

DELHI HIGHER JUDICIAL SERVICE EXAMINATION

PRE OBJECTIVE 2013

1. Who has been decorated with Bravery Award recently by World Peace and Prosperity Foundation?

- (1) Shazia Ilmi
- (2) Malala Yousafzai
- (3) Taslima Nasreen
- (4) Zahira Sheikh

2. 'Black Holes' are

- (1) Genetic disorder of heart.
- (2) Virus in the computer.
- (3) Impressions on the surface of moon.
- (4) Places where gravity is so powerful that it draws in even light.

3. Strongest muscle of the body is located in

- (1) Biceps.
- (2) Jaw.
- (3) Legs.
- (4) Chest.

4. The only major organ in the human body that can regenerate itself is

- (1) Kidney.
- (2) Pancreas.
- (3) Liver.
- (4) Spleen.

5. Periyar Wild Life Sanctuary famous for its large elephant population is situated in

- (1) Madhya Pradesh.
- (2) Kerala.
- (3) Tamil Nadu.
- (4) Andhra Pradesh.

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6. The first creatures launched in outer space in a captured Nazi V-II Rocket are

- (1) Fruit flies.
- (2) Monkeys.
- (3) Rabbits.
- (4) Rats.

7. Unauthorized access to computer system by passing the security mechanism of the system or network is called

- (1) Identity theft.
- (2) Data theft.
- (3) Hacking.
- (4) E-mail spoofing.

8. The Armed Forces Flag Day of India is dedicated towards

- (1) Celebrating victories of Indian Army.
- (2) Showcasing new weapons of Armed Forces.
- (3) Generating awareness about role of Indian Army.
- (4) Collection of funds for the welfare of the Indian Armed Forces Personnel.

9. The indigenously developed Light Combat Aircraft to join Indian Air Force is

- (1) Tejas.
- (2) Virat.
- (3) Shaktimaan.
- (4) Vikrant.

10. The International Court of Arbitration is an institution for the resolution of

- (1) Territory Disputes between two countries.
- (2) International Diplomatic Conflicts.
- (3) International Commercial Disputes.
- (4) Dispute arising out of Breach of Treaty between two countries.

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11. The Guest of Honour at India's Republic Day Parade in 2014 was

- (1) Bhutan's Prime Minister Tshering Tobgay.
- (2) Japan's Prime Minister Shinzo Abe.
- (3) South Korea's Prime Minister Jung Hong-won.
- (4) New Zealand's Prime Minister John Key.

12. Face of Mahatma Gandhi in the black & white work of art on the wall of the Delhi Police Headquarters building is painted by

- (1) German Graffiti Artist Hendrik Beikirch.
- (2) Delhi based artist Anpu.
- (3) Both (1) and (2)
- (4) None of these

13. 'Padma Awards' were instituted by the Government of India in the year

- (1) 1954.
- (2) 1950.
- (3) 1952.
- (4) 1956.

14. The Chief Election Commissioner supervising the 16th Lok Sabha Elections is

- (1) H. S. Brahma.
- (2) S. N. A. Zaidi.
- (3) V. S. Sampath.
- (4) Gopalkrishna Gandhi.

15. The film 'Gaja Gamini' released in the year 2000 was directed by

- (1) Tabla player Zakir Hussain.
- (2) Painter M. F. Husain.
- (3) Musician Ali Akbar Khan.
- (4) Film Director Yash Chopra.

16. 'Averse' means

- (1) Inclined
 - (2) Eager
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(3) Unwilling

(4) Adverse

17. Fill in the correct option from the following: You shouldn't live

(1) For memories of your childhood.

(2) On memories of your childhood.

(3) After memories of your childhood.

(4) Memories of your childhood.

18. Which one is spelt correctly?

(1) Nocturnal

(2) Noucturnal

(3) Noucturnel

(4) Noctarnel

19. Choose the word that has similar relationship: Medicine: Illness:: Law:

(1) Motion

(2) Discipline

(3) Treason

(4) Etiquette

20. Complete the gap: I don't like black coffee. I usually have it with

(1) Two sugar and one milk.

(2) Many milk.

(3) Two pieces of sugar.

(4) Milk and sugar.

21. Identify the correct expression: If I had known I'd hurt him so much, I _____ that.

(1) Couldn't have said

(2) Must've said

(3) Wouldn't have said

(4) Will say

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22. Fill the correct option: Chemical fertilizers are used to _____ the soil.

