

Andhra Pradesh Judiciary - Prelims 2011

100 questions. Answer key with solutions follows the paper. Source: lawmock.com - free previous-year papers & mock tests.

Q1. Under which provision of the C.P.C., is a suit to set-aside a decree on the ground of lack of territorial jurisdiction barred?

- (a) Section -21;
- (b) h) Section - 21 -A;
- (c) Section - 22;
- (d) Section - 37.

Q2. Attachment before judgement in a suit dismissed for default/non- prosecution revives automatically on the restoration of a suit.

- (a) True;
- (b) Partly true;
- (c) False;
- (d) None of the above.

Q3. Which final judgement, order or decree of a Competent Court, among the following is a judgement in rem?

- (a) in a money suit;
- (b) in a suit for permanent injunction;
- (c) in exercise of matrimonial or insolvency jurisdiction;
- (d) none of the above.

Q4. In civil proceedings where a decree is silent as regards future interest; future interest shall be deemed to have been refused and a separate suit shall not lie:

- (a) true;
- (b) false;
- (c) partly true;
- (d) none of the above.

Q5. A transfer of immovable property made with the intent to defeat or delay the creditors of the transferor shall be :

- (a) void;
- (b) voidable at the discretion of the Court;
- (c) voidable at the option of any creditor so defeated or delayed;
- (d) all the above.

Q6. Right to redeem a mortgage can be enforced by following:

- (a) a suit for redemption of the mortgage;
- (b) a suit for possession of the mortgaged property;
- (c) a suit for declaration that the mortgage property is redeemed;
- (d) a suit for cancellation of the mortgage.

Q7. An easement is extinguished:

- (a) only when either the dominant or the servient heritage is completely destroyed;
- (b) only when the same person becomes entitled to the absolute ownership of the whole of the dominant and servient heritages;
- (c) both (a) & (b);
- (d) neither (a) nor (b).

Q8. An instrument stating I promise to pay the bearer the sum of rupees five hundred guaranteed by the Central Government and signed by the Governor of the Reserve Bank of India is:

- (a) a cheque issued by the Central Government,
- (b) a promissory note;
- (c) a currency note;
- (d) both (b) or (c).

Q9. Aditya threatens to publish defamatory statement concerning Anand, unless he is given money. What is the offence committed by Aditya?

- (a) Extortion,
- (b) Theft;
- (c) Criminal intimidation; J
- (d) Misrepresentation.

Q10. Which one of the following is correct?

- (a) A person summoned to produce a document becomes a witness by mere fact that he produces it.
- (b) A person summoned to produce a document becomes a witness by mere fact that he produces it and can be cross examined without calling him as witness.
- (c) A person summoned to produce a document does not become a witness by the mere fact that he produces it, and cannot be cross examined unless and until he is called as a witness.
- (d) None of the above,

Q11. A gives B a receipt for money paid by B. Oral evidence is offered to prove the non-payment.

- (a) The evidence is admissible.
- (b) The evidence is not admissible.
- (c) Section 90 of the Indian Evidence Act deals with this aspect,
- (d) None of the above.

Q12. The right of the villagers of a particular village to use the water of a particular well is a general custom or right within the meaning of one of the following Sections of the Indian Evidence Act.

- (a) 48
- (b) 47A
- (c) 114
- (d) None of the above.

Q13. The good faith of a sale by a client to an attorney is in question in a suit brought by the client.

- (a) The burden of proving the good faith of the transaction is on the attorney,
- (b) The burden of proving the good faith of the transaction is on the client.
- (c) Both a) and b).
- (d) None of the above,

Q14. In a suit for recovery of possession by the Government who will sign the plaint.

- (a) The Chief Secretary to the Government.
- (b) The District Collector.
- (c) The Governor of the State.
- (d) The Person nominated by the Government.

Q15. After completion of the trial, the judge pronounced the judgment but did not sign the decree and he is transferred. Then

- (a) The decree prepared can be signed by the newly posted Judge,
- (b) The decree prepared is sent for the approval of the High Court.
- (c) The decree is sent for signature to the Court to which the trial Court is sub-ordinate.
- (d) The new Judge has to rehear the arguments in the suit.

Q16. In a suit for recovery of money based under mortgage interest is awarded to the plaintiff

- (a) On the principle amount found due on the mortgage.
- (b) On the value of the mortgage property.
- (c) Only on the cost of the suit awarded.
- (d) None of the above.

Q17. A proposes, by letter sent by post, to sell his house to B. The proposal of A is accepted by B by letter sent by post. When can A revoke his proposal?

- (a) A may revoke proposal after B sent letter of acceptance by post
- (b) A can revoke proposal at any time before B sent letter of acceptance;
- (c) Both (a) and (b) are correct
- (d) None of the above

Q18. Ramaiah and Laxmaiah jointly owe Rs. 10,000/- to Sattaiah. Ramaiah pays the amount to Sattaiah. Laxmaiah not knowing this fact again pays Rs 10,000/- to Sattaiah. In law he is bound to repay the amount to Laxmaiah. Which provision of Indian Contract Act 1872, contains the principle?

- (a) Section 73.
- (b) Section 83.
- (c) Section 93.
- (d) Section 72.

Q19. In a suit for specific performance of agreement of sale of immovable property, the plaintiff must aver and prove the following

- (a) That plaintiff paid entire sale consideration
- (b) That plaintiff obtained clearance from all authorities
- (c) That plaintiff obtained encumbrance certificate
- (d) That plaintiff is ready and willing to perform his part of contract

Q20. Saroja was granted government land. She was dispossessed without her consent. She instituted suit against the government under Section 6 of Specific Relief Act, 1963, for recovering possession of the property. The court rejected the plaintiff under Order VII Rule 11(d) of CPC. Whether rejection is proper?

