

## Karnataka Judiciary - Prelims 2014

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

### Q1. The defendant shall file the written statement

- (a) within 30 days from the date of service of summons
- (b) within 60 days from the date of his appearance before the court
- (c) within 90 days from the first hearing
- (d) none of the above

### Q2. When the parties have compromised the suit

- (a) the court is bound to accept the compromise in whatever manners it is
- (b) the court is not bound to accept the compromise
- (c) if the compromise is not accepted, it is deemed acceptance
- (d) the court has to refer the matter to an Arbitrator

### Q3. An indigent person is

- (a) one who is not diligent
- (b) one who is not interested in prosecuting the suit
- (c) one who is not possessed of sufficient means to pay the prescribed fee on the plaint and who is not entitled to property worth Rs. 1,000/- except exempted property from attachment
- (d) who does not have legal knowledge

### Q4. Where an injunction has been granted without giving notice to the opposite party.

- (a) the court has to dispose off the application within 90 days from the date of granting of injunction
- (b) the court has to dispose off the application within 60 days from the date of granting of injunction
- (c) the court has to dispose off the application within 30 days from the date of granting of injunction
- (d) the court has to dispose off the application within 120 days from the date of granting of injunction

### Q5. To set aside an ex parte order against the defendant.

- (a) the application has to be filed under Order IX Rule 7 CPC
- (b) the application has to be filed under Order VII Rule 9 CPC
- (c) the application has to be filed under Order I Rule 10 CPC
- (d) the application has to be filed under Order VII Rule 7 CPC

### Q6. Suit against Government where it relates to railway

- (a) to be filed against Railway Minister
- (b) to be filed against General Manager of that railway
- (c) to be filed against Secretary, Railways
- (d) none of the above

### Q7. A final order passed under Order XXI Rule 58 CPC is

- (a) appealable under Order XLI
- (b) revisable under Section 15 T CPC
- (c) miscellaneous Appeal under Order XLIII Rule 1 will lie
- (d) a petition to the High Court under Article 227 of the Constitution of India will lie:

**Q8. The time limit within which amendment to be carried out from the date of the order granting amendment is**

- (a) 30 days
- (b) 14 days
- (c) 90 days
- (d) 12 days

**Q9. In a suit, when the plaintiff is not able to pay the full court fee. The provision in CPC to extend the time to pay the Court fee is,**

- (a) 148 CPC
- (b) 149 CPC
- (c) 114 CPC
- (d) 151 CPC

**Q10. Maximum number of adjournments that can be granted by a Civil Court to a party during the hearing of the suit are**

- (a) 3
- (b) 5
- (c) 2
- (d) No adjustment

**Q11. Soon after the completion of pleadings in civil cases, the Court has to**

- (a) frame issues
- (b) ask the parties to file list of witnesses
- (c) invoke section 89 of the Code of Civil Procedure to persuade the parties for settlement
- (d) none of the above

**Q12. Suit by minor is to be instituted in his name by**

- (a) Mediator
- (b) local representative
- (c) next friend
- (d) none of the above

**Q13. In an interpleader suit**

- (a) plaintiff has interest in the subject matter
- (b) plaintiff claims no interest in the subject matter
- (c) suit must be for recovery of money only
- (d) none of the above

**Q14. A complaint for an offence under section 138 of Negotiable Instruments Act will have to be filed after the lapse of the following period from the date of receipt of statutory notice**

- (a) 30 days
- (b) 15 days
- (c) 60 days
- (d) none of the above

**Q15. The normal procedure to conduct a trial for an offence under Sec. 138 of Negotiable Instruments Act is**

- (a) summons Procedure
- (b) warrant procedure
- (c) summary Procedure
- (d) special Procedure

**Q16. A promissory note**

- (a) includes a bank note
- (b) does not include a bank note
- (c) contains conditional undertaking by the maker to pay money
- (d) none of the above

**Q17. A promissory note or a bill of exchange in which no time for payment is specified**

- (a) is payable within 3 days from presenting
- (b) is payable within 2 days from presenting
- (c) payable on demand
- (d) payment has to be made only through internet

**Q18. Where property is transferred subject to a condition absolutely restraining transferee from parting or disposing his interest in the property**

- (a) condition is void except by a lessor where the condition is for his benefit
- (b) transfer is void
- (c) property is forfeited to the Government in such condition is imposed
- (d) none of the above

**Q19. Following can be transferred under the Transfer of Property Act**

- (a) right to re-entry
- (b) mere right to sue
- (c) easement only
- (d) none of the above

**Q20. Right of redemption**

- (a) is a contractual right
- (b) is a statutory right
- (c) is available to mortgagee
- (d) none of the above

**Q21. When a donee dies before the acceptance of gift of a property, the**

- (a) gift is void
- (b) gift is valid
- (c) gift is irregular
- (d) gift is illegal