- (1) Soften
- (2) Barren
- (3) Enrich
- (4) Cultivate

23. Choose the word that has similar relationship: Entomologist : Insects :: Philosopher: _____

- (1) Theory
- (2) Ideas
- (3) Study
- (4) Maths

24. Choose the meaning of the phrase: "In the Black"

- (1) Inside a well
- (2) Black hole
- (3) Financially sound
- (4) Outside black circle.

25. Choose the incorrect word from this sentence: For most people in the 21st Century, it's hard to imagine live without television.

- (1) In
- (2) The
- (3) To
- (4) Live

26. Assertion (A): The principle of equality before law means that there should be equality of treatment under equal circumstances.

Reason (R): All persons are not equal by nature, attainment or circumstances.

Find the correct response:

- (1) Both A and R are true and R is correct explanation of A.
- (2) Both A and R are true and R is not correct explanation of A.
- (3) A is true but R is false.
- (4) A is false but R is true.

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27. The Vice President of India is elected

- (1) On the basis of adult franchise by the People of India.
- (2) By an electoral college consisting of all the members of Rajya Sabha by secret ballot.
- (3) By an electoral college of all the members of both the Houses of Parliament.
- (4) by electoral college consisting of all the members of both the Houses of Parliament in accordance with proportional representation by means of single transferable vote and by secret ballot.

28. Prorogation of the House means

- (1) A House has been brought in Session.
- (2) The Session of the House has been terminated.
- (3) The House itself stands terminated.
- (4) None of these

29. Give correct response regarding the procedure of passing of bills in Parliament.

- (1) A Bill pending in Parliament shall not lapse because of the prorogation of two Houses of the Parliament.
- (2) A Bill pending in Rajya Sabha which has not been passed by Lok Sabha shall lapse on its dissolution.
- (3) A Bill pending in Lok Sabha shall not lapse on dissolution of Lok Sabha.
- (4) A Bill pending in Rajya Sabha which has been passed by Lok Sabha shall lapse on the adjournment of Rajya Sabha.

30. Which one of the following is not covered under Article 20 of the Constitution of India?

- (1) Ex post facto laws
- (2) Preventive detention
- (3) Double jeopardy
- (4) Self-incrimination

31. Which one of the following statements is correct? A joint session of the Parliament shall be

- (1) Convened by the Speaker under Article 108.
- (2) Presided over by the senior most member of the House.

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(3) Convened by the President under Article 108 to break impasse in the passage of a Bill.

(4) None of these

32. Which one of the following pairs is correctly matched?

(1) Writ of Habeas Corpus

: Available against private individual as well.

(2) Writ of Quo-Warranto

: Available against subordinate courts only.

(3) Writ of Certiorari

: Available against autonomous bodies only.

(4) Writ of Prohibition

: Available against public servants only.

33. Which one of the following is not an automatic consequence of the proclamation of emergency?

(1) Suspension of enforcement of fundamental rights except those conferred by Articles 20 and 21.

(2) Extension of the Union's executive power to issue of directions to any State as to the manner in which its executive power has to be exercised.

(3) Extension of the power of Parliament to the making of legislation in regard to items of the State List.

(4) Suspension of Article 19.

34. Indirect interference in the field of another legislature is known as

(1) Obiter Dicta.

(2) Non compos.

(3) Harmonious construction.

(4) Colourable legislation.

35. Consider the following statements to answer this question.

A. Parliament cannot extend the jurisdiction and power of the Supreme Court.

B. No discussion can take place in Parliament with respect to the conduct of judge of the Supreme Court in discharge of his duties.

C. A retired judge of the Supreme Court cannot appear or plead in any court or before any authority within the territory of India.

D. The salaries and allowances of the Supreme Court are fixed by the Constitution and charged on the Consolidated Fund of India.

Which of these statements are correct?

- (1) B, C and D
- (2) A and B
- (3) A and C
- (4) B and D

36. A question between A and B is whether a certain deed is or is not forged. A affirms that it is genuine while B says it is forged

- (1) A can prove a statement by himself that the deed is genuine.
- (2) B can prove a statement by himself that the deed is forged.
- (3) Both (1) and (2) are correct.
- (4) Both (1) and (2) are wrong.

37. Recovery made by the police under section 27 of the Evidence Act before recording the formal arrest of the accused is

- (1) Legal.
- (2) Illegal.
- (3) Irregular.
- (4) Improper.

38. Assertion (A): Even for a child born immediately after marriage, presumption of legitimacy under section 112 of the Evidence Act would apply.

Reason (R): The legislature which extended the period of operation of the presumption by 280 days after dissolution of marriage did not chose to exclude any minimum initial period of matrimony for the application of the presumption.

Find the correct response:

- (1) Both A and R are true and R is correct explanation of A.
- (2) Both A and R are true and R is not correct explanation of A.
- (3) A is true but R is false.
- (4) A is false but R is true.

