of the person making it, of that, which is not true, though he believes it to be true" is
- (A) Coercion
 - (B) Duress
 - (C) Misrepresentation
 - (D) Fraud

68. Which of the following Sections of *The I.C. Act, 1872*, defines and explains 'Agreements in restraint of legal proceedings' ?
- (A) Section 28 (B) Section 27
(C) Section 26 (D) Section 25
69. Which of the following terms/expressions is *not* used in *the Indian Contract Act, 1872* ?
- (A) Voidable contract (B) Void contract
(C) Contract becomes void (D) Void agreement
70. The propositions to decide whether the sum stipulated in the contract was "*liquidated damages*" or "*penalty*" for the breach of contract, within the meanings of Section 73 & 74 of the I.C.A., 1872, were laid down in
- (A) *Dunlop Pneumatic Tyres Co. Vs. New Garage and Motor Co. Ltd.* (1915) AC 79
- (B) *Kemble Vs. Farren*, (1829) 2 Bing. 141
- (C) *Ford Motor Co. Vs. Armstrong*, (1915) 31 TLR 267 CA
- (D) *Wallis Vs. Smith*, (1882) 21 Ch. D 243

71. Which one of the following cases is the well-known case on the concept of *remoteness of damages*, when a contract stands breached ?

(A) *Kemp Vs. Intasun Holidays Ltd.* (1987) 2 T.I.R. 234

(B) *Simpson Vs. L & N.W. Rly. Co.* (1876) 1 QBD274

(C) *Hadley Vs. Baxendale* (1854) 9 Ex 341

(D) *Victoria Laundry Windsor Ltd. Vs. Newman Industries Ltd.* (1949) 2 KB

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72. "Public policy or the policy of law" is an illusive concept, it has been described as an 'untrustworthy guide', 'variable quality', 'unruly house' etc." In which of the following cases, the Apex court made this observation ?

(A) *Gherulal Vs. Mahadeodas Malya*, AIR 1959 SC 781

(B) *State of Rajasthan Vs. Basant Nehata* AIR 2005 SC 3401

(C) *C.I.W.T. Corpn. Ltd. Vs. Brojo Nath Ganguly*, AIR 1986 SC 1571

(D) *Union Carbide Corpn. Vs. U.O.I.*, AIR 1992 SC 248

73. Match List I with List II and select the *correct* answer by using the codes given below the lists :

List I

List II

- (a) Khan Gul Vs. Lakha Singh AIR 1928 Lahore 609 (i) Nature of Minor's agreement
- (b) Mohori Bibee Vs. Dharmodas Ghose, (1903) 309 A. 112 (ii) Restitution against a minor
- (c) Harvey Vs. Facey, (1893) AC 552 (iii) Communication of offer
- (d) Lalman Shukla Vs. Gauri Datta (iv) Offer to be definite (1913) 11 All LJ 489

Codes :

- | | (a) | (b) | (c) | (d) |
|-----|------|-------|-------|-------|
| (A) | (ii) | (i) | (iv) | (iii) |
| (B) | (i) | (ii) | (iii) | (iv) |
| (C) | (i) | (ii) | (iv) | (iii) |
| (D) | (i) | (iii) | (ii) | (iv) |

74. In which of the following judgments the Apex court ruled that in case of pledge of goods with the Bank, the pawnee-bank had to be given precedence over other dues *e.g.*, provident fund dues of pawner's employees, claim of workmen/cane growers :
- (A) Central Bank of India Vs. Siriguppa, Sugar & Chemicals Ltd., AIR 2007 SC 2804
 - (B) *Maharashtra State Co-op Bank Ltd, Vs. Assistant P.F. Commissioner*, AIR 2010 SC 868
 - (C) *Sahyadri Co-operative Credit Society Ltd. Vs. State of Maharashtra*, AIR 2016 SC 1580
 - (D) (A) and (C) only
75. The directors of a company executed a guarantee deed rendering them personally liable for any transactions or advances made by the Creditor-Bank to the company, after date of its execution. Decide the following which is *correct* ?
- (A) The liability of the directors extends only to debts/advances made subsequent to the execution of the guarantee deed
 - (B) The liability of the directors extends to transaction/advances made prior to the execution of the guarantee deed
 - (C) The liability of directors extends to debts advanced since the date they become directors
 - (D) None of the above

76. In which of the following judgments, the Apex Court observed : "When in course of commercial dealings, unconditional bank guarantees have been given or accepted, the beneficiary is entitled to realize such a bank guarantee in terms thereof irrespective of any pending disputes" :

- (A) *M/s Adani Agri Fresh Ltd. Vs. Mahaboob Sharif*, AIR 2016 SC 92
- (B) *Vinitee Electronics Private Ltd. Vs. HCL Infosystems Ltd.*] (2008) 1 SCC 544
- (C) *U.P. State Sugar Corpn. Vs. Sumae International Ltd.*, AIR 1997 SC 1644
- (D) (B) and (C) only

77. In which of the following cases, an agent may be held personally liable for contracts entered into by him on behalf of his principal ?

