Rajasthan Prelims 2014

1. "A" sues "B" for compensation on account of trespass. "B" holds a promissory note for Rs. 50000/- from "A". Under Order 8 Rule 6 of the Code of Civil Procedure, 1908, to setoff that amount of Rs. 50000/~ from any sum to be recovered from "A" in the suit, "B" :-

1. cannot claim because the different characters of "A" & "B" regarding payment of amount
2. cannot claim because as soon as "A" recovers, "B" has two different characters
3. can claim because as soon as "A" recovers, both sums are definite pecuniary demands
4. cannot claim because the both sums are not definite

Answer: can claim because as soon as "A" recovers, both sums are definite pecuniary demands

Explanation: Under Order 8 Rule 6 of the Code of Civil Procedure, 1908, a set-off is allowed if both sums are definite pecuniary demands and legally recoverable. In this case, since "B" holds a promissory note for Rs. 50,000 from "A," which is a definite pecuniary demand, "B" can claim a set-off against any compensation "A" recovers for trespass.

2. Which of the following statement is not correct regarding the notice in writing given under Section 80 the Code of Civil Procedure, 1908?

1. It is necessary to state the cause of action and the relief.
2. It is necessary to state the name, description and the place of residence of the plaintiff.
3. If the defendants are other than Central Government /State Government, then, it is necessary to state the name, description and the place of residence of all the defendants.
4. The plaint can be presented after expiration of two months from the delivery of such notice.

Answer: If the defendants are other than Central Government /State Government, then, it is necessary to state the name, description and the place of residence of all the defendants.

Explanation: Section 80 of the Code of Civil Procedure, 1908, pertains specifically to suits against the Government or a public officer. The notice must include the cause of action, relief sought, and the plaintiff's details. However, it does not require the inclusion of details of all defendants if they are not Central or State Government entities. This statement is therefore not correct regarding Section 80 notice requirements.

3. Which of the following is an illustration of Section 116 of the Transfer of Property Act, 1882?

1. A lessee accepts from his lessor a new leader of the property leased, to take effect during the continuance of the existing lease.
2. A “A", the lessor, gives, “B”, the lessee, notice to quit the property leased. The notice expires. “B’ tenders “A” accepts, rent which has become due in respect of the property since the expiration of the notice.

3. “A” lets a farm to “B” for the life of “C". “C” dies, but “B” continues in possession with “A’s” assent.
4. None of the above

Answer: A lessee accepts from his lessor a new lease of the property leased, to take effect during the continuance of the existing lease.

Explanation: Section 116 of the Transfer of Property Act, 1882, deals with the doctrine of 'holding over.' This section applies when a lessee remains in possession of the property after the lease term has expired and the lessor accepts rent or otherwise assents to the lessee's continued possession. The situation where a lessee accepts a new lease to take effect during the continuance of the existing lease does not involve holding over and thus is an illusion of Section 116.

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4. Which of the following statements is not correct?

1. A member holding office as Deputy Chairman of the Council of States shall vacate his office if he ceases to be a member of the council.
2. A member holding. office as Deputy Chairman of the Council of States may at any time by writing under his hand addressed to the chairman, resign his office.
3. A member holding office as Deputy Chairman of the Council of States may be removed from his office by resolution of the Council passed by majority of all the then members of the Council.
4. A member office as Deputy Chairman of the Council of States shall not be removed from his office except by an order of the President of India passed after an address by Council of States supported by a majority of the total members on the ground of proved incapacity.

Answer: A member holding office as Deputy Chairman of the Council of States shall not be removed from his office except by an order of the President of India passed after an address by Council of States supported by a majority of the total members on the ground of proved incapacity.

Explanation: This statement is not correct. According to the Constitution of India, the Deputy Chairman of the Council of States (Rajya Sabha) can be removed from office by a resolution of the Council passed by a majority of all the then members of the Council. There is no requirement for an order of the President or an address by the Council of States for the removal of the Deputy Chairman.

5. According to the provisions of Limitation Act, 1963, match correctly the suit and article thereof in which period of limitation is prescribed -

Suit		**Article wherein period of limitation is prescribed**	
1.	For money payable for money lent	a.	Article 54
2.	For arrears of rent	b.	Article 19
3.	For specific performance of a contract	c.	Article 52
4.	For for closure by a mortgagee	d.	Article 63

1. 1 - b, 2 - c, 3 - d, 4 - a
2. 1 - b, 1 - c, 3 - a, 4 - d
3. 1 - c, 2 - d, 3 - a, 4 - b
4. 1 - d, 2 - b, 3 - a, 4 - c

Answer: 1 - b, 2 - c, 3 - a, 4 - d

Explanation: The Limitation Act, 1963 prescribes specific time limits for various types of suits:

1. **For money payable for money lent** - This is prescribed under Article 19.
2. **For arrears of rent** - This falls under Article 52.
3. **For specific performance of a contract** - This is covered under Article 54.
4. **For foreclosure by a mortgagee** - This is prescribed under Article 63.

6. Which of the following powers is not vested in the court to which the decree was sent for execution?

1. Power to send the decree for execution to another court under Section 39 of the Code of Civil Procedure, 1908
2. Power to execute the decree against the legal representative deceased judgement debtor under Section 50 of the Code of Civil Procedure, 1908
3. Power to order execution at the instance of the transferee of the decree
4. Power to order attachment of a decree

Answer: Power to execute the decree against the legal representative deceased judgement debtor under Section 50 of the Code of Civil Procedure, 1908

Explanation: The court to which a decree has been sent for execution does not have the power to execute the decree against the legal representative of the deceased judgement debtor under Section 50 of the Code of Civil Procedure, 1908. This power remains with the court which originally passed the decree. The receiving court can send the decree for execution to another court, order execution at the instance of the transferee of the decree, and order attachment of a decree.



7. Which of the following cases is related to the ambit of judicial review in the matter of appointment of judges to High Courts under Article 217 of the Constitution of India?

1. Anna Mathews Vs. Union of India
2. Anna Mathews Vs. Supreme Court of India
3. Anna Mathews Vs. President of India
4. Anna Mathews Vs. State of Kerala

Answer: Anna Mathews Vs. Supreme Court of India

Explanation: The case "Anna Mathews Vs. Supreme Court of India" addresses the ambit of judicial review concerning the appointment of judges to High Courts under Article 217 of the Constitution of India. This case examines the procedural and constitutional aspects of judicial appointments and the extent to which such appointments can be reviewed by the judiciary.

8. Which of the following communications is not protected from disclosure under Section 126 of the Indian Evidence Act, 1872?

1. The client says to his advocate that he has murdered “A” by shooting and he wishes that advocate is to defend him.

2. The client says to his advocate that he has obtained the possession of the property on the basis of forged documents and he wishes that advocate is to defend him. .
3. The client says to his advocate that he wishes to obtain possession of the property on the basis of forged will, on which he requests to sue.
4. All of the above

Answer: The client says to his advocate that he wishes to obtain possession of the property on the basis of forged will, on which he requests to sue.

Explanation: Under Section 126 of the Indian Evidence Act, 1872, communications between a client and their legal advisor are protected from disclosure, with certain exceptions. Communications intended to commit a crime or fraud are not protected. If a client expresses an intention to obtain property based on a forged will, this communication is not protected as it involves planning to commit fraud. Therefore, it is not shielded by Section 126.

9. Which of the statements is not correct according to the provisions of Rule 43 and Rule 68 of Order 21 of the Code of Civil Procedure, 1908 ?

1. When the property seized is subject to speedy and natural decay, then, it may be sold at once.
2. The sale of Immovable property shall not take place until after the expiration of at least 15 days calculated from the date on which the copy of the proclamation has been affixed on the courthouse of the Judge ordering the same.
3. The sale of movable property shall not take place until after the expiration of at least 7 days calculated from the date on which the copy of the proclamation has been affixed on the courthouse of the Judge ordering the same.
4. The sale of Immovable property shall not take place until after the expiration of at least 1 month calculated from the date on which the copy of the proclamation has been affixed on the courthouse of the Judge ordering the same.

Answer: The sale of Immovable property shall not take place until after the expiration of at least 15 days calculated from the date on which the copy of the proclamation has been affixed on the courthouse of the Judge ordering the same.

Explanation: According to Rule 68 of Order 21 of the Code of Civil Procedure, 1908, the sale of immovable property cannot take place until at least 30 days have passed since the proclamation has been affixed on the courthouse. Therefore, the statement regarding a 15-day period is incorrect as the stipulated time frame is 30 days .

10. Civil Procedure Code is included in which of the lists of the Constitution of India?

1. State List
2. Concurrent List
3. Union List
4. All of the above

Answer: Concurrent List

Explanation: The Civil Procedure Code (CPC) is included in the Concurrent List of the Constitution of India, allowing both the Parliament and the State Legislatures to make laws on this subject. This arrangement ensures uniformity in civil procedure while accommodating regional variations if necessary.