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39. Who among the following is liable to explain the injuries to the accused, in a murder trial?

- (1) The accused.
- (2) The prosecution.
- (3) The witnesses.
- (4) None of these

40. A, a client, says to B, an advocate: "I wish to obtain possession of property by use of a forged deed on which I request you to sue."

- (1) This communication is protected from disclosure.
- (2) This communication is not protected from disclosure.
- (3) Depends.
- (4) None of these

41. Confession of one accused is admissible against co-accused if they are tried

- (1) Jointly for the same offence(s).
- (2) Jointly for different offence(s).
- (3) For the same offence(s) but not jointly.
- (4) For different offence(s) and not jointly.

42. Mark the incorrect statement.

- (1) The terms 'relevancy' and 'admissibility' are co-extensive or interchangeable terms.
- (2) All admissible evidences are usually relevant, but all relevant evidences are not admissible.
- (3) Relevancy is the genus of which admissibility is a species.
- (4) Relevancy and admissibility are neither synonymous nor is the one included in other.

43. Section 91 of the Evidence Act _____

- (1) Permits admission of oral evidence to prove contents of a document where the writing is a fact in issue.
- (2) Prohibits admission of oral evidence to prove the contents of a document where the writing is a fact in issue.

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(3) Prohibits admission of oral evidence to prove the contents of a document where the writing is not a fact in issue and is merely a collateral memorandum.

(4) Both (2) and (3)

44. Which of the following statements is not correct?

(1) In a rape trial, evidence of previous good character of the accused is relevant.

(2) In a rape trial, evidence of character of the victim is not relevant.

(3) In a rape trial, evidence of previous sexual experience of the victim is relevant.

(4) None of these

45. Which of the following facts, the Court may presume to exist?

(1) When a woman states in her evidence before the Court that she did not consent for sex.

(2) A child will never lie.

(3) A priest will always speak truth.

(4) All these

46. Delay in filing within the prescribed period may be condoned by the court upon showing sufficient cause under section 5 of the Limitation Act in the case of

(1) Suit.

(2) Appeal.

(3) An application under Order XXI.

(4) All these

47. For exclusion of time of proceeding bona fide in court without jurisdiction

(1) The time during which a former civil proceeding was pending, the day on which that proceeding was instituted and the day on which it ended shall both be counted.

(2) A plaintiff or an applicant resisting an appeal shall be deemed to be prosecuting a proceeding.

(3) Misjoinder of parties or of cause of action shall be deemed to be a cause of a like nature with defect of jurisdiction.

(4) All these

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48. 'A' gave a loan of Rs.1 lac to 'B' against a pronote which became due for payment on 01.01.2014. 'A' dies on 31.12.2013 leaving behind sole legal heir 'S', who was born on 01.01.2000. When would the period of limitation for filing a suit of recovery by 'S' shall begin to run?

- (1) 01.01.2018
- (2) 01.01.2017
- (3) 01.01.2014
- (4) 01.01.2015

49. In computing the period of limitation for any suit, the time during which the defendant has been absent from India

- (1) Will not be excluded.
- (2) May be excluded in discretion of the court.
- (3) Shall be excluded.
- (4) None of these

50. For a fresh period of limitation to begin from the time of acknowledgement of liability under section 18 of the Limitation Act, it is necessary that the acknowledgement must be

- (1) In writing.
- (2) Made before the expiration of the prescribed period.
- (3) Signed by the party against whom right is claimed.
- (4) All these

51. Pending decision on the objections to an Arbitral Award, an application for appointment of the receiver

- (1) May be moved.
- (2) Cannot be filed as a matter of right.
- (3) May be moved with special leave of the court.
- (4) Both (2) and (3)

52. An Arbitral Award may be set aside by the court if

- (1) It is in conflict with the public policy of India.
- (2) A party was under some incapacity.
- (3) It is passed on a local Court holiday.
- (4) Both (1) and (2)

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53. Mesne profits as defined under section 2(12) Code of Civil Procedure means those profits which the person in wrongful possession of

- (1) Such property actually received or might have received together with interest.
- (2) Property actually received including profits due to improvements made by such person.
- (3) Such property actually received or might have received but without any interest on such profits.
- (4) Such property actually received.

54. On production of a certified copy of foreign judgment, the presumption as to the competency of the court under section 14 of Code of Civil Procedure is a

- (1) Presumption of fact.
- (2) Presumption of fact and law both.
- (3) Rebuttable presumption of law.
- (4) Irrebuttable presumption of law.

