

MJS GRADE - III PRELIMINARY
EXAMINATION, 2019

Question Booklet No: 1932556

Registration Number :

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Booklet Series : **A**

Paper - II

Time : 2 Hours
120 Minutes

[Marks: 100]

Read the following instructions carefully before you begin to answer the questions.

IMPORTANT INSTRUCTIONS

1. The candidates will be supplied with Question Booklet 15 minutes before commencement of the examination.
2. This Question Booklet contains 100 objective type questions. Before answering, the candidates are requested to check whether all the questions in the booklet are in seriatim and ensure that there are no blank pages / Question in the question booklet. In case, any defect is noticed, it shall be reported to the Invigilator within first 10 minutes and get it replaced with a new same series Question Booklet, and after 10 minutes, it will not be replaced.
3. The Question paper is set in English. All questions carry equal marks $100 \times 1 = 100$ marks.
4. You must write your Register Number in the space provided on the top left side of this page. Do not write anything else on the Question Booklet except in the space provided for rough work.
5. Personalized OMR Answer Sheet of the Candidates will be supplied by the Room Invigilator for answering the Questions.

turn over...

SPACE FOR ROUGH WORK

1. Who among the following is not competent under section 92 of Cr.PC to order the Postal or Telegraph authority to deliver the documents(s)/thing

- (A) District Magistrate
- (B) Judicial Magistrate
- (C) Metropolitan Magistrate
- (D) none of the above.

2. Statement made under section 161, Cr.P.C. during investigation of a cross-case is

- (A) always admissible in the main case
- (B) may be admissible in the main case
- (C) not at all admissible in the main case
- (D) admissible in the main case with the leave of the Court.

3. Monthly allowance for maintenance or interim maintenance & expenses for proceedings are payable

- (A) from the date of the order
- (B) from the date of the application if specifically ordered
- (C) from the date of the application even if not specifically ordered
- (D) both (a) & (b).

4. Match List I with List II and select the correct answer

	List I					List II			
A.	Mens rea				1.	Always not necessary			
B.	Motive				2.	Condition precedent for any offence			
C.	Law presumes innocence				3.	Relevant and to impute intention			
D.	Knowledge of the act to be unlawful				4.	Until crime is proved beyond doubt			

	A	B	C	D
(A)	1	2	4	3
(B)	2	3	4	1
(C)	4	3	2	1
(D)	2	1	3	4

5. A, a self-styled expert in family planning, gave B some chemical after the consumption of which the child in the womb of B, died in the womb

- (A) A has committed the offence of murder
- (B) A has committed the offence of culpable homicide not amounting to murder
- (C) A has committed the offence of causing miscarriage
- (D) A has committed no offence.

6. 'A' enticed a minor girl 'M' without the consent of her lawful guardian 'G' and kept her with him for a month after which he deserted her. While 'M' was loitering on the street, immediately thereafter, 'B' took her with him from whose custody 'M' was later recovered by the police.

- (A) only 'A' is guilty of kidnapping
- (B) only 'B' is guilty of kidnapping
- (C) both 'A' and 'B' are guilty of kidnapping
- (D) none of the above.

7. 'A' was relieved of his wrist watch worth Rs.5000 by 'B' in a running train. When the train was about to stop at a station, 'A' raised an alarm. At this point 'C' pushed 'A', as a result of which 'A' fell down and sustained sprain in the left knee. This was done by 'C' to enable 'B' to carry away the stolen watch. What offence has been committed by C

- (A) hurt
- (B) grievous hurt
- (C) robbery
- (D) assault.

