

Chhattisgarh Judiciary - Mains 2016

2 questions. Source: lawmock.com - free previous-year papers & mock tests.

Q1. Read the following carefully and write judgement after framing necessary issues: 40 Marks One trader, Alok Jain gave a loan of Rs. 20,000/- to Sohanlal Gupta on 1.1.2012 at Raipur. In return, Sohanlal Gupta executed a promissory note. Alok Jain is residing in Raipur and Sohanlal Gupta is residing in Bilaspur. When Alok Jain demanded the money by writing a letter on 1.10.2014. Sohanlal Gupta gave a reply assuring Alok Jain that the amount in question will be paid by him within a period of two years as presently he is having financial difficulties. Subsequently, Alok Jain filed a suit on 1.1.2016 for recovering the amount in the Civil Court at Raipur. Sohanlal Gupta took the plea that the Raipur Court has no territorial jurisdiction to decide the suit. Sohanlal Gupta filed his written statement raising the point that the suit is filed after a period of three years from the date of transaction and, therefore, it is time-barred. A plea was also taken in the written statement that he had not received any amount and also he had not signed the promissory note.

Q2. Read the following carefully and write judgement after framing necessary charges. 40 Marks The prosecution case is that on 11.6.2010 Shri Rajendra Patel, the father of student named Ashok Patel submitted his son's marksheet to use it for securing admission in the Medical College. The total marks shown in the marksheet were more than that which the student would have got even if he had secured cent-percent marks, which raised the suspicion of the Admission Scrutiny Committee, headed by Dr. D.S. Tomar. Moreover, the said marksheet purported to have been issued after revaluation. bore the same date and seal as that of the original marksheet. Dr. D.S. Tomar, therefore, lodged FIR against Shri Rajendra Patel in Shankar Nagar, Police Station, Raipur. During investigation, necessary seizure was done. After completion of investigation, the police filed chargesheet against Shri Rajendra Patel. Defence Counsel raised the plea that the accused had not himself forged the marksheet and that he did not know that the marksheet was a forged one. It was also pleaded on his behalf that the alleged forgery had not actually been acted upon the, therefore, he cannot be held guilty of this offence.