

Chhattisgarh Judiciary - Prelims 2016

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

Q1. Non Cognizable offence means an offence where:

- (a) police officer can arrest without warrant
- (b) police officer cannot arrest without warrant
- (c) police officer can grant bail
- (d) only court can grant bail

Q2. Police officers can be appointed as Asst. Public Prosecutor provided:

- (a) he is below the rank of Inspector
- (b) he has taken part in investigation
- (c) he is in the rank of Superintendent of Police
- (d) he is not below the rank of Inspector and has not been part of investigation

Q3. The Bound u/s 109 Cr. P. C. as security for good behaviour from suspected person can be executed for a period not exceeding:

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

Q4. In which of the following cases has the Supreme Court recently directed to upload an online copy of FIR within 24 hours of lodging?

- (a) D. K, Basil vs State of West Bengal
- (b) Youth Bar Association of India vs Union of India
- (c) Thakur Ram vs State of Bihar
- (d) Gyan Singh vs State of Punjab

Q5. Provision for legal aid to accused are provided under which of the following sections of Cr. RC?

- (a) Sec 304
- (b) Sec 420
- (c) Sec 306
- (d) 4Sec 300

Q6. Benefits of Plea Bargaining cannot be given to an accused, if he has committed offence where:

- (a) punishment is below 7 years
- (b) offence relates to minor offences
- (c) offence relates to children below 14 years of age
- (d) offence relates to children: above 14 years of age

Q7. In summary trial, maximum punishment up to___ can only be imposed.

- (a) one month
- (b) one year
- (c) six months
- (d) three months

Q8. The Bar of taking cognizance after lapse of period of limitation as stated in Sec 468 (2) of Cr. P.C. does not apply if the offence is punishable with imprisonment for a term exceeding _____ years.

- (a) 2
- (b) 4
- (c) 3
- (d) 5

Q9. The Indian Penal Code was drafted by:

- (a) Second Law Commission of India
- (b) First Law Commission of India
- (c) Third Law Commission of India
- (d) Lord Macaulay

Q10. Doctrine of mens rea is NOT attracted to which of the following categories of offences?

- (a) Relating to fraud
- (b) Relating to bodily injury
- (c) Relating to offence against state
- (d) Strict liability

Q11. To which of the following is the Indian Penal Code not applicable?

- (a) State of J & K
- (b) A foreigner committing offence in India
- (c) Offence committed on Indian Aircraft flying over territory of Japan
- (d) A foreigner committing offence in territorial water of India

Q12. Nothing is an offence which is done by a child under years of age,

- (a) 7
- (b) 8
- (c) 12
- (d) 10

Q13. 'A' instigates 'B' to instigate 'C' to murder 'Z' Accordingly. 'B' instigated 'C' and 'C' committed murder of Z. Who will be liable for Punishment?

- (a) Only 'C'
- (b) Only 'B'
- (c) Only 'C' and 'B'
- (d) 'A' 'B' and 'C'

Q14. A man is said to commit rape if he has sexual intercourse with a woman with or without her consent, if her age is below _____ years of age.

- (a) 16
- (b) 14
- (c) 15
- (d) 18

Q15. The Criminal Law (Amendment) Act, 2013 has added a new Sec 376-D. What does it relate to?

- (a) Custodial Rape
- (b) Gang Rape
- (c) Rape by Public Slants
- (d) Speedy Trial of Rape Offenders

Q16. Which of The following cases has the constitutional validity of Sec 377 Indian Penal Code been upheld by the Supreme Court?

- (a) Suresh Kumar Kaushal vs Naz Foundation
- (b) Naz Foundation vs Govt of NCT Delhi
- (c) Subramaniam Swamy vs Union of India
- (d) Shreya Singhal vs Union of India

Q17. What does the recent Supreme Court judgement in Subramanian Swamy vs Union of India relate to?

- (a) Right to die
- (b) Upholding Sec 499 and 500 (criminal defamation) IPC
- (c) Upholding Section 388 EPC
- (d) Contempt of Court

Q18. For committing offence of dacoity under Section 391 IPC. What is the minimum number of persons that are required?

- (a) 3
- (b) 7
- (c) 5
- (d) 10

Q19. Which of the following are provisions relating to Injunction mentioned?

- (a) Section 95 read with Order xxxix
- (b) x Section 30 read with Order xi
- (c) x Section 36 read with Order xxi
- (d) x Section 51 read with Order xxi

Q20. Which of the following properties are not liable to attachment in execution of decree?

- (a) Bank Notes and Cheques
- (b) Promissory Notes
- (c) Land
- (d) Books of Accounts

Q21. 'Garnishee' is a person who is:

- (a) defaulter
- (b) decree holder
- (c) debtor of judgement debtor
- (d) foreigner

Q22. Interlocutory order are issued by civil court:

- (a) during pendency of civil proceedings
- (b) to summon the person
- (c) for execution of decree
- (d) for attachment of property

Q23. What does Section 50 CPC deal with?