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8. A is invited by B for a cup of tea. While B is in the kitchen preparing tea. A finds a golden ring on the table. He picks it up and places it somewhere in the room with the intention of dishonestly taking it away some time later. A commits
- (A) no offence
 - (B) extortion
 - (C) theft
 - (D) attempt to commit theft.
9. 'A' threatens to publish a defamatory libel concerning 'B' unless 'B' gives him money and 'B' in consequence gives 'A' money. 'A' commits the offence of
- (A) theft
 - (B) extortion
 - (C) robbery
 - (D) criminal intimidation.
10. 'X' – a rich person residing at Kochi, sends Rs.50,000 to his agent at Chennai with a direction that the money be given equally to two poor students 'A' and 'B' who are studying in the Medical College over there. Instead of doing so, the agent gives the money equally to two other very poor deserving students pursuing law. The agent has committed
- (A) criminal breach of trust
 - (B) no offence
 - (C) cheating
 - (D) criminal misappropriation of property.
11. A 11 year old boy picked up a knife and threatened to cut the deceased to pieces and actually killed him
- (A) the boy is not guilty, as he lacked sufficient maturity of understanding
 - (B) the boy is guilty, as he did what he intended to do, and that he knew, all along, that one blow inflicted with knife would effectuate his intention; thus he possessed sufficient maturity of understanding
 - (C) the boy is not guilty, as he was below 12 years of age
 - (D) none of the above.

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12. 'X' and 'Y' agree to commit theft in 'Z's house, but no theft is actually committed. They are guilty of
- (A) no offence
 - (B) abetment by conspiracy
 - (C) criminal conspiracy
 - (D) abetment by instigation.
13. 'B' assaults 'A' using a sharp edged weapon resulting in an injury which is 6 cm long and ½ cm deep in the right forearm of 'A'. 'B' is liable to be charged for an offence punishable under:
- (A) Section 323
 - (B) Section 324
 - (C) Section 325
 - (D) Section 326
14. Any man who watches or captures the image of a woman engaging in a private act in circumstances where she would usually have the expectation of not being observed either by the perpetrator or by any other person at the behest of the perpetrator or disseminates such image is guilty of the offence of
- (A) Stalking
 - (B) Voyeurism
 - (C) Sexual Harassment
 - (D) Assault or use of criminal force to woman with intent to disrobe.
15. The punishment for refusing to offer first-aid or medical treatment to victims of offences under section 326A, 376, 376A, 376B, 376C, 376D or section 376E of the Indian Penal Code, applies in case of
- (A) Public hospitals run by Central Government or State Government or any local body
 - (B) Private hospitals
 - (C) Public hospitals run by Central Government or State Government or any local body and Private hospitals
 - (D) None of the above.

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16. A continuing guarantee applies to
- (A) a specific transaction
 - (B) a specific number of transactions
 - (C) any number of transactions
 - (D) reasonable number of transactions.
17. If the bailee does any act inconsistent with the conditions of bailment, with regard to goods
- (A) the contract becomes void
 - (B) the contract becomes voidable at the option of the bailee
 - (C) the contract becomes voidable at the option of the bailor
 - (D) the contract remains valid.
18. Which one of the following Fundamental Rights was described by Dr.B.R.Ambedkar as 'the heart and soul of the Constitution'?
- (A) Right to equality
 - (B) Right to privacy
 - (C) Right to constitutional remedies
 - (D) Right to life.
19. Who was the first Speaker of the Lok Sabha?
- (A) G.S. Dhillon
 - (B) G.V. Mavlangkar
 - (C) H.N. Kunzru
 - (D) Baliram Bhagat.
20. The President addresses his resignation letter to the
- (A) Chief Justice of India
 - (B) Speaker
 - (C) Vice-President
 - (D) Prime Minister.

21. Which one of the following writs can be issued only against the judicial or quasi-judicial authorities?

- (A) *Mandamus*
- (B) *Habeas Corpus*
- (C) *Certiorari*
- (D) *Quo Warranto*

22. The Directive Principles of State Policy are aimed at

- (A) securing political freedom
- (B) executive supremacy
- (C) judicial supremacy
- (D) securing social and economic freedom by appropriate action.

23. According to Article 21 of the Constitution of India

No person shall be deprived of his right to life or personal liberty except according to

- (A) due process of law
- (B) procedure established by law
- (C) procedure laid by law
- (D) due process laid by law

24. Objection as to the non-joinder or mis-joinder of parties under Order I, Rule 13 of CPC can be taken

- (A) at any stage of the proceedings
- (B) at the earliest possible opportunity
- (C) in appeal or revision for the first time
- (D) none of the above.

