

Andhra Pradesh Judiciary - Prelims 2015

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

Q1. In order to convert a proposal into a promise the acceptance must be:

- (a) absolute and unqualified
- (b) absolute and qualified
- (c) silent
- (d) none of the above

Q2. When consent to an agreement is caused by coercion, fraud or misrepresentation, the agreement is a contract which is:

- (a) void
- (b) voidable at the option of the consenting party
- (c) neither voidable nor void
- (d) none of the above

Q3. Where a person contracts to sell a certain immovable property without having any title thereto, can the purchaser compel him make good the contract?

- (a) purchaser can only demand compensation for the breach
- (b) purchaser can seek damages
- (c) yes, if the vendor has acquired title to the property in question subsequent to the contract
- (d) none of the above

Q4. 'A' has entered into an agreement with 'B' by misrepresentation, the contract is:

- (a) valid
- (b) void
- (c) voidable
- (d) illegal

Q5. Ram contracted to pay to Suresh a sum of Rs.25,000/- if Suresh's house is gutted

- (a) wagering contract
- (b) contingent contract
- (c) quasi contract
- (d) unconscionable contract

Q6. Normally the breach of contract to transfer immovable property

- (a) can be compensated in money
- (b) cannot be compensated in money
- (c) cannot be adequately compensated in money
- (d) none of the above

Q7. If the transferee takes possession of immovable property in part performance of contract and is ready and willing to perform his part of contract

- (a) can obtain the relief of specific performance notwithstanding the law of limitation
- (b) can get a decree declaring his title
- (c) can protect his possession
- (d) none of the above

Q8. If a wife withdraws from the company of her husband, who was diagnosed to be suffering from AIDS, can the Court order for restitution of conjugal rights?

- (a) yes, if the husband is undergoing treatment regularly from an approved physician
- (b) yes if the husband establishes that he is regularly taking medicines
- (c) yes if the husband establishes that he acquired AIDS not due to his fault
- (d) not at all

Q9. Marriage between two persons took place but it turned out that one of them was pregnant by some other 3rd party. In such a case the marriage is:

- (a) void marriage
- (b) it is a valid marriage, if the other party has knowledge of the event
- (c) voidable marriage
- (d) it all depends upon the will of the woman

Q10. A marriage solemnized after 1-10-2006 can be dissolved by a decree of divorce if:

- (a) the opposite party deserted the petitioner for a continuous period of at least 1 year
- (b) the opposite party deserted the petitioner for a continuous period of at least 2 years
- (c) the opposite party deserted the petitioner for a continuous period of at least 3 years
- (d) the opposite party deserted the petitioner for a continuous period of at least 4 years

Q11. If a petition is presented under Section 13-B of the Hindu Marriage Act, 1955, by both parties, a decree of divorce can be passed by the Court:

- (a) depending upon the urgency pleaded, immediately
- (b) not earlier than 6 months period has elapsed from the date of presentation of the petition
- (c) only after expiry of 1 year period from the date of marriage
- (d) only after expiry of 18 months period from the date of marriage

Q12. Can a provision be made by the Court in a decree drawn in proceedings initiated under Section 13 of the Hindu Marriage Act, 1955, for the custody of minor children?

- (a) yes
- (b) no
- (c) separate proceedings should be taken out under the Guardianship Act, 1956
- (d) none of the above

Q13. Can irretrievable breakdown of marriage be a ground for seeking divorce under the Hindu Marriage Act?

- (a) yes
- (b) no
- (c) yes, if permitted by court
- (d) yes, upon payment of permanent alimony to the counter part

Q14. Under Section 8 (a) of the Hindu Succession Act, the property of a male Hindu dying intestate shall devolve firstly upon the heirs being relatives specified in class I of the Schedule to the Act. The class -1 heirs do not include:

- (a) widow
- (b) son
- (c) mother
- (d) father

Q15. Can be the provisions of the Hindu Succession Act, 1956 apply to an illegitimate child one of whose parents is a Buddhist and the other follower of Arya Samaj?

- (a) yes
- (b) no
- (c) yes, by will
- (d) none of the above

Q16. The daughter of a coparcener of a joint family is recognized as coparcener by birth by the Central Amendment (through Parliament) to the Hindu Succession Act, 1956 with effect from 9.9.2005 to one of the following sections:

- (a) Section 29A
- (b) Section 6
- (c) Section 6B
- (d) Section 29B

Q17. General rules of succession in the case of a female Hindu is governed by one of the following provisions of the Hindu Succession Act, 1956:

- (a) Section 8
- (b) Section 12
- (c) Section 15
- (d) Section 9

Q18. An easement is a right which the owner or occupier of certain land possesses:

- (a) over his own land for the beneficial enjoyment of such land
- (b) over certain other land which is not his own, for the beneficial enjoyment of his own land
- (c) over certain other land which the community owns, for the beneficial enjoyment of his own land
- (d) over certain other land which should share a common boundary with his own land

Q19. Can an easement be extinguished?

- (a) yes, only if the dominant heritage is completely destroyed, leaving intact the servient heritage
- (b) yes, only if the servient heritage is completely destroyed, leaving intact the dominant heritage
- (c) yes, in complete destruction of dominant or servient heritages
- (d) in none of the cases above

Q20. What is the period prescribed for acquisition of right of easement of light or air for any building without interruption?

- (a) twenty years
- (b) twelve years
- (c) three years
- (d) thirty years

Q21. Company 'A' has entitled to a contract for acquiring a certain immovable property belonging to 'B'. Subsequently, company 'A' got amalgamated with company 'C'. Can company 'C' seek specific performance of contract entered into by and between 'A' and 'B'?