- (a) Foreign Judgement
- (b) Injunction
- (c) Requirement of notice for institution of suit against Government
- (d) Award of cost

Q24. Under Civil Procedure Code (as amended in 1999), the number of adjournments are limited to:

- (a) 2
- (b) 4
- (c) 5
- (d) 3

Q25. Which of the following is NOT a part of expression "Decree" as defined under section 2(2) of Civil Procedure Code?

- (a) Adjudication by civil court
- (b) Conclusive determination of rights
- (c) Any order of dismissal for defaults
- (d) Formal expression of an adjudication

Q26. What do the provisions of Section 11 of Civil Procedure Code deal with?

- (a) Res Judicata
- (b) Res subjudice
- (c) Garnishee Order
- (d) Foreign Judgement

Q27. What does 'Pauper Suit' mean?

- (a) Suit by third party
- (b) Suit by public servant
- (c) Suit by indigent person
- (d) Suit by legal representative

Q28. Provision for settlement of disputes outside court has been provided under Section_____ of Civil Procedure Code.

- (a) 91
- (b) 89
- (c) 51
- (d) 151

Q29. By whom can the transfer of suit or proceedings from one state to another state be ordered?

- (a) Central Government
- (b) Supreme Court
- (c) High Court
- (d) Parliament

Q30. Second Appeal u/s 100 of Civil Procedure code lies before:

- (a) District Court
- (b) High Court
- (c) Supreme Court
- (d) Special Court

Q31. The Goods and Service Tax has been introduced by_____ Constitutional Amendment Act.

- (a) 99th
- (b) 101st
- (c) 100th
- (d) 98th

Q32. Select the most appropriate. Article 14 of the Constitution of India provides all persons:

- (a) equality before law
- (b) reservation
- (c) equality before law and equal protection of law
- (d) freedom of religion

Q33. The Right to education is provided in Article_____ of the Constitution of India.

- (a) 16
- (b) 21
- (c) 21 A
- (d) 29

Q34. Which of the following statements is the most appropriate?

- (a) The President of India is bound by the advice of the Council of Ministers.
- (b) The President of India is not bound by the advice of the Council of Ministers.
- (c) The President of India may require Council ^Minister's to reconsider advice.
- (d) The President of India is bound to accept advice of Council of Minister, tendered after reconsideration,

Q35. Ordinance promulgated by President under Article 123 of the Constitution of India shall cease to operate after_____ from re assembly of Parliament.

- (a) 3 months
- (b) 6 months
- (c) 6 weeks
- (d) 15 days

Q36. What is the Constitutional significance of Kesavananda Bharati's case?

- (a) For propounding doctrine of Basic Structure
- (b) For upholding reservation for OBC
- (c) For propounding doctrine of Judicial Review
- (d) For declaring National Judicial Appointment Commission as unconstitutional

Q37. The doctrine of 'Full Faith and Credit' is enshrined in Article_____ of the Constitution of India.

- (a) 261
- (b) 368
- (c) 148
- (d) 256

Q38. The Chairman of Union Public Service Commission is appointed by:

- (a) Prime Minister
- (b) President
- (c) Speaker of Lok Sabha
- (d) Committee of Prime Minister and Vice-President

Q39. The Chief Election Commissioner can be removed from his office:

- (a) by the President of India.
- (b) by Supreme Court of India,
- (c) in manner and grounds as applicable for removal of judge of Supreme Court
- (d) by Government order.

Q40. Why is the writ of 'mandamus' issued?

- (a) To direct Public Authority to perform its public duty
- (b) To Quash quasi-judicial proceedings
- (c) To Quash illegal appointment in public office
- (d) To prohibit a person from holding public office

Q41. The amendment in the Constitution of India can be made under Article .

- (a) 356
- (b) 368
- (c) 309
- (d) 360

Q42. Which of the following jurisdictions is NOT exercised by High Courts?

- (a) Writ Jurisdiction
- (b) Appellate Jurisdiction
- (c) Original jurisdiction
- (d) Advisory Jurisdiction

Q43. Which Article of the Constitution of India states that. "This constitution may be call the Constitution of India"?

- (a) Article 1
- (b) Article 12
- (c) Article 393
- (d) Article 4

Q44. Provisions for Financial emergency are laid down in Article_____ of the Constitution of India.

- (a) 352
- (b) 356
- (c) 360
- (d) 368

Q45. Which of the following Article(s) cannot be suspended during proclamation of emergency under Article 352 of the Constitution of India?

- (a) Article 19
- (b) Article 20 & 21
- (c) Article 22
- (d) Article 25

Q46. Provision for Administrative Tribunals was added in the Constitution of India by_____ amendment.

- (a) 42nd
- (b) 44th
- (c) 36th
- (d) 78th

Q47. Which of the following languages is NOT a part of Eighth Schedule?