25. A necessary party is one in whose
- (A) absence no order can be made effectively
 - (B) absence an order can be made but whose presence is necessary for the complete decision of the case
 - (C) both (a) & (b)
 - (D) absence an order can be made but whose presence is not necessary for the complete decision of the case.
26. If a plaintiff fails to sue for the whole of the claim which he is entitled to make in respect of a cause of action in the first suit, then he is precluded from suing in the suit in respect of portion so omitted, by virtue of
- (A) Order II, Rule 2 of CPC
 - (B) Order II, Rule 3 of CPC
 - (C) Order II, Rule 4 of CPC
 - (D) Order II, Rule 5 of CPC
27. Under Order VI, Rule 16 of CPC, the pleadings can be ordered to be struck out if
- (A) unnecessary, scandalous, frivolous or vexatious
 - (B) tend to prejudice, embarrass or delay the fair trial
 - (C) is an abuse of the process of the court
 - (D) all the above.
28. Set-off is a
- (A) reciprocal agreement between the plaintiff and defendant
 - (B) reciprocal ascertainment of debts between the parties
 - (C) both (a) & (b)
 - (D) none of the above.

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29. In a written statement, a defendant can claim
- (A) set-off
 - (B) counter-claim
 - (C) both set-off & counter claim
 - (D) none of the above.
30. Under section 34 of CPC, the court can grant interest
- (A) from the date of the suit till the date of decree
 - (B) from the date of the decree till realisation
 - (C) both (a) & (b)
 - (D) none of the above.
31. According to Transfer of Property Act, 1882 instrument means
- (A) a non-testamentary instrument
 - (B) testamentary instrument
 - (C) both testamentary and non-testamentary instrument
 - (D) none of the above.
32. The foundation of Doctrine of election under the Transfer of Property Act, 1882, is that a person taking the benefit of an instrument:
- (A) must bear the burden
 - (B) must not bear the burden
 - (C) burden is not the subject of election
 - (D) none of the above.
33. With the express or implied consent of interested person in immovable property, a person is the ostensible owner of such property and transfers the same for consideration, then the transfer shall not be:
- (A) voidable
 - (B) void
 - (C) valid
 - (D) none of the above.

34. Inaccuracy in the recitals describing the property:
- (A) cannot whittle down the effect of clear recitals in the documents about the property to be sold thereby
 - (B) can whittle down the effect of clear recitals in the document about the property to be sold thereby
 - (C) cannot depend upon the inaccuracy or accuracy of recital describing property
 - (D) none of the above.
35. The provisions of sections under the Transfer of Property Act
- (A) shall not apply to stocks, shares or debentures or to instruments which are negotiable or mercantile documents
 - (B) shall apply to negotiable instruments
 - (C) shall apply subject to certain conditions
 - (D) none of the above.
36. A master is liable for the tortious act committed by his servant when the servant acts
- (A) for the benefit of his master
 - (B) in course of his employment
 - (C) during his duty hours
 - (D) to the detriment of the plaintiff.
37. One of the remedies of false imprisonment is
- (A) *Mandamus*
 - (B) *Habeas Corpus*
 - (C) *Quo Warranto*
 - (D) *Certiorari*.
38. The definition of tort is contained in which of the following enactments
- (A) The General Clauses Act, 1897
 - (B) The Limitation Act, 1963
 - (C) The Indian Contract Act, 1872
 - (D) The Indian Penal Code.

39. 'Act of God' is also known by the name

- (A) *Vis major*
- (B) *Damnum fatale*
- (C) *force majeure*
- (D) All the above

40. 'D' is a driver employed by 'M', who is the owner of a company. During the lunch time, 'D' goes to a nearby tea shop to have a cup of tea. There he ('D') picks up fight with the tea shop owner ('T'), which resulted in some damage to his shop. 'T' wants to sue 'M' for claiming compensation for the damage caused by the fight.

- (A) 'M' will be liable because 'D' is his servant
- (B) Both 'M' and 'D' will be liable
- (C) 'M' will not be liable because the wrongful act (picking up fight) was not committed in the course of D's employment
- (D) 'M' will be liable albeit the wrongful act (picking up fight) was not committed in the course of D's employment

41. 'A' plants a tree on his land. However, he allows its branches to project over the land of 'B'.

