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Coal India MT Legal

2022

1. Under which Section of The Indian Evidence Act. 1872 secondary evidence relating to documents may be given in certain cases?

- 1) Section 65
- 2) Section 62
- 3) Section65-A
- 4) Section 64

Ans 1

Section 65 of the Indian Evidence Act - Cases in which secondary evidence relating to documents may be given

2. Which Section of The Indian Evidence Act, 1872 deals with conclusive proof of legitimacy of child born during marriage?

- 1) Section 113
- 2) Section 112
- 3) Section 114
- 4) Section115

Ans 2

Section 112 of Indian Evidence Act - Birth during marriage, conclusive proof of legitimacy — The fact that any person was born during the continuance of a valid marriage between his mother and any man, or within two hundred and eighty days after its dissolution, the mother remaining unmarried, shall be conclusive proof that he is the legitimate son of that man, unless it can be shown that the parties to the marriage had no access to each other at any time when he could have been begotten

3. 'A' without any excuse fires a loaded gun into crowd of persons and kills one of them.". As per the Indian Penal Code, 1860, 'A' is guilty of_____.

- 1) Causing death by negligence
- 2) Culpable homicide

- 3) Attempt to murder
- 4) Murder

Ans 4

Illustration (d) of Section 300 of IPC- Murder - A without any excuse fires a loaded cannon into a crowd of persons and kills one of them. A is guilty of murder, although he may not have had a premeditated design to kill any particular individual.

4. As per Section 23 of the Registration Act, 1908 what is the time limit for presentation of document for registration form of its execution.
- 1) Within six weeks
 - 2) Within four months
 - 3) Within one month
 - 4) Within two months

Ans 2

Section 23 of Registration Act 1908 - Time for presenting documents—Subject to the provisions contained in sections 24, 25 and 26, no document other than a will shall be accepted for registration unless presented for that purpose to the proper officer within four months from the date of its execution:

Provided that a copy a of a decree or order may be presented within four months from the day on which the decree or order was made, or, where it is appealable, within four months from the day on which it becomes final

5. Chapter VII of The Indian Evidence Act, 1872 deals with_____.
- 1) Estoppel
 - 2) Exclusion of oral evidence by documentary evidence
 - 3) Of Witness

4) Burden of Proof

Ans 4

Chapter VII of the Evidence Act is "Of the Burden of Proof"

6. Which Article of the Constitution of India imposes bar to interference by court in electoral matters?

- 1) Article 329
- 2) Article 328
- 3) Article 324
- 4) Article 325

Ans 1

As per Constitution of India, Art. 329. Bar to interference by courts in electoral matters

Notwithstanding anything in this Constitution

(a) the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies, made or purporting to be made under Article 327 or Article 328, shall not be called in question in any court;

(b) No election to either House of Parliament or to the House or either House of the Legislature of a State shall be called in question except by an election petition presented to such authority and in such manner as may be provided for by or under any law made by the appropriate Legislature.

7. Section 25 of the Code of Civil Procedure. 1908 deals with_____.

- 1) General power of transfer and withdrawal
- 2) Power of Supreme Court to transfer suit
- 3) Power to transfer suits instituted in more than one court
- 4) Power of High Court to transfer suit

Ans 2

Power of Supreme Court to transfer suits, etc.

1) *On the application of a party, and after notice to the parties, and after hearing such of them as desire to be heard, the Supreme Court may, at any stage, if satisfied that an order under this section is expedient for the ends of justice, direct that any suit, appeal or other proceeding be transferred from a High Court or other Civil Court in one State to a High Court or other Civil Court in any other State.*

8. Which of the Labour Code was enacted in 2019?

- 1) The Occupational, Safety, Health and Working Condition Code
- 2) Code on Social Security
- 3) Industrial Relation Code
- 4) Code of Wages

Ans 4

Occupational Safety, Health and Working Conditions Code, 2020

Code on Social Security 2020

Industrial Relations Code, 2020

Code of Wages, 2019

In 2019, the Ministry of Labour and Employment introduced four Bills on labour codes to consolidate 29 central laws. These Codes regulate: (i) Wages, (ii) Industrial Relations, (iii) Social Security, and (iv) Occupational Safety, Health and Working Conditions. While the Code on Wages, 2019 has been passed by Parliament, Bills on the other three areas were referred to the Standing Committee on Labour. The Standing Committee submitted its reports on all three Bills. The government has replaced these Bills with new ones in September 2020.

9. With reference to the Indian Contract Act, 1872. promises which form the consideration or part of the consideration for each other are called_____.

- 1) Valid contract
- 2) Counter proposal
- 3) Agreement
- 4) Reciprocal promises

Ans 4

Section 2. Interpretation-clause- (f) Promises which form the consideration or part of the consideration for each other are called reciprocal promises.

10. According to Section 167 of The Indian Evidence Act, 1872 the improper admission or rejection of evidence shall _____.

- 1) Be rejected in total
- 2) Not be ground for a new trial or reversion of any case
- 3) Be taken seriously by the court
- 4) Vitiate the whole trial

Ans 2

Section 167 of Indian Evidence Act - No new trial for improper admission or rejection of evidence — The improper admission or rejection of evidence shall not be ground of itself for a new trial or reversal of any decision in any case, if it shall appear to the Court before which such objection is raised that, independently of the evidence objected to and admitted, there was sufficient evidence to justify the decision, or that, if the rejected evidence had been received, it ought not to have varied the decision.

11. According to Section 9 of the Code of Civil Procedure. 1908, the court shall have jurisdiction to try all suits of a civil nature excepting suits of which_____.

- 1) Suitability is barred
- 2) Cognizance is expressly or impliedly barred
- 3) Feasibility is not found in the case
- 4) Permission is not granted by court

Ans 2

Section 9. Courts to try all civil suits unless barred.

The Courts shall (subject to the provisions herein contained) have jurisdiction to try all suits of a civil nature excepting suits of which their cognizance is either expressly or impliedly barred.

12. Select the correct pairing of Section and its title as per the Code of Criminal Procedure, 1973.

- 1) Section 162- Recording of confession and statement
- 2) Section 161- Examination of accused by police
- 3) Section 164- Statement to police not to be signed
- 4) Section 164- Recording of confession and statement

Ans 4

Section 161. Examination of witnesses by police

162. Statements to police not to be signed: Use of statements in evidence.

163. No inducement to be offered.

164. Recording of confessions and statements.

13. According to Section 71 of The Indian Evidence Act, 1872, if the attesting witness denies or does not recollect the execution of the document, its execution may_____.

- 1) Not to be proved at all

- 2) Not be proved by other evidence
- 3) Be proved by other evidence
- 4) Be proved by primary evidence only

Ans 3

Section 71 of Indian Evidence Act - Proof when attesting witness denies the execution—If the attesting witness denies or does not recollect the execution of the document, its execution may be proved by other evidence.

14. The Code of Civil Procedure, 1908 (As amended) contains

- 1) 155 Sections and 45 Orders
- 2) 186 Sections and 55 Orders
- 3) 158 Sections and 51 Orders
- 4) 160 Sections and 50 Orders

Ans 3

The Code of Civil Procedure, 1908 is a procedural law related to the administration of civil proceedings in India. The Code is divided into two parts: the first part contains 158 sections and the second part contains the First Schedule, which has 51 Orders and Rules. The sections provide provisions related to general principles of jurisdiction whereas the Orders and Rules prescribe procedures and method that govern civil proceedings in India.