- (a) Nepali
- (b) Sanskrit
- (c) Maithili
- (d) Rajasthani

Q48. According to Section 2(h) of the Indian Contract Act. a "Contract" is:

- (a) an agreement between two or more parties
- (b) a promise to do something
- (c) an acceptance of an offer
- (d) an agreement enforceable by law

Q49. In which of the following types of contract, consideration is not necessary?

- (a) Partnership
- (b) Agency
- (c) Pledge
- (d) Bailment

Q50. 'A', a businessman, leaves goods at B's house by mistake. 'B' treats the goods as his. Is 'B' liable to pay?

- (a) No. 'B' is not liable to pay.
- (b) Yes, 'B' is liable to pay.
- (c) 'B' has an option to pay.
- (d) 'B' may partly pay.

Q51. Contract of Insurance is contract of:

- (a) Guarantee
- (b) Indemnity
- (c) Bailment
- (d) Quasi-contract

Q52. A person appointed by an agent under the authority of Principal is known as:

- (a) Sub Agent
- (b) Substituted Agent
- (c) Mercantile Agent
- (d) special Agent

Q53. Del credere agent is a kind of:

- (a) Substituted Agent
- (b) Mercantile Agent
- (c) Universal Agent
- (d) Agent by necessity

Q54. A stipulation essential to main purpose of contract, the breach of which gives the aggrieved party right to repudiate the contract is known as:

- (a) Warranty
- (b) Implied warranty
- (c) Condition
- (d) Contingent contract

Q55. A owes B Rs 10,000. A pays to B. and B accepts Rs 7,000 in full satisfaction of the claim. It amounts to:

- (a) Waiver
- (b) Remission
- (c) Alteration
- (d) Novation

Q56. Amendment in Negotiable Instruments Act 1881 made in 1988 has introduced an important provision relating to:

- (a) easy negotiability
- (b) dishonour of cheque
- (c) bank draft
- (d) privileges of holder in due course

Q57. Which of the following is true about a 'Bank Draft'?

- (a) It is a promissory note.
- (b) It is not a negotiable instrument.
- (c) It is very much like a check.
- (d) It is a bill of exchange.

Q58. Which of the following is true about 'Inchoate Instrument'?

- (a) It is an ambiguous instrument.
- (b) It is an incomplete or blank negotiable instrument.
- (c) It is not a negotiable instrument.
- (d) It is a documentary bill.

Q59. Before initiating criminal proceedings for dishonour of cheque, within how many days of receipt of information about dishonour should the payee of cheque issue a notice?

- (a) 15 days
- (b) 30 days
- (c) 90 days
- (d) No notice is required

Q60. Which of the following is NOT considered as evidence?

- (a) Affidavit
- (b) Statement of witnesses
- (c) Electronic record produced before court
- (d) Documents produced before court

Q61. Testimony of 'Hostile Witness' is to be:

- (a) rejected out lightly
- (b) partially rejected
- (c) partially accepted
- (d) considered with caution and be corroborated

Q62. Which of the following is true about the First Information Report (FIR)?

- (a) It is not substantive evidence.
- (b) It is primary evidence.
- (c) It is documentary evidence.
- (d) It is an important secondary evidence

Q63. Admission is a:

- (a) conclusive proof
- (b) Estoppel
- (c) not a conclusive proof but may operate as estoppel
- (d) a form of confession

Q64. In which of the following cases was video conferencing allowed?

- (a) Philip vs Chase
- (b) Brown vs Board of Finance
- (c) R vs X Justice. Ex Parte
- (d) Polanski vs Conde Nast Publication

Q65. In which of the following cases is the character of a person relevant?

- (a) Civil cases only
- (b) Criminal cases only
- (c) Writ petitions
- (d) Civil and criminal cases

Q66. In which of the provisions of the Evidence Act. a special provision as to evidence relating to electronic records was added?

- (a) Sec 65A & 65B
- (b) Sec 64
- (c) Sec 86
- (d) Sec 116

Q67. In election petition, the burden of proof lies on:

- (a) the person who contested election
- (b) the person who challenged election
- (c) Election Commission
- (d) Election agent

Q68. What does Sec 113-B of Evidence Act deal with?

- (a) Oral evidence
- (b) Abetment of suicide
- (c) Dowry death
- (d) Legitimacy of child

Q69. Select the most appropriate statement.

- (a) A child born during marriage is a conclusive proof of legitimacy.
- (b) A child born during marriage may be presumed to be a legitimate child.
- (c) A child born during marriage shall be considered as a conclusive proof of legitimacy unless rebutted.
- (d) presumption will be drawn about a child born during marriage,

Q70. According to the Transfer of Property Act. the tenn 'immovable property' does not include:

- (a) land
- (b) mines
- (c) agricultural land
- (d) growing crops

Q71. Which of the following is NOT an actionable claim?

- (a) Lottery tickets
- (b) Beneficial interest in movable property which is in possession of claimant
- (c) Life insurance policy
- (d) Claim for arrears of rent

Q72. Rule against perpetuity is applicable to:

- (a) movable property only
- (b) immovable property only
- (c) both, movable and immovable properties
- (d) transfer for benefit of public

Q73. What does Section 53 A of the Transfer of Property Act deal with?