Which of the following is CORRECT?

- (A) 'A' has committed trespass
- (B) 'A' has committed nuisance
- (C) 'A' has not committed nuisance
- (D) None of the above.

42. Indian Evidence Act applies to

- (A) proceedings before tribunals
- (B) proceedings before the arbitrator
- (C) judicial proceedings in courts
- (D) all the above.

43. "Fact in issue" means

- (A) fact, existence or non-existence of which is admitted by the parties
- (B) fact, existence or non-existence of which is disputed by the parties
- (C) fact existence or non-existence of which is not disputed by the parties
- (D) all the above.

44. "Alibi" is governed by

- (A) section 6 of Evidence Act
- (B) section 8 of Evidence Act
- (C) section 12 of Evidence Act
- (D) section 11 of Evidence Act

45. Admissions binds the maker

- (A) in so far as it relates to facts
- (B) in so far as it relates to question of law
- (C) both on questions of facts & of law
- (D) neither (a) nor (b).

46. The calling of at least one attesting witness to prove a document under section 68 of Evidence Act is not necessary

- (A) when the document other than a will is registered under the Indian Registration Act, 1908
- (B) when the document including Will is registered under the Indian Registration Act, 1908
- (C) when the document irrespective of whether it is a Will, is registered under the Indian Registration Act, 1908
- (D) both (b) & (c) are correct.

47. For presumption of death under section 108 of Evidence Act, the person is shown to be not heard for a period of

- (A) 3 years
- (B) 7 years
- (C) 12 years
- (D) 30 years.

48. Presumption under section 113A of Evidence Act can be raised if the suicide by the married woman is committed

- (A) within 7 years of marriage
- (B) within 5 years of marriage
- (C) within 3 years of marriage
- (D) within 1 year of marriage

49. An accomplice is a person

- (A) who participates in the commission of the crime for which the accused has been charged
- (B) who is a pretended confederate
- (C) all the above
- (D) none of the above.

50. Court can permit leading questions during examination in chief or re-examination

- (A) if they refer to the matters which are introductory
- (B) if they refer to the matters which are undisputed
- (C) if they refer to the matter which are sufficiently proved
- (D) if they refer to either (a) or (b) or (c).

51. The evidence unearthed by a sniffer dog falls under:

- (A) oral evidence
- (B) documentary evidence
- (C) hearsay evidence
- (D) scientific evidence.

52. The case of *Pakala Narayan Swamy v. Emperor* pertains to

- (A) Estoppel
- (B) Dying declaration
- (C) Hostile witness
- (D) Accomplice evidence

53. Test Identification Parade conducted during investigation of a case is admissible in evidence under which section of the Evidence Act, 1872?

- (A) Section 5
- (B) Section 9
- (C) Section 8
- (D) Section 14.

54. Every award of Lok Adalat shall be deemed to be

- (A) decree of a civil court
- (B) decree of a criminal court
- (C) decree of both civil and criminal court as the case may be
- (D) decree if Supreme Court approves at the behest of report of Lok Adalat.

55. Who can apply to permanent Lok Adalat for settlement of dispute?

- (A) Any party to dispute
- (B) both parties to dispute
- (C) Supreme Court
- (D) High Court.

56. If in a case, one or more of the offences is cognizable and the rest are non-cognizable, the whole case shall be deemed to be

- (A) non-cognizable
- (B) cognizable
- (C) depends upon the punishment provided for the cognizable offence
- (D) the cognizable offences as cognizable and non-cognizable offences as non-cognizable.

57. Mark the incorrect statement(s)

- (A) in a cognizable case, the police will have all the powers to investigate except the power to arrest without warrant.
- (B) in a non-cognizable case, the police has the authority to investigate and even arrest the accused without warrant.
- (C) cognizable offences are generally speaking less grave and serious than non-cognizable ones
- (D) all of the above.

58. A person who is required merely to produce a document(s) or thing under Section 91 of Cr PC

- (A) has to attend personally to produce the document(s) or thing
- (B) can cause the document(s) or thing to be produced in the court
- (C) either attend personally or cause the document(s) or thing produced in the court
- (D) none of the above.