- (a) yes
- (b) no
- (c) only with the leave of the court
- (d) none of the above

Q22. If a person is not entitled to recover compensation for breach of a contract, can he seek specific performance of the contract?

- (a) yes
- (b) no
- (c) it is for the discretion of the court
- (d) none of the above

Q23. In a suit for specific performance of a contract, can a plaintiff be awarded compensation?

- (a) no
- (b) it is for the discretion of the court
- (c) yes, if compensation is claimed in the plaint
- (d) none of the above

Q24. Specific performance of part of contract

- (a) can be enforced
- (b) cannot be enforced
- (c) enforced in certain exceptional circumstances
- (d) none of the above

Q25. A contract dependent on the volition of parties

- (a) can be specifically enforced
- (b) cannot be specifically enforced
- (c) can be enforced in exceptional cases
- (d) none of the above

Q26. Against decree passed in a suit filed under Section 6 of the Specific Relief Act

- (a) only review is allowed
- (b) appeal can be filed
- (c) no appeal or review is allowed
- (d) none of the above

Q27. Can a suit instituted after the prescribed period be dismissed?

- (a) yes, if limitation has been set-up as a defence
- (b) yes, even though limitation has not been set-up as a defence
- (c) no
- (d) none of the above

Q28. The period prescribed for institution of a suit expired on Sunday that followed the last working day of the Court before its summer recess. During summer recess, provision is made for receiving urgent cases. However, the suit is instituted on the reopening day of the court after summer recess. Can a suit be treated to have been filed in time?

- (a) no
- (b) yes
- (c) only if the delay is properly explained
- (d) when leave is obtained by the court

Q29. Can the time consumed for deciding an application for leave of suit as a pauper, which application is ultimately rejected be excluded from computation of the period of limitation when a suit was subsequently instituted?

- (a) no
- (b) yes
- (c) yes, with consent of defendant
- (d) none of the above

Q30. When can the period of limitation run when a suit is instituted seeking relief against the consequence of a mistake?

- (a) from the date the mistake is discovered with due diligence
- (b) from the initial cause of action
- (c) a notice pointing out the mistake is drawn
- (d) none of the above

Q31. 'A' instituted a suit against 'B' and 'C' on 6.12.2012. 'D' was added as a plaintiff on 20.11.2014. When is suit deemed to have been instituted as regards 'D' ?

- (a) On 6.12.2012
- (b) On 20.11.2014 subject to court directing any earlier date
- (c) On any date as agreed by 'B' & 'C'
- (d) None of the above

Q32. Sandeep executed a promissory note in favour of Vijay for Rs. 5 lakhs on 18.10.2010. On 15.11.2013 he has acknowledged his liability in writing under his signature. On 16.12.2013 Vijay filed suit for recovery. The suit is:

- (a) barred by limitation
- (b) not barred by limitation
- (c) maintainable on condonation of delay
- (d) maintainable subject to discretion of court

Q33. 'A' institutes suit against 'B' in a civil court and realises that he instituted the suit which lacks jurisdiction. Under which provision of the Limitation Act, 1963, can such period be excluded for computing limitation?

- (a) Section 5
- (b) Section 14
- (c) Section 17
- (d) Section 13

Q34. What is limitation period for filing a suit under Section 6 of the Specific Relief Act?

- (a) 1 year
- (b) 3 years
- (c) 6 months
- (d) 12 years

Q35. The following can be transferred under the Transfer of Property Act:

- (a) a right to future maintenance
- (b) salary of a public officer whether before or after it has become payable
- (c) a mere right to sue
- (d) assignment of property

Q36. 'Immovable property', as defined under the Transfer of Property Act includes:

- (a) standing timber
- (b) growing crops
- (c) agricultural land
- (d) grass

Q37. A is the paternal uncle of 'B'. His wife 'C' died recently. They have no children. 'B' is taking complete care of 'A'. 'A' has suffered a major heart attack a couple of months ago. 'A', therefore executed a will bequeathing all his immovable properties in favour of 'B' and got it registered. To clear some of the hospital bills, 'B' intends to sell and transfer some of the immovable properties owned by 'A'. Can he do so?

- (a) yes
- (b) yes, if there are no Class-I or Class-II heirs of 'A' available
- (c) no
- (d) none of the above

Q38. Where, on a transfer of property, an interest therein is created in favour of a person to take effect only upon the happening of a specified uncertain event, such interest is called:

- (a) vested interest
- (b) contingent interest
- (c) eventual interest
- (d) preferential interest

Q39. Can one of several co-owners of immovable property transfer his share of such property or interest therein in favour of another person who is not a member of the family?

- (a) yes
- (b) no
- (c) yes, if the co-owners give their consent
- (d) yes, if the co-owners have been given the first option for transfer

Q40. If the donor dies before acceptance of the gift by donee?

- (a) the gift is valid
- (b) the gift is void
- (c) the gift is voidable
- (d) none of the above

Q41. Doctrine of lis pendense provided under Section 52 of the Transfer of Property Act lays down:

- (a) pending suit, parties are prohibited to alienate the property
- (b) parties are at liberty to alienate the property
- (c) if alienation is made, it is subject to certain conditions
- (d) the parties are bound by the decree passed by the court

Q42. 'A' has a chance to succeed to the property of 'B' in future,

- (a) he can alienate his right
- (b) he cannot alienate his right
- (c) he can alienate his right under certain circumstances
- (d) none of the above

Q43. 'A' wants to gift away landed property worth Rs. 2 lakhs in favour of a Deity:

- (a) the gift shall be registered
- (b) the gift need not be registered
- (c) the gift does not require registration if the leave of the court is obtained
- (d) none of the above

Q44. Who is a 'tenant holding over'?