11. In which illustration of the following illustrations, the surety discharged from his liability?

1. "C" the holder of an overdue bill of exchange drawn by "A" as surety for "B", and accepted by "B" contracts with "M" to give to "B".
2. "B" owes to "C" a debt guaranteed by "A". The debt becomes payable. "C" does not sue "B" for a year after the debt has become payable.
3. "C" contract to lend "B" Rs. 5000/- on the 1* March. "A" guarantees repayment. "C" pays Rs. 5000/- to "B" on 1** of January.
4. In all of the above

Answer: "C" the holder of an overdue bill of exchange drawn by "A" as surety for "B", and accepted by "B" contracts with "M" to give to "B".

Explanation: According to Section 134 of the Indian Contract Act, 1872, the surety is discharged from liability if the creditor and the principal debtor enter into a new contract without the surety's consent. In the given illustration, "C" contracts with "M" to give to "B" without "A's" consent, thereby discharging "A" from his surety liability.

12. "A" obtains a decree against "B" for Rs. 25000/-. "C", who is a trustee for "B", obtains a decree on behalf of "B" against "A" for Rs. 25000/-.
Which of the following statements is correct with regard to the above illustration?

1. "B"can treat "C's" decree as a cross decree.
2. "B" cannot treat "C's" decree as a cross decree.
3. "C"can deny to treat his decree as a cross decree.
4. None of the above

Answer: "B" can treat "C's" decree as a cross decree.

Explanation: According to Order XXI Rule 18 of the Code of Civil Procedure, 1908, where decrees for the payment of money have been passed against the same parties and they are capable of execution at the same time, they can be treated as cross-decrees. In this case, "B" can treat the decree obtained by "C" on his behalf against "A" as a cross-decree against the decree obtained by "A" against "B".

13. The statutes of limitation are premised on which fundamental legal maxim?

1. Vigilantibus non dormientibus jura subveniunt
2. Actori incumbit onus probandi
3. Frustra probatur quod probatum non relevant

4. Nemo potest esse tenens ct dominus

Answer: Vigilantibus non dormientibus jura subveniunt

Explanation: The statutes of limitation are based on the legal maxim "Vigilantibus non dormientibus jura subveniunt," which means "the law assists those who are vigilant, not those who sleep over their rights." This principle underpins the idea that legal claims should be made within a reasonable timeframe, encouraging diligence and discouraging undue delays in asserting rights.

14. Which of the following statements is correct for the purposes of Section 21 of the Specific Relief Act, 1963?

1. Compensation can only be awarded in those ‘malters, where specific performance is not | granted.
2. The compensation cannot be awarded, where, plaintiff has not claimed the compensation in the suit.
3. The compensation cannot be awarded, where the contract has become incapable of ! specific performance.
4. If the plaintiff has not claimed the compensation at the time of filing of the suit, he cannot amend his plaint, demanding compensation.

Answer: The compensation cannot be awarded, where the plaintiff has not claimed the compensation in the suit.

Explanation: Under Section 21 of the Specific Relief Act, 1963, compensation can be awarded in addition to or in substitution for specific performance. However, it cannot be awarded if the plaintiff has not claimed compensation in the suit. The plaintiff must explicitly claim compensation in the original suit to be eligible for it.

15. Which of the following statement is not correct with regard to mortgages of immovable property and charges under the Transfer of Property Act, 18827

1. The transferor is called a mortgagor and the transferee a mortgagee.
2. The instrument by which the transfer is effected, is called a mortgage deed.
3. In simple mortgage, the possession of the mortgaged property is delivered.
4. The provision with regard to accession to mortgaged property is envisaged in Section 63 of the Act of 1882

Answer: In simple mortgage, the possession of the mortgaged property is delivered.

Explanation: In a simple mortgage, as defined under Section 58(b) of the Transfer of Property Act, 1882, the mortgagor does not deliver possession of the mortgaged property to the mortgagee. Instead, the mortgagor binds himself personally to pay the mortgage money and agrees that in the event of non-payment, the mortgagee shall have a right to cause the mortgaged property to be sold.

16. In which of the following judgements, Hon'ble Supreme Court declared that Right to Privacy is a Fundamental Right?

1. Association for domestic reforms Vs. Union of India
2. Rajeev Kumar Gupta Vs. Union of India
3. Navtej Singh Johar Vs. Union of India
4. Justice K.S. Puttaswamy (Retd.) and Anr Vs. Union of India and Ors.

Answer: Justice K.S. Puttaswamy (Retd.) and Anr Vs. Union of India and Ors.

Explanation: The Supreme Court of India declared the Right to Privacy as a Fundamental Right in the landmark judgement of Justice K.S. Puttaswamy (Retd.) and Anr Vs. Union of India and Ors. (2017). The nine-judge bench unanimously held that the right to privacy is an intrinsic part of the right to life and personal liberty under Article 21 of the Constitution of India.



17. No attachment under a precept sent under Section 46 of the Code of Civil Procedure, 1908 shall continue for more than ..... months.

1. One
2. Two
3. Three

4. Six

Answer: Two

Explanation: According to Section 46 of the Code of Civil Procedure, 1908, an attachment under a precept shall not continue for more than two months unless the period is extended by an order of the court that issued the precept. This provision ensures a limited duration for such attachments unless judicially reviewed and extended.

18. "When specific words are followed by general words, the meaning of those general words should be taken in the context of those specific words and the general words should be constructed as limited as the specific words."
The above rule is -

1. Rule of harmonious interpretation
2. Golden Rule of interpretation
3. Rule of homogeneous interpretation
4. Rule of Association

Answer: Rule of Association

Explanation: The principle described is known as the "Rule of Association," also referred to as the "Ejusdem Generis" rule. This rule states that when specific words are followed by general words, the general words are interpreted in the context of the specific words preceding them, thereby limiting their scope to items of the same kind or class. This ensures that the general terms are not interpreted broadly but are understood in relation to the specific terms listed before them.

19. In which of the following cases, the Hon'ble Supreme Court held that there is no unqualified right to marriage and that same sex couples claim this as a fundamental right?

1. Supriyo @ Supriya Chakraborty and Anr. Vs. Union of India
2. Subhash Desai Vs. Chief Secretary & Anr.
3. Dr. Jaya Thakur Vs. Union of India
4. Dev Gupta Vs. Union of India

Answer: Supriyo @ Supriya Chakraborty and Anr. Vs. Union of India

Explanation: In the case of Supriyo @ Supriya Chakraborty and Anr. Vs. Union of India, the Supreme Court addressed the issue of same-sex marriages and held that while same-sex couples have rights, there is no unqualified right to marriage under the current legal framework. This ruling emphasized that the claim to same-sex marriage as a fundamental right is not recognized, reflecting the limitations within the existing legal provisions.

20. The judgement debtor shall secure to the decree holder such periodical payments.
The above order can be passed by the court in execution of which type of decree?

1. In execution decrees of restitution of conjugal rights

2. In execution decrees of immovable property
3. Execution of decree for execution of document
4. Execution of decree against firm

Answer: In execution decrees of restitution of conjugal rights

Explanation: Under the Code of Civil Procedure, 1908, when executing decrees of restitution of conjugal rights, the court may order the judgement debtor to secure periodical payments to the decree holder. This provision is intended to ensure compliance with the decree by providing a form of financial assurance, thereby encouraging the judgement debtor to fulfil their matrimonial obligations as decreed by the court.

21. Under the Code of Civil Procedure, 1908, "The first hearing of the suit" means -

1. The presentation of the plaint in the court
2. The presentation of written statement by the defendant
3. The examination under Order 10 Rule 2
4. The framing of issues

Answer: The examination under Order 10 Rule 2

Explanation: According to Order XV of the Code of Civil Procedure, 1908, "the first hearing of the suit" pertains to the stage where the court examines the parties under Order 10 Rule 2 and frames issues if the parties are at issue on questions of law or fact. If there is no issue, the court may pronounce judgement immediately. The first hearing is not merely the presentation of the plaint or written statement but involves the court's active role in determining the points of contention.

22. Match correctly -

Decree	Order & Rule
(1) Decree in Administration Suit	(a) Order 20 Rule 14
(2) Decree in Pre-emption Suit	(b) Order20Rule 18
(3) Decree in Suit for partition of Property	(c) Order 20 Rule 12
(4) Decree for Possession and mesne Profits	(d) Order 20 Rule 13

1. (1) - (d), (2) - (a), (3) - (b), (4) - (c)
2. (1) - (b), (2) - (c), (3) - (d), (4) - (a)
3. (1) - (a), (2) - (b), (3) - (c), (4) - (d)
4. (1) - (c), (2) - (d), (3) - (a), (4) - (b)

Answer: (1) - (b), (2) - (a), (3) - (d), (4) - (c)

Explanation:

- Decree in Administration Suit is governed by Order 20 Rule 13.
- Decree in Pre-emption Suit is governed by Order 20 Rule 14.
- Decree in Suit for partition of Property is governed by Order 20 Rule 18.
- Decree for Possession and mesne Profits is governed by Order 20 Rule 12.