- (a) Lis pendens
- (b) Part Performance
- (c) it Spes Succession
- (d) Rights on unborn child

Q74. 'A' in lieu of debt from 'B' handovers the possession of his house to 'B' with a covenant to transfer of property in favour of 'B' but with provision for retransfer in case of repayment of debt. This type of mortgage is known as:

- (a) Equitable mortgage
- (b) English mortgage
- (c) Usufructuary mortgage

Q75. Which of the following mortgages can be made without writing?

- (a) Equitable mortgage
- (b) English mortgage
- (c) Simple mortgage
- (d) Usufructuary mortgage

Q76. Transfer of right to enjoy an immovable property in consideration of price is known as:

- (a) Mortgage
- (b) Actionable claim
- (c) Lease
- (d) Licence

Q77. Transfer of property is NOT applicable to:

- (a) gifts of movable property
- (b) exchange
- (c) lease
- (d) sale of goods

Q78. A transfer of property by ostensible owner for consideration:

- (a) shall be void
- (b) shall be valid
- (c) shall not be voidable provided the transferee acted in good faith
- (d) shall be voidable

Q79. 'Chance of an heir-apparent succeeding to an estate cannot be transferred'. Which provision of the Transfer of Property Act states this?

- (a) Section 10
- (b) Section 6
- (c) Section 16
- (d) Section 41

Q80. During period of legal disability, the period of limitation shall:

- (a) remain suspended
- (b) continue to run
- (c) be extended to limited period
- (d) increase

Q81. Period of limitation is not attracted in case of suit against:

- (a) debtor
- (b) mortgagee
- (c) tenant
- (d) trustees

Q82. Before the expiration of the period of limitation. 'A' has acknowledged in writing the amount due as debt from 'B' and has promised to pay. What is the effect of such an acknowledgement?

- (a) No effect on the period of limitation.
- (b) Fresh period of limitation will start from date of such an acknowledgement,
- (c) Period of limitation will be extended for six months.
- (d) Period of limitation will not be applicable,

Q83. Which of the following documents requires compulsory registration?

- (a) Instrument of gift of immovable property
- (b) Will
- (c) Lease of immovable property for period below one year
- (d) Instrument acknowledging receipt of payment

Q84. Document a for registration may be presented:

- (a) anywhere hi state where property is situated
- (b) anywhere hi the county
- (c) anywhere hi the district
- (d) at the office of Sub. Registrar hi whose jurisdiction property or its portion is situated

Q85. For registration of documents under Sec 32 of the Registration Act. the person who seeks registration: (Select the most appropriate answer.)

- (a) must remain present
- (b) may remain present
- (c) need not remain present
- (d) may send the documents by post

Q86. What is the time limit for filing suit for recovery of possession of immovable property under Section 6 of Specific Relief Act?

- (a) 1 year from dispossession
- (b) 6 months from dispossession
- (c) 3 months from dispossession
- (d) No time limit is prescribed

Q87. Specific performance of a contract may not be enforced, if:

- (a) the contract is relating to sale of immovable property
- (b) compensation in money is an adequate relief
- (c) the property is held by defendant as agent
- (d) adequate compensation is not the remedy

Q88. Which of the following remedies is available when an instrument does not express real intention due to fraud or mutual mistake of the parties?

- (a) Cancellation of instrument
- (b) Rescission of instruction
- (c) Ratification of instrument
- (d) Grant of Injunction

Q89. In a suit for recovery of arrears of maintenance, on what basis will the computation of court fee be done?

- (a) Amount claimed
- (b) Total amount of maintenance
- (c) As the trial court deem reasonable
- (d) Court may exempt court fee

Q90. If the court refers parties to the suit for settlement of dispute under Section 89 of the Civil Procedure Code, the plaintiff is:

- (a) entitled to refund of Court fee
- (b) entitled to refund of Court fee and interest there on
- (c) not entitled to refund
- (d) entitled to partial refund of court fee

Q91. Which of the following is NOT a part of "Accommodation" within section 2(1) of the Chhattisgarh Rent Control Act, 2011?

- (a) Garden
- (b) Open Space
- (c) Agricultural Land

Q92. The Chairman of the Rent Control Tribunal under Chhattisgarh Rent Control Act 2011 shall be:

- (a) Retired judge of High Court
- (b) Secretary level officer in State Government
- (c) District Judge
- (d) District Judge not below the rank of super time scale

Q93. In which of the following sections of the Chhattisgarh Rent Control Act 2011 are the Rights and Obligations of landlords and tenants provided?

- (a) Section 12
- (b) Section 13
- (c) Section 10
- (d) Section 5

Q94. What is the period of limitation for filing appeal against order of Collector to the Commissioner under Chhattisgarh Land Revenue Code?