55. Mark the incorrect proposition.

- A. Set-off is a statutory defence to a plaintiff's action, whereas a counter-claim is a cross-action.
- B. Set-off and counter-claim arise out of the same transaction.
- C. Set-off should not be barred on the date of the suit while counter-claim should not be barred on the date of filing of written statement.
- D. Claim for set-off cannot exceed plaintiff's claim, whereas counter-claim can exceed the plaintiff's claim.
- E. Both set-off and counter-claim cannot exceed the pecuniary jurisdiction of the court.

Select the correct answer using the code given below:

- (1) A only
- (2) B only
- (3) C and D
- (4) D only

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56. Mark the correct statement.

- (1) The questions which are put only to test the credibility of a person will not be allowed as interrogatories, although they may be asked in cross-examination.
- (2) Interrogatories can be administered only to a party to a suit and not to a witness, whereas cross-examination can be of any person, parties and witness alike.
- (3) A party filing affidavit in reply to interrogatories can neither cross-examine nor adduce evidence to contradict it, as it is a conclusive proof.
- (4) All these

57. An executing court cannot determine the questions relating to which of the following?

- (1) Execution of decree.
- (2) Discharge of decree.
- (3) Satisfaction of decree.
- (4) Modification of decree.

58. Which of the following statements is correct? An attachment order may come to an end by

- A. satisfaction of decree.
- B. setting aside or reversal of decree.
- C. dismissal of execution application for decree holder's default.
- D. death of the decree holder.
- E. agreement/compromise between the parties.

Select the correct answer using the code given below:

- (1) A, B, C and E.
- (2) B, D and E
- (3) B, C, D and E
- (4) All these

59. Which of the following statements is correct?

- (1) An appeal pending before an appellate court does not by itself operate as stay of the proceedings under the decree appealed from.
- (2) The appellate court has the power to stay the execution of such decree.
- (3) Both (1) and (2)

(4) None of these

60. Which of the following orders cannot be appealed against under Code of Civil Procedure?

- (1) An order to set aside the dismissal of a suit.
- (2) An order to set aside the decree passed ex parte.
- (3) An order for grant of temporary injunction.
- (4) None of these

61. Which of the propositions is incorrect with regard to oral examination of a party by the Court under Order 10 Rule 2 CPC?

- (1) The examination need not be restricted to allegations in the pleadings of the other party but can relate to elucidating any matter in controversy in the suit.
- (2) The court can examine not only the parties but any person accompanying either party to the suit.
- (3) The statement made during the course of examination is not on oath.
- (4) The court can cross examine any of the parties with reference to a document.

62. Under Section 152 CPC an order can be corrected by the court where there has been

- (1) A clerical mistake.
- (2) An arithmetical mistake.
- (3) An error caused by an accidental slip or omission.
- (4) All these

63. Provision of section 304 of the Code of Criminal Procedure applies only when in a trial before _____ the accused is not represented by a pleader and it appears that he does not have sufficient means to engage a pleader.

- (1) Any court
- (2) Court of session
- (3) High Court
- (4) None of these

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64. A magistrate to whom a complaint is made under section 340 or section 341 of the Code of Criminal Procedure shall proceed, as far as may be, to deal with the case as if it were instituted

- (1) On a police report.
- (2) Otherwise than a police report.
- (3) Either (1) or (2)
- (4) None of these

65. Filing of FIR is a condition precedent to the exercise of power under section 438 of the Code of Criminal Procedure. The statement is

- (1) True.
- (2) False.
- (3) Partly correct.
- (4) None of these

66. A magistrate has the power under Code of Criminal Procedure to direct the police to investigate into

- (1) A non-cognizable offence.
- (2) A cognizable offence.
- (3) Only a non-cognizable offence as in a cognizable offence the police is under a duty to investigate.
- (4) Both (1) and (2)

67. A case which includes cognizable offences and non-cognizable offences is a

- (1) Cognizable case but requires sanction of the magistrate for investigation into the non-cognizable part.
- (2) Cognizable case and as such the investigation of the case does not require any sanction of the magistrate.
- (3) Non-cognizable case and as such the investigation of the case requires sanction of the magistrate.
- (4) Non-cognizable case but does not require any sanction of the magistrate.

68. For the purposes of computation of the period of 90 days or 60 days as the case may be for the purposes of section 167 (2) of Code of Criminal Procedure the day

- (1) Of arrest of the accused has to be excluded.
- (2) On which the accused was remanded is to be excluded.

(3) Of the arrest of the accused and the day on which the accused was remanded, if different, both have to be excluded.

(4) Of arrest of the accused only has to be excluded and the day on which the accused was remanded, even if different, is to be excluded.

