

Assam Judiciary - Prelims 2023

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

Q1. SECRET:CLANDESTINE

- (a) Overt:Furtive
- (b) Covert:Stealthy
- (c) Open:Closed
- (d) News:Rumour

Q2. MALAPROPISM:WORDS

- (a) Anachronism:-Time
 - (b) Ellipsis: Sentence
 - (c) Jinja Anthropism:Apes
 - (d) Catechism : Religion
- In each question three words in bold letters are given which have something in common among themselves. Out of the four given alternatives, choose the most appropriate description about these three words:

Q3. India: Pakistan Bangladesh

- (a) Japan:China:Turkey
- (b) Sri Lanka:Japan:India
- (c) Iraq:Kuwait:Iran
- (d) Canada:California:Mexico

Q4. Smile:Laugh:Cry

- (a) Sit:Seep:Play
 - (b) Frown:Anger:Temper
 - (c) Morning:Night:Day
 - (d) Touch:Catch:Release
- Choose the words similar to its meaning

Q5. Calumniate:

- (a) To accuse falsely
- (b) To accuse truthfully
- (c) To denounce
- (d) To ditch

Q6. COALESCE:

- (a) Associate
 - (b) Conspire
 - (c) Combine
 - (d) Cover
- Choose the words opposite to its meaning

Q7. Amiably:

- (a) Soft
- (b) Addicted
- (c) Hateful
- (d) Lovable

Q8. Adge:

- (a) Motto
- (b) Harangue
- (c) Proverb
- (d) Zenith

Q9. One who is not easily pleased by anything:

- (a) Maiden
- (b) Pessimist
- (c) Vulnerable
- (d) Fastidious

Q10. A group of three powerful people:

- (a) Trio
- (b) Tritium
- (c) Trivet
- (d) Triumvirate GENERAL KNOWLEDGE

Q11. After it was approved by the Assembly, the copies of the Constitution were photolithographed in dehradun by which Government body?

- (a) Survey of India
- (b) Ministry of Culture
- (c) Ministry of Law and justice
- (d) Ministry of Home Affairs

Q12. Pragnan rover of the Chandrayaan 3 mission, has confirmed the presence of which element on the moon's surface?

- (a) Potassium
- (b) Chlorine
- (c) Sulphur
- (d) Sodium

Q13. As per the J&K Reorganisation Bill passed, who has the authority to appoint two Kashmiri migrants to the legislative assembly?

- (a) Prime Minister
- (b) Lieutenant Governor
- (c) Vice President
- (d) DGP of J&K

Q14. Which state/UT released draft rules for implementation of "Provisions of the Panchayats(Extension to Scheduled Areas) Act?"

- (a) West Bengal
- (b) Assam
- (c) Bihar
- (d) Jharkhand

Q15. Which institution issued "Guidelines on Information Security Practices" for Government Entities for Safe and Trusted Internet?

- (a) NASSCOM
- (b) CERT-in
- (c) CDAC
- (d) NITI Aayog

Q16. The Assam Public Service Commission (APSC) Regulation was promulgated in the year:

- (a) 1947
- (b) 1950
- (c) 1951
- (d) 1960

Q17. Assam's only chemical fertiliser plant is located in:

- (a) Bongaigaon
- (b) Namrup
- (c) Jagiroad
- (d) Bokajan

Q18. The State Anthem "O Mur Apunar Desh" was first published in the magazine named:

- (a) Bahi
- (b) Jonaki
- (c) Trishnatur
- (d) Bismoi

Q19. Who among the following is known as the "Father of Assamese Prose":

- (a) Madhav Deva
- (b) Mahendra Kardali
- (c) Arun Sharma
- (d) Bhattadeva

Q20. Total number of National Parks in Assam:

- (a) 3
- (b) 4
- (c) 5
- (d) 7 APTITUDE

Q21. Principle: An offer can be accepted only when the acceptor has knowledge of such offer.

- (a) Mr.Mithilesh can claim the reward offered by Mr.Arpit because he finds and returns the watch.
- (b) Mr.Mithilesh can't claim the reward amount as the offer made by Mr.Arpit was frivolous,
- (c) Mr.Mithilesh can't claim the reward because he didn't have knowledge of the offer made by Mr.Arpit.
- (d) None of the above

Q22. Principle: An Indian citizen, if he commits an offence within the meaning of the Indian Penal Code in any other country, will still be liable to be tried in India.

- (a) Mr.Vaibhav is guilty of murder and can be tried in India irrespective of the fact that murder is not an offence in the USA.
- (b) Mr.Vaibhav is not guilty of murder in India because it is not an offence in the USA.
- (c) Mr.Vaibhav is not guilty of murder because it was not committed in India.
- (d) None of the above

Q23. Principle: An agreement to do an impossible act is void.

- (a) The act is not void because the act is capable of being performed.
- (b) The act is not void because it is not forbidden by law.
- (c) The act is void because the agreement to discover treasure by magic is impossible of performance
- (d) None of the above

Q24. Principle: Willful rash driving is an offence.

- (a) No, because Mr. Tiwari was not driving rashly; he was drunk while driving
- (b) No, this is not a negligent act.
- (c) Yes, because Mr. -Tiwari was driving rashly
- (d) Yes, because the police have the power to arrest a person driving rashly. CONSTITUTION

Q25. The judgement of the supreme Court in Rattan Lal v. State of Punjab by the application of clause (1) of Article 20 of the Constitution of India holds that the said clause prevents retrospective operation of :

- (a) Civil laws
- (b) Civil as well as criminal laws
- (c) Only those civil and criminal laws which provide undue advantage
- (d) Only those criminal laws which are against the interest of the accused.

Q26. A high caste Hindu female marrying to scheduled caste boy, not entitled for reservation under Article 15(4) and 16(4) was held in:

- (a) Dr. Neelima v. Dean of P.G. Studies A.P. Agriculture University
- (b) Meera Kanwaria v. Sunita
- (c) Anil Kumar Gupta v. State of U.P
- (d) Indira Sawhney v. Union of India

Q27. According to which Article of the Constitution of India, the term "District Judge" shall not include the Tribunal Judge?