23. With regard to the Doctrine of Estoppel, which of the following statements is wrong?

1. The Doctrine of Estoppel is recognised by Rule of Equity.
2. The Doctrine of Estoppel deals only relating to the aspect of public policy.
3. The Doctrine of Estoppel arises from the conduct of parties.
4. The Doctrine of Estoppel is not applicable against a minor.

Answer: The Doctrine of Estoppel deals only relating to the aspect of public policy.

Explanation: The Doctrine of Estoppel is recognized by the Rule of Equity and arises from the conduct of parties, preventing them from denying or asserting something contrary to that which has been established as the truth in the eyes of the law. It is not solely related to public policy but is based on fairness and equity. Moreover, estoppel is generally not applicable against a minor, who lacks legal capacity to be bound by their statements or actions.

24. The legal maxim *"Ur Res Magis Valeat Onam Pareatis"* is also known as -

1. Rule of harmonious construction
2. Rule of Reasonable construction
3. Rule of ejusdem generis
4. Golden Rule of Interpretation.

Answer: Rule of harmonious construction

Explanation: The legal maxim "Ut res magis valeat quam pereat" translates to "It is better for a thing to have effect than to be made void." This is known as the Rule of Harmonious Construction, which aims to interpret provisions in such a way that they are in harmony with each other, giving effect to all parts of a statute rather than rendering any part meaningless or redundant.

25. "A"is a decree holder and "B" is a judgement debtor. "B" took loan from "A". At that time, it was the condition mentioned in the agreement that all moneys payable under a policy of life insurance of "B" will also be liable to pay the amount of loan and for attachment.

1. Such agreement is voidable at the instance of "B"
2. Such agreement is Lawful
3. Such agreement is void ab initio
4. Looking to the facts and circumstances of the case the court will pass the order regarding such agreement being void, legal or voidable

Answer: Such agreement is void ab initio

Explanation: According to Section 6 of the Transfer of Property Act, 1882, certain interests cannot be transferred, including a mere right to sue and a stipulation that is against public policy. Agreements to transfer future income from sources such as life insurance policies, which are inherently personal and meant for the benefit of the insured and their dependents, are void ab initio as they contravene public policy and are not enforceable by law.

26. In which of the following cases, Hon'ble Supreme Court observed that presumption U/S 90 of the Indian Evidence Act, 1872 with regard to the genuineness and regularity of documents which are more than 30 years old, is inapplicable when it comes to a will?

1. Ramakrushna Mohapatra and others Vs. Gangadhai
2. Ashutosh Samante (D) by LRs and others Vs. SM. Ranjan Bala Dasi and others
3. Lupin Limited Vs. Johnson & Johnson
4. Rani Purnima Devi & Anr. Vs. Kumari Khagendra NArain Dev & Anr.

Answer: Ramakrushna Mohapatra and others Vs. Gangadhai

Explanation: In the case of Ramakrushna Mohapatra and others Vs. Gangadhai, the Hon'ble Supreme Court observed that the presumption under Section 90 of the Indian Evidence Act, 1872, regarding the genuineness and regularity of documents which are more than 30 years old, is inapplicable when it comes to a will.

27. Which of the following statements is correct, when the reference of question has been made to the High Court under Order 46 Rule 1 of the Code of Civil Procedure, 1908?

1. After making the reference, the court who made the reference will not proceed in the case until the receipt of the copy of the judgement of the High Court upon the reference.
2. After making the reference, the court who made the reference can proceed in the case and may pass a decree contingent upon the decision of the High Court on the point referred.
3. After making the reference, the court who made the reference shall return the file to the party with the direction to re-present on receipt of the copy of the judgement of the High Court upon the reference.
4. All of the above statements are correct.

Answer: After making the reference, the court who made the reference will not proceed in the case until the receipt of the copy of the judgement of the High Court upon the reference.

Explanation: Under Order 46 Rule 1 of the Code of Civil Procedure, 1908, when a court makes a reference to the High Court, it must await the decision on the referred question before proceeding with the case. This ensures that the case is decided in accordance with the legal opinion provided by the High Court, which maintains consistency and accuracy in judicial decisions.

28. The agreement executed on 01.01.2024 between landlord and the tenant to increase the rent of the let-out premises by 4% per annum. Under Section 7 of the Rajasthan Rent Control Act, 2001, such agreement -

1. is lawful
2. is voidable at the instance of the tenant
3. is voidable at the instance of the landlord
4. is void ab initio

Answer: is lawful

Explanation: According to Section 7 of the Rajasthan Rent Control Act, 2001, the rent of premises let out after the commencement of this Act can be increased by up to 5% per annum. The agreement between the landlord and the tenant to increase the rent by 4% per annum is within this permissible limit. Therefore, such an agreement is lawful and valid.

29. A law made by one legislature affects the scope of the other legislature in a related manner, then which of the following doctrine of interpretation is applied?

1. Doctrine of Separation
2. The doctrine of imbibing essence
3. Doctrine of colourable legislation
4. Doctrine of rigidity

Answer: Doctrine of colourable legislation

Explanation: The Doctrine of Colourable Legislation is applied when a law made by one legislature affects the scope of another legislature in a related manner. This doctrine examines whether a legislature has overstepped its constitutional limits under the guise or "colour" of enacting a law within its competence, thereby encroaching upon the jurisdiction of another legislature. It ensures that the legislative body does not indirectly do what it is directly prohibited from doing.

30. Which of the following is not correct under the provisions of the Transfer of Property Act, 1882?

1. An interest in property restricted in its enjoyment to the owner personally can be transferred by him.
2. Instrument means a non-testamentary instrument,
3. An easement cannot be transferred apart from the dominant heritage.
4. A transfer of property may be made without writing in every case in which a writing is not expressly required by law.

Answer: An interest in property restricted in its enjoyment to the owner personally can be transferred by him.

Explanation: Under the Transfer of Property Act, 1882, an interest in property that is restricted in its enjoyment to the owner personally cannot be transferred by him. Such personal interests are typically non-transferable because they are meant to be enjoyed exclusively by the original owner and do not carry transferable rights.



31. Under Section 20(3) of Rajasthan Rent Control Act, 2001, “mesne profit” denotes -

1. Rent as agreed as envisaged in Section 4 of the Act, 2001
2. Compensation depriving landlord from the use of the premises
3. Revision of Rent as envisaged in Section 7 of the Act, 2001
4. Revision of Rent as per Section 7 of the Act, 2011

Answer: Compensation depriving landlord from the use of the premises

Explanation: Under Section 20(3) of the Rajasthan Rent Control Act, 2001, "mesne profits" refer to the compensation a tenant must pay if they do not vacate the premises within three months of the issuance of a certificate for recovery of possession. This compensation is calculated at a higher rate (two or three times the rent) depending on whether the premises are used for residential or commercial purposes. This is intended to compensate the landlord for being deprived of the use of their property.

32. In which order of the Code of Civil Procedure, 1908, under the expression "Decree” includes the final order?

1. Order 41
2. Order 43
3. Order 45
4. Order 47

Answer: Order 41

Explanation: Under Order 41 of the Code of Civil Procedure, 1908, which pertains to appeals from original decrees, the expression "Decree" includes the final order.

33. Article 39A of the Constitution of India deals with -

1. Equal Pay for Equal Work
2. Equal Justice and free legal aid
3. Uniform Civil Code for the Citizens
4. Living wage etc. for workers

Answer: Equal Justice and free legal aid

Explanation: Article 39A of the Constitution of India deals with the provision of equal justice and free legal aid. It directs the State to ensure that the legal system promotes justice on the basis of equal opportunity and to provide free legal aid to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.

34. The object behind the oral examination of parties under Order 10 Rule 2 of the Code of Civil Procedure, 1908 is -

1. To elucidating matters in controversy
2. To Pre-examining the Witnesses
3. To find out the issues of facts & law
4. To find out the admitted facts

Answer: To elucidate matters in controversy

Explanation: The object behind the oral examination of parties under Order 10 Rule 2 of the Code of Civil Procedure, 1908, is to elucidate matters in controversy. This provision allows the court to directly question the parties involved in the suit to clarify the issues and ensure a clear understanding of the facts and points of contention, thereby facilitating a more efficient and accurate adjudication process.

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35. Which of the following is not an appealable order?