69. Non-compliance with the provisions under section 191 of Code of Criminal Procedure where cognizance is taken by the magistrate under section 190(1) (c) of Code of Criminal Procedure

(1) Vitiates the trial and the proceeding and will be wholly void.

(2) Is an irregularity curable under section 460 of code of criminal procedure.

(3) Does not vitiate the trial unless it has caused prejudice to the accused.

(4) Amounts to waiver of his rights by the accused.

70. When is an Investigating Officer bound to video-graph the proceedings during investigation?

(1) Identification of the driver of the offending vehicle by the physically disabled victim of a road accident.

(2) Recording the statement of a rape victim, under a mental trauma.

(3) Both (1) and (2)

(4) None of these

71. Sanction for prosecution of Judges and public servants shall not be required under Section 197 Cr. P. C. in case a Judge or a public servant is alleged to have committed

(1) Voyeurism.

(2) Murder.

(3) Cheating.

(4) Kidnapping.

72. All evidences taken in the course of trial shall be taken in the presence of the accused, except in the following circumstances.

(1) A minor girl, victim of kidnapping.

(2) An old person, witness of murder.

(3) A minor girl, victim of rape.

(4) A physically handicapped woman, victim of road accident.

73. 'A' intending to murder 'B' by poisoning, purchases poison and mixes the same with a glass of water. He gives the glass to the bearer

to serve 'B'. The bearer while approaching 'B' loses balance and the glass drops out of his plate. Which one of the following statements is correct in this context?

- (1) 'A' has committed no offence.
- (2) 'A' has committed the offence of attempt to commit culpable homicide.
- (3) 'A' has committed the offence of abetment.
- (4) 'A' has committed the offence of attempt to murder.

74. Planning to commit a theft is

- (1) A cognizable offence.
- (2) No offence in itself.
- (3) Strict criminal liability.
- (4) Conspiracy.

75. Accused persons were charged under section 302 read with section 149 IPC. The existence of common intention amongst the accused persons was established from the surrounding circumstances and from their conduct on the spot. No charge had been framed under section 34 IPC. In such case

- (1) It is not possible to convict the accused with the aid of section 34.
- (2) It is possible to convict the accused with the aid of section 34.
- (3) Cannot be determined.
- (4) None of these

76. The accused found the deceased engaged in sexual intercourse with his 15 year old daughter. The accused assaulted the deceased on the head with a spade which resulted in death. Accused claimed private defence. The prosecution led evidence to show the sexual intercourse was with consent. Here accused

- (1) Is entitled to the right to private defence since the girl was a minor being only 15 years of age.
- (2) Exceeded the right to private defence.
- (3) Is not entitled to the right to private defence since the sexual intercourse was with consent.
- (4) None of these

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77. In the Indian Penal Code, death of trespasser of the house who was escaping, is

- (1) Murder.
- (2) No offence.
- (3) Exception 2 to Section 300.
- (4) None of these

78. Which of the following defines the offence of 'trafficking'?

- (1) Recruitment of adult men by deception for illegal mining.
- (2) Receiving minor boys by abduction for begging.
- (3) Transporting women by inducement for sexual exploitation.
- (4) All these

79. In which of the following circumstances, a woman in exercise of her right of private defence of the body can cause death of the perpetrator?

- (1) When a man demands or requests for sexual favours.
- (2) When a man attempts to throw or administer acid which may reasonably cause the apprehension of grievous hurt.
- (3) When a man captures the image of a woman engaged in a private act.
- (4) When a man follows a woman to foster personal interaction.

80. Which of the following acts will amount to an offence of 'Stalking'?

- (1) A post graduate student walking behind a female teacher.
- (2) A police officer following a woman for detection of crime.
- (3) A male colleague monitoring the emails of female colleague.
- (4) None of these

81. A, a boy from Manipur, a student in Delhi University suffers acid attack in a brawl during a college fest. He is rushed to a private hospital for treatment by his friends. The hospital refuses to treat him being a police case and asks him to go to a government hospital. The private hospital

- (1) Commits no offence.
- (2) Has rightly acted in the given situation.
- (3) Is not under any obligation to provide treatment to victims in a police case.
- (4) Committed the offence of non-treatment of victim of acid attack.

82. Which one of the following conducts of a police officer would be an offence?

- (1) Calling a 67 years old retired government servant to the police station during investigation of a multi crore scam case.
- (2) Calling a 14 years old boy with his parents to the police station during investigation of a double murder case in the neighbourhood.
- (3) Failing to record FIR on the basis of information of a woman being paraded naked.
- (4) All these

83. If only a part of the consideration or object is unlawful, the contract under section 24 of Contract Act shall be

- (1) Valid to the extent the same are lawful.
- (2) Void to the extent the same are unlawful.
- (3) Void as a whole.
- (4) Valid as a whole.