59. The non-compliance with the provisions of Section 164 of Cr PC

- (A) reduces the statement recorded by the Magistrate to a nullity
- (B) is an irregularity curable under Section 463 of Cr PC
- (C) both (a) & (b)
- (D) none of the above.

60. Section 463 of Cr PC permits

- (A) oral evidence by the Magistrate of the confession made to him
- (B) oral evidence to prove that the procedure laid down under Section 164, Cr PC had actually been followed, where the record which ought to show that, does not do so
- (C) both (a) & (b)
- (D) proceedings to be valid irrespective of any error, omission or irregularity in the charge or misjoinder of charges.

61. For the purposes of computation of period of 90 days or 60 days, as the case may be, for the purposes of Section 167(2) of Cr PC

- (A) the day of arrest of the accused has to be excluded
- (B) the day on which the accused was remanded is to be excluded
- (C) the day of arrest of the accused and the day on which the accused was remanded, if different, both have to be excluded
- (D) the day of arrest of the accused only has to be excluded and the day on which the accused was remanded, even if different cannot be excluded.

62. Mark the incorrect statement

- (A) 'A' is accused of theft of a certain article at a certain time and place. The charge must set out the manner in which the theft was effected
- (B) 'A' is accused of the murder of 'B' at a given time and place. The charge must set out the manner in which 'A' murdered 'B'
- (C) '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'
- (D) all the above.

63. Legal effect of withdrawal is

- (A) acquittal irrespective of whether the charge has been framed or not
- (B) acquittal when made after the framing of charge and discharge if made before the framing of charge
- (C) discharge irrespective of the stage at which the case is pending
- (D) none of the above.

64. The power to stop proceedings at any stage without pronouncing any judgment in summons-cases instituted otherwise than upon a complaint is available under
- (A) Section 256, Cr PC
 - (B) Section 257, Cr PC
 - (C) Section 258, Cr PC
 - (D) Section 259, Cr PC
65. Assertion (A): Bail, not jail, is the general rule in bailable offences in India
Reason (R): Personal liberty is the most cherished right of a human being
- (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.
66. A person who is granted bail under Section 436, Cr PC fails to comply with the conditions of the time and place of attendance, on a subsequent occasion
- (A) again entitled to bail as a matter of right
 - (B) is not entitled to bail as a matter of right
 - (C) the court may refuse to release him on bail
 - (D) both (b) & (c).
67. Criminal Justice System in India is based on
- (A) the duty of the State to prosecute whomsoever commits a wrong
 - (B) Adversarial trial
 - (C) a wrong doer must be punished
 - (D) both (a) and (b).
68. The definition of "victim" was incorporated in the Code of Criminal Procedure Code, 1973 by the Amendment Act of
- (A) 2008
 - (B) 2009
 - (C) 2010
 - (D) 2011.

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69. Who can file an application for Plea-Bargaining in the court in which an offence is pending for trial?
- (A) the Public Prosecutor
 - (B) the victim of the offence
 - (C) the Investigating Officer
 - (D) none of the above.
70. A Charge is framed by:
- (A) the Police in the Chargesheet filed under Section 173
 - (B) the Court with the assistance of Prosecution
 - (C) the Court with the assistance of Prosecution and Defence
 - (D) both (a) and (b).
71. Assertion (A): He who keeps a ferocious animal keeps at his peril.
Reason (R): It is not wrongful to keep a ferocious animal, the wrong is in allowing it to escape from the keeper's control with the result that it does damage.
- (A) Both (A) and (R) are true and (R) is the correct explanation of (A).
 - (B) Both (A) and (R) are true and (R) is not the correct explanation of (A).
 - (C) (A) is true but (R) is false
 - (D) (A) is false but (R) is true.
72. The right to private defence is available with respect to
- (A) harm to body
 - (B) harm to movable property
 - (C) harm to immovable property
 - (D) all the above.
73. The right of private defence
- (A) is not a right of defence but of retribution
 - (B) is a right of defence but not a right of retribution
 - (C) is a right of defence as well as a right of retribution
 - (D) is neither a right of defence nor a right of retribution.