1. An Order under Rule 34 of Order 21 of the Code of Civil Procedure, 1908
2. An Order under Rule 17 of Order 6 of the Code of Civil Procedure, 1908
3. An Order under Rule 10 of Order 22 of the Code of Civil Procedure, 1908
4. An Order under Rule 2 of Order 25 of the Code of Civil Procedure, 1908

Answer: An Order under Rule 17 of Order 6 of the Code of Civil Procedure, 1908

Explanation: An order under Rule 17 of Order 6 of the Code of Civil Procedure, 1908, which deals with the amendment of pleadings, is not an appealable order. The other orders listed—under Rule 34 of Order 21, Rule 10 of Order 22, and Rule 2 of Order 25—are considered appealable under the Code.

36. Ramlal purchase a motorcycle and get it insured. Thereafter, he causes to same cast away, with the intention of causing damages to the insurance company. Which offence, Ramlal has committed?

1. Mischief
2. Cheating
3. Criminal Misappropriation
4. Criminal Breach of Trust

Answer: Mischief

Explanation: Ramlal has committed the offence of mischief under Section 425 of the Indian Penal Code. Mischief involves causing destruction or change to property with the intention of causing wrongful loss or damage. By intentionally causing damage to the motorcycle to claim insurance, Ramlal is causing wrongful loss to the insurance company.

37. Who among the following docs not include in the definition of “Domestic Worker” under the Sexual Harassment of Women at orkplace (Prevention, Prohibition and Redressal) Act, 2013?

1. Women employed on temporary basis
2. Women employed on permanent basis
3. Women employed on part time basis

4. Any member of the family of the employer

Answer: Any member of the family of the employer

Explanation: Under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, "Domestic Worker" includes women employed on a temporary, permanent, or part-time basis to work in a household. However, any member of the family of the employer is not included in this definition.

38. Which of the following does not come under the exception to the offence of Defamation?

1. Imputation of truth which public good requires to be made or published
2. Public conduct of Public Servants
3. Merits of case decided in Courts or conduct of witnesses and other concerned
4. Censure passed in good faith by the person not having lawful authority over another

Answer: Censure passed in good faith by the person not having lawful authority over another

Explanation: Under Section 499 of the Indian Penal Code, which deals with defamation, several exceptions are provided. These include imputations of truth made for the public good, comments on the public conduct of public servants, and fair comments on the merits of cases decided in courts. However, censure passed in good faith by a person not having lawful authority over another does not fall under these exceptions and would not be protected as an exception to defamation.

39. There was an argument between Ramesh and Suresh over some issues. Ramesh started abusing Suresh badly, which caused sudden and grave provocation to Suresh. Suresh had a stick lying beside him. Under the effect of sudden and grm./c provocation, he picked up the stick with his right hand. Vijay, who has an old enmity with Ramesh and wants to kill Ramesh at any cost, was standing nearby and watching all this. He suddenly reached there and says to Surcsh, what kind of a person are you, you are standing and listening to abuses against your mother and sister, the stick is not going to do anything, take this revolver, saying this he hands over a revolver to Suresh and Suresh takes the revolver and fires at Ramesh, which causes Ramesh's death. What offences have Suresh and Vijay committed?

1. Both have committed the offence of culpable homicide not amounting to murder.
2. Suresh has committed the offence of murder and Vijay has committed the offence of culpable homicide not amounting to murder.
3. Vijay has committed the offence of murder of murder and Suresh has committed the offence of culpable homicide not amounting to murder.
4. Both have committed the offence of murder.

Answer: Both have committed the offence of murder.

Explanation: Under the concept of abetment as defined in Sections 107 and 109 of the Indian Penal Code, abetment involves instigating a person to commit an offence, engaging in a conspiracy to commit an offence, or intentionally aiding the commission of an offence. In this scenario, Vijay's act of handing over the revolver and encouraging Suresh to use it constitutes abetment of murder. Suresh, who was initially provoked, accepted the revolver and killed Ramesh, thus committing murder. Since Vijay abetted Suresh in committing the murder, both Vijay and Suresh are liable for the offence of murder under the law.

40. While committing any case exclusively triable by the Court of Sessions, Magistrate shall remand the accused for how much period?

1. For a period of 15 days
2. Until the date of framing of charge by the Court of Sessions
3. During and until the conclusion of trial
4. Remaining period of 60 and 90 days, as the case may be, as prescribed under Section 167 of the Code of Criminal Procedure

Answer: For a period of 15 days

Explanation: According to Section 209 of the Code of Criminal Procedure, 1973, when a Magistrate commits a case to the Court of Sessions, the Magistrate shall remand the accused to custody during and until the conclusion of the trial. However, initially, the Magistrate can remand the accused for a period not exceeding 15 days. After that, the accused may be remanded to custody until the conclusion of the trial as per the discretion of the Sessions Court.

41. Under the Juvenile Justice (Care and Protection of Children) Act, 2015, which of the following statement is wrong in relation with the eligibility of prospective adoptive parents?

1. The prospective adoptive parents shall be physically fit, financially sound, mentally alert and highly motivated to adopt a child for providing a good upbringing to him,
2. Incase of a couple, the consent of both the spouses for the adoption shall be required,
3. A single male is eligible to adopt a girl child.
4. A single or divorced person can also adopt, subject to fulfilment of the criteria and in accordance with the provision of adoption regulation framed by the Authority.

Answer: A single male is eligible to adopt a girl child.

Explanation: According to Section 57(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015, a single male is not eligible to adopt a girl child. Therefore, the statement "A single male is eligible to adopt a girl child" is incorrect as per the provisions of the Act.

42. Who among the following is not competent to conduct investigation?

1. Station House Officer of Police Station
2. A Magistrate
3. Any person, other than Magistrate, who is authorised by a Magistrate in this behalf

4. Director General of Police of the State

Answer: A Magistrate

Explanation: Under the Code of Criminal Procedure, 1973, a Magistrate is not competent to conduct investigations. The roles of investigation are typically handled by police officers such as the Station House Officer, or any person authorised by a Magistrate. The Director General of Police of the State, as the highest-ranking police officer, also has the authority to conduct or oversee investigations.

43. U/s 33 of Indian Evidence Act, 1872, a criminal trial regarding relevancy of certain evidence for proving, in subsequent proceeding, truth of facts there in stated shall be deemed to be-

1. a proceeding between the complainant and the accused
2. a proceeding between the prosecutor and the accused
3. a proceeding between the witness produced for the complainant and the accused
4. All of the above are correct

Answer: a proceeding between the prosecutor and the accused

Explanation: Under Section 33 of the Indian Evidence Act, 1872, evidence given by a witness in a previous judicial proceeding is relevant in a subsequent proceeding if the party against whom it is being used had the right and opportunity to cross-examine the witness in the previous proceeding. In a criminal trial, this typically pertains to the proceeding between the prosecutor and the accused, where the prosecutor represents the state or the public interest against the accused.

44. When one fact is declared by the Indian Evidence Act, 1872 to be the conclusive proof of another, the court .....

1. shall, on disproving one fact, regard the other as proved, and shall not allow evidence to be given for the purpose of disproving it.
2. shall, on proof of one fact, regard the other as proved, and shall not allow evidence to be given for the purpose of disproving it.
3. hall, on proof of one fact, regard the other as proved, and shall allow evidence to be given for the purpose of disproving it.
4. shall, on proof of one fact, regard the other as disproved, and shall not allow evidence to be given for the purpose of disproving it.

Answer: shall, on proof of one fact, regard the other as proved, and shall not allow evidence to be given for the purpose of disproving it.

Explanation: According to Section 4 of the Indian Evidence Act, 1872, when one fact is declared by the Act to be conclusive proof of another, the court must regard the other fact as proved once the first fact is proved, and it shall not allow any evidence to be given for the purpose of disproving the fact. This provision establishes a mandatory legal presumption that cannot be contested by presenting contrary evidence.

45. Accused prays before the court 1o see the report of Probation Officer made under Section 4(2) or 6(2) of the Probation of Offenders Act, 1958. In this regard, which of the following statement is correct?

1. A copy of such report is to be made available to the accused so that he may produce reasonable evidence in his defence.
2. Such report must be made available for perusal to the accused or his advocate, whereupon, he will put signature after making endorsement that he has perused the report.
3. Such report is a confidential document, although, the court may, it it so thinks fit, communicate the substance thereof to the accused.
4. Accused may submit the application for copy as per rule and may get certified copy.

Answer: Such report is a confidential document, although the court may, if it so thinks fit, communicate the substance thereof to the accused.

Explanation: Under the Probation of Offenders Act, 1958, the report of the Probation Officer made under Section 4(2) or 6(2) is considered a confidential document. However, the court has the discretion to communicate the substance of the report to the accused if it deems it appropriate.