- (A) Where the contract is made by an agent for the sale or purchase of goods for a merchant resident abroad
- (B) Where the agent does not disclose the name of his principal
- (C) Where the principal, through disclosed, cannot be sued
- (D) All of the above

78. For the purposes of the *Limitation Act, 1963* which of the following statements is *not correct* ?

(A) "Application" includes a petition

(B) Nothing shall be deemed to be done in good faith which is not done with due care and attention

(C) "Suit" includes an appeal or an application

(D) "Bill of exchange" includes a hundi and a cheque

79. A court shall be deemed to be closed on any day within the meaning of Section 4 of the *Limitation Act, 1963*

(A) if during any part of its normal working hours the court remains closed on that day

(B) if during the first-half of that day, the court remains closed

(C) if during the last-half of that day, the court remains closed

(D) if the court remains closed for the whole of that day

Which of the above is *correct* ?

80. Which of the following is *true* of the acknowledgment of liability within the meaning of Section 18 of the Limitation Act, 1963 ?

- (A) the acknowledgment of liability must be in writing
- (B) the writing has to be signed by the party against whom the property or right is claimed
- (C) the acknowledgment of liability has to be addressed to the creditor himself
- (D) (A) and (B) only

81. For the purpose of Article 64 and 65 in Schedule to the Limitation Act, 1963, the Apex court in which of the following cases, summed up the essentials of adverse possession and declared that the claimant's possession be "*nec vi, nec clam, nec precario* ?

- (A) *Karnataka Board of Wakf Vs. Government of India*, (2004) 10 SCC 779
- (B) *M. Venkatesh Vs. Commissioner Bangalore Development Authority* (2015) 10 SCALE 27
- (C) *D.N. Venkatarayappa Vs. State of Karnataka*, AIR 1997 SC 2930
- (D) *Nagabhushanammal Vs. C. Chandi Keswaralingam*, AIR 2016 SC 1134

82. Which of the following statements is *not correct* ?

- (A) For the purposes of Section 6 of *the Limitation Act, 1963* "minor" includes a child in the womb.
- (B) In computing under Section 12 of *the Limitation Act, 1963*, the time requisite for obtaining a copy of a decree or an order, any time taken by the court to prepare the decree or order, before an application for a copy thereof is made, shall not be excluded.
- (C) Section 7 of *the Limitation Act, 1963* applies to a discharge from every kind of liability, excluding a liability in respect of any immovable property
- (D) In the case of a suit for compensation, for an act, which does not give rise to a cause of action unless some specific injury actually results therefrom, the period of limitation shall be computed from the time when the injury results.

83. Section 9 of the *Hindu Marriage Act, 1955* is titled as

- (A) Judicial separation
- (B) Restitution of conjugal rights
- (C) Ceremonies of marriages
- (D) Jurisdiction of the court

84. Which of the following is *not a void marriage* ?

- (A) Where the boy is a Hindu and the girl in Parsi
- (B) Where parties are spindas of each other
- (C) Where parties are within prohibited degrees of relationship
- (D) Where one party was of unsound mind at the time of marriage

85. Which is a *correct statement* in reference to the *Hindu Marriage Act, 1955* ?

- (A) In respect of matrimonial duties and obligations, it is said that *cruelty* as a ground for divorce, may be mental, physical or unintentional
- (B) The law presumes in favour of marriage and against concubinage, when a man and a women have cohabited continuously for a number of years
- (C) In a proceeding for divorce under Section 13A of the *Hindu Marriage Act, 1955*, the court has discretion to grant *judicial separation*
- (D) All of the above