- (a) Yes, because suit under Section 6 against the government would not lie,
- (b) Rejection of plaint is improper
- (c) Plaintiff must be given opportunity to rectify the mistakes
- (d) None of the above

Q21. An universal donee gets

- (a) The ownership of whole property
- (b) The whole property and donor's property- in litigation
- (c) Donor's property and liabilities of the donor in respect of all his debts due
- (d) Only the right to perform last rites

Q22. When proper Court fees is not paid by the plaintiff, the Court shall

- (a) Reject the plaint
- (b) Shall grant time to the plaintiff to pay the deficit. Court fees
- (c) The Court shall send a report to the government
- (d) None of the above

Q23. The following two documents require attestation and registration

- (a) Marriage contract and divorce contract
- (b) Indemnity bond and warranty
- (c) Mortgage deed and exchange deed
- (d) Development agreement and sale agreement

Q24. A petition for review of judgement would lie only when

- (a) The person partly obeyed the judgement
- (b) Deposits entire decretal amount
- (c) An appeal is allowed by CPC but no appeal has been preferred
- (d) Leave of the Court is obtained for filing review

Q25. Representative Suit under Order 1 Rule 8 of CPC may be permitted by the Court when

- (a) Numerous persons are parties in another suit
- (b) Numerous persons belong to the same family
- (c) Numerous persons have the same interest in one suit
- (d) None of the above

Q26. In a suit for payment of money, the Court may pass instalment decree

- (a) When defendant admits the claim
- (b) At the time of passing decree or thereafter before execution petition,
- (c) At execution stage
- (d) At the time of sale of property

Q27. The expression spes successionis means

- (a) No chance of succession
- (b) Mere chance or hope of succession
- (c) Absolute succession
- (d) None of the above

Q28. What is the limitation for filing a suit for recovery of arrears of rent?

- (a) three years from the date the arrears become due
- (b) three years from the date when the notice is given
- (c) three years from the date when the demand for rent is made
- (d) None of the above

Q29. Can the right of free passage of air over an open space or ground be acquired by prescription?

- (a) Yes
- (b) No
- (c) in certain circumstances alone
- (d) None of the above

Q30. One of the following is not a ground for divorce, under Section 13 of the Hindu Marriage Act, 1955?

- (a) Adultery
- (b) cruelty
- (c) desertion
- (d) irretrievable breakdown of marriage

Q31. If a right to sue survives, will [he suit be abated by a party's death?

- (a) Yes
- (b) No
- (c) If the opposite party agrees
- (d) None of the above

Q32. Under the Protection of Women from Domestic Violence Act, 2005, one of the following reliefs cannot be claimed, by a woman.

- (a) a) divorce
- (b) protection
- (c) monetary
- (d) residence

Q33. A judgement contains

- (a) Concise statement of the case
- (b) the decision on the point of determination and the reason thereof
- (c) the point for determination
- (d) all the above

Q34. "Quantum meruit" means

- (a) the amount involved
- (b) extent and quality
- (c) to the extent of the work done*
- (d) none of the above

Q35. A contract of life insurance falls under the category of

- (a) (a) Contract of indemnity
- (b) (b) Contract of guarantee
- (c) (c) Contingent contract
- (d) (d) None of the above.

Q36. A woman with an intention of committing suicide by throwing herself in a Well, actually ran towards it, but changed her mind on the way and returned home. Her act constitutes -

- (a) An offence under Section 306 I.P.C;
- (b) An offence under Section 309 I.P.C
- (c) An offence under Section 306 read with 511 I.P.C
- (d) No offence.

Q37. A died leaving behind him, son's daughter's son, son's daughter's daughter, daughter's son's son and daughter's son's daughter. The property of A will devolve upon.

- (a) Son's daughter's son and daughter's son's son
- (b) Son's daughter's daughter and daughter's son's daughter
- (c) Son's daughter's son and son's daughter's daughter
- (d) Daughter's son's son and daughter's son's daughter

Q38. Who is guardian at litem?

- (a) A person appointed by the Court to take legal action on behalf of a minor
- (b) Guardian of the child
- (c) Step father of the child
- (d) None of the above.

Q39. What is the distinction between injunction order and attachment order?

- (a) There is no distinction; both are one and the same.
- (b) Injunction order binds not only the parties to the suit but also third parties and whereas attachment order binds only parties to the suit;
- (c) Injunction order binds only the parties to the suit and whereas attachment order not only binds the parties to the suit but also the third parties;
- (d) None of the above.

Q40. Questions that can be determined by the Court executing the decree is:

- (a) relating to execution, alone;
- (b) relating to discharge alone;
- (c) relating to part-payment alone;
- (d) relating to execution, discharge or satisfaction.

Q41. Section 89 of the Code of Civil Procedure relates to -

- (a) supplemental proceeding in a suit;
- (b) suits by indigent persons;
- (c) execution of decree;
- (d) settlement of disputes outside the court.

Q42. What is the meaning of restitution? (Section 144 C.P.C.).

- (a) dispossessing a person in occupation of suit property;
- (b) re-adjudication of the claim;
- (c) restoration of suit;
- (d) restoring to a party on the modification, variation or reversal of decree.

Q43. If no time is prescribed in the order for carrying out amendment, what is the period within which amendment is to be carried out under Order 6 Rule 18 of the Civil Procedure Code?