46. Ramswaroop is charged and convicted for the theft of the golden chain of Savita.
'Which of the following statement is correct regarding above illustration?

1. Ramswaroop can subsequently charged with and tried for robbery on the same facts.
2. Ramswaroop can neither subsequently bé charged nor tried for robbery on the same facts.
3. However, Ramswaroop can subsequently be charged with for robbery on the same facts but shall be acquitted without trial as per the provisions prescribed under Section 300 of the Code of Criminal Procedure, 1973
4. After getting prior permission in writing from the District & Sessions Judge concerned, only thereafter, Ramswaroop can subsequently be charged with and tried for robbery on the same facts.

Answer: Ramswaroop can neither subsequently be charged nor tried for robbery on the same facts.

Explanation: According to Section 300 of the Code of Criminal Procedure, 1973, a person who has been tried by a court of competent jurisdiction for an offence and convicted or acquitted of such offence shall not be liable to be tried again for the same offence or for any other offence based on the same facts. Since Ramswaroop has already been convicted for theft based on the same facts, he cannot be subsequently charged or tried for robbery.

47. Distribution of which of the following samples under the Indecent Representation of Women (Prohibition) Act, 1986 comes under the definition of "Distribution"?

1. Distribution of free samples only
2. Distribution of paid samples only
3. Distribution by way of samples whether free or otherwise
4. Distribution of samples does not come under the definition of Distribution

Answer: Distribution by way of samples whether free or otherwise

Explanation: Under the Indecent Representation of Women (Prohibition) Act, 1986, the definition of "distribution" includes the distribution of samples, whether they are free or paid. This comprehensive definition ensures that any form of distribution of indecent representation, regardless of whether it involves monetary exchange, is covered under the Act.

48. Which of the following case cannot be tried summarily under the provisions of the Code of Criminal Procedure, 1973 ?

1. Offences not punishable with death, imprisonment for life and imprisonment for a term exceeding 02 years.
2. Offence punishable under Section 454 of the Indian Penal Code.
3. Offence punishable under Section 414 of the Indian Penal Code, where the value of property concealed is Rs. 5000/-
4. Any offence constituted by an act, in respect of which a complaint may be made under Section 20 of the Cattle-trespass Act, 1871.

Answer: Offence punishable under Section 414 of the Indian Penal Code, where the value of property concealed is Rs. 5000/-

Explanation: Section 260 of the Code of Criminal Procedure, 1973, allows for summary trials for certain offences, including those where the value of the property does not exceed Rs. 2000.

49. Who among the following is not entitle to get maintenance under Section 125 of the Code of Criminal Procedure, 1973?

1. Wife who has obtained divorce from her husband and nor remarried
2. Illegitimate minor child
3. Mother or Father
4. Married daughter who has attained majority and by reason of any physical or mental abnormality or injury unable to maintain herself

Answer: Married daughter who has attained majority and by reason of any physical or mental abnormality or injury unable to maintain herself

Explanation: Under Section 125 of the Code of Criminal Procedure, 1973, maintenance can be claimed by a wife (including a divorced wife who has not remarried), illegitimate minor children, and parents (mother or father). However, a married daughter who has attained majority is not entitled to claim maintenance under this section, even if she is unable to maintain herself due to physical or mental abnormality or injury.

50. In order to commit theft, Vinay put his hand in the pocket of Dinesh but came to know that Dinesh's pocket is empty. What offence has Vinay committed?

1. Due to the missing of the object proposed to be stolen, Vinay has not committed any offence.
2. Vinay has committed the offence of attempt to theft.
3. Due to the act of Vinay, people came to know that Dinesh's pocket is empty, Vinay has committed the offence the defamation of Dinesh.
4. Vinay has committed the offence of attempt to Criminal Misappropriation.

Answer: Vinay has committed the offence of attempt to theft.

Explanation: Under the Indian Penal Code, an attempt to commit an offence is itself an offence. In this case, Vinay intended to commit theft by putting his hand in Dinesh's pocket. The fact that the pocket was empty does not negate his criminal intent and actions. Therefore, Vinay has committed the offence of attempt to theft under Section 511 of the Indian Penal Code

51. Which of the following is such an offence, if commission thereof would be the object of the assembly, then, it does not come under the purview of unlawful assembly?

1. To overawe by criminal force any public servant in the exercise of his lawful duties
2. To resist the execution of any legal process
3. To commit criminal trespass
4. To commit cheating

Answer: To commit cheating

Explanation: According to Section 141 of the Indian Penal Code, an assembly of five or more persons is designated as an unlawful assembly if the common object of the persons composing that assembly is to commit any of the specified offences. The specified offences include using criminal force to overawe a public servant, resisting the execution of any legal process, and committing criminal trespass. However, cheating is not listed as one of the offences that would make an assembly an unlawful assembly under this section.

52. Chetna and Vijayta works in similar office. Chetna finds a Government Promissory Note belonging to Vijayta bearing endorsement. Chetna knowing that the note belongs to Vijayta,

pledges it with banker as a security for a loan, intending at a future time to restore it to Vijayta. Which of the following statement is correct?

1. Chetna has not committed any offence because she intending at a future time to restore it to Vijeyta.
2. Chetna has committed the offence of Dishonest Misappropriation of Property.
3. Chetna has committed the offence of Criminal Breach of Trust of Government Promissory Note.
4. Chetna has committed the offence of Cheating.

Answer: Chetna has committed the offence of Dishonest Misappropriation of Property.

Explanation: Under Section 403 of the Indian Penal Code, Dishonest Misappropriation of Property involves a person dishonestly misappropriating or converting to their own use any movable property. Chetna, by pledging the Government Promissory Note belonging to Vijayta with the banker as security for a loan, has dishonestly misappropriated the property. Her intention to restore it later does not negate the initial dishonest misappropriation.

53. In which of the following circumstance, a private person can arrest any person?

1. When such person commits a non-bailable and non-cognizable offence in his presence.
2. When such person commits a bailable and cognizable offence in his presence.
3. When such person commits a non-bailable and cognizable offence in his presence.
4. When such person commits a bailable and non-cognizable offence in his presence.

Answer: When such person commits a non-bailable and cognizable offence in his presence.

Explanation: According to Section 43 of the Code of Criminal Procedure, 1973, a private person may arrest any person who, in his presence, commits a non-bailable and cognizable offence. This provision empowers private individuals to take action when they witness serious offences, ensuring immediate intervention and aiding law enforcement.

54. In which of the following case, Hon'ble Supreme Court has held that mere death of the deceased being unnatural in the matrimonial home within 7 years of marriage will not be sufficient to convict the accused under Section 304-B and 498-A of Indian Penal Code if the cruelty or harassment has not been proved to be soon before the death?

1. Phulel Singh Vs. State of Haryana
2. Manoj Kumar Soni Vs. State of M.P.
3. Charan Singh Vs. State of Uttarakhand
4. Poonam Sharma Vs. Union of India

Answer: Charan Singh Vs. State of Uttarakhand

Explanation: In the case of **Charan Singh Vs. State of Uttarakhand**, the Hon'ble Supreme Court held that mere death of the deceased being unnatural in the matrimonial home within 7 years of marriage will not be sufficient to convict the accused under Section 304-B and 498-A of the Indian Penal Code if the cruelty or harassment has not been proved to be soon before the death. The court emphasised that there must be a clear link between the cruelty or harassment and the death to establish the offence under these sections.

55. Under the Juvenile Justice (Care and Protection of Children) Act, 2015, "Aftercare" means making provision of support, financial or otherwise, to persons, who …… and have left any institutional care to join the mainstream of the society.

1. not completed the age of 18 years
2. completed the age of 21 years
3. completed the age of 18 years but have not completed the age of 21 years
4. completed the age of 15 years but have not completed the age of 18 years

Answer: completed the age of 18 years but have not completed the age of 21 years

Explanation: Under the Juvenile Justice (Care and Protection of Children) Act, 2015, "Aftercare" refers to making provisions of support, financial or otherwise, to individuals who have completed the age of 18 years but have not completed the age of 21 years and have left any institutional care to join the mainstream of society. This support is intended to help them transition smoothly and integrate into society.

56. Which of the following is not an essential ingredient of the offence of Theft?

1. Dishonest intention
2. Movable property
3. Property in possession of owner
4. Fear of causing injury

Answer: Fear of causing injury

Explanation: The essential ingredients of the offence of Theft, as defined under Section 378 of the Indian Penal Code, include dishonest intention, the property being movable, and the property being in the possession of someone other than the accused. Fear of causing injury is not an essential ingredient for the offence of Theft; it pertains more to offences involving coercion or force, such as robbery or extortion.