15. Chapter X III of the Negotiable Instrument Act, 1881 deals with_____.

- 1) Reasonable time
- 2) Crossed cheques
- 3) Notice of dishonor
- 4) Special rules of evidence

Ans 4

CHAPTER XIII – Special Rules of Evidence

118. Presumptions as to negotiable instruments.

(a) of consideration;

(b) as to date;

(c) as to time of acceptance;

(d) as to time of transfer;

(e) as to order of indorsements;

(f) as to stamp;

(g) that holder is a holder in due course;

119. Presumption on proof of protest.

120. Estoppel against denying original validity of instrument.

121. Estoppel against denying capacity of payee to indorse.

122. Estoppel against denying signature or capacity of prior party.

16. According to section 6 of the Specific Relief Act, 1963, if any person is disposed without his consent of immovable property otherwise than in due course of law, he or any person (through whom he has been in possession or any person claiming through him) may by suit recover possession thereof, notwithstanding any other title that may be set up in such suit.

The bold words in brackets were inserted in which year.

- 1) 2002**
- 2) 2016**
- 3) 2010**
- 4) 2018**

Ans 4

This Act may be called the Specific Relief (Amendment) Act, 2018

47 of 1963.

2. In section 6 of the Specific Relief Act, 1963 (hereinafter referred to as the principal Act), in sub-section (I), after the words "he or any person", the words "through whom he has been in possession or any person" shall be inserted. Amendment of section 6.

17. With reference to the Limitation Act, 1963 "limitation period for filing the 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 disposed shall be _____ from the date of dispossession"

- 1) Twelve years
- 2) Two years
- 3) Twenty years
- 4) Three years

Ans 1

As per Art. 64 of the Limitation act, 1963-

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. The limitation period is twelve years from the date of dispossession.

18. Section 376-B of the Indian Penal Code, 1860 deals with offence of _____.

- 1) Sexual intercourse by a husband upon his wife during separation
- 2) Sexual intercourse by a person in authority
- 3) Gang rape
- 4) Rape

Ans 1

Section 376B of IPC - Sexual intercourse by husband upon his wife during separation—Whoever has sexual intercourse with his own wife, who is living separately, whether under a decree of separation or otherwise, without her consent, shall be punished with imprisonment of either description for a term

which shall not be less than two years but which may extend to seven years, and shall also be liable to fine.

19. Sale of adulterated drugs is an offence under Section _____ of the Indian Penal Code, 1860.

- 1) Section 279
- 2) Section 268
- 3) Section 275
- 4) Section 278

Ans 3

Section 275 IPC - Sale of adulterated drugs—Whoever, knowing any drug or medical preparation to have been adulterated in such a manner as to lessen its efficacy, to change its operation, or to render it noxious, sells the same, or offers or exposes it for sale, or issues it from any dispensary for medicinal purposes as unadulterated, or causes it to be used for medicinal purposes by any person not knowing of the adulteration, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

20. According to Section 22 of the Indian Contract Act, 1872 contract caused by mistake of one party as to matter of fact is _____.

- 1) Not voidable
- 2) Lawful
- 3) Void ab initial
- 4) Voidable

Ans 1

Section 22. Contract caused by mistake of one party as to matter of fact- A contract is not voidable merely because it was caused by one of the parties to it being under a mistake as to a matter of fact.

21. With reference to Section 213 of the Code of Criminal Procedure, 1973- read the following illustration and select the correct option.

'A' is accused of the theft of a certain Art at a certain time and place.

- 1) The charge should mention the manner in which theft was effected**
- 2) The charge need not set out the manner in which the theft was affected**
- 3) The charge should preferably mention the intention of committing theft**
- 4) The charge must mention the value of the theft article**

Ans 2

Section 213 CrPC - When manner of committing offence must be stated—When the nature of the case is such that the particulars mentioned in sections 211 and 212 do not give the accused sufficient notice of the matter with which he is charged, the charge shall also contain such particulars of the manner in which the alleged offence was committed as will be sufficient for that purpose.

Illustration a - A is accused of the 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.

22. With reference to the Code of Civil Procedure, 1908, upon application of the decree holder the court which passed the decree may, whenever think fit issue _____ to any other court, which would be competent to execute such decree.

- 1) Transfer certificate**
- 2) Letter of request**
- 3) Precept**
- 4) Directions**

Ans 3

Section 46 empowers the Court to issue a precept to any other Court which would be competent to execute the decree to attach any property of the judgment-debtor specified in the precept and lying within, the Jurisdiction of the Court.

Section 46. Precepts.

(1) Upon the application of the decree-holder the Court which passed the decree may, whenever it thinks fit, issue a precept to any other Court which would be competent to execute such decree to attach any property belonging to the judgment-debtor and specified in the precept.

(2) The Court to which a precept is sent shall proceed to attach the property in the manner prescribed in regard to the attachment of property in execution of a decree: Provided that no attachment under a precept shall continue for more than two months unless the period of attachment is extended by an order of the Court which passed the decree or unless before the determination of such attachment the decree has been transferred to the Court by which the attachment has been made and the decree-holder has applied for an order for the sale of such property.

23. Sections 17 to Section 23 of The Indian Evidence Act, 1872 deals with_____.

- 1) Documentary evidence
- 2) Admission
- 3) Relevant Facts
- 4) Confession

Ans 1

Section 17 to 23 of Indian Evidence Act deals with admission and Section 24 to 31 deals with Confession

24. With reference to the Code of Criminal Procedure, 1973- any officer in charge of a police station may _____ investigate any cognizable case.

- 1) Without the order of a Magistrate
- 2) With the order of a Magistrate

- 3) With the order of High Court
- 4) With prior permission of a Magistrate

Ans 1

Section 156 of CrPC - Police officer's power to investigate cognizable case—(1)
Any officer in charge of a police station may, without the order of a Magistrate, investigate any cognizable case which a Court having jurisdiction over the local area within the limits of such station would have power to inquire into or try under the provisions of Chapter XIII.

25. Provision for participation of workers in management of industries has been incorporated into the Constitution of India under which Article?

- 1) Article 48-A
- 2) Article 41
- 3) Article 43-A
- 4) Article 46

Ans 3

As per Art. 43-A of the Constitution- The State shall take steps, by suitable legislation or in any other way, to secure the participation of workers in the management of undertakings, establishments or other organizations engaged in any industry. This article was inserted by the Constitution (Ninety-seventh Amendment) Act, 2011.

26. Twelfth Schedule of the Constitution of India deals with_____.

- 1) Allocation of seat in the Council of States
- 2) Distribution of legislative powers between Union and states
- 3) Powers and authorities of Municipalities
- 4) Anti-defection law

Ans 3

12th Schedule of the Indian Constitution deals with the provisions that specify the powers, authority and responsibilities of Municipalities. This schedule was added by the 74th Amendment Act of 1992.

27. According to Section 36 of the Specific Relief Act, 1963 preventive relief is granted at the discretion of court by_____.

- 1) Temporary injunction only
- 2) Injunction. temporary or perpetual
- 3) Special directions
- 4) Mandatory order

Ans 2

Section 36. Preventive relief how granted- Preventive relief is granted at the discretion of the court by injunction, temporary or perpetual.

28. According to Section 2(b) of the Limitation Act, 1963, nothing shall be deemed to be done in good faith' which is not done_____.

- 1) With due care and attention
- 2) properly
- 3) carefully
- 4) With full attention

Ans 1

As per Limitation act, 1963 S.2 (h) "good faith"— nothing shall be deemed to be done in good faith which is not done with due care and attention;

29. According to Section 29 of the Indian Penal Code, 1860 'Document' denotes any matter expressed or described upon any substance by means of _____.