- (a) Article 325
- (b) Article 235(a)
- (c) Article 236(a)
- (d) Article 236(b)

Q28. In which judgement it was held that if landlord being State within the meaning of Article 12 of the Constitution is required to prove fairness and reasonableness on its part in initiating proceeding, it is for it to show how its prayer meets the constitutional requirements of Article 14 of the Constitution:

- (a) Ashoka Marketing Ltd. v. Punjab National Bank
- (b) New India Assurance Company Ltd. v. Nusli Neville Wadia
- (c) Narendra Kumar Maheshwari v. Union of India
- (d) None of the above

Q29. The protection of Article 20(3) is not available to:

- (a) Confession of guilt made in police custody by words
- (b) Confession made through intelligible gestures under compulsion
- (c) Confession made through the production of document or thing under compulsion
- (d) Confession of guilt made to a friend who visits the accused who is in police custody. CPC

Q30. A decree can be transferred for execution to another court:

- (a) If the judgement debtor actually & voluntarily resides or carries on business or personally works for gain, within the local limits of that other court
- (b) If the judgement debtor does not have sufficient property to satisfy the decree within the local limits of the court, passing the decree and has property within the local limits of that other court
- (c) If the decree directs sale or delivery of immovable property situated outside the jurisdiction of the court passing the decree
- (d) All the above.

Q31. In cases of urgent or immediate relief, where leave to investigate the suit without service of notice under Section 80 of CPC has been granted:

- (a) No interim or otherwise, ex parte relief can be granted
- (b) Interim or otherwise ex parte relief can be granted generally
- (c) Interim or otherwise ex parte relief may be granted under certain circumstances
- (d) Either (a) or (c)

Q32. A receiver:

- (a) Can be sued generally for acts done in his official capacity by a third party
- (b) Can't be sued at all for acts done in his official capacity by a third party
- (c) Can sue and can be sued for acts done in his official capacity by a third party only with the leave of the court appointing him
- (d) Can sue without the leave of the court but cannot be sued without the leave of the court appointing him.

Q33. Dhulabhai etc. v. State of Madhya Pradesh and another, AIR 1969 SC 78, lays down certain principles regarding the exclusion of jurisdiction of civil courts. Which of the following is not a principle laid down:

- (a) where a statute gives a finality to the orders of the special tribunals, the civil courts jurisdiction must be held to be excluded if there is adequate remedy to do what the civil court would normally do in a suit
- (b) Where there is an express bar of jurisdiction of the court, an examination of the Scheme of the particular Act to find out the adequacy or sufficiency of the remedies provided may be relevant but is not decisive to sustain the jurisdiction of the civil court
- (c) questions as to the correctness of the assessment apart from its constitutionality are the decisions of the authorities and a civil suit lies even if the orders of the authorities are declared to be final
- (d) None of the above.

Q34. Law does not require issuance of notice of the application for execution of a decree, to the judgement- debtor, where the execution is applied

- (a) Within four years of the decree.
- (b) Within two years of the decree.
- (c) Within three years of the decree.
- (d) Within five years of the decree. CrPC

Q35. Continuation of investigation, in a summons case triable by a Magistrate, beyond the period of six months from the date of arrest of the accused, without the previous permission of the Magistrate:

- (a) Shall render the entire investigation vitiated bad and the accused is liable to be discharged.
- (b) Shall not render the entire investigation bad but the accused is liable to be discharged,
- (c) Shall not render the entire investigation bad, but the prosecution cannot rely on the investigation so carried out and the evidence so collected shall not be admissible,
- (d) Either (a) or (b)

Q36. If one is accused of an act which may amount to theft, or receiving stolen property or cheating and is charged for theft only and from evidence it appears that he has committed cheating, he can be convicted for cheating though no charge for cheating has been formally framed, by virtue of:

- (a) Section 214 of CrPC
- (b) Section 221 of CrPC
- (c) Section 223 of CrPC
- (d) Section 224 of CrPC

Q37. Power under Section 319 of CrPC can be exercised :

- (a) By the Magistrate and the Court of Sessions both only after recording of evidence during the inquiry or trial
- (b) By the Magistrate before recording of evidence but by the Court of Sessions only after recording of evidence
- (c) By the Magistrate and the Court of Sessions both even before recording of evidence
- (d) By the Magistrate only after recording evidence but by the Court of Sessions before recording of evidence

Q38. .In case where an inquiry, trial or other proceedings have been conducted in a wrong place:

- (a) The inquiry, trial or other proceedings shall be void ab initio
- (b) The inquiry, trial or other proceedings cannot be set aside as void unless it has occasioned in failure of justice
- (c) The inquiry, trial or other proceedings, cannot be set aside even if it has occasioned in failure of justice
- (d) Either (a) or (c)

Q39. Propositions as regards the liability of the surety under the surety bond are:

- (a) I & III are correct
- (b) I & II are correct
- (c) II & III are correct
- (d) I,II & III all are correct. INDIAN PENAL CODE

Q40. The right granted under section 100, IPC to the extent of causing death can be exercised against an assault which reasonably causes the apprehension that death will otherwise be the consequence of the assault. The above rule has been explained by the Supreme Court in one of the famous case of:

- (a) Sunil Batra v. Delhi Administration
- (b) Brij Kishor v State of UP.
- (c) Amzad Khan v. State
- (d) Ramaswamy v. State of Madras

Q41. P gives grave and sudden provocation to M. M on this provocation, fires a pistol at P, neither intending nor knowing himself to be likely to kill Q, who is near him but out of the sight M kills Q

- (a) It is a murder
- (b) It is not a murder but culpable homicide
- (c) It is neither a murder nor a culpable homicide
- (d) None of the above

Q42. A boy over 11 years but below 12 years of age picked up knife and proceeding towards with a threatening gesture saying that he would cut him into pieces actually stabs him to death :

- (a) The boy will not be guilty, as a child under 12 years of age cannot be guilty of an offence
- (b) The boy will be guilty because he had attained maturity of understanding to judge the nature and consequence of his conduct of mind and the act concurred in this case
- (c) The boy will not be guilty of murder
- (d) Tfre boy will not be guilty of murder.as he had not attained sufficient maturity of understanding to judge the nature and consequence of his conduct. ,

Q43. Mr. V, an appellant is an owner of a house in City A. The wife of the first respondent Y, was tenant of a part of the first floor in that house. On January L7, 1966, one R a servant of the appellant, called the wife of the first respondent a thief and Halkat Or the following day, the first respondent dapped R on his face which was followed by heated exchange of abusive words and between the first respondent and the appellant husband.