- (a) 30 days;
- (b) 14 days;
- (c) 60 days;
- (d) 45 days.

Q44. Assistant Sessions Judge is empowered to pass sentence of imprisonment for a term not exceeding: -

- (a) five years;
- (b) ten years;
- (c) three years;
- (d) seven years.

Q45. What is enunciated in Section 52 of the Transfer of Property Act?

- (a) effect of Lis pendens;
- (b) fraudulent transfer;
- (c) part performance;
- (d) transfer by co-sharer,

Q46. The proposition of law laid down in Tulasamma v. Sesha Reddy [AIR 1977 SC 1944] relates to-

- (a) essential ingredients of gift deed;
- (b) essential ingredients of will deed;
- (c) right of a female Hindu under subsections (1) and (2) of Section 14 of the Hindu Succession Act;
- (d) Right of a reversioner.

Q47. To constitute adverse possession, possession must be -

- (a) for a longer period;
- (b) without paying any rent to the owner;
- (c) with the permission of the owner;
- (d) open and hostile enough to the parties interested in the property.

Q48. Under the Hindu Succession Act, 1956 in the esse of intestate succession of a male Hindu father is

- (a) Class-I heir;
- (b) Class-IJ heir;
- (c) Special grade heir;
- (d) Class-til heir.

Q49. For a suit for possession of immovable property based on title, period of limitation is

- (a) 12 years from the date of dispossession;
- (b) 12 years from the date of threat of dispossession;
- (c) 12 years from the date when possession of the defendant becomes adverse to the plaintiff,
- (d) None of the above.

Q50. Formal expression of an adjudication which, so far as records the court expressing it. conclusively determines rights of the parties, is

- (a) decree;
- (b) order;
- (c) judgement
- (d) appellate order.

Q51. A robbery becomes dacoity

- (a) when two or more persons together commit robbery*.
- (b) when committed armed with deadly weapons;
- (c) when five or more persons together commit the robbery;
- (d) none of the above.

Q52. Private alienation of property after attachment of the same is

- (a) voidable at the option of the decree holder;
- (b) voidable at the option of the judgement debtor;
- (c) void ab initio;
- (d) void as against all claims enforceable under the attachment.

Q53. Which document requires stamp duty?

- (a) acknowledgement of debt in order to supply evidence of such debt;
- (b) acknowledgement of a debt in order to extend period of limitation for recovery of that debt;
- (c) record of past transaction;
- (d) in none of the above three cases.

Q54. Where a document is digitally stamped and unregistered

- (a) it is totally inadmissible in evidence;
- (b) it can be admitted in evidence;
- (c) it can be admitted in evidence for all purposes, after payment of deficit stamp duty and penalty;
- (d) it would be admissible in evidence for collateral purposes.

Q55. 'X' sells to 'Y' property belonging to 'Z'. Subsequently 'Z' dies and the property devolves on 'X'. By which doctrine the said sale is valid

- (a) doctrine of estoppel;
- (b) doctrine of promissory estoppel;
- (c) doctrine of feeding the grant of estoppel;
- (d) doctrine of estoppel by conduct.

Q56. The following contract cannot be specifically enforced -

- (a) a contract in which the executant dies subsequently;
- (b) a contract in which the executant subsequently becomes insane;
- (c) a contract which is in its nature determinable.
- (d) a contract, non performance of which cannot be compensated by terms of money as adequate relief.

Q57. 'X' obtains money decree against 'Y'. In execution of the money decree, 'X' attaches moneys belonging to 'V' lying with 'Z'. Then 'Z' is called

- (a) decree holder;
- (b) judgement debtor;
- (c) banker
- (d) garnishee.

Q58. In what branch of law' does the principle "res ipsa loquitur" applies?

- (a) Criminal Law
- (b) Specific Relief Act, 1963
- (c) Negotiable Instruments Act, 1882
- (d) None of the above

Q59. Can a suit be laid after withdrawal of the same?

- (a) No;
- (b) Yes;
- (c) Yes if permission is obtained from the court at the time of withdrawal with liberty' to file a fresh suit;
- (d) Yes subject to the condition that the cause of action for both the cases is identical.

Q60. Supplemental and incidental proceedings are stated in:

- (a) C.P.C.;
- (b) Cr.P.C.;
- (c) Unlawful Activities (Prevention) Ar.
- (d) None of the above.

Q61. Perpetual injunctions are governed by:

- (a) Specific Relief Act, 1963;
- (b) Contract Act;
- (c) Sale of Goods Act;
- (d) Civil Procedure Code.

Q62. A building fetching a rent of Rs.2000/ and situated in municipal corporation area is governed by:

- (a) A.P. Buildings (Lease, Rent & Eviction) Control Act, 1960,
- (b) Transfer of Property Act, 1882;
- (c) Registration Act;
- (d) None of the above.

Q63. Whether a Junior Civil Judge's Court on its own or suo motu direct addition of a party whom it considers a necessary party to a suit?

- (a) a] Yes;
- (b) b] No;
- (c) With the permission of District Court;
- (d) With the permission of the High Court.

Q64. If a woman, who has inherited property from her mother, dies without children, then such property devolves on -

- (a) the heirs of her father;
- (b) the heirs of her maternal grandfather;
- (c) the heirs of her mother in law;
- (d) On her husband.

Q65. 'A' promises *3' a job in government service and *B' promises to pay Rs. 10,000/- for it. The agreement is

- (a) void;
- (b) voidable;
- (c) enforceable on the direction of Government;
- (d) enforceable on the direction of the High Court.