- 1) Figures only
- 2) Letters, figures or marks or more than one of those means
- 3) Letters only
- 4) Letters and Figures only

Ans 2

Document—The word “document” denotes any matter expressed or described upon any substance by means of letters, figures or marks, or by more than one of those means, intended to be used, or which may be used, as evidence of that matter.

30. The famous case of Balfour vs. Balfour (1919) 2 KB 571 is related to _____.

- 1) Frustration of contract
- 2) Adequacy of consideration
- 3) Communication of offer is necessary
- 4) Promise between married parties is not a binding contract

Ans 4

The Court in Balfour vs. Balfour observed that agreements that are made between a husband and his wife, specifically personal family relationships, to provide maintenance costs, and other related capitals are generally not categorized as contracts because in general, the parties to the agreement do not intend to enter into an agreement that should be attending legal ends. Therefore, a contract cannot be enforceable by nature if the parties to the same do not intend to create legal relations with each other. Thus, the intention to enter into a contract is necessary for a binding and legally enforceable contract.

31. Section 106 of the Code of Criminal Procedure, 1973 deals with_____.

- 1) Security for keeping peace on conviction
- 2) Security for good behaviour from habitual offenders
- 3) Security for keeping good behaviour from person disseminating seditious matter
- 4) Security for keeping peace in other cases

Ans 1

Section 106 CrPC - Security for keeping the peace on conviction—(1) When a Court of Session or Court of a Magistrate of the first class convicts a person of any of the offences specified in sub-section (2) or of abetting any such offence and is of opinion that it is necessary to take security from such person for keeping the peace, the Court may, at the time of passing sentence on such person, order him to execute a bond, with or without sureties, for keeping the peace for such period, not exceeding three years, as it thinks fit.

32. Who was elected as permanent Chairman of the Constituent Assembly which framed the Constitution of India?

- 1) Babu Rajendra Prasad
- 2) G.B. Pant
- 3) Jawahar Lal Nehru
- 4) B.R. Ambedkar

Ans 1

On 11h December 1946, Dr. Rajendra Prasad was unanimously elected as the Permanent Chairman of the Constituent Assembly under the temporary chairmanship of Dr. Sachchidananda Sinha.

33. With reference to the Specific Relief Act, 1963 select the correct pairing of Section and its title from options below:

- 1) Section 15- Specific performance of part of contract
- 2) Section 10- Defenses respecting suits for relief based on contract X 3.
- 3) Section 12- Cases in which specific performance of contract connected with trust enforceable
- 4) Section 14- Contract not specifically enforceable

Ans 4

Section 14. Contracts not specifically enforceable- The following contracts cannot be specifically enforced, namely:-- (a) where a party to the contract has obtained substituted performance of contract in accordance with the provisions of section 20; (b) a contract, the performance of which involves the performance of a continuous duty which the court cannot supervise; (c) a contract which is so dependent on the personal qualifications of the parties that the court cannot enforce specific performance of its material terms; and (d) a contract which is in its nature determinable.

34. Section 7 of the Court Fees Act, 1870 deals with_____.

- 1) Fees on documents filed in High Court
- 2) Computation of fees payable in certain suits
- 3) Fees on documents deposited in public offices
- 4) Fee on memorandum of appeal

Ans 2

Section 7 of the Court fees Act deals with Computation of fees payable in certain suits

35. With reference to Section 60 of The Indian Evidence Act, 1872, complete the sentence with correct option.

Oral evidence must in all cases, whatever _____.

- 1) Be clear and not ambiguous
- 2) Be relevant
- 3) Be direct or indirect
- 4) Be direct

Ans 4

Section 60 of Indian Evidence Act - Oral evidence must be direct — Oral evidence must, in all cases whatever, be direct

36. According to Section 77 of the Social Security Code the compensation under Section 76 shall be paid _____.

- 1) Within six months from due date
- 2) Within one month from due date
- 3) Within three months from due date
- 4) Soon as it falls due

Ans 4

Section 77 of Code on Social Security 2020 – Compensation to be paid when due and damages for default - Compensation under section 76 shall be paid as soon as it falls due

37. Conditions when foreign judgment is not conclusive are laid down in which Section of the Code of Civil Procedure, 1908?

- 1) Section 18
- 2) Section 13

3) Section 15

4) Section 14

Ans 2

As per CPC, foreign judgments have been discussed to be not conclusive in certain situations as enlisted under s.13.

Section 13. When foreign judgment not conclusive.

A foreign judgment shall be conclusive as to any matter thereby directly adjudicated upon between the same parties or between parties under whom they or any of them claim litigating under the same title except--

(a) where it has not been pronounced by a Court of competent jurisdiction;

(b) where it has not been given on the merits of the case;

(c) where it appears on the face of the proceedings to be founded on an incorrect view of international law or a refusal to recognise the law of 1 [India] in cases in which such law is applicable;

(d) where the proceedings in which the judgment was obtained are opposed to natural justice;

(e) where it has been obtained by fraud;

(f) where it sustains a claim founded on a breach of any law in force in India.

38. Section 395 of the Code of Criminal Procedure, 1973 - deals with_____.

1) Revision

2) Appeal

3) Reference

4) Review

Ans 3

Section 395 CrPC deals with Reference to High Court

39. According to Section 87 of the Industrial Relation Code, 'no court shall cognizance of any offence punishable under industrial Relation code save on a complaint made by or under the authority of _____.

- 1) Central Government
- 2) Labour Commissioner
- 3) Appropriate Government
- 4) State government only

Ans 3

Section 87 of Industrial Relation Code - Cognizance of offences – 1) No court shall take cognizance of any offence punishable under this Code, save on a complaint made by or under the authority of the appropriate Government.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, no court inferior to that of the Metropolitan Magistrate or Judicial Magistrate of the first class shall try the offences under this Code.

40. Registration of which of the document under Registration Act, 1908 is not compulsory but optional.

- 1) Instrument of gift of immovable property
- 2) Lease of immovable property
- 3) Sale deed of immovable property
- 4) Will

Ans 4

Section 17 and 18 of Indian Registration Act 1908

41. Whoever, with the deliberate intention to wound religious feelings of any person. utter words or make any sound is liable for punishment under of the Indian Penal Code. 1860.

- 1) Section 296
- 2) Section 298
- 3) Section 294

4) Section 294-A

Ans 2

Section 298 IPC - Uttering words, etc., with deliberate intent to wound religious feelings—Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that persons or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

42. The Indian Evidence Act, 1872 came into force on _____.

- 1) 10th Day of December 1872
- 2) 1st day of May 1872
- 3) 1st Day of August 1872
- 4) 1st Day of September 1872

Ans 4

Indian Evidence Act come into force on the first day of September, 1872

43. Which Section of the Indian Penal Code. 1860 deals with right to private defence of body and property?

- 1) Section 98
- 2) Section 97
- 3) Section 99
- 4) Section 100

Ans 2

Section 97 IPC - Right of private defence of the body and of property—Every person has a right, subject to the restrictions contained in section 99, to defend—

First—His own body, and the body of any other person, against any offence affecting the human body;

Secondly—The property, whether movable or immovable, of himself or of any other person, against any act which is an offence falling under the definition of theft, robbery, mischief or criminal trespass, or which is an attempt to commit theft, robbery, mischief or criminal trespass.

44. National Occupational, Safety and Health Advisory Board shall be constituted by Central Government under Section _____ of the Occupational, Safety, Health and Working Condition Code.