- (a) person having subsisting lease
- (b) person having right for grant of lease
- (c) person whose lease is terminated but continues in possession
- (d) none of the above

Q45. What is essential ingredient to claim part performance under Section 53-A of the Transfer of Property Act?

- (a) payment in full
- (b) written agreement
- (c) 50% payment
- (d) Written agreement, payment in full followed by possession of the transferee

Q46. The Indian Penal Code extends to:

- (a) the whole of India
- (b) the whole of India except Arunachal Pradesh
- (c) the whole of India except Nagaland and Mizoram
- (d) the whole of India except Jammu & Kashmir

Q47. The provisions of the Indian Penal Code shall apply also to any offence committed by:

- (a) a person of Indian origin and a citizen of a foreign country in any place beyond India
- (b) any person on any ship or aircraft registered anywhere in the world
- (c) any citizen of India in any place beyond India
- (d) any person in any place without or beyond India, committing offence targeting a computer resource located anywhere in Common Wealth Nations

Q48. Whoever harbours an officer who has deserted the Army is liable to be punished under Section 136 IPC with imprisonment for a term which may extend to two years. This provision does not extend to the case in which the harbour is given by:

- (a) a wife to her husband
- (b) a mother to her son
- (c) a sister to her brother
- (d) none of the above

Q49. 'A' in exercise in good faith of right of private defence caused death of 'B' with the knowledge that it is likely to cause his death but without the intention of causing his death. 'A' is liable to be sentenced

- (a) to imprisonment for life
- (b) to imprisonment for 10 years or fine or with both
- (c) death
- (d) not liable for conviction

Q50. In case of dowry death punishable under Section 304B of IPC, the presumption under Section 113B of the Indian Evidence Act shall be drawn if the death takes place within how many years of marriage?

- (a) 9
- (b) 6
- (c) 11
- (d) 7

Q51. In an offence of rape, the consent given by a minor is no consent. What is the age of minor mentioned in section 375 of IPC:

- (a) 16 years
- (b) 18 years
- (c) 21 years
- (d) 14 years

Q52. An instrument in writing containing an unconditional undertaking signed by the maker to pay a certain sum of money only to, or to the order of a certain person or to the bearer of the instrument is called:

- (a) cheque
- (b) currency note
- (c) bill of exchange
- (d) promissory note

Q53. When no interest rate is specified in the instrument, Section 80 of the Negotiable Instruments Act requires interest on the amount due thereon to be calculated at the rate of:

- (a) 18% per annum
- (b) 15% per annum
- (c) 12% per annum
- (d) 9% per annum

Q54. The section governing the dishonour of cheque for insufficiency of funds is:

- (a) section 132
- (b) section 129
- (c) section 138
- (d) section 136

Q55. A promissory note is required to be attested by a minimum of

- (a) one witness
- (b) two witnesses
- (c) three witnesses
- (d) no attestation is required

Q56. Ram holding an account in a bank at Hyderabad issued a cheque to Krishna, a resident of Vijayawada for discharging his liability in respect of a transaction which took place at Chittoor. The said cheque got dishonoured where can Krishna filed complaint under Section 138 of the Negotiable Instruments Act.

- (a) Hyderabad
- (b) Vijayawada
- (c) Chittoor
- (d) Any place of his choice

Q57. Which of the following is not a negotiable instrument?

- (a) promissory note
- (b) bond
- (c) bill of exchange
- (d) cheque

Q58. Under section 85 of the Registration Act, documents (other than wills) remaining unclaimed in any registration office for a period exceeding may be destroyed:

- (a) two years
- (b) eighteen months
- (c) one year
- (d) six months

Q59. Under Section 47 of the Registration Act a document once registered takes effect from:

- (a) the date of registration
- (b) one month after the date of registration
- (c) the date of its execution
- (d) one month after the date of execution

Q60. A certificate of sale granted to the purchaser of any immovable property sold by public auction, by a civil or revenue officer, the value of which exceeds Rs. 100:

- (a) is not liable to be compulsorily registered
- (b) is liable to be compulsorily registered
- (c) the authority who conducted the auction can grant exemption from compulsory registration
- (d) the Collector of the District in which the property is located when applied for, can grant exemption from compulsory registration.

Q61. Under Section 33 (1) of the Stamp Act, every person incharge of a public office, except , may impound an instrument which is not duly stamped:

- (a) a District Court
- (b) the Sub Collector
- (c) the Tahsildar
- (d) a police officer

Q62. Under Section 35 of the Indian Stamp Act, no instrument chargeable with duty, unless such instrument is duly stamped, shall be admitted in evidence:

- (a) except regarding any collateral transaction only
- (b) for any purpose
- (c) except in the case of a contract in a suit for specific performance only
- (d) both (a) and (c)

Q63. Under Section 30 of the Indian Stamp Act, any person receiving any money exceeding rupees shall, on demand by the person paying the money, give a duly stamped receipt for the same:

- (a) ten
- (b) twenty
- (c) fifty
- (d) hundred

Q64. An insufficiently stamped instrument can be admitted in evidence upon:

- (a) payment of the differential amount which would make up the duty properly chargeable
- (b) payment of the differential amount together with penalty of Rs. 5/- or ten times the differential amount whichever is higher
- (c) payment of the differential amount together with fixed penalty of ten times the duty chargeable
- (d) payment of the normal duty chargeable upon the instrument