57. Hariom is sentenced for an offence of theft for simple imprisonment of two years and a fine of Rs. 500/-, In default of payment of fine, he is ordered to undergo further imprisonment for a period of one month. During imprisonment of two years, Hariom died due to some illness. Hariom is only having a house of his sole ownership. Which of the following statement is correct regarding the recovery of such payment of fine?

1. Due to the death of Hariom, he is discharged from the liability of fine.

2. Amount of fine shall be recovered from his house.
3. It is the matter of the discretion of the Court. Court can discharge from liability or can recover the amount of fine from his house.
4. Payment of fine cannot be recovered from his house. Although, if court desires, then such fine can be ordered to be recovered from his legal representatives.

Answer: Amount of fine shall be recovered from his house.

Explanation: The death of the offender does not discharge him from the liability of any fine imposed. The fine can be recovered from the property of the deceased offender, including any assets he owned. In this case, the amount of the fine can be recovered from Hariom's house.

58. Under the Protection of Children from Sexual Offences Act, 2012, the Special Court, from the taking of cognizance .....

1. The evidence of the child shall be recorded within 30 days and trial shall be completed within one year.
2. The evidence of the child shall be recorded within three months and trial shall be completed within one year.
3. The evidence of the child shall be recorded within 30 days and trial shall be completed within six months.
4. The evidence of the child shall be recorded within two months and trial shall be completed within one year.

Answer: The evidence of the child shall be recorded within 30 days and trial shall be completed within one year.

Explanation: Under the Protection of Children from Sexual Offences (POCSO) Act, 2012, the Special Court is required to ensure that the evidence of the child is recorded within 30 days of the court taking cognizance of the offence, and the trial is to be completed within one year. This provision aims to expedite the judicial process to protect the interests of the child and ensure swift justice.

59. Which option is correct with relation to the proceedings conducted in camera, under the Protection of Women from Domestic Violence Act, 2005?

1. All the proceedings must be in camera.
2. This statement is not correct, all the proceedings must be conducted in open court.
3. This is the question of the discretion of the court. If Magistrate thinks fit that it is necessary, then proceeding may be conducted in camera.
4. If both the parties give consent in writing then proceedings can be conducted in open court otherwise it mandatorily be conducted in camera.

Answer: This is the question of the discretion of the court. If Magistrate thinks fit that it is necessary, then proceeding may be conducted in camera.

Explanation: Under Section 16 of the Protection of Women from Domestic Violence Act, 2005, it is at the discretion of the Magistrate to conduct proceedings in camera if deemed necessary. The Magistrate has the authority to decide whether the nature of the case requires privacy to protect the dignity and interests of the parties involved.

60. The Sarpanch of a village Mohan was being tried for Rape with the secretary of village assembly Savita. A question is asked to Savita during cross examination that did she voluntarily have illicit relation with ex-Sarpanch Amit? Such Question is -

1. permissible
2. permissible with prior permission of Public Prosecutor
3. permissible with prior written permission of ex-Sarpanch Amit
4. not permissible

Answer: not permissible

Explanation: According to Section 146 of the Indian Evidence Act, 1872, in cases of rape or attempt to commit rape, questions about the prosecutrix's general immoral character or previous sexual experience are not permissible. This provision aims to protect the dignity of the victim and ensure that the trial focuses on the specific incident in question, rather than discrediting the victim through unrelated past behaviour. Therefore, asking Savita about her previous relationship with ex-Sarpanch Amit is not permissible.

61. Search warrant under Section 94 of the Code of Criminal Procedure, 1973 is issued by-

1. District Magistrate or Session Judge only
2. Chief Judicial Magistrate or Session Judge only
3. District Magistrate, MAgistrate of first class or Tehlisdar only
4. District Magistrate, Sub-Divisional Magistrate or Magistrate of first class only

Answer: District Magistrate, Sub-Divisional Magistrate or Magistrate of first class only

Explanation: Under Section 94 of the Code of Criminal Procedure, 1973, a search warrant can be issued by the District Magistrate, Sub-Divisional Magistrate, or Magistrate of the first class. These authorities have the power to issue search warrants for the purpose of searching for and seizing any document, thing, or property necessary for the investigation of an offence.

62. Offence of breach of a protection order passed under the Protection of Women from Domestic Violence Act, 2005 is ..... .

1. Non-Cognizable and Bailable.
2. Non-Cognizable and Non-Bailable.
3. Cognizable and Non-Bailable.
4. Cognizable and Bailable.

Answer: Cognizable and Non-Bailable.

Explanation: The offence of breach of a protection order passed under the Protection of Women from Domestic Violence Act, 2005 is classified as cognizable and non-bailable. This ensures that law enforcement authorities can arrest the accused without a warrant and the accused cannot claim bail as a matter of right, thereby providing stronger protection for victims of domestic violence.

63. Court issues a Non Bailable Warrant under Section 70 of the Code of Criminal Procedure, 1973 in a matter. Such warrant shall remain in force -

1. Till next date of hearing in the matter
2. Till it is cancelled by the court which issued it or it is executed
3. Till final disposal of the matter
4. Till the officer signed the warrant remain posted in the court

Answer: Till it is cancelled by the court which issued it or it is executed

Explanation: According to Section 70 of the Code of Criminal Procedure, 1973, a non-bailable warrant remains in force until it is executed or until it is cancelled by the court that issued it. This provision ensures that the warrant remains effective and enforceable until the desired action is taken, either through the apprehension of the person named in the warrant or by a judicial decision to cancel it.

64. In which of the following matter, Section 306 of the Code of Criminal Procedure, 1973 does not apply to?

1. Any offence triable exclusively by the Court of Sessions
2. Offence punishable with imprisonment of three years
3. Any offence triable exclusively by Court of Special Judge appointed under the Criminal Law Amendment Act, 1952 (46 of 1952)
4. Any offence punishable with imprisonment which may extend to seven years or with a more severe sentence

Answer: Offence punishable with imprisonment of three years

Explanation: Section 306 of the Code of Criminal Procedure, 1973, deals with the tender of pardon to an accomplice. This provision applies to offences that are triable exclusively by the Court of Sessions, offences triable by a Special Judge under the Criminal Law Amendment Act, 1952, and offences punishable with imprisonment extending to seven years or more.

65. Suresh, Ramesh and Jagdish are kept in judicial custody in a house, declared as Jail under special circumstances. There are stern guard of armed forces around the house. Jagdish is murdered, for which Suresh and Ramesh are prosecuted. Direct evidence of murder is not found. Prosecution wants to prove that entry of anybody was not possible due the guard of armed forces and commission of murder of Jagdish was not possible by anybody else, then Suresh and Ramesh.
This fact is -

1. relevant
2. irrelevant
3. neither relevant nor irrelevant
4. a conclusive proof

Answer: relevant

Explanation: The fact that the house was under stern guard by armed forces and that entry by anyone else was not possible is relevant under the Indian Evidence Act, 1872. This fact is relevant as it supports the prosecution's case by circumstantially proving that the murder of Jagdish could only have been committed by Suresh and Ramesh, given the secure environment and absence of external access. This falls under the concept of circumstantial evidence, which is crucial in cases where direct evidence is not available.

66. There is an old rivalry between Rachit and Vikas. Vikas goes to Rachit's house with an automatic Pistol to kill him. On reaching there, he puts the Pistol on his head and says you have troubled me a lot, today your life will end. Rachit suddenly snatcheds the Pistol from Vikas's hand. Upon which Vikas immediately starts running away from there. While running, Rachit fires several rounds of Pistol at Vikas, due to which he dies on the spot. What offence has Rachit committed?

1. Rachit has self defend him therefore has not committed any offence.
2. Rachit has committed the offence of culpable homicide amounting to murder.
3. Rachit has committed the offence of culpable homicide not amounting to murder.
4. Rachit has committed offence of causing death by negligence.

Answer: Rachit has committed the offence of culpable homicide amounting to murder.

Explanation: Self-defence is justified only to the extent necessary to protect oneself from imminent harm. In this case, once Rachit snatched the pistol from Vikas, the immediate threat was neutralised. When Vikas started running away, he no longer posed an imminent threat to Rachit. By firing several rounds at Vikas as he fled, Rachit exceeded the bounds of self-defence and acted with the intention to kill, thus committing the offence of culpable homicide amounting to murder under Section 300 of the Indian Penal Code.

67. Under the Negotiable Instruments Act, 1881, "Director" in relation to a firm means -

1. A partner in the firm
2. Any employee of the firm who is involved in the activities of the firm
3. Manager of the firm
4. All of the above

Answer: A partner in the firm

Explanation: Under the Negotiable Instruments Act, 1881, in the context of a firm, the term "Director" refers to a partner in the firm. This definition aligns with the general understanding of partnerships where partners have similar roles and responsibilities to directors in a company, including decision-making and managing the firm's activities.