Q66. In the case of a breach of contract to sell immovable property the Court shall draw a presumption that -

- (a) breach of contract cannot be adequately relieved by money compensation;
- (b) that the breach can be compensated by money;
- (c) that the suit can be decreed;
- (d) that the suit cannot be decreed. V

Q67. Suppose if a Court of Senior Civil Judge tries a suit which is triable by the Court of Junior Civil= Judge. Is the decree

- (a) valid;
- (b) invalid;
- (c) invalid under certain circumstances;
- (d) None of the above.

Q68. When and in what circumstances a Judicial First Class Magistrate of First Class can add a person as accused in a criminal case?

- (a) After taking cognizance of the case and before framing a charge;
- (b) During the course of an enquiry in trial when it appears from the evidence;
- (c) After framing of the charge and before the trial is commenced;
- (d) None of the above.

Q69. 'A' purchases stamp paper worth Rs. 10,000/ for obtaining sale deed and then dies. Whether the son of 'A' can use that stamp paper for obtaining sales in his name?

- (a) Yes;
- (b) No;
- (c) Under certain circumstances;
- (d) None of the above.

Q70. Whether a court can dismiss an appeal on the ground of the Limitation Act even if Limitation is not pleaded as a ground?

- (a) Yes;
- (b) No;
- (c) Under certain circumstances;
- (d) If High Court premises.

Q71. A First Information Report means:

- (a) a complaint made to the High Court;
- (b) a complaint made to a Magistrate;
- (c) a complaint filed under Section 199(1) Cr.P.C.
- (d) information relating to the commission of a cognizable offence given to an officer in charge of a police station.

Q72. The Court may presume that a man who is in possession of marked currency notes soon after the theft, is either tire thief or lias received the currency notes knowing them to be stolen, unless he can account for his possession:

- (a) Correct;
- (b) a Court may not so presume where a shopkeeper is in possession of a marked currency note soon after it was stolen and cannot account for its possession specificLilly, but is continually receiving rupees in the ordinary course of his business;
- (c) Neither (a) nor (b);
- (d) Both (a) &> (b).

Q73. Which provision requires that evidence must be taken in the presence of the accused?

- (a) Section 302 of I.P.C.;
- (b) Section 154 of the Evidence Act;
- (c) Section 277 of Cr.P.C.
- (d) Section 273 of Cr.P.C.

Q74. A police report under Section 173(2) or Cr.P.C must contain the particulars such as -

- (a) Inquest particulars, post mortem particulars and Doctor's name
- (b) Name of the parties, names of suspects or accused and nature of information
- (c) Name of the police officer, name of investigating officer and police station
- (d) None of the above

Q75. For taking cognizance of an offence committed by a. public servant while acting in the discharge of his official duty, the essential requisite is -

- (a) Accused must be Gazetted Officer
- (b) Accused must be within the jurisdiction of the Court
- (c) Previous sanction of the government is required
- (d) None of the above.

Q76. Sections 451 and 452 of Cr.P.C essentially deal with disposal of property by the Criminal Court. The basic difference between the two is -

- (a) Both the provisions deal with release of property produced before the Court.
- (b) Section 451 is attracted during enquiry of trial and Section 452 is attracted after conclusion of the Criminal Trial
- (c) There is no difference between the two provisions
- (d) None of the above

Q77. Under Cr.P.C. the period of limitation shall commence

- (a) On the date of taking cognizance
- (b) On the date of offence
- (c) On the date of filing the complaint
- (d) None of the above

Q78. What is not true with regard to 'Complaint' under Section 2(d) of Cr.P.C?

- (a) It is made to Magistrate with, a view to his taking action under the code
- (b) It is an allegation made orally or in writing
- (c) That some person, whether known or unknown, has committed an offence.
- (d) It includes a Police Report

Q79. In a criminal proceedings, the standard of proof that is required for Ending the accused guilty of an offence, so as to convict him for the said offence is -

- (a) beyond all reasonable doubt
- (b) preponderance of probabilities
- (c) both (a) and (b)
- (d) None of the above

Q80. Under Section 482 Cr.P.C., the High Court exercises

- (a) inherent powers
- (b) appellate powers
- (c) revisional powers
- (d) review' powers

Q81. Which of the following is correct?

- (a) The de facto complaint/victim can file revision against order of acquittal
- (b) The defacto complainant can file appeal against order of acquittal
- (c) The prosecution can only file either revision or appeal against order of acquittal
- (d) None of the above

Q82. What is the sentence of imprisonment provided for the offence

- (a) For a term up to two years
- (b) For a term not less than three years
- (c) For a term not less than two years
- (d) None of the above

Q83. What is the maximum sentence of imprisonment that can be

- (a) One-half of the maximum imprisonment fixed for the offence
- (b) One-third of the maximum imprisonment fixed for the offence
- (c) One-fourth of the maximum imprisonment fixed for the offence
- (d) Equal to the maximum imprisonment fixed for the offence.

Q84. What is the distinction between Sections 161 and 164 of Cr.P.C.?

- (a) Both are one and the same;
- (b) Sec. 161 Cr.P.C., statement is recorded by the Magistrate and
- (c) Sec. 161 Cr.P.C., statement is recorded by the police and

Q85. 'A' is arrested and detained in custody on an accusation for the

- (a) 30 days;
- (b) 60 days;
- (c) expiry of -

Q86. What is primary object of inquest report under Section 174 of

- (a) to know' the name of the assailants of the deceased;
- (b) to know' the motive for the commission of offence;
- (c) to know the apparent cause of death;

Q87. What is the meaning of payment of cheque crossed specially?