Q65. Under the Andhra Pradesh Buildings (Lease, Rent & Eviction) Control Act, 1960 no tenant shall be evicted, whether in execution of a decree or otherwise, except in accordance with the provisions of:

- (a) section 10 of the Act
- (b) section 16 of the Act
- (c) section 20 of the Act
- (d) none of the above

Q66. The Andhra Pradesh Buildings (Lease, Rent & Eviction) Control Act, 1960 shall apply to:

- (a) buildings belonging to State Government
- (b) buildings belonging to Central Government
- (c) buildings belonging to Cantonment Board
- (d) buildings belonging to private individuals

Q67. For initiating eviction petition under the Andhra Pradesh Buildings (Lease, Rent & Eviction) Control Act, a prior notice of termination to tenant is compulsory -

- (a) not correct
- (b) correct
- (c) not correct, if Court dispenses with
- (d) none of the above

Q68. Where a suit has been duly instituted summons may be issued to the defendant, under section 27 of the Civil Procedure Code, to be served in the manner prescribed on such day not beyond days from the date of institution of the suit:

- (a) 30
- (b) 60
- (c) 90
- (d) 120

Q69. Under Section 40 of the Civil Procedure Code, where a decree is sent for execution in another State, it shall be sent to such Court and executed in such manner as may be prescribed by rules in force:

- (a) in the State where the decree was passed
- (b) in the State where the decree was sent for execution
- (c) either of the above
- (d) neither of the above

Q70. Pleading means:

- (a) plaint or rejoinder
- (b) plaint or written statement
- (c) plaint or written statement or rejoinder
- (d) plaint alone

Q71. When a suit is pending in a Foreign Court,

- (a) the trial of the very same suit in India is barred
- (b) it is not barred
- (c) it is not barred if it is not based on the same cause of action
- (d) none of the above

Q72. Both parties entered into agreement that the suit has to be filed at place - A. But the part of cause of action arose at places B and C also,

- (a) the suit is maintainable at places - A, B and C
- (b) suit is maintainable at place - B only
- (c) with the leave of the Court, can be filed at places - A, B or C
- (d) none of the above

Q73. Objection as to the pecuniary jurisdiction of the Court of first instance can be taken in the appellate court

- (a) at any time before the disposal of the appeal
- (b) cannot be taken unless the objection was taken in the court of first instance before the settlement of issues
- (c) can be taken at any time on the ground that there has been a consequent failure of justice
- (d) none of the above

Q74. The judgment debtor in execution proceedings raised objection that the trial court has no jurisdiction over the subject matter

- (a) he cannot raise such objection unless he raised the same before the trial court
- (b) he has to challenge the same only by way of filing the appeal
- (c) he can raise the said issue for the first time in executing court
- (d) none of the above

Q75. In a money suit the court granted interest at the rate of 12% per annum from the date of suit till the date of decree. The decree is silent about payment of further interest on principal sum from the date of decree to the date of payment. In such an event

- (a) further interest can be granted at the rate of 12% per annum in the execution petition
- (b) further interest can be granted at the rate of 6% per annum in the execution petition
- (c) no such further interest can be granted as the court shall be deemed to have refused such further interest
- (d) none of the above

Q76. After pronouncing judgment the court found that there are some clerical and arithmetical mistakes

- (a) it cannot correct them and they can be corrected by appellate court only
- (b) it can correct if both parties agree for such correction
- (c) it can correct on its own without notice to the parties
- (d) none of the above

Q77. What is meaning of expression 'indigent'?

- (a) made in India
- (b) a liberal and carefree person
- (c) dishonest person
- (d) pauper

Q78. A suit is filed against 'A' and his sons, daughters and wife for declaration of ownership of plaintiff and permanent injunction. 'A' dies pending suit. No application is filed for setting aside abatement and for substitution. Whether the suit abates?

- (a) no
- (b) yes
- (c) no, if the Court passes order for addition of State
- (d) none of the above

Q79. Application under Order 6, Rule 17 C.P.C., for amendment of written statement to withdraw admissions of plaintiff's claim. Whether permissible?

- (a) yes
- (b) no
- (c) no, beyond 30 days from the date of filing of written statement
- (d) none of the above

Q80. On completion of investigation, the officer incharge of a police station shall forward the police report under Section 173 (2) Cr.P.C., to:

- (a) Sessions Court
- (b) High Court
- (c) District Collector
- (d) Magistrate empowered to take cognizance of the offence

Q81. In the absence of a special order of a Magistrate, no police officer shall detain in custody a person arrested without warrant for a period exceeding hours, exclusive of the time necessary for the journey from the place of arrest to the Court of the Magistrate.

- (a) 12 hours
- (b) 24 hours
- (c) 36 hours
- (d) 48 hours

Q82. Under Section 125 Cr.P.C., a Magistrate can order a person to make a monthly allowance for the maintenance of:

- (a) his married daughter who has attained majority
- (b) his brother
- (c) his sister
- (d) his father

Q83. Maximum sentence prescribed for offences in a summons case is:

- (a) two years
- (b) one year
- (c) three years
- (d) five years

Q84. Amendment to the Code of Criminal Procedure can be made

- (a) by Parliament
- (b) by State Legislature
- (c) by both
- (d) none of the above

Q85. Cognizable offence means

- (a) offence of serious nature
- (b) non bailable offence
- (c) bailable offence
- (d) an offence where police officer may arrest without warrant

Q86. In a complaint to the Magistrate

- (a) name of the accused shall be mentioned
- (b) name of the accused need not be mentioned
- (c) name of the accused need not be mentioned if the descriptive particulars of the accused are given
- (d) none of the above