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74. Oral threat or inducement allegedly given by lawyers to approver not to give any statement against accused
- (A) amounts to commission of offence
 - (B) does not amount to commission of offence
 - (C) can attract discretion of the court to consider as offence
 - (D) none of the above.
75. Which of the following statements are true for a valid acceptance?
- (A) Communication of acceptance must be communicated to offeror himself.
 - (B) Communication must be communicated by the acceptor himself.
 - (C) both (a) and (b) are true
 - (D) none of the above.
76. 'A' by a letter offers to sell his car to 'B' for Rs.75,000. At the same time 'B' by a letter which crosses the above letter while in post, offers to buy the car for Rs.75,000.
- In this context, which one of the following propositions is correct?
- (A) The contract is concluded when these two letters cross each other in post
 - (B) The contract is concluded when the letter posted by 'A' reaches 'B'
 - (C) The contract is not concluded
 - (D) The contract is concluded only when the letter posted by 'B' reaches 'A'.
77. The plaintiff sees the defendant's child falling in water. He saves the child from drowning. Later the defendant promises to give him Rs.1000. In this context which one of the following propositions is correct?
- (A) the defendant's liability arises in *quasi-contract*
 - (B) the defendant's liability is statutory
 - (C) the defendant is not liable as there is no contract
 - (D) the defendant is liable because the agreement is not '*mudum pactum*'
78. Inadequacy of consideration is relevant in determining the question of
- (A) free consent
 - (B) undue influence
 - (C) misrepresentation
 - (D) all the above.

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79. Sohan has agreed to pay Rs. 5 Lakh to Miss Anita provided she remains unmarried throughout her life. This agreement is
- (A) unlawful and void
 - (B) voidable at option of Anita
 - (C) lawful
 - (D) none of the above.
80. A master asks his servant to sell his cycle to him at less than the market price. This contract can be avoided by the servant on the ground of
- (A) coercion
 - (B) fraud
 - (C) mistake
 - (D) undue influence.
81. A and B contract to marry each other. Before the time fixed for the marriage, become mentally ill. The contract becomes
- (A) void
 - (B) voidable
 - (C) illegal
 - (D) enforceable.
82. 'C' let a music hall to 'X' for a series of music concerts for certain days. The hall was completely destroyed by fire before the schedule date of concerts. In this case
- (A) 'C' cannot be discharged from performance of the contract
 - (B) the contract becomes voidable at the option of 'X'
 - (C) the contract is discharged by impossibility of performance
 - (D) the contract is void *ab initio*.
83. A promise to pay time barred debt is
- (A) Not enforceable
 - (B) Enforceable at the discretion of debtor
 - (C) Enforceable
 - (D) None of the above.

84. Contract by which one party promises the other to save from loss which may be caused either by the conduct of the promisor or by the conduct of any other person called
- (A) Guarantee
 - (B) Bailment
 - (C) Indemnity
 - (D) Pledge.
85. The essence of liquidated damage is
- (A) genuine pre-estimate of damage
 - (B) less than probable damage
 - (C) more than probable damage
 - (D) payment of money in terrorem.
86. Section 47 of CPC applies
- (A) to the objections raised to the execution by the parties to the suit
 - (B) to the objections raised to the execution by the third parties
 - (C) both (a) & (b)
 - (D) none of the above.
87. 'Next friend' is a
- (A) local commissioner
 - (B) receiver
 - (C) person defending a suit on behalf of the minor
 - (D) person filing a suit on behalf of a minor.
88. Right to appeal is
- (A) statutory right
 - (B) natural right
 - (C) inherent right
 - (D) all the above.