68. Under the Protection of Children from Sexual Offences Act, 2012, the Magistrate or the police officer, as the case may be, shall record the statement as spoken by the child in the presence of ……..

1. Special Public Prosecutor
2. Reader of the Court
3. Member of Child Welfare Committee
4. Parents of the child or any other person in whom the child has trust or confidence

Answer: Parents of the child or any other person in whom the child has trust or confidence

Explanation: Under Section 26 of the Protection of Children from Sexual Offences (POCSO) Act, 2012, the statement of the child should be recorded by the Magistrate or the police officer in the presence of the parents of the child or any other person in whom the child has trust or confidence.



69. Trial of a murder committed in Jaipur, is inadvertently conducted by District and Sessions Judge, Dausa and the accused has been convicted.

Which of the following statements is correct?

1. Such trial and conviction is void ab initio, due to the reason, it took place in the wrong Sessions Division.

2. Such trial and conviction is liable to be quashed due to the reason, it took place in the wrong Sessions Division.
3. Such trial and conviction can be quashed only in the condition when it appears that such error has in fact occasioned a failure of justice.
4. None of the above statements is correct.

Answer: Such trial and conviction can be quashed only in the condition when it appears that such error has in fact occasioned a failure of justice.

Explanation: According to Section 462 of the Code of Criminal Procedure, 1973, no finding, sentence, or order passed by a court of competent jurisdiction shall be reversed or altered on account of any error, omission, or irregularity in the order, unless it has in fact occasioned a failure of justice. Therefore, the trial and conviction conducted by the District and Sessions Judge, Dausa, instead of Jaipur, can only be quashed if it is shown that this error has resulted in a failure of justice.

70. For the purposes of making an inquiry under Sub Section (1) of Section 11 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the internal committee shall have the same powers for summoning of any person and examining him on oath, as .....

1. vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit.
2. vested in a civil court under the Indian Evidence Act, 1872 when trying a suit.
3. vested in a criminal court under the Code of Criminal Procedure, 1973 when trying a complaint.
4. vested in a criminal court under the Indian Evidence Act, 1872 when trying a complaint.

Answer: vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit.

Explanation: According to Section 11(3) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, for the purposes of making an inquiry under Sub Section (1), the Internal Committee shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit. This includes the powers to summon and examine any person on oath.

71. अशुद्ध शब्द है -

1. अभ्यार्थी
2. स्वातन्त्रय
3. निरपराध
4. उच्छ्वास

Answer: स्वातन्त्रय

Explanation: 'स्वातन्त्रय' is the incorrect word. The correct word is 'स्वातंत्र्य'

72. पारिभाषिकता की दृष्टि से गुमेलन नहीं है-

1. विधिमान्य VALID
2. विधिपूर्वक LAWFULLY
3. विधिपूर्ण VALIDATE
4. विधिसम्मत LEGITIMATE

Answer: विधिपूर्ण VALIDATE

Explanation: 'विधिपूर्ण' translates to 'VALIDATE', but in the context of technical terminology, 'VALIDATE' is not correctly translated as 'विधिपूर्ण'. The term 'VALIDATE' refers to the act of confirming something as valid or true, whereas 'विधिपूर्ण' implies being full of law, which doesn't convey the action of validation.

73. अपने आप को स्वयं मारने वाला वाक्यांश हेतु उपयुका शब्द है-

1. आत्मघात
2. आत्महाया
3. आरबंधक
4. आत्मघाती

Answer: आत्मघाती

Explanation: 'आत्मघाती' is the appropriate term for someone who kills themselves. 'आत्मघात' refers to the act of suicide, while 'आत्मघाती' refers to the person committing the act. 'आत्महाया' and 'आरबंधक' do not fit the context of self-inflicted harm.

74. संज्ञा से बनने वाला क्रिया नहीं है-

1. बतियाना
2. अपनाना
3. हथियाना
4. स्वीकारना

Answer: स्वीकारना

Explanation: 'स्वीकारना' is not derived from a noun but rather is an independent verb meaning 'to accept'. The other options, 'बतियाना' (from बात), 'अपनाना' (from अपना), and 'हथियाना' (from हथ), are verbs formed from nouns, indicating actions related to the nouns they are derived from.

75. तत्सम शब्द नहीं है-

1. छटा
2. महार
3. चीता
4. कान

Answer: छटा

Explanation: 'छटा' is a Tadbhava word, which means it is a modified form of a Sanskrit word used in Hindi. The other words 'महार', 'चीता', and 'कान' are Tatsama words, which are directly taken from Sanskrit without modification. 'छटा' comes from the Sanskrit word 'छाया'.

76. बहुवचन में यथावत् प्रयोग हेतु उपयुक्त शब्द वाला विकल्प है -

1. लड़की
2. प्राण
3. घोडा
4. बकरी

Answer: प्राण

Explanation: 'प्राण' is used in the plural form in Hindi without any change. The words 'लड़की', 'घोडा', and 'बकरी' change to 'लड़कियाँ', 'घोड़े', and 'बकरियाँ' respectively in their plural forms. Thus, 'प्राण' is the correct option for a word that remains the same in its plural form.

77. उपयुक्त विलोमता वाला विकल्प नहीं है

1. असूया - अनसूया
2. अनिवार्य - निवार्य
3. अभिज्ञ - भिज्ञ
4. आर्द्र - अनार्द्र

Answer: अभिज्ञ - भिज्ञ

Explanation: The correct opposite of 'अभिज्ञ' (knowledgeable) is 'अनभिज्ञ' (ignorant). The pair 'अभिज्ञ - भिज्ञ' is incorrect because 'भिज्ञ' itself is not a standalone word in common usage. The other pairs correctly represent opposites: 'असूया - अनसूया', 'अनिवार्य - निवार्य', and 'आर्द्र - अनार्द्र'.

78. किस विकल्प के सभी शब्द पुल्लिंग है?

1. गुलाब, सेब, शरबत
2. टकसाल, धनिया, शराब
3. सौदामिनी, रुपया, संदूक
4. मखमल, पुस्तक, मौसम

Answer: मखमल, पुस्तक, मौसम

Explanation: Among the given options, 'मखमल' (velvet), 'पुस्तक' (book), and 'मौसम' (weather) are all masculine nouns in Hindi. The other options include at least one feminine noun: 'शरबत' and 'शराब' are feminine, and 'सौदामिनी' is also feminine. Thus, 'मखमल, पुस्तक, मौसम' is the correct choice where all words are masculine.

79. 'ईन' प्रत्यय से निर्मित शब्द नहीं है.

1. कुलीन
2. ग्रामीण
3. शालीन
4. प्रवीण

Answer: प्रवीण

Explanation: 'प्रवीण' is not formed with the suffix 'ईन'. It is a standalone word meaning 'skilled' or 'proficient'. The other words, 'कुलीन' (noble), 'ग्रामीण' (rural), and 'शालीन' (courteous), are formed using the suffix 'ईन', which modifies the base word to convey specific qualities.

80. शुद्ध वाक्य है

1. देश में सर्वस्व शांति है।
2. पुस्तक विद्वतापूर्ण लिखी गयी है।
3. बजट के ऊपर बहस होगी।
4. राष्ट्र की उन्नति और शक्ति उसकी एकता पर निर्भर है।

Answer: राष्ट्र की उन्नति और शक्ति उसकी एकता पर निर्भर है।

Explanation: 'राष्ट्र की उन्नति और शक्ति उसकी एकता पर निर्भर है।' is the grammatically correct sentence. It correctly conveys that the nation's progress and strength depend on its unity. The other sentences have errors in word usage or construction: 'सर्वस्व शांति' should be 'सर्वत्र शांति', 'विद्वतापूर्ण लिखी गयी है' should be 'विद्वत्तापूर्ण लिखी गई है', and 'बजट के ऊपर बहस होगी' should be 'बजट पर बहस होगी'.

81. विस्मयादि बोधक चिह्न के अशुद्ध प्रयोग वाला विकल्प है -

1. वाह ! तुम्हारे क्या कहने !
2. हे ईश्वर ! सबका कल्याण हो।
3. भगवान ! तुम्हारा भला करे ।
4. वाह ! कितना अच्छा गीत गाया तुमने !

Answer: भगवान ! तुम्हारा भला करे ।

Explanation: The sentence 'भगवान ! तुम्हारा भला करे ।' has an incorrect use of the exclamation mark.

82. अनु उपसर्ग से निर्मित शब्द नहीं है -

1. अन्वेषण
2. अनुपस्थित
3. अन्वय
4. अनुष्ठान

Answer: अनुपस्थित

Explanation: 'अनुपस्थित' is not formed with the prefix 'अनु'. It is formed with the prefix 'अनु' meaning 'not'. The other words, 'अन्वेषण' (investigation), 'अन्वय' (contextual connection), and 'अनुष्ठान' (ritual), are derived using the prefix 'अनु', which denotes following or subsequent.