- 1) Section 20
- 2) Section 17
- 3) Section 16
- 4) Section 15

Ans 3

Section 16 of Occupational Safety, Health and Working Conditions Code, 2020 - National Occupational Safety and Health Advisory Board

The Central Government shall, by notification, constitute the National Occupational Safety and Health Advisory Board (hereinafter in this Code referred to as the National Board) to discharge the functions conferred on it by or under this Code and to advise the Central Government on the matters relating to—

- (a) standards, rules and regulations to be declared or framed under this Code;*
- (b) implementation of the provisions of this Code and the standards, rules and regulations relating thereto;*
- (c) the issues of policy and programme relating to occupational safety and health referred to it, from time to time, by the Central Government; and*
- (d) any other matter in respect of this Code referred to it, from time to time, by the Central Government.*

45. According to Section 10 of the Transfer of Property Act, 1882 where a condition or limitation absolutely restraining the transferee from parting with or disposing of his interest in property, the condition or limitation is_____.

- 1) Valid
- 2) Voidable
- 3) Legal
- 4) Void

Ans 4

As per Transfer of Property Act, 1882-

S. 10. Condition restraining alienation.—Where property is transferred subject to a condition or limitation absolutely restraining the transferee or any person claiming under him from parting with or disposing of his interest in the property, the condition or limitation is void, except in the case of a lease where the condition is for the benefit of the lessor or those claiming under him: provided that property may be transferred to or for the benefit of a women (not being a Hindu, Muhammadan or Buddhist), so that she shall not have power during her marriage to transfer or charge the same or her beneficial interest therein.

46. With reference to Section 126 of The Indian Contract Act, 1872 read the following statements and select the correct option from below:

1. Guarantee must always be written
 2. A guarantee may either be either oral or written
- 1) 1 is correct 2 is not correct
 - 2) Both 1 and 2 are correct
 - 3) 1 is not correct 2 is correct
 - 4) Both, 1 & 2 are not correct

Ans 3

Section 126. "Contract of guarantee", "surety", "principal debtor" and "creditor"-
A "contract of guarantee" is a contract to perform the promise, or discharge the liability, of a third person in case of his default. The person who gives the guarantee is called the "surety"; the person in respect of whose default the guarantee is given is called the "principal debtor", and the person to whom the guarantee is given is called the "creditor". A guarantee may be either oral or written.

47. In which Article of the Constitution of India, it has been mentioned that "this Constitution may be called the Constitution of India."

- 1) Article 393
- 2) Article 3
- 3) Article 395
- 4) Article 2

Ans 1

Art. 393 of the constitution – "This Constitution may be called the Constitution of India."

48. As per Section 126 of the Negotiable Instrument Act, 1881, where a cheque is crossed generally, the banker on whom it is drawn shall not pay it otherwise than to_____.

- 1) Person who presents it
- 2) Banker
- 3) Original maker
- 4) Agent of drawee

Ans 2

Section 126 of NI Act - Payment of cheque crossed generally—Where a cheque is crossed generally, the banker on whom it is drawn shall not pay it otherwise than to a banker.

49. Article 2 of the Constitution of India (As amended) states. Parliament may by law _____ new states on such terms and conditions as it thinks fit.

- 1) Bifurcate two states and establish
- 2) Merge two states in to
- 3) Admit into union or establish
- 4) Divide and create

Ans 3

As per constitution Art. 2. Admission or establishment of new States- Parliament may by law admit into the Union, or establish, new States on such terms and conditions, as it thinks fit.

50. Who shall be competent to make Rules for levy of process fee under Section 20 of the Court Fee Act, 1870?

- 1) Supreme Court
- 2) Appropriate Government
- 3) District Court
- 4) High Court

Ans 4

Section 20 of Court Fees Act 1870 - Rules as to cost of processes—The High Court shall, as soon as may be, make rules as to the matters mentioned.

51. With reference to the Code of Civil Procedure, 1908, in which of the following cases Supreme Court stated as under "There is a presumption that a civil court will have jurisdiction and the ouster of civil court jurisdiction is not to be readily inferred."

- 1) Channamal vs. P. Arumugham AIR (1990) SC 1828
- 2) Somanathasa vs. Chanabasappa (2008) 10 SCC 685
- 3) RSRTC. vs. Bal Mukund Bairwa (2009) 4 SCC 299
- 4) Union of India vs. Naveen Jindal (2004) 2 SCC 510

Ans 3

*In the case of Rajasthan State Road Trpt. Corpn. ... vs Bal Mukund Bairwa on 12 February, 2009
Para 10 states as under-*

"10. The civil court, furthermore, being a court of plenary jurisdiction has the jurisdiction to determine its jurisdiction upon considering the averments made in the plaint but that would not mean that the plaintiff can circumvent the provisions of law in order to invest jurisdiction on the civil court although it otherwise may not possess. For the said purpose, the court in given cases would be entitled to decide the question of its own jurisdiction upon arriving at a finding in regard to the existence of the jurisdictional fact. It is also well settled that there is a presumption that a civil court will have jurisdiction and the ouster of civil court's jurisdiction is not to be readily inferred. A person taking a plea contra must establish the same. Even in a case where jurisdiction of a civil court is sought to be barred under a statute, the civil court can exercise its jurisdiction in respect of some matters particularly when the statutory authority or Tribunal acts without jurisdiction."

52. According to Section 4 of the Specific Relief Act, 1963 specific relief can be granted only for purpose of enforcing _____ and not for mere purpose of enforcing a_____.

- 1) Individual fundamental right - statutory laws
- 2) Individual civil rights - penal laws
- 3) Individual labour rights - revenue laws
- 4) Community rights - constitutional rights

Ans 2

Section 4. Specific relief to be granted only for enforcing individual civil rights and not for enforcing penal laws- Specific relief can be granted only for the purpose of enforcing individual civil rights and not for the mere purpose of enforcing a penal law.

53. Which of the following is not the part of right to freedom as enshrined in the Article 19 of the Constitution of India (As amended)?

- 1) Right to reside and settle in any part of the territory of India
- 2) Right to form association or union
- 3) Right to assemble peaceably and without arms
- 4) Right to work

Ans 4

As per Art.19. Protection of certain rights regarding freedom of speech etc

(1) All citizens shall have the right

(a) to freedom of speech and expression;

(b) to assemble peaceably and without arms;

(c) to form associations or unions;

(d) to move freely throughout the territory of India;

(e) to reside and settle in any part of the territory of India; and

(f) omitted

(g) to practise any profession, or to carry on any occupation, trade or business.

Right to work is not recognized as a fundamental freedom or also a fundamental right under the constitution explicitly. But, by Judicial interpretation Article 21 made by the Hon'ble Supreme Court through its judgement in Olga Tellis & Ors. v Bombay Municipal Corporation & Ors.- 'right to work' was recognised as a fundamental right inherent in the 'right to life'.

In the text of constitution right to work has been kept under Part. IV of the constitution.

54. With reference to The Indian Contract Act, 1872 read the following statements and select the correct option from below:

1. An agreement without consideration is always void ab initio
2. An agreement in writing and registered and made on account of natural love and affection even without consideration is valid

Options

- 1) 2 is correct but 1 is not correct
- 2) 1 & 2 both are correct
- 3) 1 is correct but 2 is not correct
- 4) 1 & 2 both are not correct

Ans 1

Section 25. Agreement without consideration, void, unless it is in writing and registered, or is a promise to compensate for something done, or is a promise to pay a debt barred by limitation law: An agreement made without consideration is void, unless- (1) it is expressed in writing and registered under the law for the time being in force for the registration of 1[documents], and is made on account of natural love and affection between parties standing in a near relation to each other.