- (a) the banker on whom it is drawn shall not pay it otherwise than
- (b) the banker on whom the cheque is drawn shall not pay it
- (c) payment of cheque amount across the counter;
- (d) otherwise than to a banker;

Q88. What is the essential ingredient of promissory estoppel?

- (a) Promisee has altered his position in reliance on the promise;
- (b) Promisor has recalled his promise;
- (c) Promisee has recalled his acceptance;
- (d) Promisee should suffer any detriment.

Q89. Presumption under Section 139 of the Negotiable Instruments Act,

- (a) That the cheque was signed by the accused;
- (b) That the cheque was dishonoured by the banker;
- (c) That the cheque was issued for discharge of any debt;
- (d) That the cheque is valid under banking law's.

Q90. Can anticipatory bail be granted in respect of bailable offences, and

- (a) Anticipatory bail cannot be granted in bailable offences;
- (b) Bail can be granted only in case the petitioner is a woman, a
- (c) There is no distinction between bailable and non-bailable
- (d) minor or a sick person;

Q91. When can charges be framed?

- (a) At any stage but before judgment.;
- (b) At any stage subject to permitting the cross-examination of the
- (c) At any time in offences exclusively triable by Sessions Court but

Q92. As per 1PC a document whereby any legal right is created, extended,

- (a) Conveyance deed;
- (b) Gift deed;
- (c) Will;
- (d) Valuable security.

Q93. Who is the person competent to compound an offence of criminal

- (a) The person in possession of the property trespassed upon;
- (b) Investigating officer;
- (c) The person who gave the complaint of trespass;
- (d) None of the above.

Q94. Does a will deed require stamp duty and registration for its validity?

- (a) No;
- (b) Yes;
- (c) Under certain circumstances;
- (d) When value of property covered by will in excess of Rs. 100/-

Q95. Pecuniary jurisdiction of civil court is specified in:

- (a) A.P. Court Fees and Suits Valuation Act, 1956;
- (b) A.P. Civil Courts Act, 1972;
- (c) Civil Procedure Code;
- (d) Civil Rules of Practice.

Q96. Whether an unstamped promissory note can be admitted in evidence after collection of stamp duty and penalty?

- (a) Yes can be admitted.
- (b) Cannot be admitted.
- (c) Can be admitted if the suit filed is under the Negotiable Instruments Act;
- (d) Can be admitted only by the High Court.

Q97. Circumstantial evidence is -

- (a) direct evidence;
- (b) indirect evidence;
- (c) Neither of a & b;
- (d) Material evidence.

Q98. Under the Indian Penal Code, a person is defined as -

- (a) including any company or body of persons whether incorporated or not;
- (b) meaning only individual human beings;
- (c) meaning only as men;
- (d) None of the above.

Q99. What is the meaning of retracted confession?

- (a) Confession which is subsequently confirmed;
- (b) Confession which is subsequently assured;
- (c) Confession which is subsequently resiled;
- (d) None of the above.

Q100. Definition of 'wrongful gain' is as follows:

- (a) gain by unlawful means of property to which person is not legally entitled;
- (b) gaining wrongfully and losing wrongfully;
- (c) gaining dishonestly;
- (d) loss by unlawful means of property to which person is entitled.

Answer Key & Solutions

Q1. Answer: A

Section 21 CPC bars objections as to territorial jurisdiction unless raised at the earliest opportunity in the trial court; a suit to set aside a decree on the ground of lack of territorial jurisdiction is thus barred under Section 21.

Q2. Answer: A

On restoration of a suit dismissed for default, the suit is revived in its original position, and the attachment before judgment that lapsed on dismissal revives automatically along with the restoration. Hence true.

Q3. Answer: C

A judgment in rem binds the whole world. Judgments in exercise of matrimonial (e.g. status/marriage), probate, admiralty and insolvency jurisdiction are judgments in rem under Section 41 of the Evidence Act.

Q4. Answer: A

Under Order 20 Rule 11/Order 34 and settled law, where a decree is silent as to future interest, it is deemed refused (CPC Section 34 proviso treats silence on interest after decree as refusal), and a separate suit for it will not lie. Hence true.

Q5. Answer: C

Section 53(1) of the Transfer of Property Act: a transfer of immovable property made with intent to defeat or delay creditors is voidable at the option of any creditor so defeated or delayed.

Q6. Answer: A

The right to redeem (Section 60 TPA) is enforced by a suit for redemption of the mortgage.

Q7. Answer: C

Under Section 37 of the Indian Easements Act, an easement is extinguished both when the dominant or servient heritage is completely destroyed and when the same person becomes absolute owner of both heritages (unity of ownership, Section 45). Hence both (a) and (b).

Q8. Answer: C

A note promising to pay the bearer a sum, guaranteed by the Central Government and signed by the RBI Governor, is a currency note; it is expressly excluded from being a promissory note under the Negotiable Instruments Act.

Q9. Answer: A

Putting a person in fear of injury (including injury to reputation by defamation) to dishonestly induce delivery of money is extortion under Section 383 IPC; this is the textbook illustration of extortion.

Q10. Answer: C

Section 139 of the Indian Evidence Act: a person summoned merely to produce a document does not thereby become a witness and cannot be cross-examined unless and until he is called as a witness.

Q11. Answer: A

Proviso (1) to Section 92 of the Evidence Act allows oral evidence to show want or failure of consideration; oral evidence to prove non-payment despite a receipt is therefore admissible.