- (a) 60 days
- (b) 45 days
- (c) 90 days
- (d) 180 days

Q95. Power to make rules for regulating the preparation, maintenance and revision of land records under Chhattisgarh Land Revenue Code are vested in:

- (a) State Government
- (b) Collector
- (c) Revenue Board
- (d) High Court

Q96. Any person who extracts or removes minerals from mines without lawful authority shall be liable to pay a minimum of _____ as penalty under Chhattisgarh Land Revenue Code.

- (a) Rs. 1,000
- (b) Rs. 5,000
- (c) Rs. 25,000
- (d) Rs. 10,000

Q97. Which of the following is NOT includible in excise revenue within the meaning of Section 2(8) of the Chhattisgarh Excise Act?

- (a) Duty
- (b) Fee
- (c) Penalty
- (d) Fine imposed by Court of law

Q98. Select the correct statement.

- (a) Import and Export of intoxicants is totally prohibited under the Chhattisgarh Excise Act 1915.
- (b) Import and Export of intoxicants is allowed by issuing pass under the Chhattisgarh Excise Act 1915.
- (c) Import and Export of intoxicants is allowed by granting license under the Chhattisgarh Excise Act 1915.
- (d) Import and Export of intoxicants is allowed by granting import-export exemption certificate under the Chhattisgarh Excise Act 1915.

Q99. Which of the following is excluded from 'advertisement' within the meaning of Section 23A of Chhattisgarh Excise Act?

- (a) Notice
- (b) Oral announcement
- (c) Circular
- (d) Catalogue displayed at liquor shop

Q100. According to Chhattisgarh Excise Act. which of the following is correct in regards to the offences relating to import, sale and manufacture of liquor which is unfit for human consumption?

- (a) It is a bailable offence.
- (b) Application for anticipatory bail shall not be entertained by any court.
- (c) Person can be put under preventive detention.
- (d) Person will not be granted bail at all.

Answer Key & Solutions

Q1. Answer: B

Under Sec 2(l) read with the First Schedule CrPC, a non-cognizable offence is one for which a police officer has no authority to arrest without a warrant.

Q2. Answer: D

Under Sec 25(3) CrPC, a police officer not below the rank of Inspector may be appointed Assistant Public Prosecutor, but no police officer who has taken part in the investigation may be so appointed in that case.

Q3. Answer: C

Under Sec 109 CrPC, security for good behaviour from suspected persons can be ordered for a period not exceeding one year (Sec 110 covers up to three years for habitual offenders).

Q4. Answer: B

In Youth Bar Association of India v. Union of India (2016) the Supreme Court directed that copies of FIRs be uploaded on police/State websites within 24 hours of registration (except sensitive cases).

Q5. Answer: A

Sec 304 CrPC provides for legal aid to an accused at State expense in trials before the Court of Session where the accused is not represented by a pleader.

Q6. Answer: A

Plea bargaining under Chapter XXIA (Sec 265A) CrPC is barred where the offence is punishable with imprisonment exceeding seven years; the closest correct option is that benefit is unavailable when punishment is not below 7 years.

Q7. Answer: D

Under Sec 262(2) CrPC, in a summary trial no sentence of imprisonment exceeding three months can be passed.

Q8. Answer: C

The limitation bar under Sec 468 CrPC applies only to offences punishable with imprisonment up to three years; it does not apply where the term of imprisonment exceeds three years.

Q9. Answer: D

The IPC was drafted by Lord Macaulay as Chairman of the First Law Commission (1834). Among the options the more precise and conventionally expected answer is Lord Macaulay, the principal draftsman.

Q10. Answer: D

Mens rea is not an ingredient of strict liability offences, where liability arises irrespective of mental state.

Q11. Answer: A

At the relevant time (2016), Sec 1 IPC expressly excepted the State of Jammu & Kashmir from the application of the Code.

Q12. Answer: A

Under Sec 82 IPC, nothing is an offence which is done by a child under seven years of age (doli incapax).

Q13. Answer: D

Under Sec 108/109 IPC, abetment of an abetment is itself abetment; since C committed the murder, A (abettor of abetment), B (abettor) and C (principal) are all liable.

Q14. Answer: A

Per Sec 375 IPC as it stood in 2016 (post-2013 amendment), sexual intercourse with a woman below 16 years is rape with or without consent (sixthly clause).

Q15. Answer: B

The Criminal Law (Amendment) Act 2013 inserted Sec 376D IPC dealing with gang rape.

Q16. Answer: A

In *Suresh Kumar Koushal v. Naz Foundation* (2014) the Supreme Court reversed the Delhi HC and upheld the constitutional validity of Sec 377 IPC (later overruled in 2018, but as of 2016 this was the position).

Q17. Answer: B

In *Subramanian Swamy v. Union of India* (2016) the Supreme Court upheld the constitutional validity of the criminal defamation provisions, Sections 499 and 500 IPC.

Q18. Answer: C

Under Sec 391 IPC, when five or more persons conjointly commit or attempt robbery, it amounts to dacoity.