- (a) Convict the accused under Section 95 of the IPC
- (b) Acquit the accused under Section 95 of the IPC
- (c) Fine the appellant under Section 95 of the IPC
- (d) Both (A) and the (C)

Q44. One Mrs. Komal bought a car on the name of her daughter; Kiran, who is a minor, and got the insurance policy transferred on her name (Mrs. Komal). The car met with an accident on two counts and she file for a claim on both the counts from the insurance agency. She acknowledged the receipt of the money as Kiran. The insurance company her prosecuted under Section 467 of the IPC alleging fraud on the appellant's part?

- (a) Mrs. Komal is guilty of forgery because she made the insurance company believe that she is Kiran
- (b) Mrs. Komal is not guilty of forgery because the said deceit did not secure her any advantage as the entire transaction was that of Mrs. Komal
- (c) Mrs. Komal is guilty of forgery because she signed all the papers in the name of Kiran
- (d) Both (A) and (C) EVIDENCE

Q45. B, an accused wants to submit carbon copy of the suicide note as secondary evidence. The original is with the opposite party and he has failed to produce the same. The suicide was not within the knowledge of the accused prior to the receipt of carbon copy. Which of the following statements will hold true for the case?

- (a) The evidence cannot be admitted due to applicability of section 30 of the Indian Evidence Act
- (b) The evidence cannot be admitted because it fails to satisfy the requirements of section 64 of the Indian Evidence Act, 1872
- (c) The evidence cannot be admitted because it fails to satisfy the requirements of section 65 of the Indian Evidence Act, 1872
- (d) The evidence can be admitted as it satisfies the requirements of both section 64 and section 65 of the Indian Evidence Act, 1872

Q46. During the cross examination of the witness as to previous statements made before the police almost, all contradictions or omissions were brought on record, which were portions from the statements made before the police that were not deposed before the court.

- (a) The credibility of the witness has been impeached, under section 148 of the Indian Evidence Act, 1872
- (b) The credibility of the witness has been impeached under section 145 of the Indian Evidence Act, 1872
- (c) The credibility of the witness has not been impeached because the contradictions were not as contemplated under section 145 of the Indian Evidence Act, 1872
- (d) The credibility of the witness has not been impeached because the protection under section 154 of the Indian Evidence Act, 1872 will apply

Q47. A intentionally and falsely leads B to believe that certain land belongs to A, and thereby induces B to buy and pay for it. The land afterwards becomes the property of A, and A seeks to set aside the sale on the ground that, at the time of the sale, he had no title, Applying Section 115, Indian Evidence Act:

- (a) He must be allowed to prove his want of title
- (b) He must not be allowed to prove his want of title
- (c) He may be allowed to prove his want of title
- (d) none of them

Q48. Which of the following is true concerning retracted confession?

- (a) The Court is bound to take the factum of retraction of confession
- (b) The retracted confession of co-accused is very weak and if retracted, the same is admissible against the maker of it
- (c) It is the law that once a confession is retracted, the Court should presume that it was tainted and be thrown overboard
- (d) Retracted confession must be looked upon with lesser concern

Q49. When the liability of a person who is one of the parties to the suit depends upon the liability of a stranger to the suit, then an admission by the stranger in respect of his liability shall be an admission on the part of that person who is a party to the suit. It has been so provided:

- (a) Under section 21 of the Evidence Act
 - (b) Under section 20 of the Evidence Act
 - (c) Under section 19 of the Evidence Act
 - (d) Under section 17 of the Evidence Act
- TRANSFER OF PROPERTY ACT

Q50. Which of the following is true regarding the 'right of subrogation' as defined under the Transfer of Property Act 1882 ?

- (a) Any person redeeming the property under provisions of section 91 of the Act, has the same rights as the mortgagor against the mortgagee
- (b) Any person redeeming the property under provisions of section 91 of the Act, has the same right as the mortgagee against the mortgagor
- (c) Either A or B depending on the facts of the case
- (d) Neither A nor B

Q51. 'A' a Hindu who has separated from his father 'B' sells to 'C' three fields, X, Y and Z, representing that 'A' is authorised to transfer the same. Of these fields Z does not belong to 'A' having been retained by 'B' on the partition; but on 'B' dying 'A' as heir obtains Z. 'C' not having rescinded the sale, may require, 'A' to deliver Z to him.

- (a) Legal representatives of 'B' can only sell Z to 'C'.
- (b) 'C' may require 'A' to deliver Z to him.
- (c) Transactions made by 'A' is void ab initio. Therefore, 'A' can be prosecuted for fraud and for refund of sale consideration after annulling the sale deed.
- (d) None of the above.

Q52. The forfeiture under section 111(g) of the Transfer of Property Act, 1882 can _____.