Q12. Answer: A

Section 48 of the Indian Evidence Act deals with opinion as to existence of a general custom or right; the illustration is the verbatim example of villagers' right to use the water of a particular well.

Q13. Answer: A

Section 111 of the Evidence Act (good faith in transactions where one party is in a position of active confidence): the burden of proving good faith of the sale by a client to his attorney lies on the attorney.

Q14. Answer: D

Under Order 27 Rule 1 CPC, plaints in suits by or against the Government are signed by a person appointed/authorised by the Government (Government Pleader or nominated officer), not the Governor or a fixed officer.

Q15. Answer: A

Under Order 20 Rule 7 and Section 33 CPC read with the rule that the decree follows the judgment, where the judge who pronounced judgment is transferred before signing the decree, the successor judge can sign the decree drawn up in accordance with the judgment; rehearing is unnecessary.

Q16. Answer: A

In a mortgage money/recovery suit, interest is awarded on the principal amount found due on the mortgage (Order 34 CPC; Section 34).

Q17. Answer: B

Section 5 of the Contract Act: a proposal may be revoked any time before the communication of acceptance is complete as against the proposer, i.e. before B posts the letter of acceptance. Hence A can revoke before B sends the acceptance.

Q18. Answer: D

Section 72 of the Indian Contract Act: a person to whom money has been paid by mistake or under coercion must repay it. Sattaiah, having been paid twice, must repay Laxmaiah under Section 72.

Q19. Answer: D

In a suit for specific performance, Section 16(c) of the Specific Relief Act requires the plaintiff to aver and prove that he is ready and willing to perform his part of the contract.

Q20. Answer: B

A Section 6 Specific Relief Act suit for possession lies against any dispossession otherwise than by due course of law, and bars even a suit against the Government from being thrown out on that count; Section 6 expressly excludes suits against the Government for the special summary remedy. Given the dispossession was wrongful and the plaint discloses a Section 6 cause of action, rejection under Order 7 Rule 11(d) is improper.

Q21. Answer: C

Section 128 of the Transfer of Property Act: a universal donee (donee of the whole property of the donor) is personally liable for all the debts and liabilities of the donor due at the time of the gift, to the extent of the property received.

Q22. Answer: B

Under Section 149/Order 7 Rule 11(c) CPC read with the Court Fees Act, the court must grant time to make good the deficit court fee before rejecting the plaint; outright rejection without granting time is improper.

Q23. Answer: C

Under the Transfer of Property Act, a mortgage deed (other than by deposit of title deeds, for principal of Rs.100 or upwards) must be attested by two witnesses and registered; both mortgage and exchange deeds of immovable property require registration. Hence mortgage deed and exchange deed is the correct pair.

Q24. Answer: C

Under Section 114 and Order 47 Rule 1 CPC, a review lies, among other grounds, where an appeal is allowed by the Code but no appeal has been preferred. (Leave of court is not a precondition for filing review.)

Q25. Answer: C

Order 1 Rule 8 CPC permits a representative suit where numerous persons have the same interest in one suit; one or more may sue or be sued on behalf of all such interested persons with the court's permission.

Q26. Answer: B

Under Order 20 Rule 11 CPC, the court may direct payment of a money decree by instalments at the time of passing the decree, or afterwards (with consent or on application) before execution. Option (b) best captures this timing.

Q27. Answer: B

Spes successionis means a mere chance or expectation of succeeding to property; under Section 6(a) of the Transfer of Property Act such a bare expectancy cannot be transferred.

Q28. Answer: A

Under Article 52 of the Limitation Act, 1963, a suit for arrears of rent is barred after three years computed from the date when the arrears became due.

Q29. Answer: B

Under Section 15 of the Indian Easements Act, the right to free passage of air to an open space/ground cannot be acquired by prescription (only access and use of light or air to and for a building can be so acquired); hence the answer is No.

Q30. Answer: D

Adultery, cruelty and desertion are grounds for divorce under Section 13 of the Hindu Marriage Act, 1955; irretrievable breakdown of marriage is not a statutory ground.

Q31. Answer: B

Under Order 22 Rule 1 CPC, the death of a party does not cause the suit to abate where the right to sue survives; hence No.

Q32. Answer: A

The Protection of Women from Domestic Violence Act, 2005 provides protection, residence, monetary, custody and compensation orders, but does not grant divorce; divorce cannot be claimed under it.

Q33. Answer: D

Under Order 20 Rule 4(2) CPC, a judgment must contain a concise statement of the case, the points for determination, the decision thereon and the reasons for such decision; hence all the above.

Q34. Answer: C

Quantum meruit literally means 'as much as earned/deserved', i.e., payment to the extent of the work actually done.

Q35. Answer: D

A life insurance contract is neither an indemnity contract nor a contingent contract in the proper sense (life/death being certain), and it is not a guarantee; it is sui generis, so None of the above.

Q36. Answer: D

Mere preparation to commit suicide, abandoned before any act amounting to an attempt, does not constitute an offence under Section 309 IPC (which requires an attempt); changing her mind on the way means no offence.

Q37. Answer: A

Among these descendants in the male line, son's daughter's son and daughter's son's son are sons of daughters of sons/daughters and qualify as heirs of nearer/preferred degree among the agnates/cognates listed; the property devolves on son's daughter's son and daughter's son's son.

Q38. Answer: A

A guardian ad litem is a person appointed by the court to defend or take legal action on behalf of a minor (or person under disability) in a particular suit.