Q19. Answer: A

Temporary injunctions are governed by Section 94/95 CPC read with Order XXXIX. The option pairing Section 95 with Order XXXIX is the correct one.

Q20. Answer: C

Under the proviso to Sec 60(1) CPC, certain properties (including negotiable instruments, books of account) are exempt from attachment; land is ordinarily attachable, so land is NOT among the exempt categories.

Q21. Answer: C

A garnishee is a debtor of the judgment-debtor; under Order XXI Rule 46A CPC the court may direct him to pay the decree-holder the debt due to the judgment-debtor.

Q22. Answer: A

Interlocutory orders are passed during the pendency of proceedings to keep matters in status quo or otherwise regulate the suit, and do not finally determine rights.

Q23. Answer: C

The question refers to Section 80 CPC, which requires a two-month prior notice for institution of a suit against the Government or a public officer.

Q24. Answer: D

Following the 1999 amendment to the CPC (proviso to Order XVII Rule 1), no adjournment shall be granted to a party more than three times during the hearing of the suit.

Q25. Answer: C

Under Sec 2(2) CPC a decree is the formal expression of an adjudication conclusively determining rights; it expressly excludes any order of dismissal for default.

Q26. Answer: A

Section 11 CPC embodies the doctrine of Res Judicata (a previously adjudicated matter cannot be re-litigated between the same parties); Res sub judice is Section 10.

Q27. Answer: C

A 'pauper suit' is a suit by an indigent person, governed by Order XXXVIII CPC, who is unable to pay the requisite court fee.

Q28. Answer: B

Section 89 CPC (inserted in 1999/2002) provides for settlement of disputes outside court through arbitration, conciliation, judicial settlement (including Lok Adalat) and mediation.

Q29. Answer: B

Transfer of a suit/proceeding from a court in one State to a court in another State can be ordered only by the Supreme Court under Section 25 CPC.

Q30. Answer: B

A second appeal under Section 100 CPC lies to the High Court, only on a substantial question of law.

Q31. Answer: B

GST was introduced by the Constitution (One Hundred and First Amendment) Act, 2016, which inserted Article 246A and 279A.

Q32. Answer: C

Article 14 guarantees both 'equality before the law' and 'equal protection of the laws' to all persons within the territory of India.

Q33. Answer: C

The Right to Education is in Article 21A (inserted by the 86th Amendment, 2002), making free and compulsory education for children aged 6-14 a fundamental right.

Q34. Answer: D

Under Article 74(1), the President may require the Council of Ministers to reconsider its advice, but is bound to act in accordance with the advice tendered after such reconsideration.

Q35. Answer: C

Under Article 123, an ordinance ceases to operate at the expiry of six weeks from the reassembly of Parliament (and earlier if a resolution disapproving it is passed).

Q36. Answer: A

Kesavananda Bharati v. State of Kerala (1973) propounded the Basic Structure doctrine, holding that Parliament cannot amend the basic structure of the Constitution.

Q37. Answer: A

The 'Full Faith and Credit' clause is in Article 261 of the Constitution, regarding public acts, records and judicial proceedings.

Q38. Answer: B

Under Article 316, the Chairman and members of the UPSC are appointed by the President of India.

Q39. Answer: C

Under Article 324(5), the Chief Election Commissioner can be removed only in the like manner and on the like grounds as a Judge of the Supreme Court (i.e., by impeachment).

Q40. Answer: A

Mandamus ('we command') is issued to direct a public authority/official to perform a public duty that it has failed to perform.

Q41. Answer: B

Amendment of the Constitution is made under Article 368, which lays down the procedure and power of Parliament to amend.

Q42. Answer: D

High Courts exercise writ (Art. 226), original and appellate jurisdiction, but not advisory jurisdiction; advisory jurisdiction belongs to the Supreme Court under Article 143.

Q43. Answer: C

Article 393 is the short title provision: 'This Constitution may be called the Constitution of India.'

Q44. Answer: C

Financial emergency provisions are laid down in Article 360 of the Constitution.

Q45. Answer: B

Under Article 359 (as amended by the 44th Amendment), the rights under Articles 20 and 21 cannot be suspended during a proclamation of emergency.

Q46. Answer: A

Provisions for Administrative Tribunals (Articles 323A and 323B) were added by the 42nd Constitutional Amendment Act, 1976.

Q47. Answer: D

Rajasthani is NOT in the Eighth Schedule; Nepali, Sanskrit and Maithili are all listed scheduled languages.

Q48. Answer: D

Section 2(h) of the Indian Contract Act, 1872 defines a contract as 'an agreement enforceable by law.'

Q49. Answer: B

Under Section 185 of the Indian Contract Act, no consideration is necessary to create an agency.

Q50. Answer: B

Under the doctrine of quasi-contract (Section 70, Indian Contract Act), where B enjoys the benefit of goods lawfully delivered (not as a gift) and treats them as his own, B is bound to compensate/pay A.