Q87. Police report under the Code of Criminal Procedure means

- (a) report given to the police
- (b) complaint
- (c) charge sheet
- (d) none of the above

Q88. At the stage of consideration for application for discharge can the accused

- (a) he has a right to summon
- (b) he has no right to summon
- (c) he can exercise such right with the permission of the court
- (d) none of the above

Q89. The investigating officer while recording statement of a witness under section 162 Cr.P.C.,

- (a) shall obtain the signature of the witness
- (b) shall not obtain the signature of the witness
- (c) it is left to the discretion of the Investigating Officer
- (d) none of the above

Q90. After taking cognizance the Magistrate issued process to the accused

- (a) he can reconsider his decision
- (b) he has no power to reconsider his decision
- (c) in exceptional circumstances he can reconsider his decision
- (d) none of the above

Q91. An "admission" can be used against

- (a) a witness
- (b) party who makes it
- (c) opposite party
- (d) none of the above

Q92. Evidence of hostile witness

- (a) cannot be taken into consideration for any purpose
- (b) it can be relied on by the prosecution
- (c) it can be relied on by the defence
- (d) it can be relied on by the prosecution as well as the defence

Q93. Motive becomes more relevant in a case based on

- (a) direct evidence
- (b) circumstantial evidence
- (c) direct and circumstantial evidence
- (d) none of the above

Q94. In an application seeking bail in a non-bailable offence

- (a) notice to the prosecution is not necessary
- (b) notice is mandatory
- (c) notice is mandatory only when the provision relating to the offence alleged so requires
- (d) none of the above

Q95. Which of the statements is correct?

- (a) a related witness is unreliable
- (b) a related witness is reliable
- (c) evidence of related witness shall be subjected to strict scrutiny
- (d) none of the above

Q96. When the evidence is improperly admitted or rejected at the trial

- (a) it shall be ground for new trial
- (b) it shall not be ground for new trial
- (c) it shall be ground for new trial, when there was no sufficient evidence, other than the evidence which was objected to
- (d) none of the above

Q97. In a criminal case, previous good character is

- (a) not relevant
- (b) relevant
- (c) relevant in rare cases
- (d) none of the above

Q98. Evidentiary value of report of handwriting expert?

- (a) conclusive
- (b) opinion subject to acceptance by court
- (c) nil, since irrelevant
- (d) none of the above

Q99. Rule 5 of the Criminal Rules of Practice enables cases relating to Juvenile Offenders and women to be tried:

- (a) in camera
- (b) open court house
- (c) mobile courts
- (d) all the above

Q100. Effect of death of the sole defendant in a money suit in between the date of conclusion of the hearing and that of the pronouncement of the judgment:

- (a) suit abates
- (b) suit does not abate, judgment can be pronounced
- (c) judgment cannot be pronounced, re-hearing of the suit
- (d) none of the above

Answer Key & Solutions

Q1. Answer: A

Under Section 7 of the Indian Contract Act, 1872, to convert a proposal into a promise the acceptance must be absolute and unqualified.

Q2. Answer: B

Section 19 of the Indian Contract Act provides that an agreement caused by coercion, fraud or misrepresentation is voidable at the option of the party whose consent was so caused.

Q3. Answer: C

Under Section 13 of the Specific Relief Act, 1963, where the vendor subsequently acquires title to the property, the purchaser may compel him to make good the contract out of such acquired interest.

Q4. Answer: C

An agreement induced by misrepresentation is voidable at the option of the party misled (Section 19, Indian Contract Act, 1872).

Q5. Answer: B

A promise to pay on the happening of an uncertain future event (the house being gutted) is a contingent contract under Section 31 of the Indian Contract Act, 1872; it is enforceable as it concerns an insurable interest, not a wager.

Q6. Answer: C

Breach of a contract to transfer immovable property is presumed under Section 10 (Explanation) of the Specific Relief Act not to be capable of being adequately compensated in money, hence specific performance is granted.

Q7. Answer: C

Section 53-A of the Transfer of Property Act gives the transferee in part performance a shield to protect/defend his possession against the transferor, not an affirmative right of specific performance or a declaration of title.

Q8. Answer: D

A spouse suffering from a virulent and communicable venereal disease (AIDS) is a recognised ground/defence; the wife is justified in withdrawing and the court will not order restitution of conjugal rights in her favour against her.

Q9. Answer: C

Where the wife was at the time of marriage pregnant by some person other than the husband, the marriage is voidable under Section 12(1)(d) of the Hindu Marriage Act, 1955.

Q10. Answer: B

Desertion as a ground for divorce under Section 13(1)(ib) of the Hindu Marriage Act, 1955 requires a continuous period of at least 2 years immediately preceding the petition.

Q11. Answer: B

Under Section 13-B(2) of the Hindu Marriage Act, a decree of divorce by mutual consent cannot be passed earlier than 6 months from the date of presentation of the petition (and not later than 18 months).

Q12. Answer: A

Yes; Section 26 of the Hindu Marriage Act empowers the court in any proceeding under the Act (including Section 13) to make provision in the decree for the custody, maintenance and education of minor children.

Q13. Answer: B

Irretrievable breakdown of marriage is not a statutory ground for divorce under the Hindu Marriage Act, 1955; only the Supreme Court may grant it under Article 142, so as a ground available to ordinary courts the answer is no.

Q14. Answer: D

Under the Schedule to the Hindu Succession Act, 1956, Class I heirs include the widow, son and mother but not the father, who is a Class II heir.

Q15. Answer: B

The Hindu Succession Act applies only to Hindus (including Buddhists, Jains, Sikhs and Arya Samajists); since one parent is a Buddhist (a Hindu under the Act) and the other an Arya Samajist (also Hindu) the child would be Hindu, but where a parent is not a Hindu the Act does not apply to such a child unless brought up as a Hindu, and the intended answer is no.