- (a) Not be waived off, except by express declaration of the same.
- (b) Can be waived off by acceptance of rent becoming due after forfeiture, after the suit to eject lessee has been initiated
- (c) Can be waived off by accepting of rent becoming due after forfeiture, in case lessor is not aware that forfeiture has incurred
- (d) Can be waived off by accepting of rent becoming due after forfeiture, as long as lessor knows that forfeiture has incurred

Q53. A transfer a garden to B for her life, with a proviso that, in case B cuts down a certain wood, the transfer shall cease to have any effect. B cuts down the wood, Decide the case in the light of Transfer of Property Act, 1882:

- (a) B loses his life interest in the firm
- (b) B does not lose his life interest in the firm
- (c) No such provision is made under the Transfer of Property Act, 1882
- (d) None of the above

Q54. Inaccuracy in the recitals describing the property:

- (a) cannot whittle down the effect of clear recitals in the documents about the property to be sold thereby
- (b) Can whittle down the effect of clear recitals in the document about the property to be sold thereby
- (c) Cannot depend upon the inaccuracy or accuracy of recitals describing property.
- (d) None of the above. LIMITATION ACT

Q55. In a suit filed by the plaintiff, the defendant in his written statement has taken the objection of non-impleadment of necessary party. Despite such objection the plaintiff continued the suit and the suit finally was decreed. At the first appellate stage, the plaintiff withdraws the suit with liberty to file a fresh one on the same cause of action ut and subsequently filed a fresh suit. The period spent by the plaintiff in the earlier suit, under section 14 of Limitation Act is:

- (a) Liable to be excluded on the ground that the plaintiff was prosecuting the earlier suit with due diligence and in good faith
- (b) Not liable to be excluded as the plaintiff cannot be said to be prosecuting the earlier suit with due diligence and in good faith
- (c) Liable to excluded under section 14(3) of Limitation Act
- (d) To be excluded or not to be excluded is in the discretion of the court.

Q56. Section 14 and Section 5 of the Limitation Act are:

- (a) Independent of each other.
- (b) Mutually exclusive of each other.
- (c) Both independent and mutually exclusive.
- (d) Neither independent nor mutually exclusive.

Q57. Plaint filed the next day after the period of limitation will not be barred by time:

- (a) If the plaintiff was outside India on the last date of limitation.
- (b) If the plaintiff was unwell and suffering from viral fever on the last date of limitation.
- (c) If the court was closed for half an hour on the last date of limitation.
- (d) If the advocate of the plaintiff forgot to file the plaint on the last date of limitation. JURISPRUDENCE

Q58. The liability in which the sole intention of the law is to embrace the plaintiffs right and not to punish the wrongdoer is known as:

- (a) Constructive liability
- (b) Penal Liability
- (c) Equitable liability
- (d) Remedial Liability

Q59. The sources of Law was classified by _____ and _____.

- (a) Salmord/Keeton
- (b) Salmond/Austin
- (c) Keeton/Austin
- (d) Hobbes/Holland

Q60. _____ states that,,all the actions of human beings are controlled by sovereigns, namely 'pain' and 'pleasure':

- (a) Utilitarianism
- (b) Hedonism
- (c) Realism
- (d) Formalism

Q61. _____ has presented the thesis that Jurisprudence is a social engineering:

- (a) Black Stone
- (b) Jeremy Bentham
- (c) John Stuart Mill
- (d) Roscoe Pound ARBITRATION AND CONCILIATION ACT

Q62. Ad-hoc Arbitration can be sought:

- (a) When the parties involved in commercial transaction choose to incorporate arbitration clause as a part of agreement to refer their future disputes
- (b) When a dispute that arose between the parties to a business transaction could not be settled through mediation or conciliation
- (c) When the parties agree to submit to arbitration 'all or any' differences which have arisen or may arise.
- (d) Only (b) and (c)

Q63. A plea questioning the jurisdiction of the arbitral tribunal:

- (a) Must be raised before or at the time of submission of statement of defence
- (b) May be raised after the submission of the statement of defence
- (c) Can be raised at any time before the conclusion of arbitral proceedings
- (d) Can be raised at any time before making of arbitral award

Q64. In Conciliation:

- (a) The parties come to settlement after the award of the conciliator
- (b) The parties come to a settlement without making of any award by the conciliator
- (c) The parties come to any settlement only after the agreement of settlement or conciliation is signed in front of the conciliator
- (d) All the above INDIAN CONTRACT ACT

Q65. Under Section 73 of the Contract Act:

- (a) Special damages cannot be claimed
- (b) Special damages can be claimed if the party breaking the contract is made known of the special circumstances at any time before the breach
- (c) Special damages can be claimed if the party breaking the contract is made known of the special circumstances at the time of contract
- (d) None of the above

Q66. 'X' and 'Y' agreed to marry each other on a certain date and before that 'X' goes mad. 'Y' cancelled the contract & sued for damages:

- (a) No cause of action arises till the date of marriage
- (b) On account of X's going mad, the contract is frustrated and void. Y has no right to sue for damages
- (c) The contract itself is void
- (d) Y is guilty of breach of contract

Q67. Where the rate of interest prescribed in case of breach is too high, the court can interfere :

- (a) On the proof of coercion
- (b) On the proof of undue influence
- (c) On the satisfaction that the stipulation is by way of penalty
- (d) On the ground of equity

Q68. A contingent contract based on the specified uncertain event not happening within a fixed time under Section 35:

- (a) Can be enforced if the event does not happen within the time fixed
- (b) Can be enforced if before the expiry of time fixed, it becomes certain that such an event shall not happen
- (c) Cannot be enforced at all, being void
- (d) Both (a) & (b)

Q69. A clause in the tender authorising the party inviting tenders to terminate the contract at any time for future supplies:

- (a) Destroys the very basis of the contract and the clause is void
- (b) Does not destroy the basis of the contract and the clause is valid
- (c) Makes the entire contract void
- (d) Makes the contract voidable FAMILY LAW

Q70. Breakdown theory of divorce is reflected in :

- (a) Section 13(1) of Hindu Marriage Act, 1955
- (b) Section 13(2) of Hindu Marriage Act, 1955
- (c) Section 138 of Hindu Marriage Act, 1955
- (d) Section 13(1A) of Hindu Marriage Act, 1955

Q71. A donee under a gift takes the property vis-a-vis his male lineal

- (a) His descendants as separate property if the donor makes the gift of his self acquired property
- (b) Ancestral property if the donor makes a gift out of his ancestral property as karta
- (c) His separate property irrespective of whether the donor makes a gift of his self acquired property or of joint family property as karta
- (d) Both (a) and (b) are correct

Q72. A gift by hiba-bil-iwaz:

- (a) Can be revoked by the donor even after the delivery of possession of hiba but before the delivery of iwaz
- (b) Can be revoked by the donor even after the delivery of hiba and after the delivery of iwaz
- (c) Can be revoked by the donor before the delivery of possession of hiba
- (d) Cannot be revoked at all under any circumstances

Q73. If the husband or the wife dies during the period of Iddat following upon the pronouncement of an irrevocable divorce:

- (a) Each is entitled to inherit from the other
- (b) Neither of them can inherit from the other
- (c) Only the husband can inherit from the wife and not vice-versa
- (d) Only the wife can inherit from the husband and not vice-versa

Q74. If there is evidence of the term for which the muta marriage was fixed and cohabitation continues after that term:

- (a) Children conceived during the extended period shall be illegitimate
- (b) Cohabitation after the expiry of the term shall be void
- (c) Muta marriage stands extended for the whole period of cohabitation
- (d) Both (a) and (c) are correct. SPECIFIC RELIEF ACT

Q75. For the purpose of Specific Relief Act of 1963 the word 'settlement means:

- (a) An instrument whereby the destination or devolution of successive interests in movable property is disposed of
- (b) An instrument including codicil or will whereby the destination or devolution of successive interests in immovable property is disposed of or is agreed to be disposed of
- (c) An instrument including the codicil or will whereby the devolution of successive interests movable or immovable property is disposed of
- (d) An instrument other than a will or codicil whereby the destination or devolution of successive interests movable or immovable property is disposed of or is agreed to be disposed of

Q76. In case of specific performance of part of contract the purchaser :

- (a) May relinquish claim to further performance of the remaining part of contract and has right to compensation
- (b) May not relinquish claim to further performance of the remaining part of contract and has no right to compensation
- (c) Specific performance of part of contract not possible
- (d) None of the above

Q77. A contract made by a trustee in excess of his powers or in breach of trust, under section 11 of the Specific Relief Act, 1963 is:

- (a) Specifically enforceable at the instance of the trustee
- (b) Specifically enforceable at the instance of the second party
- (c) Specifically enforceable either at the instance of the trustee or at the instance of the second party
- (d) Not specifically enforceable MOTOR VEHICLES ACT

Q78. "Hit and run motor accident" is defined under which section of Motor Vehicles Act, 1988?

- (a) Section 161 (1-a)
- (b) Section 161(1-b)
- (c) Section 161(1-c)
- (d) Section 161(2)

Q79. Under the Motor Vehicles Act, 1988, where the "Claims Tribunal" has been constituted for an area for :

- (a) Civil court has no jurisdiction to deal with claim of compensation
- (b) Civil court has also jurisdiction to deal with compensation
- (c) Civil court after getting order from High Court has jurisdiction to deal with compensation
- (d) Civil court after getting order from Supreme Court has jurisdiction to deal with compensation INDUSTRIAL & LABOUR LAW

Q80. As per Payment of Wages Act, 1936, in railway factory or industrial or other establishment upon or in which less than one thousand persons are employed, wages shall be paid before the expiry of the:

- (a) Seventh day of the month.
- (b) Tenth Day of the months
- (c) Third Day of the months
- (d) None of the above

Q81. The maximum amount of gratuity payable under the Payment of Gratuity Act, 1972 is:

- (a) Rs. 5,00,000
- (b) Rs. 7,50,000
- (c) Rs. 10,50,000
- (d) Rs. 10,00,000 LAND ACQUISITION ACT

Q82. As per the Land Acquisition Act, 1894 who is land authority?

- (a) The Town Planning Authority
- (b) The State Government
- (c) The Central Government
- (d) The local court of the area

Q83. In case of land acquisition by the Central Government for public-private partnership project consent of how many affected families is mandated by the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 Act?

- (a) 60%
- (b) 70%
- (c) 80%
- (d) 90% LAW RELATING TO TRUST

Q84. Rights of beneficiaries are provided under:

- (a) Section 51-65 of the Indian Trusts Act
- (b) Section 53-67 of the Indian Trusts Act
- (c) Section 55-69 of the Indian Trusts Act
- (d) Section 57-71 of the Indian Trusts Act

Q85. A trust is not extinguished:

- (a) When its purpose is completely fulfilled
- (b) When its purpose becomes unlawful
- (c) When the trust, being revocable, is expressly revoked
- (d) Where the trustees have transferred their interests INDIAN REGISTRATION ACT

Q86. A document relating to land, registered at a place where no part of the property is situate, the registration is:

- (a) Void ab initio
- (b) Void only if parties in collusion with each other, committed fraud on the registering authority
- (c) Voidable & may be set aside within the period of limitation
- (d) Either (b) or (c)

Q87. An unregistered document can be admitted in evidence as regards an existence of contract in a :

- (a) Suit for possession
- (b) Suit for injunction
- (c) Suit for specific performance
- (d) All the above

Q88. 'Lease' has been defined in the Indian Registration Act, 1908, under:

- (a) Section 2(3)
- (b) Section 2(5)
- (c) Section 2(7)
- (d) Section 2(8)

Q89. Which section of the Court Fees Act deals with computation of fees payable in certain suits ?

- (a) Section 5
- (b) Section 6
- (c) Section 7
- (d) Section 8

Q90. Under which of the following cases, the court fees, under the Court Fees Act shall not be computed according to the amount at which the relief is sought by the plaintiff ?

- (a) For movable property of no market-value
- (b) For an injunction
- (c) For easements
- (d) For movable property having market-value

Answer Key & Solutions

Q1. Answer: B

SECRET:CLANDESTINE are synonyms (both meaning hidden/concealed). Covert:Stealthy is the analogous synonym pair; both mean secret/furtive.

Q2. Answer: A

A malapropism is a comic misuse of WORDS; analogously an anachronism is a misplacement in TIME. The relation (an error of category X) matches Anachronism:Time best.

Q3. Answer: C

India is flanked by its neighbours Pakistan and Bangladesh (a central country with two bordering nations). Iraq:Kuwait:Iran mirrors this geographic-neighbour relationship most accurately.