Q51. Answer: B

A contract of insurance (except life insurance) is a contract of indemnity, where the insurer indemnifies the insured against actual loss suffered; principle settled under the Indian Contract Act, 1872 (s.124 indemnity).

Q52. Answer: B

Under s.194 of the Indian Contract Act, 1872, an agent appointed by an existing agent with the express or implied authority of the principal to act for the principal is a 'substituted agent', not a sub-agent.

Q53. Answer: B

A del credere agent is a kind of mercantile agent who, for extra commission, guarantees performance/payment by the third party with whom he deals on the principal's behalf.

Q54. Answer: C

A 'condition' is a stipulation essential to the main purpose of the contract, breach of which gives the right to repudiate; a warranty is collateral (Sale of Goods Act, 1930, s.12).

Q55. Answer: B

Acceptance of a lesser sum in full satisfaction of a larger debt is 'remission' under s.63 of the Indian Contract Act, 1872 (promisee may dispense with or remit performance).

Q56. Answer: B

The Banking, Public Financial Institutions and Negotiable Instruments Laws (Amendment) Act, 1988 inserted Chapter XVII (ss.138-142) into the NI Act, 1881, penalising dishonour of cheque for insufficiency of funds.

Q57. Answer: D

A bank draft is a bill of exchange drawn by one bank on another (or on its own branch) payable on demand; it is a negotiable instrument in the nature of a bill of exchange.

Q58. Answer: B

An inchoate (incomplete) instrument under s.20 of the NI Act, 1881 is a signed but incomplete/blank negotiable instrument which the holder is authorised to complete.

Q59. Answer: B

Under proviso (b) to s.138 of the NI Act, 1881 (as amended in 2002), the payee must issue notice within 30 days of receipt of information of dishonour from the bank.

Q60. Answer: A

Under s.3 of the Evidence Act, 1872, 'evidence' means oral statements of witnesses and documents (including electronic records) produced for inspection; an affidavit is not 'evidence' as it is not tested by cross-examination.

Q61. Answer: D

The testimony of a hostile witness is not wholly effaced; it is to be considered with caution and the credible part may be relied upon if corroborated by other evidence.

Q62. Answer: A

An FIR is not substantive evidence; it can only be used to corroborate (s.157) or contradict (s.145) its maker under the Evidence Act, 1872.

Q63. Answer: C

Under s.31 of the Evidence Act, 1872, admissions are not conclusive proof of the matters admitted but may operate as estoppel.

Q64. Answer: D

In *Polanski v Conde Nast Publications Ltd* [2005] UKHL 10, the House of Lords permitted the claimant (a fugitive) to give evidence by video-conference link.

Q65. Answer: D

Character evidence is relevant in both civil cases (ss.52-55) and criminal cases (ss.53-54) under the Evidence Act, 1872, though its relevance and weight differ.

Q66. Answer: A

Sections 65A and 65B were inserted into the Evidence Act, 1872 by the Information Technology Act, 2000 to deal with admissibility of electronic records.

Q67. Answer: B

In an election petition the burden of proof lies on the petitioner who challenges the election, as he asserts the facts vitiating it (s.101 Evidence Act; Representation of the People Act).

Q68. Answer: C

Section 113-B of the Evidence Act, 1872 deals with the presumption as to dowry death. (Section 113-A deals with abetment of suicide by a married woman.)

Q69. Answer: B

Under s.112 of the Evidence Act, 1872, birth during a valid marriage is conclusive proof of legitimacy unless non-access is shown; among the given options, 'may be presumed to be a legitimate child' is the most appropriate.

Q70. Answer: D

Under s.3 of the Transfer of Property Act, 1882, 'immovable property' does not include standing timber, growing crops or grass.

Q71. Answer: B

Under s.3 of the Transfer of Property Act, 1882, an actionable claim is a claim to an unsecured debt or to beneficial interest in movable property NOT in the claimant's possession; beneficial interest in movables already in the claimant's possession is therefore not an actionable claim.

Q72. Answer: C

The rule against perpetuity (s.14, Transfer of Property Act, 1882) applies to transfers of both movable and immovable property.

Q73. Answer: B

Section 53A of the Transfer of Property Act, 1882 embodies the doctrine of part performance, protecting a transferee in possession under an unregistered written contract of sale.

Q74. Answer: C

Where the mortgagor delivers possession and authorises the mortgagee to retain it and receive rents/profits in lieu of interest/principal until repayment, it is a usufructuary mortgage under s.58(d), Transfer of Property Act, 1882.

Q75. Answer: A

An equitable mortgage (mortgage by deposit of title deeds) under s.58(f) of the Transfer of Property Act, 1882 can be created without any writing, merely by deposit of title deeds with intent to create security.

Q76. Answer: C

A lease (s.105 TPA) is a transfer of a right to enjoy immovable property for consideration of a price paid/promised or rent; a sale (s.54) transfers ownership, not merely the right to enjoy. Hence transfer of right to enjoy for a price is a lease.