Q16. Answer: B

The Hindu Succession (Amendment) Act, 2005 recognised the daughter of a coparcener as a coparcener by birth by amending Section 6 of the Hindu Succession Act, 1956, with effect from 9.9.2005.

Q17. Answer: C

The general rules of succession in the case of a female Hindu dying intestate are governed by Section 15 of the Hindu Succession Act, 1956.

Q18. Answer: B

Under Section 4 of the Indian Easements Act, 1882, an easement is a right which the owner/occupier of certain land possesses over certain other land not his own, for the beneficial enjoyment of his own (dominant) land.

Q19. Answer: C

Under the Indian Easements Act (Sections 45 and 47), an easement is extinguished on the complete (permanent) destruction of either the dominant or the servient heritage.

Q20. Answer: A

The prescriptive period for acquisition of the easement of light or air for a building, enjoyed without interruption, is twenty years (Section 15 of the Indian Easements Act, 1882 / Section 25 of the Limitation Act, 1963).

Q21. Answer: A

Yes; on amalgamation company C, as the successor by operation of law to company A's rights, can seek specific performance of the contract between A and B (Section 15, Specific Relief Act, which entitles the representative-in-interest to sue).

Q22. Answer: A

Yes; the right to specific performance is independent of the right to compensation, so a person not entitled to recover compensation for breach may still seek specific performance of the contract.

Q23. Answer: C

Under Section 21 of the Specific Relief Act, compensation in a suit for specific performance can be awarded only if it is specifically claimed in the plaint (the court may allow amendment to include such claim).

Q24. Answer: C

Specific performance of part of a contract cannot ordinarily be enforced, but is enforceable in certain exceptional circumstances provided in Sections 12(2)-(4) of the Specific Relief Act.

Q25. Answer: B

A contract which is dependent on the volition (will) of the parties cannot be specifically enforced (Section 14, Specific Relief Act, as such a contract is in its nature determinable).

Q26. Answer: C

Under Section 6(3) of the Specific Relief Act, 1963, no appeal lies from any order or decree passed in a suit under Section 6, nor shall any review of such order or decree be allowed.

Q27. Answer: B

Under Section 3 of the Limitation Act, 1963, every suit instituted after the prescribed period shall be dismissed, although limitation has not been set up as a defence; the court must dismiss it suo motu.

Q28. Answer: B

Under Section 4 of the Limitation Act, 1963, when the prescribed period expires on a day the court is closed, the suit may be instituted on the day the court reopens; the mere availability of an urgent-cases provision during recess does not

defeat this right, so the suit is in time.

Q29. Answer: B

Under Section 14 (read with the explanation) and the established practice, the time spent prosecuting in good faith an application for leave to sue as a pauper which is rejected is excluded; thus the time can be excluded ('yes').

Q30. Answer: A

Under Section 17(1)(c) of the Limitation Act, 1963, where a suit is for relief from the consequences of a mistake, limitation does not begin to run until the plaintiff has discovered the mistake (or could have discovered it with reasonable diligence).

Q31. Answer: B

Under Section 21(1) of the Limitation Act, 1963, where a new plaintiff is added after institution, the suit as regards him is deemed instituted on the date he was made a party (20.11.2014), subject to the court directing an earlier date where omission was due to a bona fide mistake.

Q32. Answer: A

A suit on a promissory note has a three-year limitation from its date (Article 35), expiring 18.10.2013; the acknowledgment of 15.11.2013 was made after the period expired, so under Section 18 it does not give a fresh period, and the suit filed 16.12.2013 is barred by limitation.

Q33. Answer: B

Under Section 14 of the Limitation Act, 1963, the time spent in prosecuting in good faith a prior proceeding in a court unable to entertain it for defect of jurisdiction is excluded in computing limitation.

Q34. Answer: C

Under Article 47 of the Limitation Act read with Section 6 of the Specific Relief Act, 1963, the limitation for a suit to recover possession under Section 6 is six months from the date of dispossession.

Q35. Answer: D

Under Section 6 of the Transfer of Property Act, a mere right to sue, a right to future maintenance, and the salary of a public officer are all non-transferable; an assignment of property is the only transferable item among the options.

Q36. Answer: C

Standing timber, growing crops, and grass are expressly excluded from 'immovable property'; agricultural land (being land/benefits arising out of land) is immovable property under the Transfer of Property Act / General Clauses Act.

Q37. Answer: C

A will operates only on the death of the testator (Section 5, Indian Succession Act); since 'A' is still alive, 'B' has no present title to the properties and cannot sell or transfer them, so the answer is 'no'.

Q38. Answer: B

Under Section 21 of the Transfer of Property Act, an interest created to take effect only on the happening of a specified uncertain event is a contingent interest.

Q39. Answer: A

Under Section 44 of the Transfer of Property Act, a co-owner may transfer his own share/interest to a stranger; consent of other co-owners is not required (the transferee merely steps into the transferor's rights).

Q40. Answer: B

Under Section 122 of the Transfer of Property Act, a gift must be accepted during the lifetime of the donor and while he is capable of giving; if the donor dies before acceptance, the gift is void.

Q41. Answer: A

Section 52 of the Transfer of Property Act embodies the doctrine of lis pendens: during the pendency of a suit, the property in dispute cannot be transferred so as to affect the rights of the parties under the decree (transfer is subject to the decree).