89. Who amongst the following under section 83 of CPC cannot sue in any court
- (A) alien enemy residing in India with the permission of the Central Government
 - (B) alien enemy residing in a foreign country
 - (C) alien friend
 - (D) none of the above.
90. Under section 152 CPC, clerical or arithmetical mistakes in _____ can be corrected
- (A) judgments
 - (B) decrees
 - (C) orders
 - (D) all the above.
91. The principle of '*res judicata*' is not applicable to which of the following
- (A) Execution Proceedings
 - (B) Suits
 - (C) Arbitration Proceedings
 - (D) Only (c) and not (a) and (b).
92. Section 10 of CPC does not apply
- (A) when the previous suit is pending in the same court
 - (B) when the previous suit is pending in a foreign court
 - (C) when the previous suit is pending in any other court in India
 - (D) when the previous suit is pending in a court outside India established or controlled by the Central Government.
93. The court may impose a fine for default upon a person required to give evidence or to produce documents directed under section 30(b) of CPC, and such fine as per section 32(c) of CPC not to exceed
- (A) Rs.500
 - (B) Rs.1,000
 - (C) Rs.5,000
 - (D) Rs.10,000

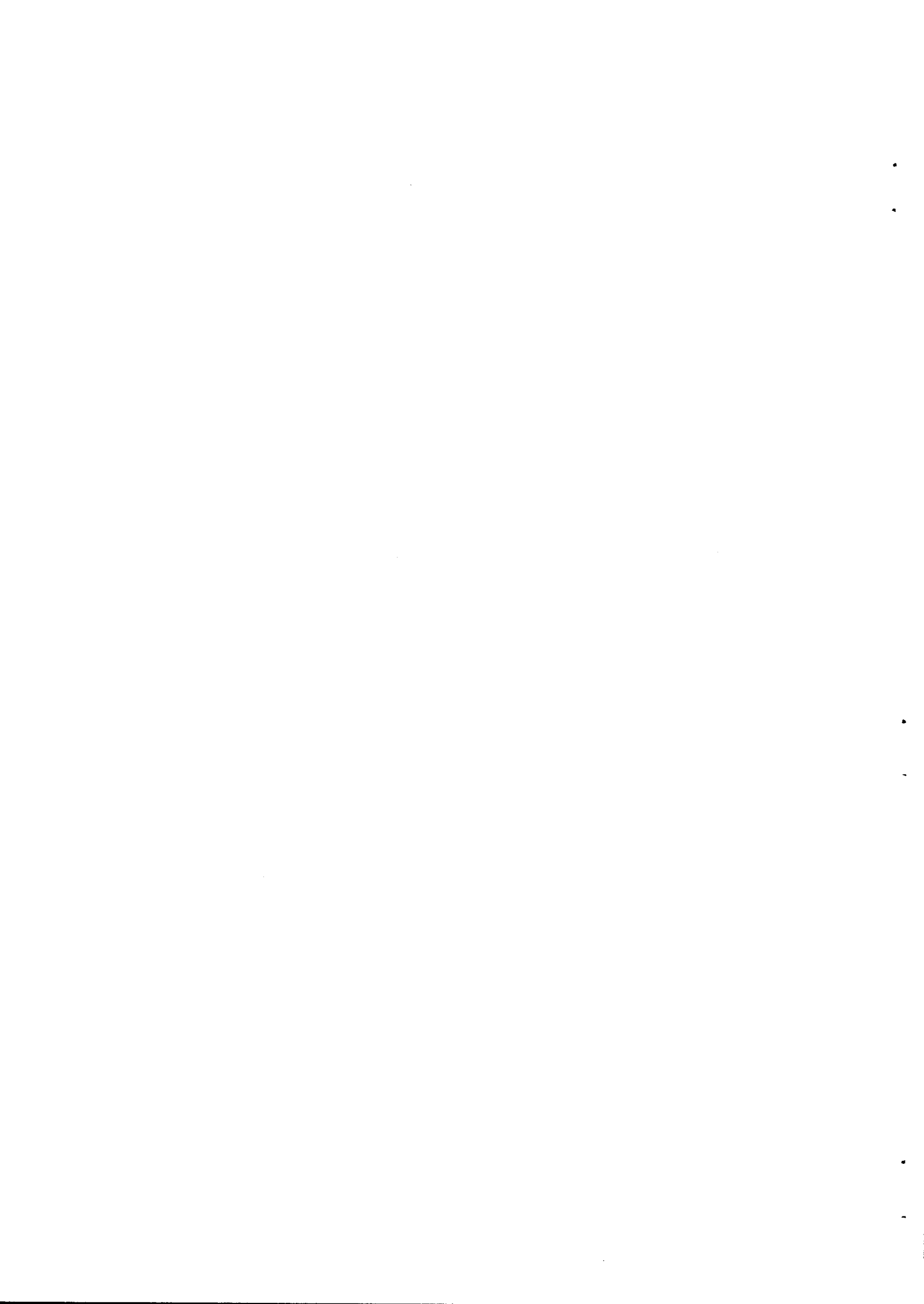
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94. Under Order VII, Rule 11 of CPC
- (A) only part of the plaint can be rejected
 - (B) whole of the plaint is to be rejected
 - (C) either a part of the plaint or whole plaint can be rejected
 - (D) it is the discretion of the court to reject the plaint in part.
95. Remedies available against an *ex-parte* decree include
- (A) appeal
 - (B) review
 - (C) application for setting aside the decree
 - (D) all the above.
96. Under the provisions of the Transfer of Property Act, 1882, the unborn person acquires vested interest on transfer for his benefit:
- (A) upon his birth
 - (B) 7 days after his birth
 - (C) 12 days after his birth
 - (D) no such provision is made in the Act.
97. Section 44 of the Transfer of Property Act, 1882, deals with:
- (A) transfer by two co-owner
 - (B) transfer by one co-owner
 - (C) transfer by 3 co-owner
 - (D) transfer by all co-owner
98. A trespasser is not a transferee within the meaning of section 51 of the Transfer of Property Act, 1882, and he is not entitled to compensation for improvements. This was decided in:
- (A) *Daya Ram v. Shyam Sundari*, (1965) 1 SCR 231
 - (B) *Krishan Prasad v. Adyanatha Ghatak*, AIR 1944 Pat 77
 - (C) *Bhupendra v. Pyari*, (1917) 40 IC 464
 - (D) none of the above.