83. "दाल में कुछ गिर गया है।" वाक्य में 'कुछ' शब्द में सर्वनाम का प्रकार है -

1. अनिश्चयवाचक
2. निश्चयवाचक
3. प्रश्नवाचक
4. संबंधवाचक

Answer: अनिश्चयवाचक

Explanation: In the sentence "दाल में कुछ गिर गया है।" the word 'कुछ' is an indefinite pronoun (अनिश्चयवाचक सर्वनाम). It refers to something unspecified or unknown. The other types of pronouns do not fit this context, as 'कुछ' does not specify, question, or relate to something definite.

84. व्यंजन सन्धि से निर्मित शब्द रूप नहीं है -

1. सुषुप्ति
2. शरच्चन्द्र
3. वाडमय
4. समुद्रोर्मि

Answer: सुषुप्ति

Explanation: 'सुषुप्ति' is not formed through the consonant sandhi (व्यंजन सन्धि). It is a direct term meaning deep sleep. The other words, 'शरच्चन्द्र' (formed by the combination of शरत् and चन्द्र), 'वाडमय' (formed by the combination of वाक् and अमय), and 'समुद्रोर्मि' (formed by the combination of समुद्र and उर्मि), are formed using consonant sandhi.

85. दमड़ी की सुर्द, सवा मन मलीदा लोकोक्ति का निकटतम अर्थ है

1. थोडे से लाभ के लिए बहुत अधिक खर्च करना
2. छोटी से वस्तु के लिए बेईमानी करना
3. खुशामद से प्रसन्न होना
4. जरा से काम को बहुत बढ़ाकर दिखाना

Answer: थोडे से लाभ के लिए बहुत अधिक खर्च करना

Explanation: The proverb 'दमड़ी की सुर्द, सवा मन मलीदा' means spending a lot for a little gain. It indicates an excessive expenditure or effort for a small benefit. This aligns with the meaning of 'थोडे से लाभ के लिए बहुत अधिक खर्च करना'. The other options do not capture the essence of the proverb accurately.

86. Choose the correct passive of the following sentence.

We ought to keep our surroundings clean.

1. Clean surroundings ought to be kept.
2. Our surroundings ought to be kept clean.
3. Keep the surroundings clean.
4. Ought we to keep our surroundings clean.

Answer: Our surroundings ought to be kept clean.

Explanation: The correct passive form of the sentence "We ought to keep our surroundings clean" is "Our surroundings ought to be kept clean." This structure maintains the original meaning while appropriately converting the active sentence to passive voice, ensuring that 'our surroundings' remains the subject of the sentence.

87. Choose the correct option to fill in the blank with the model auxiliaries suitable to the meaning indicated in the bracket.
I ……. punish you if you don't behave yourself. (Threat)

1. may
2. will
3. dare
4. might

Answer: will

Explanation: The correct option to fill in the blank with the appropriate modal auxiliary is "will." The sentence "I will punish you if you don't behave yourself" effectively conveys a threat, which aligns with the intended meaning. The other options do not convey the same level of certainty and intention as "will" does in this context.

88. "Tell me where you live"
In the given sentence, Noun Clause is used as -

1. Subject to verb
2. Object of a Transitive verb
3. Object of a Preposition
4. Complement of a Verb of incomplete predication

Answer: Object of a Transitive verb

Explanation: In the sentence "Tell me where you live," the clause "where you live" functions as the object of the transitive verb "tell." The main verb "tell" requires an object to complete its meaning, and the noun clause "where you live" serves this purpose.

89. Fill in the blank with correct form of verb.
He.....ooee in his father's firm till his father died.

1. stay
2. had stayed
3. will stay
4. stayed

Answer: stayed

Explanation: The correct form of the verb to fill in the blank is "stayed." The sentence "He stayed in his father's firm till his father died" is in the past tense, indicating that the action was completed in the past. The other options do not fit the past tense context or are grammatically incorrect in this sentence.

90. Fill in the blank with a suitable Article/Determiner.
The Economist is ..... magazine.

1. an
2. a
3. the
4. Zero Article

Answer: a

Explanation: The correct article to fill in the blank is "a." The sentence "The Economist is a magazine" uses the indefinite article "a" to indicate that The Economist is one of many magazines. "An" would be incorrect because "magazine" starts with a consonant sound, and "the" would imply a specific magazine, which is not needed here. "Zero Article" is not suitable because an article is required before the noun "magazine."

91. Synonym of 'Impeccable' is:

1. Flawless
2. Fearful
3. Furious
4. Fictitious

Answer: Flawless

Explanation: The synonym of 'impeccable' is 'flawless.' Both words mean without any flaws or errors, indicating perfection. The other options, 'fearful,' 'furious,' and 'fictitious,' have different meanings and do not convey the same sense of perfection or flawlessness.

92. Fill in the blank with a suitable Article/Determiner.
..... of the staff can speak Japanese.

1. Each
2. Some
3. Any

4. Either

Answer: Some

Explanation: The correct determiner to fill in the blank is "Some." The sentence "Some of the staff can speak Japanese" indicates that a certain number of staff members have the ability to speak Japanese. The other options do not fit as well in this context: "Each" implies every individual, "Any" suggests an unspecified choice, and "Either" is used when referring to one of two options.

93. Fill in the blank with suitable Article/Determiner.
……..beauty of Cleopatra is famous all over the world.

1. A
2. An
3. The
4. Those

Answer: The

Explanation: The correct article to fill in the blank is "The." The sentence "The beauty of Cleopatra is famous all over the world" uses the definite article "the" to specify the well-known beauty of Cleopatra. This article indicates that it is a specific and widely recognized attribute.

94. Antonym of the 'Prospect' is:

1. Introspect
2. Inspect
3. Retrospect
4. Suspect

Answer: Retrospect

Explanation: The antonym of 'prospect' is 'retrospect.' 'Prospect' refers to looking forward or considering future possibilities, while 'retrospect' refers to looking back or reflecting on the past.

95. Fill in the blank with correct form of verb. The builders say they
..... the roof by Tuesday.

1. finish
2. will have finished
3. will finished
4. finishing

Answer: will have finished

Explanation: The correct form of the verb to fill in the blank is "will have finished." The sentence "The builders say they will have finished the roof by Tuesday" uses the future perfect tense, which indicates an action that will be completed by a certain point in the future.

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96. Choose the option which is the correct Indirect Transformation of the sentence given below.
He said, "Alas! I have lost my mobile phone."

1. He exclaimed with sorrow that I have lost my mobile phone.
2. He exclaimed with sorrow whether he has lost his mobile phone.
3. He exclaimed with sorrow that he had lost his mobile phone.
4. He exclaimed with sorrow whether he had lost his mobile phone.

Answer: He exclaimed with sorrow that he had lost his mobile phone.

Explanation: The correct indirect transformation of the sentence "He said, 'Alas! I have lost my mobile phone.'" is "He exclaimed with sorrow that he had lost his mobile phone." This transformation accurately conveys the original meaning and emotion, using the past perfect tense to indicate that the action was completed in the past.

97. Complete the sentence with the correct phrasal verb/Idiom from the option given below.
My plans to go to Germany ..... because the journey tuned out to be very exorbitant.

1. fellin
2. fell through
3. fall behind
4. fall out

Answer: fell through

Explanation: The correct phrasal verb to complete the sentence is "fell through." The sentence "My plans to go to Germany fell through because the journey turned out to be very exorbitant" means that the plans failed or did not happen as intended.

98. Fill in the blank with correct form of verb.
I …… all my childhood in Denmark.

1. had spenting
2. will have spent
3. will spending
4. spent

Answer: spent

Explanation: The correct form of the verb to fill in the blank is "spent." The sentence "I spent all my childhood in Denmark" uses the past simple tense, which is appropriate for describing an action that occurred and was completed in the past.

99. Complete the sentence with the correct phrasal verb/Idiom from the option given below.
He always ..... his rivals,

1. runs down
2. run up to
3. run through
4. run for

Answer: runs down

Explanation: The correct phrasal verb to complete the sentence is "runs down." The sentence "He always runs down his rivals" means that he frequently criticises or belittles his rivals.

100. Choose the correct Passive Transformation of the given sentence.
We have already given him a notice to vacate our house.

1. He has already been given a notice to vacate our house.
2. He has already given a notice to vacate our house.
3. He has already given a notice to be vacated our house.
4. He was already been given a notice for the house to be vacated by him.

Answer: He has already been given a notice to vacate our house.

Explanation: The correct passive transformation of the sentence "We have already given him a notice to vacate our house" is "He has already been given a notice to vacate our house." This transformation correctly maintains the meaning of the original sentence and uses the appropriate passive voice structure.