Q42. Answer: B

A spes successionis (mere chance of an heir-apparent to succeed) is expressly non-transferable under Section 6(a) of the Transfer of Property Act, so 'A' cannot alienate that expectancy.

Q43. Answer: A

Under Section 123 of the Transfer of Property Act, a gift of immovable property must be effected by a registered instrument signed by the donor and attested; the gift to the deity must be registered.

Q44. Answer: C

Under Section 116 of the Transfer of Property Act, a 'tenant holding over' is one whose lease has determined/terminated but who continues in possession and whose continuance is assented to by the lessor.

Q45. Answer: D

Section 53-A of the Transfer of Property Act requires a written contract from which terms can be ascertained, the transferee taking possession in part performance, and his being ready and willing to perform his part; option (d) best captures these essentials.

Q46. Answer: A

Section 1 of the Indian Penal Code (as in force in 2015) provided that the Code extends to the whole of India except the State of Jammu and Kashmir.

Q47. Answer: C

Under Section 4 of the Indian Penal Code, the Code applies to any offence committed by any citizen of India in any place beyond India (extra-territorial operation).

Q48. Answer: A

The exception to Section 136 IPC provides that the harbouring provision does not extend to the case in which the harbour is given by the wife or husband of the deserter.

Q49. Answer: D

Where death is caused in the good-faith exercise of the right of private defence without intention to cause death and only with knowledge that it is likely (within the lawful limits of Sections 100/101 IPC), the act is not an offence; 'A' is not liable for conviction.

Q50. Answer: D

Section 304B IPC and Section 113B of the Indian Evidence Act apply where death occurs otherwise than under normal circumstances within seven years of marriage, raising the presumption of dowry death.

Q51. Answer: B

After the Criminal Law (Amendment) Act 2013, the 'Sixthly' clause of Section 375 IPC fixes the age of consent at under eighteen years, so consent by a girl below 18 is no consent. As of the 2015 exam, the answer is 18 years.

Q52. Answer: D

Section 4 of the Negotiable Instruments Act, 1881 defines a promissory note as an instrument in writing containing an unconditional undertaking signed by the maker to pay a certain sum of money only to, or to the order of, a certain person, or to the bearer of the instrument.

Q53. Answer: A

Section 80 of the Negotiable Instruments Act, 1881 provides that where no rate of interest is specified, interest is calculated at 18% per annum on the amount due.

Q54. Answer: C

Section 138 of the Negotiable Instruments Act, 1881 is the provision governing dishonour of a cheque for insufficiency of funds.

Q55. Answer: D

A promissory note under the Negotiable Instruments Act requires no attestation; attestation is not an ingredient of a valid promissory note.

Q56. Answer: A

Per Dashrath Rupsingh Rathod v. State of Maharashtra (2014), which governed at the exam date, jurisdiction lay only where the drawer's bank (drawee bank) is located, i.e. Hyderabad. Flagged because the 2015 NI Act amendment later shifted jurisdiction to the payee's bank location, making the intended key debatable.

Q57. Answer: B

Under Section 13 of the Negotiable Instruments Act, only promissory notes, bills of exchange and cheques are negotiable instruments; a bond is not a negotiable instrument.

Q58. Answer: A

Section 85 of the Registration Act, 1908 permits destruction of documents (other than wills) remaining unclaimed in any registration office for a period exceeding two years.

Q59. Answer: C

Section 47 of the Registration Act, 1908 provides that a registered document operates from the time it would have commenced to operate if no registration were required, i.e. from the date of its execution, not the date of registration.

Q60. Answer: A

Under Section 17(2)(xii) of the Registration Act, a certificate of sale granted to the purchaser of property sold by public auction by a civil or revenue officer is exempt from compulsory registration; hence it is not liable to be compulsorily registered.

Q61. Answer: D

Section 33(1) of the Indian Stamp Act, 1899 requires every person in charge of a public office, except a police officer, to impound an instrument not duly stamped that is produced before him.

Q62. Answer: B

Section 35 of the Indian Stamp Act, 1899 bars an instrument chargeable with duty, unless duly stamped, from being admitted in evidence for any purpose.

Q63. Answer: B

Section 30 of the Indian Stamp Act, 1899 obliges a person receiving money exceeding twenty rupees to give a duly stamped receipt on demand by the payer.

Q64. Answer: A

Under Section 35 (proviso) of the Indian Stamp Act, an insufficiently stamped instrument may be admitted on payment of the differential amount of duty together with the prescribed penalty; the best fit among the options is payment of the differential amount making up the duty properly chargeable.

Q65. Answer: A

Section 10 of the Andhra Pradesh Buildings (Lease, Rent and Eviction) Control Act, 1960 bars eviction of a tenant, whether in execution of a decree or otherwise, except in accordance with its provisions.

Q66. Answer: D

The A.P. Buildings (Lease, Rent and Eviction) Control Act, 1960 applies to buildings let out by private individuals; Government, Central Government and Cantonment Board buildings are exempted from its operation.

Q67. Answer: A

It is well settled that the A.P. Rent Control Act is a self-contained code and a prior notice to quit/termination under the Transfer of Property Act is not a condition precedent for an eviction petition; hence the statement that prior notice is compulsory is 'not correct'.

Q68. Answer: A

Section 27 CPC read with Order V Rule 1 requires that summons be served on the defendant on a day not beyond thirty days from the date of institution of the suit.

Q69. Answer: B

Under Section 40 CPC, where a decree is sent for execution to another State, it is to be sent to and executed in the manner prescribed by the rules in force in that State where the decree is sent for execution.

Q70. Answer: B

Order VI Rule 1 CPC defines 'pleading' to mean plaint or written statement.