Q39. Answer: C

An injunction operates in personam binding only the parties to the suit, whereas an attachment binds the property and operates against all persons including third parties claiming under the judgment-debtor (Section 64 CPC).

Q40. Answer: D

Under Section 47 CPC, all questions arising between the parties relating to the execution, discharge or satisfaction of the decree are determined by the executing court.

Q41. Answer: D

Section 89 CPC provides for settlement of disputes outside the court (arbitration, conciliation, mediation, judicial settlement including Lok Adalat).

Q42. Answer: D

Restitution under Section 144 CPC means restoring to a party the benefits lost on the variation, modification or reversal of a decree, placing the parties in the position they would have occupied but for the erroneous decree.

Q43. Answer: B

Under Order 6 Rule 18 CPC, where the order does not fix a time, the amendment must be carried out within fourteen days from the date of the order; hence 14 days.

Q44. Answer: B

Under Section 28(2) Cr.P.C., an Assistant Sessions Judge may pass any sentence authorised by law except a sentence of death, life imprisonment, or imprisonment exceeding ten years.

Q45. Answer: A

Section 52 of the Transfer of Property Act enacts the doctrine of lis pendens, barring transfer of property during pending litigation so as to affect the rights of other parties under the decree.

Q46. Answer: C

V. Tulasamma v. Sesha Reddy (AIR 1977 SC 1944) authoritatively explains the interplay of Section 14(1) and 14(2) of the Hindu Succession Act, holding that property given to a Hindu widow in recognition of her pre-existing right to maintenance enlarges into absolute ownership under Section 14(1).

Q47. Answer: D

Adverse possession must be open, continuous, hostile and to the knowledge of the true owner; mere long possession or non-payment of rent is insufficient. Option (d) states the essential requirement.

Q48. Answer: B

In intestate succession to a male Hindu under the Hindu Succession Act, 1956, the father is a Class-II heir (the mother is a Class-I heir, but the father is not).

Q49. Answer: C

Under Article 65 of the Limitation Act, 1963, a suit for possession of immovable property based on title is limited to 12 years computed from the date when the defendant's possession becomes adverse to the plaintiff.

Q50. Answer: A

Under Section 2(2) CPC, a 'decree' is the formal expression of an adjudication which conclusively determines the rights of the parties with regard to all or any of the matters in controversy in the suit.

Q51. Answer: C

Under Section 391 IPC, robbery becomes dacoity when five or more persons conjointly commit or attempt to commit a robbery.

Q52. Answer: D

Under Section 64 CPC, a private alienation of property after attachment is void as against all claims enforceable under the attachment.

Q53. Answer: A

Under Article 1 of Schedule I, Indian Stamp Act, an acknowledgement of a debt written or signed in order to supply evidence of such debt is chargeable with stamp duty; an acknowledgement merely to extend limitation under s.18 Limitation Act is not the chargeable instrument.

Q54. Answer: D

An unregistered document that is otherwise valid (the question intends an unregistered but adequately/duly stamped document) is admissible only for collateral purposes under the proviso to Section 49 of the Registration Act.

Q55. Answer: C

Where a transferor sells property he does not own and later acquires it, the transferee may compel the transfer; this is the doctrine of feeding the grant by estoppel under Section 43 of the Transfer of Property Act.

Q56. Answer: C

Under Section 14(1)(c) of the Specific Relief Act, 1963, a contract which is in its nature determinable cannot be specifically enforced.

Q57. Answer: D

A third party (Z) holding money belonging to the judgment-debtor, attached in execution, is called a garnishee (Order 21 Rule 46A CPC).

Q58. Answer: D

Res ipsa loquitur is a principle of the law of torts (negligence) and not of any of the listed statutes, so the answer is none of the above.

Q59. Answer: C

Under Order 23 Rule 1 CPC, a fresh suit on the same subject-matter lies after withdrawal only if the court grants permission/liberty to file a fresh suit at the time of withdrawal.

Q60. Answer: A

Supplemental proceedings (e.g., arrest before judgment, attachment before judgment, temporary injunctions) are dealt with in Sections 94-95 and Order 38-40 of the C.P.C.

Q61. Answer: A

Perpetual (permanent) injunctions are governed by Sections 37-42 of the Specific Relief Act, 1963.

Q62. Answer: A

A building in a municipal corporation area fetching rent of only Rs. 2,000/month is below the exemption threshold (Rs. 3,500 for corporation areas after the 2005 amendment) and so is governed by the A.P. Buildings (Lease, Rent & Eviction) Control Act, 1960.

Q63. Answer: A

Under Order 1 Rule 10(2) CPC, the court may, at any stage and of its own motion (suo motu), add any person whose presence is necessary to enable it to effectually adjudicate the suit.

Q64. Answer: A

Under Section 15(2)(a) of the Hindu Succession Act, 1956, property inherited by a female from her mother, where she dies without children, devolves upon the heirs of the father.

Q65. Answer: A

An agreement to procure a government job for money has an unlawful object/consideration (opposed to public policy) and is void under Sections 23 and 24 of the Indian Contract Act, 1872.

Q66. Answer: A

Under the Explanation to Section 10 of the Specific Relief Act, 1963 (as then in force), in a contract to transfer immovable property the court presumes that breach cannot be adequately relieved by money compensation.

Q67. Answer: A

A decree by a court of higher pecuniary jurisdiction (Senior Civil Judge) in a suit triable by a lower court (Junior Civil Judge) is valid; objections to such jurisdiction are barred under Section 21 CPC unless prejudice is shown.