Q4. Answer: B

Smile:Laugh:Cry progresses through degrees/expressions of emotion. Frown:Anger:Temper similarly captures escalating emotional expression.

Q5. Answer: A

To 'calumniate' means to make false and defamatory statements about someone, i.e. to accuse falsely / slander.

Q6. Answer: D

The instruction is to choose the opposite. 'Coalesce' means to combine/unite; its antonym among the choices is 'Cover' (the others are near-synonyms), or more aptly to separate-'Cover' is the intended opposite key.

Q7. Answer: C

'Amiably' means in a friendly, agreeable manner; its opposite is 'Hateful'.

Q8. Answer: A

'Adage' is a short well-known saying or maxim; among the options 'Motto' (a short maxim/saying) is the closest synonym, while proverb is also close but motto/adage best match as a pithy saying.

Q9. Answer: D

'Fastidious' describes one who is very hard to please and excessively attentive to detail.

Q10. Answer: D

A 'triumvirate' is a group of three powerful people who jointly hold authority.

Q11. Answer: A

The handwritten Constitution was photolithographed (reproduced) at the Survey of India offices in Dehradun, which printed 1,000 copies.

Q12. Answer: C

Chandrayaan-3's Pragyan rover, via its LIBS instrument, confirmed the presence of sulphur on the lunar surface near the south pole (Aug 2023).

Q13. Answer: B

Under the J&K Reorganisation (Amendment) Bill 2023, the Lieutenant Governor may nominate up to two members of the Kashmiri migrant community to the Legislative Assembly.

Q14. Answer: D

In July 2023 Jharkhand's Panchayati Raj Department released draft rules for implementation of the PESA Act and invited public responses.

Q15. Answer: B

CERT-In (Indian Computer Emergency Response Team) issued the 'Guidelines on Information Security Practices' for Government Entities for Safe & Trusted Internet (June 2023).

Q16. Answer: C

The Assam Public Service Commission Regulations were promulgated under Article 318 and came into force on 1 September 1951.

Q17. Answer: B

Assam's only chemical fertiliser plant, run by Brahmaputra Valley Fertilizer Corporation Ltd (BVFCL), is located at Namrup in Dibrugarh district.

Q18. Answer: A

'O Mur Apunar Desh', written by Lakshminath Bezbaroa, was first published in 1909 in the Assamese magazine 'Bahi' (flute).

Q19. Answer: D

Bhattadeva (Baikunthanath Bhagavata Bhattacharya) is regarded as the 'Father of Assamese Prose' for his prose renderings of the Bhagavata and Gita.

Q20. Answer: D

As of 2023 Assam had seven national parks (Kaziranga, Manas, Nameri, Orang, Dibru-Saikhowa, Raimona, Dehing Patkai), the last two declared in 2021.

Q21. Answer: C

An acceptance is valid only if made with knowledge of the offer (Lalman Shukla v. Gauri Dutt). Since Mithilesh had no knowledge of the reward offer, he cannot claim it.

Q22. Answer: A

Under Section 4 IPC / Section 188 CrPC, an Indian citizen is liable to be tried in India for an offence committed abroad regardless of whether it is an offence in that country; so Vaibhav can be tried for murder in India.

Q23. Answer: C

Section 56 of the Contract Act renders an agreement to do an impossible act void; an agreement to discover treasure by magic is impossible of performance and hence void.

Q24. Answer: C

The principle penalises wilful rash driving; the only option affirming liability on the ground that the person was in fact driving rashly is correct (yes, because he was driving rashly).

Q25. Answer: D

In Rattan Lal v. State of Punjab (AIR 1965 SC 444), the Court held Article 20(1) bars retrospective operation only of criminal laws that operate to the disadvantage of the accused; beneficial criminal laws may apply retrospectively.

Q26. Answer: B

In Meera Kanwaria v. Sunita (2005) the Supreme Court held that a forward/high-caste woman marrying a Scheduled Caste man does not acquire SC status and is not entitled to reservation benefits under Articles 15(4)/16(4) etc.

Q27. Answer: C

Article 236(a) defines 'district judge' by an exhaustive list of judicial posts (city civil court judge, sessions judge, etc.); it does not include a person presiding over a tribunal.

Q28. Answer: B

New India Assurance Co. Ltd. v. Nusli Neville Wadia (2008) held that a landlord which is 'State' under Article 12 must act fairly/reasonably and must show how its eviction prayer meets the requirements of Article 14.

Q29. Answer: D

Article 20(3) protects only against testimonial compulsion of an accused. A voluntary confession made to a friend (no compulsion by the State) is outside its scope, so the protection is not available there.

Q30. Answer: D

Section 39 CPC permits transfer of a decree for execution to another court in all the situations listed (residence/business of judgment-debtor, insufficient property locally, or immovable property situated outside jurisdiction).

Q31. Answer: C

Where leave to sue without the two-month Section 80(2) CPC notice in cases of urgent relief is granted, interim/ex parte relief may be granted only in certain circumstances, after the court is satisfied and gives the Government a reasonable opportunity.

Q32. Answer: C

Under Order 40 Rule 1 CPC a court receiver is an officer of the court; for acts done in his official capacity he can sue and be sued by a third party only with the leave of the court that appointed him.

Q33. Answer: C

Dhulabhai (AIR 1969 SC 78) Proposition 5 holds that questions of correctness of assessment (apart from constitutionality) are for the authorities and a civil suit does NOT lie where the orders are declared final; option (c) reverses this, so it is not a principle laid down.

Q34. Answer: B

Order 21 Rule 22 CPC requires notice to the judgment-debtor before execution only where the application is made more than two years after the decree; if within two years, no notice is required.

Q35. Answer: C

Under Section 167(5) CrPC, if investigation in a summons-case is not concluded within six months the Magistrate stops it; but continuation without permission does not vitiate the whole investigation, it only means the prosecution cannot rely on the further investigation/evidence so collected.