Q71. Answer: B

Explanation I to Section 10 CPC provides that the pendency of a suit in a foreign court does not preclude the courts in India from trying a suit founded on the same cause of action; hence it is not barred.

Q72. Answer: A

An ouster agreement is valid only if it selects one of the courts that otherwise has jurisdiction; where part of the cause of action arose at B and C as well, those courts retain jurisdiction, so the suit is maintainable at A, B and C.

Q73. Answer: B

Section 21(2) CPC provides that an objection to pecuniary jurisdiction of the court of first instance cannot be entertained by the appellate court unless it was taken in the trial court at the earliest opportunity and there has been a consequent failure of justice; the best matching option is that it cannot be taken unless raised before settlement of issues.

Q74. Answer: C

A decree passed by a court lacking inherent jurisdiction over the subject matter is a nullity and its validity can be challenged even at the stage of execution, so the objection can be raised for the first time in the executing court.

Q75. Answer: C

Section 34(2) CPC provides that where a decree is silent as to further interest from the date of decree to date of payment, the court shall be deemed to have refused such interest and no separate suit lies; hence no further interest can be granted in execution.

Q76. Answer: C

Under Section 152 CPC, clerical or arithmetical mistakes in judgments, decrees or orders may be corrected by the court at any time on its own motion (suo motu), without notice to the parties.

Q77. Answer: D

'Indigent person' under Order 33 CPC is the modern term for a 'pauper' - one without sufficient means to pay the prescribed court fee.

Q78. Answer: A

Where the deceased defendant's legal representatives (sons, daughters, wife) are already on record as co-defendants, the suit does not abate; the surviving co-defendants who are LR's represent the estate (Order 22 Rule 4 CPC).

Q79. Answer: A

Amendment of a written statement under Order 6 Rule 17 CPC to withdraw or explain an earlier admission is permissible, as the proviso barring inconsistent pleadings is applied liberally to written statements (Modi Spinning v. Ladha Ram principle relaxed in later cases).

Q80. Answer: D

Under Section 173(2) CrPC, on completion of investigation the officer in charge forwards the police report to a Magistrate empowered to take cognizance of the offence.

Q81. Answer: B

Section 57 CrPC (and Article 22(2) of the Constitution) prohibits detention of an arrested person beyond 24 hours without a Magistrate's special order, exclusive of journey time.

Q82. Answer: D

Section 125 CrPC permits a maintenance order for a wife, minor/disabled children, and parents (father or mother); among the options only the father qualifies.

Q83. Answer: A

A summons case under Section 2(w) CrPC is one not being a warrant case, i.e., an offence punishable with imprisonment not exceeding two years; thus the maximum sentence is two years.

Q84. Answer: C

Criminal Procedure is in the Concurrent List (Entry 2, List III, 7th Schedule), so both Parliament and State Legislatures can amend the CrPC.

Q85. Answer: D

Under Section 2(c) CrPC, a cognizable offence is one for which a police officer may arrest without a warrant.

Q86. Answer: C

A complaint need not name the accused if descriptive particulars sufficient to identify the accused are furnished; a complaint can be made against an unknown person.

Q87. Answer: C

'Police report' under Section 2(r) CrPC means the report forwarded by a police officer to a Magistrate under Section 173(2), i.e., the charge sheet.

Q88. Answer: B

At the stage of considering an application for discharge, the accused has no right to summon or produce his own evidence; the court considers only the record and documents under Sections 227/239 CrPC.

Q89. Answer: B

Section 162 CrPC expressly provides that statements recorded during investigation shall not be signed by the person making them; the IO shall not obtain the witness's signature.

Q90. Answer: B

Once a Magistrate has taken cognizance and issued process to the accused, he has no power to recall or review that order, as the CrPC confers no power of review on a criminal court (*Adalat Prasad v. Rooplal Jindal*).

Q91. Answer: B

Under Section 21 of the Indian Evidence Act, admissions are relevant and may be proved against the person who makes them (the party making it), not in his own favour (subject to exceptions).

Q92. Answer: D

The evidence of a hostile witness is not wholly effaced; the portion that is creditworthy can be relied upon by both the prosecution and the defence.

Q93. Answer: B

Motive assumes greater significance in cases resting on circumstantial evidence, where it forms an important link in the chain, whereas in direct-evidence cases proof of motive is less material.

Q94. Answer: C

Notice to the Public Prosecutor before granting bail in a non-bailable offence is required only where the relevant provision (e.g., the proviso to Section 439(1)/Section 437A or special statutes) so mandates; it is not a general mandatory requirement.

Q95. Answer: C

A related (interested) witness is not per se unreliable; the settled rule is that such evidence must be subjected to careful/strict scrutiny before being acted upon.

Q96. Answer: C

Under Section 167 of the Evidence Act, improper admission or rejection of evidence is not a ground for new trial if there was other sufficient evidence; it becomes a ground only where the rejected/admitted evidence was decisive and no other sufficient evidence existed.

Q97. Answer: B

Under Section 53 of the Indian Evidence Act, in criminal proceedings the fact that the accused is of good character is relevant.

Q98. Answer: B

A handwriting expert's report under Section 45 of the Evidence Act is only an opinion; it is not conclusive and is subject to acceptance and corroboration by the court.

Q99. Answer: A

Rule 5(3) of the AP Criminal Rules of Practice and Circular Orders, 1990 provides that cases relating to Juvenile Offenders and Women may be tried in camera.

Q100. Answer: B

Under Order 22 Rule 6 CPC, where a party dies between the conclusion of the hearing and the pronouncement of judgment, there is no abatement and judgment may be pronounced notwithstanding the death.