55. As per Article 58 of the Constitution of India, the minimum age for the election of the President is _____.

- 1) Thirty-five years
- 2) Forty years
- 3) Thirty years
- 4) Twenty-five years

Ans 1

As per Art. 58. Qualifications for election as President.—

(1) No person shall be eligible for election as President unless he—

(a) is a citizen of India,

(b) has completed the age of thirty-five years, and

(c) is qualified for election as a member of the House of the People.

(2) A person shall not be eligible for election as President if he holds any office of profit under the Government of India or the Government of any State or under any local or other authority subject to the control of any of the said Governments.

56. According to Industrial Relation Code, unfair trade practice means any of the practice specified in the_____.

- 1) Third Schedule
- 2) First Schedule
- 3) Section 4
- 4) Second Schedule

Ans 4

Section 2(z) of Industrial Relations Code, 2020 - "unfair labour practice" means any of the practices specified in the Second Schedule

57. With reference to The Indian Evidence Act. 1872 select the correct match of the Section and its subject.

- 1) Section 126- Official communication
- 2) Section 118- Communication during marriage
- 3) Section 124- Evidence as to affairs of State
- 4) Section 115- Estoppel

Ans 4

115. Estoppel

118. Who may testify

124. Official communications

126. Professional communications

58. As per Section 24 of the Limitation Act, 1963 all instruments shall for the purpose of the Limitation Act be deemed to be made with reference to be _____.

- 1) Arabic Calendar
- 2) Hindu Calendar
- 3) English Calendar
- 4) Gregorian Calendar

Ans 4

As per Limitation Act, 1963, S.24. Computation of time mentioned in instruments.— All instruments shall for the purposes of this Act be deemed to be made with reference to the Gregorian calendar.

59. Who has power to reduce or remit court fee under Court Fee Act, 1870?

- 1) Governor
- 2) Supreme Court
- 3) Appropriate Government
- 4) High Court

Ans 3

Section 35 of Court Fees Act - Power to reduce or remit fees—The appropriate Government may, from time to time by notification in the Official Gazette, reduce or remit, in the whole or in any part of the territories; under its administration, all or any of the fees mentioned in the first and second schedules to this Act annexed, and may in like manner cancel or vary such order

60. With reference to the Transfer of Property Act, 1882. Where the mortgagor binds himself to repay the mortgage money on a certain date and transfer the mortgaged property absolutely to the mortgagee, but subject to a proviso that he will transfer it to the mortgagor upon payment of mortgage money as agreed."

This type of mortgage is called as _____.

- 1) Equitable mortgage
- 2) English Mortgage
- 3) Mortgage by conditional sale
- 4) Simple mortgage

Ans 2

As per Transfer of Property Act, 1882,

S. 58

(e) English mortgage.—Where 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 proviso that he will re-transfer it to the mortgagor upon payment of the mortgage-money as agreed, the transaction is called an English mortgage.

61. According to Section 2(6) of the Registration Act, 1908 immovable property does not include _____.

- 1) Hereditary allowance
- 2) Right to light
- 3) Fisheries
- 4) Standing timber

Ans 4

"Immovable Property" includes land, buildings, hereditary allowances, rights to ways, lights, ferries, fisheries or any other benefit to arise out of land, and things

attached to the earth, or permanently fastened to anything which is attached to the earth, but not standing timber, growing crops nor grass;

62. Section 9 of the Negotiable Instrument Act, 1881 defines:

- 1) Payment in due course
- 2) Holder in due course
- 3) Foreign instrument
- 4) Ambiguous instrument

Ans 2

Section 9 of NI Act - "Holder in due course"—"Holder in due course" means any person who for consideration became the possessor of a promissory note, bill of exchange or cheque if payable to bearer, or the payee or indorsee thereof, if payable to order, before the amount mentioned in it became payable, and without having sufficient cause to believe that any defect existed in the title of the person from whom he derived his title

63. An ordinance promulgated under Article 123 of the Constitution of India shall be laid before both Houses of Parliament and shall cease to operate at the expiration of _____ from reassembly of the Parliament.

- 1) Four weeks
- 2) Twelve weeks
- 3) Ten weeks
- 4) Six weeks

Ans 4

As per the constitution Art. 123. Power of President to promulgate Ordinances during recess of Parliament

(1) If at any time, except when both Houses of Parliament are in session, the President is satisfied that circumstances exist which render it necessary for him to take immediate action, he may promulgate such Ordinance as the circumstances appear to him to require

(2) An Ordinance promulgated under this article shall have the same force and effect as an Act of Parliament, but every such Ordinance

(a) shall be laid before both House of Parliament and shall cease to operate at the expiration of six weeks from the reassemble of Parliament, or, if before the expiration of that period resolutions disapproving it are passed by both Houses, upon the passing of the second of those resolutions; and

(b) may be withdrawn at any time by the President Explanation Where the Houses of Parliament are summoned to reassemble on different dates, the period of six weeks shall be reckoned from the later of those dates for the purposes of this clause

(3) If and so far as an Ordinance under this article makes any provision which Parliament would not under this Constitution be competent to enact, it shall be void

64. Sections 68 to 72 Of The Indian Contract Act, 1872 deals with _____.

- 1) Consequences of breach of contract
- 2) Performance of contract
- 3) Certain relations resembling those created by contract
- 4) Consequences of recession of contract

Ans 3

Chapter V: Of Certain Relations Resembling those Created by Contract- Section 68. Claim for necessaries supplied to person incapable of contracting, or on his account. Section 69. Reimbursement of person paying money due by another, in payment of which he is interested. Section 70. Obligation of person enjoying benefit of non-gratuitous act. Section 71. Responsibility of finder of goods. Section 72. Liability of person to whom money is paid, or thing delivered, by mistake or under coercion.

65. Which Schedule of the Constitution of India prescribe Forms of Oaths and Affirmations?

- 1) Fourth Schedule
- 2) Third Schedule
- 3) Second Schedule
- 4) Sixth Schedule

Ans 2

The third Schedule contains the Forms of Oaths or Affirmations.

66. According to Section 58 of the Code of Civil Procedure, 1908 (As amended).

Every person detained in civil prison in execution of decree shall be so detained, where the decree is for payment of a sum of money exceeding five thousand rupees, for a period not exceeding_____.

- 1) Ten weeks
- 2) Three months
- 3) One month
- 4) Six weeks

Ans 2

Section 58 CPC Description

(1) Every person detained in the civil prison in execution of a decree shall be so detained,-

(a) where the decree is for the payment of a sum of money exceeding [five thousand rupees], for a period not exceeding three months,

67. With reference to the Code of Civil Procedure, 1908 -read the following statements and select the correct option from below:

1. Service substituted by order of court shall be effectuated as if it had been made on the defendant personally.
2. Every Summons shall be accompanied by a copy of the plaint.

Options

- 1) 1 is correct but 2 is not correct
- 2) Both the statements 1 & 2 are correct
- 3) 1 is not correct but 2 is correct
- 4) Both are not correct

Ans 2

As per CPC,

Order V Rule 2 provides that it is necessary to annex a copy of plaint with summons.

Order V Rule 20 (2) Effect of substituted service- Service substituted by order of the Court shall be as effectual as if it had been made on the defendant personally.

Both the statements are therefore correct.