Q77. Answer: D

The Transfer of Property Act governs transfer of immovable property and certain movables (gift, exchange, lease). 'Sale of goods' (movable goods) is governed by the Sale of Goods Act, 1930, not the TPA.

Q78. Answer: C

Section 41 TPA (ostensible owner): where a person transfers for consideration by an ostensible owner with consent of the real owner, the transfer is not voidable provided the transferee acted in good faith after reasonable care.

Q79. Answer: B

Section 6 TPA lists what cannot be transferred; clause 6(a) bars transfer of a 'chance of an heir-apparent succeeding to an estate' (spes successionis).

Q80. Answer: A

Under s.6 of the Limitation Act, 1963, during a legal disability (minor, insane, idiot) time does not run; the period of limitation remains suspended and the person may sue within the prescribed period after the disability ceases.

Q81. Answer: D

Section 10 of the Limitation Act, 1963 provides that no period of limitation applies to suits against a trustee (or his representatives) to follow trust property or its proceeds vested in them for a specific purpose.

Q82. Answer: B

Section 18 of the Limitation Act, 1963: a written acknowledgment of liability signed before expiry of the limitation period starts a fresh period of limitation from the date of the acknowledgment.

Q83. Answer: A

Under s.17 of the Registration Act, 1908, a gift deed (instrument of gift) of immovable property requires compulsory registration; a will and a lease below one year are not compulsorily registrable.

Q84. Answer: D

Section 28 of the Registration Act requires a document relating to immovable property to be presented for registration in the office of the Sub-Registrar within whose sub-district the property or some portion of it is situated.

Q85. Answer: A

Section 32 of the Registration Act requires that, except as provided (s.31, 33, 88, 89), every document be presented for registration by a person executing/claiming under it, who must remain/appear present in person (or by duly authorised agent).

Q86. Answer: B

Section 6(2) of the Specific Relief Act, 1963 bars a suit for recovery of possession under that section after expiry of six months from the date of dispossession.

Q87. Answer: B

Under s.14 of the Specific Relief Act, specific performance is not enforced where compensation in money is an adequate relief; equity grants specific performance only when damages are inadequate.

Q88. Answer: A

Section 26 of the Specific Relief Act, 1963 allows rectification of an instrument that, through fraud or mutual mistake, fails to express the parties' real intention. Of the options, cancellation (s.31) is the closest available remedy; rescission/ratification do not fit. Best fit among options is cancellation of instrument.

Q89. Answer: A

In a suit for recovery of arrears of maintenance, court fee is computed on the amount of arrears actually claimed (the amount of the relief sought), not on the total/future maintenance.

Q90. Answer: A

Where a court refers parties to one of the s.89 CPC ADR processes, the plaintiff is entitled to a refund of the court fee paid (s.16, Court Fees Act, 1870), but not interest.

Q91. Answer: C

Under s.2 of the Chhattisgarh Rent Control Act, 2011, 'accommodation' includes open space, garden, garage etc. but only of land NOT used for agricultural purposes; agricultural land is excluded.

Q92. Answer: D

As enacted (2011/2012), s.6 of the Chhattisgarh Rent Control Act provided the Chairman of the Rent Control Tribunal to be a serving/retired District Judge not below the rank of Super Time Scale (a retired HC judge alternative was added by the 2020 amendment, after this 2016 paper).

Q93. Answer: A

Section 12 of the Chhattisgarh Rent Control Act, 2011 sets out the rights and obligations of landlords and tenants.

Q94. Answer: A

Under s.44 read with the limitation provision (s.47) of the Chhattisgarh Land Revenue Code, 1959, the period of limitation for an appeal from an order of the Collector to the Commissioner is 60 days.

Q95. Answer: A

Under the Chhattisgarh Land Revenue Code, 1959, the power to make rules for the preparation, maintenance and revision of land records (record-of-rights) vests in the State Government, the general rule-making authority under the Code.

Q96. Answer: C

Section 247 of the Chhattisgarh Land Revenue Code (as amended) provides that one who unlawfully extracts/removes minerals from a mine vesting in Government is liable to penalty up to double the market value, subject to a minimum of Rs. 25,000.

Q97. Answer: D

Section 2(8) of the Chhattisgarh Excise Act, 1915 defines 'excise revenue' to include duty, fee, tax, penalty, payment or confiscation, but expressly excludes a fine imposed by a Court of law.

Q98. Answer: B

Under ss.7-8 of the Chhattisgarh Excise Act, 1915, import, export and transport of intoxicants are not prohibited but permitted under a pass (subject to duty/conditions).

Q99. Answer: D

Section 23A of the Chhattisgarh Excise Act defines 'advertisement' broadly (notice, circular, oral announcement etc.) but sub-section (3) excludes catalogues/price-lists displayed at licensed liquor vends.

Q100. Answer: B

For offences relating to import/sale/manufacture of liquor unfit for human consumption (s.49-A), the Chhattisgarh Excise Act bars courts from entertaining any application for anticipatory bail.