99. The terms good faith in section 51 of the Transfer of Property Act, 1882 is used in the light of

- (A) Sale of Goods Act, 1930
- (B) General Clauses Act, 1897
- (C) Indian Registration Act, 1908
- (D) Specific Relief Act, 1963.

100. In case of gift, the donee dies before acceptance then

- (A) gift is valid
- (B) gift is void
- (C) gift is reduced
- (D) court has to decide.



SPACE FOR ROUGH WORK

6. You must shade your Question Booklet number in the space provided with Blue or Black ink Ball point pen only.
7. Each question comprises four responses (A) (B) (C) and (D) . You have to select ONLY ONE correct answer in the OMR Answer Sheet. In case you feel that there are more than one correct answers, mark only the answer which you consider the most appropriate. In any case, choose ONLY ONE answer for each question.
8. The Question Booklet is printed in four series viz., [A] [B] [C] [D]. The name of the series is printed on the top right side corner of Question Booklet. Mark and shade your Question Booklet series [A] [B] [C] [D] in the OMR answer sheet by darkening the appropriate circle. In case of any wrong entry of Booklet series, your Answer Sheet will be invalidated.
9. In the Answer Sheet, there are four Bubbles (A) (B) (C) and (D) against each question. To Answer each question, you have to shade only one bubble of your choice with Blue or Black ink Ball point pen only. If you mark more than one answer for one question, the answer will be treated as incorrect. E.g. if for any item, D is the correct answer, you have to shade as follows :
(A) (B) (C) ●
10. You should not remove or tear off any sheet from this Question Booklet. You are not allowed to take the Question Booklet and the Answer Sheet out of the Examination Hall during the time of examination. You are permitted to take the Question Booklet only after the Examination is over.
11. Failure to comply with any of the above instructions will render you liable for action or penalty as the High Court may decide at its discretion.
12. The Facts and particulars given in the Question paper i.e. name of Court, place, name of parties etc. are fictional and may not be true in real and legal sense. Yet the candidates have to conclusively assume them to be true for the purpose of answering the paper, without interpreting them in any other manner.
13. The candidates shall answer on the given facts alone. They shall not assume or presume any additional facts.
14. Using Whitener / Blade / Eraser or any kind of tampering to change the answers on OMR answer sheet will lead to invalidation. The candidates shall not fold or damage the OMR sheet in any manner.