84. 'X' agreed to supply 1000 tons of iron at Rs.100 per ton to 'Y' to be delivered not later than 31-1-2013. 'X' also entered into a contract with 'A' for purchase of 1000 tons of iron at Rs. 80 per ton telling 'A' clearly that the iron is needed before 31-1-2013 for supply to 'Y' to fulfill the contract with 'Y'. 'A' fails to supply the iron to 'X' who in turn failed to supply the same to 'Y'. In an action by 'X' against 'A':

- (1) 'X' can recover damages for the loss of profit at the rate of Rs.20 per ton i.e., the loss of profit.
- (2) 'X' can recover damages for the loss or profit he would have earned by timely supply to 'Y' and also the damages which 'X' might have paid to 'Y' on account of breach of contract.
- (3) 'X' can recover damages which 'X' might have paid to 'Y' on account of breach of contract.
- (4) 'X' can recover damages in the form of penalty.

85. Ramesh and Geeta were husband and wife living in Bangalore. Ramesh was an Income Tax Officer and Geeta was a school teacher. They had two sons studying in schools in Bangalore. Parents of Ramesh were also staying with them. Ramesh was transferred to Madras and he had to leave his family behind at Bangalore. He promised to send every month Rupees thirty thousand to meet family expenditure, to his wife. Ramesh did not send any money from Madras. If Geeta filed a suit for specific performance of the contract, then which one of the following is correct?

(1) Family agreements are not contracts and hence, no order for specific performance can be ordered.

(2) It is a valid contract. Specific performance is to be ordered.

(3) This is being an agreement without consideration. It is not an enforceable contract.

(4) It is a breach of family responsibilities, so specific performance order is called for.

86. 'A' owes 'B' Rs. 3000, 'C' pays to 'B' Rs. 2000 and 'B' accepts it in satisfaction of his claim against 'A'. This payment

(1) Is not a discharge of the whole claim.

(2) Is a discharge of the entire claim.

(3) Can be a discharge only when the balance is paid.

(4) Will be a discharge only if the amount is paid by 'A'.

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87. A and B go into the shop. B says to the shopkeeper "let him have the goods. I will ensure that you are paid". This is a contract of

(1) Guarantee.

(2) Bailment.

(3) Indemnity.

(4) Pledge.

88. 'J, a usual customer of 'B', orders certain goods on the day on which 'B' transfers his business to the plaintiff. The plaintiff accepts the order and supplies the goods. Thereupon, " / refuses to pay alleging that he has intended to contract only with 'B' since he is having a set off against him. In this situation, 'I'

(1) Has no liability to pay the price because he has never intended to contract with the plaintiff.

(2) Is liable to pay as he has already been supplied in response to his order.

(3) Is liable to pay because the plaintiff has supplied the goods as the agent of 'B'

(4) Is liable to pay because he can claim reimbursement from 'B'

89. A' supplies 'B', a lunatic, with necessaries suitable to his condition in life. Will 'A' be entitled for reimbursement from the property of 'B'?

(1) No

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(2) Yes, if the value of property is more than one lakh.

(3) Yes.

(4) None of these

90. 'A' hires a car on rental from 'B' at Kolkata for going to Varanasi. 'A' takes the car but rides to Bhubaneswar instead. On the way to Bhubaneswar, the car met with an accident. 'A' is liable to pay compensation for

(1) Damage to the car

(2) Not following the route.

(3) Both (1) and (2).

(4) None of these

91. 'A' employs 'B' to beat 'C', and agrees to indemnify him against all consequences of the act. 'B' thereupon beats 'C', and has to pay damages to 'C' for doing so. Determine the liability of 'A'

(1) 'A' is liable to indemnify 'B'.

(2) *A is vicariously liable with 'B' to pay damages.

(3) Both 'A' & 'B' are liable to pay damages.

(4) 'A' is not liable to pay damages

92. 'A' authorises 'B' to buy 500 cows for him. 'B' buys 500 cows and 300 calves for one sum of Rs. 50,000. A' is liable to pay

(1) The entire sum

(2) Half of the sum.

(3) Not liable to pay any sum.

(4) None of these

93. When a minor is admitted to the benefits of partnership, such minor

(1) Will have the right to agreed share of the profits of the firm.

(2) May inspect the accounts of the firm.

(3) Will not be personally liable for the acts of the firm.