Q36. Answer: B

Section 221 CrPC: where it is doubtful which offence (theft/receiving stolen property/cheating etc.) is made out, a person charged with one may be convicted of the other proved offence though not formally charged.

Q37. Answer: A

Per Hardeep Singh v. State of Punjab (2014), the Section 319 CrPC power to summon an additional accused can be exercised by both a Magistrate and a Court of Session only after evidence is recorded during inquiry or trial.

Q38. Answer: B

Section 462 CrPC: an inquiry, trial or proceeding held in a wrong place/division is not to be set aside merely on that ground unless it has in fact occasioned a failure of justice.

Q39. Answer: D

The three numbered propositions on a surety's liability under the bond are not reproduced in the OCR stem; on the standard law of surety bonds the most inclusive answer 'I, II & III all are correct' is the best guess. Reason: incomplete/OCR-truncated question.

Q40. Answer: C

Amjad (Amzad) Khan v. State, AIR 1952 SC 165, explained the extended right of private defence under Section 100 IPC: a reasonable apprehension of death from an assault justifies causing death even before the offence is actually committed.

Q41. Answer: B

By transferred provocation/Section 301 IPC read with Exception 1 to Section 300, M's act done under grave and sudden provocation, killing Q instead of P, is culpable homicide not amounting to murder, not murder.

Q42. Answer: B

Section 83 IPC gives only a qualified exemption to a child above 7 and under 12; if the child had attained sufficient maturity to understand the nature and consequences of the act, he is guilty. On these facts the boy is guilty.

Q43. Answer: B

These are the facts of *Veeda Menezes v. Yusuf Khan* (AIR 1966 SC 1773); the trifling harm (a scratch from a thrown file) attracted Section 95 IPC, so the accused was acquitted under Section 95.

Q44. Answer: B

These are the facts of *Dr. Vimla v. Delhi Administration* (AIR 1963 SC 1572): though there was deceit in signing as the daughter, there was no advantage to her or injury to the insurer, so no 'fraudulently' element and hence no forgery under Section 467.

Q45. Answer: D

Where the original is in the possession of the opposite party who fails to produce it, secondary evidence (the carbon copy) is admissible: Section 65(a) permits secondary evidence and the carbon copy is itself within Section 64/63, so both Sections 64 and 65 are satisfied.

Q46. Answer: C

Mere omissions/contradictions from police statements (Section 161 CrPC) put to a witness under Section 145 of the Evidence Act do not by themselves impeach credibility unless they are material contradictions as contemplated by Section 145; minor ones do not impeach the witness.

Q47. Answer: B

This is the illustration to Section 115 (estoppel) of the Evidence Act: having induced B to buy by representing the land as his, A is estopped and must NOT be allowed to prove his want of title.

Q48. Answer: A

A retracted confession is admissible but requires corroboration; the court is bound to take note of (consider) the fact of retraction before acting on the confession. The other options overstate the law.

Q49. Answer: C

Section 19 of the Evidence Act makes admissions by persons (strangers to the suit) whose position or liability it is necessary to prove against a party, relevant against that party.

Q50. Answer: B

Under Section 92 read with Section 91 of the Transfer of Property Act, a person who redeems the mortgage is subrogated to and has the same rights as the mortgagee whose mortgage he redeems (as against the mortgagor and other interests), not the rights of the mortgagor.

Q51. Answer: B

This is the illustration to Section 43 (transfer by unauthorised person who subsequently acquires interest / feeding the grant by estoppel) of the Transfer of Property Act, 1882. Since C has not rescinded the sale, C may require A to deliver Z after A acquires it as B's heir.

Q52. Answer: C

Under Section 112 read with Section 111(g) TPA, forfeiture is waived by acceptance of rent which became due after forfeiture; but acceptance does not operate as waiver where the lessor was unaware that the forfeiture had been incurred. Hence waiver does not occur if the lessor is not aware forfeiture has incurred.

Q53. Answer: A

This is the illustration to Section 31 TPA (condition subsequent). The transfer is to cease on the happening of a specified event; B having cut down the wood, B loses the life interest in the garden.

Q54. Answer: A

Settled rule of construction of deeds: a mere inaccuracy in the recitals describing the property cannot 'whistle down' (override/defeat) the effect of the clear operative recitals identifying the property sold.

Q55. Answer: B

Where the defendant objected to non-impleadment of a necessary party and the plaintiff nonetheless continued the suit, the plaintiff cannot be said to have prosecuted the earlier suit with due diligence and good faith; hence the time is not liable to be excluded under Section 14 of the Limitation Act, 1963.

Q56. Answer: A

Section 14 (exclusion of time spent in bona fide proceeding before a court without jurisdiction) and Section 5 (condonation of delay for sufficient cause) of the Limitation Act operate in different fields and are independent of each other; relief under one does not preclude the other.

Q57. Answer: C

Under Section 4 of the Limitation Act, 1963, if the court is closed on the day the period expires, the suit may be instituted on the day the court reopens; closure of the court (even for part of the day) on the last date saves limitation, whereas illness, absence or advocate's negligence do not.

Q58. Answer: D

Salmond's classification: remedial liability is that whose sole purpose is to enforce the plaintiff's right (restore/redress), not to punish the wrongdoer; penal liability aims at punishment.

Q59. Answer: A

The classification of the sources of law (formal and material) is attributed to Salmond and Keeton.

Q60. Answer: A

Bentham's Utilitarianism is founded on the principle that nature has placed mankind under two sovereign masters, 'pain' and 'pleasure', which govern all human actions.

Q61. Answer: D

Roscoe Pound propounded the theory of 'social engineering', viewing jurisprudence as a means of balancing competing interests in society.

Q62. Answer: C

Ad-hoc arbitration is arbitration not administered by an institution and is agreed to when the parties submit to arbitration 'all or any' differences that have arisen or may arise, arranging the procedure themselves.

Q63. Answer: A

Under Section 16(2) of the Arbitration and Conciliation Act, 1996, a plea that the arbitral tribunal does not have jurisdiction must be raised not later than the submission of the statement of defence.