68. Effect of fraud or mistake has been prescribed in Section _____ of the Limitation Act, 1963.

- 1) Section 10
- 2) Section 17
- 3) Section 15
- 4) Section 21

Ans 2

Limitation Act, 1963 S.17. Effect of fraud or mistake.—

(1) Where, in the case of any suit or application for which a period of limitation is prescribed by this Act,—

(a) the suit or application is based upon the fraud of the defendant or respondent or his agent; or

(b) the knowledge of the right or title on which a suit or application is founded is concealed by the fraud of any such person as aforesaid; or

(c) the suit or application is for relief from the consequences of a mistake; or

(d) where any document necessary to establish the right of the plaintiff or applicant has been fraudulently concealed from him, the period of limitation shall not begin to run until plaintiff or applicant has discovered the fraud or the mistake or could, with reasonable diligence, have discovered it; or in the case of a concealed document, until the plaintiff or the applicant first had the means of producing the concealed document or compelling its production: Provided that nothing in this section shall enable any suit to be instituted or application to be made to recover or enforce any charge against, or set aside any transaction affecting, any property which—

(i) in the case of fraud, has been purchased for valuable consideration by a person who was not a party to the fraud and did not at the time of the purchase know, or have reason to believe, that any fraud had been committed, or

(ii) in the case of mistake, has been purchased for valuable consideration subsequently to the transaction in which the mistake was made, by a person who did not know, or have reason to believe, that the mistake had been made, or

(iii) in the case of a concealed document, has been purchased for valuable consideration by a person who was not a party to the concealment and, did not at the time of purchase know, or have reason to believe, that the document had been concealed.

(2) Where a judgment-debtor has, by fraud or force, prevented the execution of a decree or order within the period of limitation, the court may, on the application of the judgment-creditor made after the expiry of the said period extend the period for execution of the decree or order: Provided that such application is made within one year from the date of the discovery of the fraud or the cessation of force, as the case may be.

69. Under Section 77 of the Code of Civil Procedure, 1908, in lieu of issuing Commission the court may issue _____ to examine a witness residing at any place_____.

Fill in both blank spaces with correct option.

- 1) Letter rogatory- out of India
- 2) Warrant- not within district
- 3) Summons not with in state
- 4) Letter of request-not within India

Ans 4

As per CPC, S.77 CPC Description

In lieu of issuing a commission the Court may issue a letter of request to examine a witness residing at any place not within India.

70. Provision for compensatory cost in respect of false or vexatious claims or defenses was inserted on the Code of Civil Procedure, 1908 in the year_____.

- 1) 1977
- 2) 1998
- 3) 1976
- 4) 1922

Ans 4

Section 35A ins. by Act 9 of 1922,

S.35A. Compensatory costs in respect of false or vexatious claims or defences.

71. Which Article of the Constitution Of India states that. It shall be the duty of the Prime Minister to communicate to the President all decisions of the Council of Ministers relating to the administration of the affairs of the Union and proposals for legislation.

- 1) Article 78
- 2) Article 75
- 3) Article 77
- 4) Article 76

Ans 1

The constitution Art. 78. Duties of Prime Minister as respects the furnishing of information to the President, etc.

It shall be the duty of the Prime Minister

(a) to communicate to the President all decisions of the council of Ministers relating to the administration of the affairs of the union and proposals for legislation;

(b) to furnish such information relating to the administration of the affairs of the Union and proposals for legislation as the President may call for; and

(c) if the President so requires, to submit for the consideration of the Council of Ministers any matter on which a decision has been taken by a Minister but which has not been considered by the Council.

72. Negotiable Instrument according to Section 13 of the Negotiable Instrument Act, 1881 do not include _____.

- 1) Promissory note
- 2) Letter of credit
- 3) Cheque
- 4) Bill of exchange

Ans 2

Section 13 of NI Act - "Negotiable instrument"—(1) A "negotiable instrument" means a promissory note, bill of exchange or cheque payable either to order or to bearer.

73. According to the Code of Criminal Procedure, 1973 term 'inquiry' means:

Every inquiry _____ conducted under the Code of Criminal Procedure, 1973 by a Magistrate or Court.

- 1) Other than an investigation**
- 2) Other than a trial**
- 3) Other than a chargesheet.**
- 4) Other than framing charge**

Ans 2

"inquiry" means every inquiry, other than a trial, conducted under this Code by a Magistrate or Court;

74. "A" who is a citizen of India, commits crime in Nigeria.

Under which Section of the Indian Penal Code, 1860, he can be tried in India.

- 1) Section 6**
- 2) Section 2**
- 3) Section 5**
- 4) Section 4**

Ans 4

Section 4 IPC- Extension of Code to extra-territorial offences—The provisions of this Code apply also to any offence committed by—

(1) any citizen of India in any place without and beyond India;

(2) any person on any ship or aircraft registered in India wherever it may be.

(3) any person in any place without and beyond India committing offence targeting a computer resource located in India

Illustration - A, who is a citizen of India, commits a murder in Uganda. He can be tried and convicted of murder in any place in India in which he may be found.

75. Which provision of the Court Fees Act, 1870 prescribe mode of levy of court fee in the case of multifarious suits?

- 1) Section 17
- 2) Section 21
- 3) Section 15
- 4) Section 19

Ans 1

Section 17 of Court Fees Act - Multifarious suits—Where a suit embraces two or more distinct subjects, the plaint or memorandum of appeal shall be chargeable with the aggregate amount of the fees to which the plaints or memoranda of appeal in suits embracing separately each of such subjects would be liable under this Act.

76. According to Section 2(g) of the Code of Civil Procedure, 1908 'judgment' means _____.

- 1) The statement given by the judge of the grounds on a decree or order
- 2) The directions given by the court
- 3) The final decree of the court
- 4) The final order of the court

Ans 1

As per CPC. S.2(9) "judgment" means the statement given by the Judge of the grounds of a decree or order;

77. According to Section 27 of the Registration Act, 1908 A Will may be presented or deposited_____.

- 1) At any time after year execution X2. Within 2 years of execution
- 2) Within 2 years of execution
- 3) Within 5 years of execution
- 4) Within 3 years of its execution

Ans 1

Section 27 of Registration Act - Wills may be presented or deposited at any time—A will may at any time be presented for registration or deposited in manner hereinafter provided.

78. Under Section 482 of the Code of Criminal Procedure, 1973- the inherent power of the court can be exercised by _____.

- 1) Supreme Court
- 2) High Court
- 3) Court of Session
- 4) Court of First-Class Magistrate

Ans 2

Section 482 CrPC - Saving of inherent powers of High Court—Nothing in this Code shall be deemed to limit or affect the inherent powers of the High Court to make such orders as may be necessary to give effect to any order under this Code, or to prevent abuse of the process of any Court or otherwise to secure the ends of justice

79. In which year the provisions of Section 16-A which allow keeping of books in computer floppies diskettes was inserted in the Registration Act, 1908?

- 1) 2016
- 2) 2001
- 3) 2008
- 4) 2020

Ans 2

Section 16A of Registration Act - Keeping of books in computer floppies, diskettes, etc.—(1) Notwithstanding anything contained in section 16, the books provided under sub-section (1) of that section may also be kept in computer floppies or diskettes or in any other electronic form in the manner and subject to the safeguards as may be prescribed by the Inspector-General with the sanction of the State Government.