86. *The Himachal Pradesh Courts Act, 1976* received the assent of the Governor on
- (A) 26th May, 1976 (B) 4th June, 1976
(C) 5th July, 1980 (D) 3rd July, 1980
87. Under the *H.P. Courts Act, 1976*, who may appoint the same person to be the district judge of two or more districts ?
- (A) The Chief Justice of the State
(B) The High Court
(C) The State Government *after consultation with the High Court*
(D) The State Government *if the High Court thinks it fit*
88. The place of sitting of a court exercising power under *the H.P. Courts Act, 1976*, is to be fixed by
- (A) The High Court
(B) The Chief Justice of the State
(C) The State Government
(D) The Administrative Judge

89. Which of the following *Sections of the Indian Stamp Act, 1899*, deals with impounding of instruments not duly stamped ?
- (A) Section 31 (B) Section 33
(C) Section 36 (D) Section 38
90. Which of the following statements is *correct* for the purposes of the *Indian Stamp Act, 1899* ?
- (A) It is mandatory for the person, before whom a document is produced, having authorised to receive such document, to impound the document if it is not duly stamped
- (B) Legalistically even, at the interim stage of a proceeding, a court can not look into an unstamped document. However, considering that, at that stage, the court has power to impound, it, get it properly stamped from the collector and thereby cure the defect
- (C) When a property is purchased in court auction sale, any value other than the value fixed by the court cannot be taken into consideration for the purpose of determining the stamp duty, or that the value of property fixed by the court cannot be deviated from
- (D) All of the above

91. Under which Section of the *H.P.U.R.C. Act, 1987* the controller is vested with power to fix the *fair rent* for a building or rented land ?

(A) Section 7

(B) Section 5

(C) Section 4

(D) Section 6

92. In which of the following cases the landlord, under the *H.P.U.R.C. Act, 1987*, is *not entitled* to immediate possession of the premises on the ground of bonafide requirement ?

(A) the landlord is a member of Armed Forces of the U.O.I. and requires it for occupation of his family, certifying that he is serving under special conditions

(B) the landlord in occupation of Government accommodation, required to vacate such residential accommodation

(C) a specified landlord, in service of the government, voluntarily retires from service

(D) a specified landlord, in service of the government, resigns from the service

93. In the state of Himachal Pradesh, the term "Vehicle" under *the Indian Forest Act, 1927* does not include :
- (A) a cart (B) a trolley
(C) a bicycle (D) a trailer
94. The expression "Forest" for the purposes of *the Indian Forest Act, 1927* is a subject in
- (A) Union list of the Seventh Schedule of the Constitution of India
(B) State list
(C) Concurrent list
(D) None of the above
95. Who may issue a notification declaring an area as a "National Park" under *the Wild Life (Protection) Act, 1972* ?
- (A) The central Government
(B) The State Government
(C) The Governor of the State
(D) None of the above

96. Who is vested with the control of "Sanctuaries" under the *W.L.(P) Act, 1972* ?
- (A) the Chief Wildlife Warden
 - (B) The Chief Conservator of Forests
 - (C) the Collector of the District
 - (D) an officer appointed by the State Government by publication in the Official Gazette
97. Under the *Negotiable Instruments Act, 1881*, constructive liability of persons, responsible for conduct of business of a company is created by :
- (A) Section 141 of the Act
 - (B) Section 138 of the Act
 - (C) Section 139 of the Act
 - (D) Section 142 of the Act
98. Under the *Negotiable Instruments Act, 1881*, in case of dishonour of cheque, which is *true* among the following ?
- (A) Where the payee is a proprietary concern, the complaint can be filed by the proprietor of the proprietary concern, describing himself as the sole proprietor of the "payee"
 - (B) Where the payee is a proprietary concern, the complaint can be filed by the proprietary concern, describing itself as a sole proprietary concern, represented by its sole proprietor
 - (C) Where the payee is a proprietary concern, the complaint can be filed by the proprietor or the proprietary concern represented by the attorney holder under a power of attorney executed by the sole proprietor
 - (D) All of the above

99. Which of the following Sections of *the Transfer of Property Act, 1882* contemplate *unconscionable transfers* ?

(A) Section 41

(B) Section 43

(C) Section 53

(D) All of these

100. A transaction in which the mortgagor binds himself to repay the mortgage money on a certain date, and transfers the mortgaged property absolutely to the mortgagee, but subject to a condition that the mortgagee will re-transfer it to the mortgagor upon payment of the mortgage money as agreed is

(A) a simple mortgage

(B) a mortgage by conditional sale

(C) an English mortgage

(D) an anomalous mortgage