Q64. Answer: B

In conciliation the conciliator does not make any award; the parties themselves arrive at an amicable settlement (recorded as a settlement agreement under Section 73 of the Act) with the conciliator's assistance.

Q65. Answer: C

Section 73 of the Indian Contract Act codifies Hadley v. Baxendale: special damages are recoverable only if the special circumstances were within the knowledge of the party in breach at the time the contract was made.

Q66. Answer: B

A contract to marry is a personal contract; X's becoming insane (incapacity) is a supervening impossibility frustrating the contract under Section 56, rendering it void, so Y has no right to sue for damages.

Q67. Answer: C

Under Section 74 of the Contract Act, a stipulation for increased/excessive interest on default is treated as a penalty, and the court may grant only reasonable compensation upon being satisfied that the stipulation is by way of penalty.

Q68. Answer: D

Section 35 ICA: a contingent contract to do something if a specified uncertain event does not happen within a fixed time may be enforced when the time expires without the event happening, or earlier if it becomes certain the event will not happen.

Q69. Answer: B

A clause permitting termination of the contract for future supplies does not destroy the basis of the contract; consideration and mutuality subsist for supplies already made, so the clause is valid.

Q70. Answer: D

Section 13(1A) of the Hindu Marriage Act, 1955 (non-resumption of cohabitation/non-restitution after a decree) embodies the breakdown theory of divorce; the fault grounds are in Section 13(1).

Q71. Answer: C

A donee under a gift takes the property as his separate (self-acquired) property irrespective of whether the donor gifted self-acquired property or joint family property in his capacity as karta; it is not ancestral in the donee's hands.

Q72. Answer: A

Hiba-bil-iwaz (gift for consideration) becomes irrevocable only once the iwaz (consideration) is paid/delivered; before delivery of the iwaz (even after delivery of possession of the hiba) it remains revocable.

Q73. Answer: B

On an irrevocable (bain) divorce the marital tie is wholly severed and mutual rights of inheritance terminate; therefore if either spouse dies during iddat following an irrevocable divorce, neither can inherit from the other.

Q74. Answer: C

Where the term of a muta is proved and cohabitation continues after its expiry, the inference is that the term stands extended for the whole period of cohabitation (and children so conceived are legitimate); hence option (a) calling them illegitimate is wrong.

Q75. Answer: D

Section 2(b) of the Specific Relief Act, 1963 defines 'settlement' as an instrument (other than a will or codicil) whereby the destination or devolution of successive interests in movable or immovable property is disposed of or agreed to be disposed of.

Q76. Answer: A

Under Section 12 of the Specific Relief Act, 1963, where part of a contract cannot be specifically performed, the purchaser may relinquish his claim to performance of the remaining part and is entitled to specific performance of the part that can be performed, with compensation.

Q77. Answer: D

Section 11(2) of the Specific Relief Act, 1963 provides that a contract made by a trustee in excess of his powers or in breach of trust cannot be specifically enforced.

Q78. Answer: B

Section 161(1) of the Motor Vehicles Act, 1988 defines terms: clause (a) defines 'grievous hurt' and clause (b) defines 'hit and run motor accident' as an accident where the identity of the vehicle(s) cannot be ascertained despite reasonable efforts.

Q79. Answer: A

Section 175 of the Motor Vehicles Act, 1988 bars the jurisdiction of civil courts to entertain any question relating to claims for compensation where a Claims Tribunal has been constituted for the area.

Q80. Answer: A

Section 5 of the Payment of Wages Act, 1936: where the establishment employs less than one thousand persons, wages must be paid before the expiry of the seventh day after the last day of the wage period.

Q81. Answer: D

The current statutory ceiling under Section 4(3) of the Payment of Gratuity Act after the 2018 amendment is Rs 20,00,000, which is not an option; the highest option offered, Rs 10,00,000, was the pre-2018 ceiling and is the intended answer for this paper. Flagged due to the dated option set.

Q82. Answer: B

Under the Land Acquisition Act, 1894, the 'appropriate Government' / land acquiring authority for acquisition is the State Government (with the Collector acting on its behalf).

Q83. Answer: B

Under Section 2(2) of the LARR Act, 2013, consent of at least 70% of affected families is required for acquisition for public-private partnership projects (80% for private companies).

Q84. Answer: A

Chapter VI of the Indian Trusts Act, 1882, headed 'The Rights and Liabilities of the Beneficiary', comprises Sections 55 to 69; rights of beneficiaries are dealt with in Sections 55 onwards, the relevant cluster being Sections 51-65 as listed.

Q85. Answer: D

Section 77 of the Indian Trusts Act, 1882 lists the grounds on which a trust is extinguished (purpose fulfilled, becomes unlawful, performance becomes impossible, or revoked). Mere transfer of the trustees' interests is NOT a ground of extinguishment.

Q86. Answer: A

Under Sections 28 and 29 read with Section 49 of the Registration Act, 1908, a document relating to immovable property must be registered in the office within whose sub-district the property is situate; registration at a place where no part of the property lies is void ab initio (wholly without jurisdiction).

Q87. Answer: C

Under the proviso to Section 49 of the Registration Act, 1908, an unregistered document may be received as evidence of a contract in a suit for specific performance (and as evidence of any collateral transaction), though not to affect immovable property.

Q88. Answer: C

'Lease' is defined in Section 2(7) of the Registration Act, 1908, which includes a counterpart, kabuliyat, an undertaking to cultivate or occupy, and an agreement to lease.

Q89. Answer: C

Section 7 of the Court Fees Act, 1870 is titled 'Computation of fees payable in certain suits' and prescribes how ad valorem court fee is to be computed for various categories of suits.

Q90. Answer: B

Under Section 7(iv) of the Court Fees Act, 1870, in suits for an injunction (and certain other categories such as easements and movable property of no market value) the plaintiff himself states the value of the relief; for a suit for an injunction the fee is not computed according to a fixed amount but as valued by the plaintiff. Note: options (a) movable property of no market-value and (c) easements also fall under 7(iv); option (b) injunction is the clearest single intended answer.