(4) All these

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94. 'D', a partner of the business firm dies and the surviving partners carry on the business with property of the firm without final settlement of account. The firm makes profit. Widow of 'D' would be entitled to

- (1) Share in the profit.
- (2) Interest at the rate of 6% per annum..
- (3) Both (1) and (2).
- (4) Either (1) or (2)

95. A statement, intimation or notice recorded in the Register of Firm shall, as against such person by whom or on whose behalf such statement, intimation or notice was signed is

- (1) Conclusive proof of fact.
- (2) Presumption of correctness.
- (3) Admission.
- (4) Evidence.

96. Partners of an unregistered firm enter into an agreement to let out its premises on rent. In case of default of payment of rent, the partners

- (1) Can file suit for eviction.
- (2) Can resort to arbitration.
- (3) Are barred from filing any suit.
- (4) Both (2) and (3)

97. Implied authority of partner as agent of the firm under section 19 of the Partnership Act does not empower him to

- (1) Compromise or relinquish any claim by the firm.
- (2) Withdraw a suit filed on behalf of the firm.
- (3) Admit any liability in a suit against the firm.
- (4) All these

98. A suit filed by the plaintiff 'P' against 'D' under Section 6 of Specific Relief Act is decreed in favour of 'P'. The remedy against the decree for 'D' is to file

- (1) An appeal.
- (2) Revision.
- (3) Review.

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(4) Both (1) and (2)

99. Defendant is in possession of 120 cotton bales as agent of the Plaintiff. Plaintiff files suit for specific performance of the contract against the defendant to compel delivery of the same. The relief claimed can be refused on the ground

(1) Compensation in terms of money would afford adequate relief.

(2) It would be difficult to ascertain actual damage.

(3) Both (1) and (2)

(4) None of these

100. 'A' files a Suit for Mandatory Injunction against illegal disconnection of electricity. 'A' also suffers loss in the business on account of non supply of electricity. The suit for Mandatory Injunction is dismissed. 'A' thereafter files suit for damages for suffering loss. The subsequent Suit is barred

(1) Under Code of Civil Procedure.

(2) Under Specific Relief Act.

(3) By limitation.

(4) None of these

101. In a Suit for Specific Performance of Contract, the plaintiff must aver and prove that

(1) He is ready and willing to perform his part.

(2) He has actually tendered the money to the defendant.

(3) Both (1) and (2)

(4) None of these

102. A declaration made under the Specific Relief Act is binding on

(1) The parties to the suit.

(2) Persons claiming through (1).

(3) Both (1) and (2)

(4) None of these

103. The doctrine of lis pendence would apply against the defendant who has transferred the immovable property from the date of

(1) Filing of plaint.

(2) Service of notice.

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(3) Appearance before the court.

(4) Hearing by the court.

104. Which one of the following conditions is invalid as per Section 10 of Transfer of Property Act 1882?

(1) A condition not to sell outside the family.

(2) A condition not to sell to a person of different community.

(3) A condition not to sell during the lifetime of the transferee.

(4) A condition in the lease that the lessee shall not sublet his interest to anyone.

105. In the absence of written contract, a lease of immovable property for the purpose other than the agricultural or manufacturing shall be deemed to be a lease from month to month, terminable, by 15 days' notice. The period shall commence from the

(1) Issuance of notice.

(2) Receipt of notice.

(3) End of month of tenancy.

(4) Knowledge of notice.

106. 'A' lets a house to 'B' for five years. 'B' under-lets the house to 'C' at a monthly rent of Rs.1000. The five years expire, but 'C' continues in possession of the house and pays the rent to 'A'. C's lease is

(1) Renewed from month to month.

(2) Year to year.

(3) Not renewed being sub-let.

(4) None of these

107. Transfer of immovable property by way of gift requires

(1) Registered instrument signed by or on behalf of donor.

(2) Attestation by at least two witnesses.

(3) Delivery of the property.

(4) Both (1) and (2)

108. Where the wife (a homemaker) does not comply with the decree for restitution of conjugal rights under Section 9 of the Hindu Marriage Act, 1955 and instead files for divorce and maintenance, she would

(1) Not be entitled to claim maintenance.

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- (2) Be entitled to claim maintenance.
- (3) Be entitled to claim only starvation allowance.
- (4) Be entitled to claim maintenance only from the date she complies with the decree for restitution of conjugal rights.

109. Section 27 of the Hindu Marriage Act, 1955 allows the court to divide which one of the following between the spouses?

- (1) Property acquired by them out of their earnings before the marriage.
- (2) Property acquired by them out of their earnings after the marriage.
- (3) Property presented to them jointly at the marriage.
- (4) Property acquired through inheritance by the husband.