Inserted in 2001

80. As per section 6 of the Transfer of Property Act, 1882, which of the following cannot be transferred _____.
- 1) Dominant heritage in an easement
 - 2) A mere right to sue
 - 3) Movable property worth less than ten thousand rupees
 - 4) Immovable property worth more than 5 crore rupees

Ans 2

As per Transfer of property act, 1882-

S. 6. What may be transferred.—Property of any kind may be transferred, except as otherwise provided by this Act or by any other law for the time being in force,—
(a) The chance of an heir-apparent succeeding to an estate, the chance of a relation obtaining a legacy on the death of a kinsman, or any other mere possibility of a like nature, cannot be transferred;
(b) A mere right of re-entry for breach of a condition subsequent cannot be transferred to any one except the owner of the property affected thereby;
(c) An easement cannot be transferred apart from the dominant heritage;

- (d) All interest in property restricted in its enjoyment to the owner personally cannot be transferred by him; [(dd) A right to future maintenance, in whatsoever manner arising, secured or determined, cannot be transferred;
- (e) A mere right to sue cannot be transferred;
- (f) A public office cannot be transferred, nor can the salary of a public officer, whether before or after it has become payable;
- (g) Stipends allowed to military [naval], [air-force] and civil pensioners of the [Government] and political pensions cannot be transferred;
- (h) No transfer can be made (1) in so far as it is opposed to the nature of the interest affected thereby, or (2) [for an unlawful object or consideration within the meaning of section 23 of the Indian Contract Act, 1872 (9 of 1872)], or (3) to a person legally disqualified to be transferee; 7[(i) Nothing in this section shall be deemed to authorise a tenant having an untransferable right of occupancy, the farmer of an estate in respect of which default has been made in paying revenue, or the lessee of an estate, under the management of a Court of Wards, to assign his interest as such tenant, farmer or lessee.

81. Which of the following is not treated as 'promissory note' as per Section 4 of the Negotiable Instrument Act, 1881?

A signed the instrument in following terms

Options

- 1) I promise to pay B 5000 rupees and all other sums which shall be due to in
- 2) Mr. B. IOU 5000 rupees
- 3) I promise to pay B a large sum of money in future
- 4) I promise to pay B or order 5000 rupees

Ans 3

Option 3 is not a promissory note as definite sum is not mentioned.

According to Section 4, a promissory note is:

- An instrument (not being bank note or currency note) in writing
- Containing an unconditional undertaking
- Signed by the maker
- To pay a certain sum of money only to or to the order of , a certain person , or to the bearer of the instrument.

Ex- I promise to pay B or order Rs 500.

82. Under which Section of the Specific Relief Act, 1963 the court has been empowered to engage expert in any suit?

- 1) Section 17
- 2) Section 26
- 3) Section 20
- 4) Section 14-A

Ans 4

Section 14A. Power of court to engage experts- Section 14A. Power of court to engage experts-- (1) Without prejudice to the generality of the provisions contained in the Code of Civil Procedure, 1908, in any suit under this Act, where the court considers it necessary to get expert opinion to assist it on any specific issue involved in the suit, it may engage one or more experts and direct to report to it on such issue and may secure attendance of the expert for providing evidence, including production of documents on the issue.

83. Section 37 of The Indian Contract Act, 1872 deals with_____.

- 1) Effect of accepting performance from third party
- 2) Obligation of parties to perform
- 3) Agreements contingent on impossible event are void
- 4) Time for performance

Ans 2

Section 37. Obligation of parties to contracts: The parties to a contract must either perform, or offer to perform, their respective promises, unless such performance is dispensed with or excused under the provisions of this Act, or of any other law. Promises bind the representatives of the promisors in case of the death of such

promisors before performance, unless a contrary intention appears from the contract.

84. According to the Code of Criminal Procedure, 1973 term 'place' includes_____.

- 1) House, building tent, vehicle and vessel
- 2) House, building and tent only
- 3) Only building
- 4) House and building only

Ans 1

“place” includes a house, building, tent, vehicle and vessel;

85. The doctrine of election and apportionment are laid down in which of the following Section of the Transfer of Property Act. 1882 _____.

- 1) Sections 39 and 40
- 2) Sections 40 and 42
- 3) Sections 31 and 32
- 4) Sections 35, 36 and 37

Ans 4

Doctrine of Election- S.35. Election when necessary.

Doctrine of Apportionment-

S.36. Apportionment of periodical payments on determination of interest of person entitled.

S.37. Apportionment of benefit of obligation on severance

86. Order XIX of the Code of Civil Procedure, 1908 related to _____.

- 1) Cost
- 2) Affidavits

- 3) Summons and attendance of Witnesses
- 4) Execution of Decree

Ans 2

ORDER XIX – AFFIDAVITS of CPC.

87. "Evidence of character or previous sexual experiences is not relevant in certain cases."

Which Section of The Indian Evidence Act. 1872 states this _____.

- 1) Section 53A
- 2) Section 45A
- 3) Section 55
- 4) Section 47 A

Ans 1

Section 53A of Evidence Act - Evidence of character or previous sexual experience not relevant in certain cases— In a prosecution for an offence under section 354, section 354A, section 354B, section 354C, section 354D, section 376, section 376A, section 376AB, section 376B, section 376C, section 376D, section 376DA, section 376DB or section 376E of the Indian Penal Code or for attempt to commit any such offence, where the question of consent is in issue, evidence of the character of the victim or of such person's previous sexual experience with any person shall not be relevant on the issue of such consent or the quality of consent

88. Section 82 of the Negotiable Instrument Act, 1881 deals with _____.

- 1) Payment of Interest
- 2) Instruments endorse in blank
- 3) Discharge from liability

4) Presentment for acceptance

Ans 3

Section 82 of NI Act

Discharge from liability—The maker, acceptor or indorser respectively of a negotiable instrument is discharged from liability thereon—

(a) by cancellation—to a holder thereof who cancels such acceptor's or indorser's name with intent to discharge him, and to all parties claiming under such holder;

(b) by release—to a holder thereof who otherwise discharges such maker, acceptor or indorser, and to all parties deriving title under such holder after notice of such discharge;

(c) by payment—to all parties thereto, if the instrument is payable to bearer, or has been indorsed in blank, and such maker, acceptor or indorser makes payment in due course of the amount due thereon.

89. Section 211 to Section 221 of the Indian Contract Act, 1872 deals with

_____.

- 1) Revocation and termination of agency
- 2) Agent's duties to Principal
- 3) Effect of agency on contract with third person
- 4) Principal's duties to Agent

Ans 2

Chapter X Agency- Section 211. Agent's duty in conducting principal's business.

Section 212. Skill and diligence required from agent. Section 213. Agent's

accounts. Section 214. Agent's duty to communicate with principal. Section 215.

Right of principal when agent deals, on his own account, in business of agency

without principals consent. Section 216. Principal's right to benefit gained by agent

dealing on his own account in business of agency. Section 217. Agent's right of

retainer out of sums received on principal's account. Section 218. Agent's duty to

pay sums received for principal. Section 219. When agent's remuneration becomes due. Section 220. Agent not entitled to remuneration for business misconducted. Section 221. Agent's lien on principal's property.

90. According to Section 8 of The Indian Evidence Act, 1872 any fact is relevant which shows or constitute _____ .

- 1) Presumption
- 2) Motive or preparation only
- 3) A motive or preparation for any fact in issue or relevant fact
- 4) Conclusive proof

Ans 3

Section 8 of Evidence Act - Motive, preparation and previous or subsequent conduct –Any fact is relevant which shows or constitutes a motive or preparation for any fact in issue or relevant fact. The conduct of any party, or of any agent to any party, to any suit or proceeding, in reference to such suit or proceeding, or in reference to any fact in issue therein or relevant thereto, and the conduct of any person an offence against whom is the subject of any proceeding, is relevant, if such conduct influences or is influenced by any fact in issue or relevant fact, and whether it was previous or subsequent thereto

91. Under Section 468 of the Code of Criminal Procedure. 1973- the period of limitation for taking cognizance in case of the offence is punishable with imprisonment for a term exceeding one year but not exceeding three years. shall be _____ .