Q68. Answer: B

Under Section 319 Cr.P.C., the Magistrate may add a person as accused during the course of inquiry or trial when it appears from the evidence that he too has committed the offence.

Q69. Answer: B

Stamp paper purchased by the deceased father for his own sale deed cannot be used by the son to obtain a sale in the son's name; the answer is No.

Q70. Answer: A

Under Section 3 of the Limitation Act, 1963, the court must dismiss a time-barred appeal even though limitation is not set up as a defence; hence Yes.

Q71. Answer: D

An F.I.R. is information relating to the commission of a cognizable offence given to the officer in charge of a police station under Section 154 Cr.P.C.

Q72. Answer: D

Both statements are correct: this is precisely Illustration (a) to Section 114 of the Indian Evidence Act, including the shopkeeper qualification.

Q73. Answer: D

Section 273 of the Cr.P.C. requires that, except as otherwise provided, all evidence be taken in the presence of the accused.

Q74. Answer: B

Under Section 173(2) Cr.P.C., the police report must state the names of the parties, the nature of the information, and whether any offence appears to have been committed and by whom (the suspects/accused).

Q75. Answer: C

Under Section 197 Cr.P.C., previous sanction of the appropriate Government is an essential requisite for a court to take cognizance of an offence committed by a public servant while acting in the discharge of official duty.

Q76. Answer: B

Section 451 CrPC empowers the court to order custody/disposal of property pending inquiry or trial, while Section 452 deals with disposal of property at the conclusion of the trial.

Q77. Answer: B

Under Section 469 CrPC, the period of limitation commences on the date of the offence (or the date of knowledge of the offence).

Q78. Answer: D

Section 2(d) CrPC expressly excludes a police report from the definition of 'complaint' (a police report is not a complaint), so it is NOT true that complaint includes a police report.

Q79. Answer: A

In criminal cases the prosecution must prove guilt 'beyond all reasonable doubt'; preponderance of probabilities is the civil standard.

Q80. Answer: A

Section 482 CrPC preserves the inherent powers of the High Court to prevent abuse of process and secure the ends of justice.

Q81. Answer: A

A de facto complainant/victim may file a revision (not an appeal as of right) against an order of acquittal; appeal against acquittal lies to the State under Section 378 CrPC, and the victim's right of appeal under the proviso to Section 372 came later.

Q82. Answer: A

Stem is OCR-truncated ('imprisonment provided for the offence' - offence unspecified), so the intended section cannot be identified; best guess is the term up to two years given the phrasing of the options.

Q83. Answer: A

Stem is truncated ('maximum sentence of imprisonment that can be...'); reading it as the limit on an Assistant Sessions/Magistrate or solitary/imprisonment in default context, the common answer is one-half of the maximum imprisonment fixed for the offence.

Q84. Answer: C

Section 161 CrPC statements are recorded by the police during investigation, whereas Section 164 CrPC statements/confessions are recorded by a Magistrate; option (c) correctly states the Sec.161 statement is recorded by the police.

Q85. Answer: B

Under Section 167(2) CrPC, an accused must be released on default bail on expiry of 60 days (90 days for offences punishable with death/life/10+ years); the generic 'A is arrested...' framing points to the 60-day period.

Q86. Answer: C

The primary object of an inquest report under Section 174 CrPC is to ascertain the apparent cause of death, not to determine the assailants or motive (*Podda Narayana v. State of AP*).

Q87. Answer: A

Under Section 126 NI Act, where a cheque is crossed specially the banker on whom it is drawn shall not pay it otherwise than to the banker to whom it is crossed.

Q88. Answer: A

The essential ingredient of promissory estoppel is that the promisee, relying on the promise, altered his position; actual detriment is not strictly necessary (*Motilal Padampat Sugar Mills v. State of UP*).

Q89. Answer: C

Section 139 NI Act raises the presumption that the holder received the cheque for the discharge, in whole or in part, of a debt or other liability.

Q90. Answer: A

Anticipatory bail under Section 438 CrPC is available only for non-bailable offences; for bailable offences bail is a matter of right under Section 436, so anticipatory bail cannot be granted in bailable offences.

Q91. Answer: A

Under Section 216 CrPC the court may alter or add to any charge at any time before judgment is pronounced.

Q92. Answer: D

Section 30 IPC defines 'valuable security' as a document which purports to create, extend, transfer, restrict, extinguish or release any legal right or liability.

Q93. Answer: A

Criminal trespass/house-trespass offences are compoundable by the person in possession of the property trespassed upon (Section 320 CrPC table).

Q94. Answer: A

A will requires neither stamp duty nor compulsory registration for its validity; registration of a will is optional under the Registration Act and it is exempt from stamp duty.

Q95. Answer: B

The pecuniary jurisdiction of civil courts in Andhra Pradesh is specified in the A.P. Civil Courts Act, 1972.

Q96. Answer: B

Under Section 35 of the Indian Stamp Act a promissory note that is unstamped (not merely insufficiently stamped) cannot be admitted in evidence even on payment of duty and penalty; the saving for duty+penalty applies only to insufficiently stamped instruments.

Q97. Answer: B

Circumstantial evidence is indirect evidence from which the principal fact is inferred.

Q98. Answer: A

Section 11 IPC defines 'person' to include any company or association or body of persons, whether incorporated or not.

Q99. Answer: C

A retracted confession is one which the maker has subsequently resiled from (withdrawn/recanted).

Q100. Answer: A

Section 23 IPC defines 'wrongful gain' as gain by unlawful means of property to which the person gaining is not legally entitled.