110. Which one of the following is not a kind of domicile?

- (1) Domicile of choice.
- (2) Domicile of status.
- (3) Domicile by operation of law.
- (4) Domicile of origin.

111. The statutory bar (no petition to be presented within one year of marriage) under Section 14 of the Hindu Marriage Act, 1955 is imposed on petitions for

- (1) Divorce.
- (2) Judicial separation.
- (3) Annulment of marriage.
- (4) Both (1) and (2)

112. An application under Section 24 of the Hindu Marriage Act, 1955 needs to be disposed of within

- (1) 30 days from the date of service of notice on the wife or the husband as the case may be.
- (2) 60 days from the date of service of notice on the wife or the husband as the case may be.
- (3) 60 days from the date of filing of the application u/s 24.
- (4) 30 days from the date of filing of the application u/s 24.

113. A decree for restitution of conjugal rights can be executed under Order 21 CPC by

- (1) Detention in civil prison.

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(2) Either by detention in civil prison or attachment of property.

(3) Detention in civil prison and attachment of property.

(4) Attachment of property.

114. Which of the following is not a ground for annulling a marriage under Section 12 of the Hindu Marriage Act, 1955?

(1) Marriage has not been consummated owing to impotence of the respondent.

(2) At the time of marriage the respondent was incapable of giving valid consent due to young age.

(3) The respondent was pregnant by some person other than the petitioner at the time of marriage.

(4) Consent of the petitioner was obtained by fraud as to a material fact concerning the respondent.

115. Which of the following is not a ground for divorce under the Hindu Marriage Act, 1955?

(1) Respondent suffering from virulent and incurable form of leprosy.

(2) Respondent a Hindu converting to Buddhism.

(3) Respondent suffering from venereal disease in a communicable form.

(4) Respondent convicted for sodomy.

116. Who out of the following is not a Hindu under the Hindu Marriage Act, 1955?

(1) A legitimate child whose father is a Hindu and mother a Parsi and he is brought up as a family member of the latter.

(2) An illegitimate child, whose father is a Sikh and mother a Buddhist.

(3) A re-convert to Buddhism.

(4) A Virashaiva by religion.

117. Which of the following propositions with regard to an application under Section 25 of the Hindu Marriage Act, 1955 is incorrect?

(1) An application u/s 25 can be made before passing of the decree u/s 13(1)(b)..

(2) An application u/s 25 can be made at the time of passing of the decree u/s 12 of the Hindu Marriage Act, 1955.

(3) An application u/s 25 can be made subsequent to the passing of the decree in a petition u/s 13(2)(iv).

(4) An application u/s 25 can be made subsequent to dismissal of the petition for divorce u/s 13(1)(i-a).

118. A property acquired by a female as coparcener can be disposed of by her by way of

- (1) Testamentary disposition.
- (2) Gift.
- (3) By both (1) and (2)
- (4) None of these

119. Property acquired by a male under the Hindu Succession Act, 1956 is his

- (1) Separate property.
- (2) Ancestral Property.
- (3) Separate property in relation to existing members.
- (4) None of these

120. Property acquired by a female Hindu in lieu of maintenance in 1953 and gifted by her in 1955 and re-gifted to her in 1958 becomes

- (1) Her absolute property.
- (2) Does not become her absolute property.
- (3) It remains her limited estate.
- (4) None of these

121. A Hindu Joint Family consists of father 'F' and his two sons 'S1' and 'S2'. In a sudden fight between S1 and S2, S1 is killed and later father dies. S2 is entitled to

- (1) Entire property of 'F'
- (2) Half share of the property.
- (3) Be totally disqualified.
- (4) Be partially disqualified.

122. A Hindu Joint Family consists of father 'F' and his three sons 'S1', 'S2' and 'S3'. 'S1' converts to Christianity in 1960 and 'S2' suffers from leprosy. 'F' dies in 1961, who as heirs can inherit the property of 'F'?

- (1) All the three sons.
- (2) S2 and S3.
- (3) S3 alone.

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(4) None of these

123. If the words "not negotiable" are used with general crossing in a cheque, the cheque is

(1) Not transferable.

(3) Negotiable under certain circumstances.

(2) Transferable.

(4) None of these

124. If a minor draws, endorses, deliver or negotiates a negotiable instrument, such instrument binds

(1) All parties to the instrument including the minor.

(2) Only the minor and no other parties to the instrument.

(3) All parties to the instrument except the minor.

(4) None of these

125. In the absence of a contract to the contrary, the liability of the maker or drawer of a foreign promissory note, bill of exchange or cheque is regulated in all essential matters by the law of the place where the instrument is

(1) Made payable.

(2) Endorsed.

(3) Made.

(4) All these

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