- 1) Six Months
- 2) Three years
- 3) Two years
- 4) One year

Ans 2

Section 468 CrPC - Bar to taking cognizance after lapse of the period of limitation—
(1) Except as otherwise provided elsewhere in this Code, no Court shall take cognizance of an offence of the category specified in sub-section (2), after the expiry of the period of limitation.

(2) The period of limitation shall be—

(a) six months, if the offence is punishable with fine only;

(b) one year, if the offence is punishable with imprisonment for a term not exceeding one year;

(c) three years, if the offence is punishable with imprisonment for a term exceeding one year but not exceeding three years

92. In which of the following case the Supreme Court of India, declared Section 303-of the Indian Penal Code, 1860 as unconstitutional.

- 1) Ranbir Singh vs. State of Haryana (2009) 7 SCR 212**
- 2) Mithu vs. State of Punjab AIR 1983 SC 473**
- 3) Shivaji vs. State of Maharashtra AIR 2009 SC 56**
- 4) Satbir Singh vs. State of Punjab, AIR 2001 SC 2828**

Ans 2

In Mithu vs State of Punjab, a five-Judge Bench of the SC struck down Section 303 of the IPC, holding that the provision violated Articles 14 and 21 of the Constitution. As per Section 303, if a person undergoing life imprisonment committed murder, they would mandatorily be sentenced to death. The SC held that the provision drew an arbitrary distinction between persons committing murder and persons undergoing life imprisonment who committed murder. There was no rationale behind this distinction. Further, a mandatory death sentence prevents courts from exercising their discretion.

93. According to Section 21 of the Code of Civil Procedure, 1908 objections as to the place of suing shall not be allowed by any _____ unless such objection was taken in the court of first instance.

- 1) Appellate or Revisional Court
- 2) Appellate court only
- 3) High court
- 4) Tribunal

Ans 1

As per CPC, S.21 Objections as to jurisdiction-

1) No objection as to the place of suing shall be allowed by any appellate or Revisional Court unless such objection was taken in the Court of first instance at the earliest possible opportunity and in all cases where issues are settled at or before such settlement, and unless there has been a consequent failure of justice.

94. Section 25-A making provision for Directorate of Prosecution in states was inserted in Code of Criminal Procedure, 1973 vide _____.

- 1) Code of Criminal Procedure (Amendment) Act, 2008
- 2) Code of Criminal Procedure (Amendment) Act, 2003
- 3) Code of Criminal Procedure (Amendment) Act, 2005
- 4) Code of Criminal Procedure (Amendment) Act, 2013

Ans 3

Section 25A was inserted in 2005.

Section 25A CrPC - Directorate of Prosecution—

(1) The State Government may establish a Directorate of Prosecution consisting of a Director of Prosecution and as many Deputy Directors of Prosecution as it thinks fit.

(2) A person shall be eligible to be appointed as a Director of Prosecution or a Deputy Director of Prosecution, only if he has been in practice as an advocate for

not less than ten years and such appointment shall be made with the concurrence of the Chief Justice of the High Court.

95. According to Section 82 of the Social Security Code, no claim for compensation shall entertained by a competent Authority unless _____ .

- 1) F.I.R of accident has been registered
- 2) Notice of accident has been given in prescribed manner
- 3) Registration of accident has been made with hospital
- 4) Information about incident has been given to Labour commissioner

Ans 2

Section 82 of Social Security Code - (1) No claim for compensation shall be entertained by a competent authority unless notice of the accident has been given in the manner hereinafter provided as soon as practicable after the happening thereof and unless the claim is preferred before him within two years of the occurrence of the accident or, in case of death, within two years from the date of death

96. How much time was taken by the Constituent Assembly of India to complete the lengthiest Constitution of the world i.e. The Constitution of India?

- 1) Three years and six months
- 2) Three years and one month
- 3) Two years, six months and ten days
- 4) Two years, eleven months and seventeen days

Ans 4

On 26 January 1950, the Constitution came into force. This process took 2 years, 11 months and 18 days.

97. Read the following statements and select the correct option from below:

1. No facts of which the court will take judicial notice need to be proved.
2. In criminal proceedings the facts that person accused is of good character is not relevant.
3. All facts except the contents of documents may be proved by oral evidence.

Options

- 1) 1, 2 & 3 all are correct
- 2) 1 is correct but 2 & 3 are not correct.
- 3) 1, 2, & 3 all are not correct
- 4) 1 and 3 are correct but 2 is not correct

Ans 4

Option 1 is Section 56 of Evidence Act - Fact judicially noticeable need not be proved

Option 2 – Section 53 - In criminal cases previous good character relevant

Option 3 – Section 59 - All facts, except the contents of documents or electronic records, may be proved by oral evidence

98. In *Dinesh Trivedi vs. Union of India* (1997) 4 SCC 306. Supreme Court

Recognized _____.

- 1) Right to marry
- 2) Right to fly national Flag
- 3) Right to vote
- 4) Right to know

Ans 4

In Dinesh Trivedi, M.P. and others Vs Union of India,

The Supreme Court dealt with the right to Freedom of Observation, "in modern constitutional democracies, it is axiomatic that the citizens have right to know the affairs of the Govt. which, having been elected by them, seek to formulate sound policies of the Governance aimed at their welfare". The court further observed, "Democracy expects openness with concomitant of a free society and the sunlight is the best disinfectant."

99. With reference to the Transfer of Property Act, 1882 in the Supreme Court judgment in Seth Maneklal Mansukhbhai vs. Hormusji Jamshedji Ginwala - AIR 1950 SC is related to _____.

- 1) Ostensible ownership
- 2) Doctrine of election
- 3) Vested interest
- 4) Doctrine of Part performance

Ans 4

Sheth Maneklal Mansukh Bhai v. Messrs. Hormusji Jamshedji 1950

In this case, the court elaborated on Section 53A of the Transfer of Property Act 1882 and said this provision states that any written agreement should be there i.e. a signed contract by both the parties and some part should be done in accordance to the part performance.

100. Right to lodge caveat has been provided in which Section of the Code of Civil Procedure, 1908.

- 1) Section 152
- 2) Section 148 A
- 3) Section 147
- 4) Section 150

Ans 2

Code of Civil Procedure, S.148 A. Right to lodge a caveat.-

(1) Where an application is expected to be made, or has been made, in a suit or proceeding instituted, or about to be instituted, in a Court, any person claiming a right to appear before the Court on the hearing of such application may lodge a caveat in respect thereof.

(2) Where a caveat has been lodged under sub-section (1), the person by whom the caveat has been lodged (hereinafter referred to as the caveator) shall serve a notice of the caveat by registered post, acknowledgement due, on the person by whom the application has been, or is expected to be, made, under sub-section (1).

(3) Where, after a caveat has been lodged under sub-section (1), any application is filed in any suit or proceeding, the Court, shall serve a notice of the application on the caveator.

(4) Where a notice of any caveat has been served on the applicant, he shall forthwith furnish the caveator at the caveators expense, with a copy of the application made by him and also with copies of any paper or document which has been, or may be, filed by him in support of the application.

(5) Where a caveat has been lodged under sub-section (1), such caveat shall not remain in force after the expiry of ninety days from the date on which it was lodged unless the application referred to in sub-section (1) has been made before the expiry of the said period