**Q22. Election is necessary under Sec.35 of Transfer of Property Act**

- (a) when the transferor offers 3 properties for sale to the transferee
- (b) where a person professes to transfer property to which he has no right
- (c) when the transferee gives the notice of election to purchase
- (d) when election of properties is published

**Q23. If possession is handed over under a mortgage deed the said transaction is**

- (a) anomalous Mortgage
- (b) usufructuary Mortgage
- (c) equitable Mortgage
- (d) simple Mortgage

**Q24. A gift of future property is**

- (a) Voidable
- (b) Punishable
- (c) void
- (d) none of the above

**Q25. A vested interest**

- (a) is not defeated by the death of transferee before he obtains possession
- (b) Is defeated by the death of transferee before he obtains possession
- (c) is prohibited
- (d) none of the above

**Q26. When' both the parties are under mistake as to matter of fact,**

- (a) the agreement is voidable
- (b) the agreement is illegal and parties are punishable
- (c) the agreement is void
- (d) none of the above

**Q27. When the consent of a party is obtained through undue influence**

- (a) the agreement is void
- (b) the agreement is void ab initio
- (c) voidable at the option of the aggrieved party
- (d) none of the above

**Q28. The liability of a surety**

- (a) arises only if the principal debtor has no means to pay
- (b) arises upon the death of the principal debtor
- (c) is joint and several
- (d) none of the above

**Q29. A surety is also called**

- (a) a hopeless debtor
- (b) a favoured debtor
- (c) a semi debtor
- (d) none of the above

**Q30. An authority of an agent**

- (a) must be express
- (b) may be express or implied
- (c) always implied
- (d) none of the above

**Q31. In a contract of Indemnity, the Promissor undertakes to make good the loss**

- (a) caused by him only
- (b) caused by other person only
- (c) whether caused by Promissor or other person
- (d) loss caused through flood only

**Q32. Contract of guarantee is a**

- (a) bipartite agreement
- (b) debtless agreement
- (c) tripartite agreement
- (d) quasi contract.

**Q33. In a contract of guarantee**

- (a) there will be an implied promise by the principal debtor to indemnify the surety
- (b) There will be a promise by the creditor to compensate the surety
- (c) there will be a contract to indemnify the principal debtor by the surety
- (d) none of the above

**Q34. Right of Subrogation in a contract of guarantee is available to**

- (a) a creditor
- (b) a surety
- (c) a principal debtor
- (d) none of the above

**Q35. Consideration to create agency under section 185 of the Indian Contract Act**

- (a) is necessary
- (b) partly necessary
- (c) not necessary
- (d) none of the above

**Q36. Section 31 of the Specific Relief Act provides for**

- (a) cancellation of written instruments under certain circumstances
- (b) suits for easements by necessity
- (c) suits relating to adverse possession
- (d) none of the above

**Q37. Specific Relief Act provides for**

- (a) possessory remedy in respect of immovable property only
- (b) possessory remedy in respect of immovable property only
- (c) possessory remedy in respect of both immovable and immovable property
- (d) none of the above

**Q38. In respect of a contract which in its nature is determinable**

- (a) specific performance cannot be granted
- (b) specific performance can be granted
- (c) specific performance can be granted in part
- (d) none of the above

**Q39. To restrain a person from instituting or prosecuting any proceeding in a criminal matter**

- (a) injunction can be granted
- (b) injunction cannot be granted
- (c) injunction can be granted if the plaintiff executes indemnity bond to indemnify the defendant
- (d) none of the above

**Q40. Suit for possession by a person dispossessed of immovable property by the government has to be filed against the government**

- (a) within six months
- (b) one year
- (c) two years
- (d) none of the above

**Q41. When the performance of the contract involves supervision of Performance and continuous duty by the Court, specific performance**

- (a) can be granted
- (b) cannot be granted
- (c) can be granted if the plaintiffs executes indemnity bond
- (d) none of the above

**Q42. Article 5 of the Constitution of India deals with**

- (a) the union
- (b) citizenship
- (c) fundamental duties
- (d) none of the above

**Q43. Article 51A. of the Constitution of India relates to**

- (a) fundamental duties
- (b) fundamental rights
- (c) appointment of Judges to District Judiciary
- (d) none of the above

**Q44. The directive principles of the State policy**

- (a) shall be enforceable by the Army
- (b) . shall be enforceable by any Court
- (c) it shall be the duty of the state of apply these principles in making laws
- (d) none of the above

**Q45. Recruitment of persons other than District Judges to the judicial service is provided**

- (a) under Article 234
- (b) under Article 332
- (c) under Article 14
- (d) none of the above

**Q46. Article 14 of Constitution of India deals with**

- (a) land reforms
- (b) equality before law
- (c) equality of opportunity in matters of private employment
- (d) none of the above

**Q47. The Chairman of Council of States is**

- (a) the chairman of the standing committee of the Parliament
- (b) the leader of Lok Sabha
- (c) the opposition leader of Lok Sabha
- (d) the Vice President

**Q48. Legislative power of the Governor includes**

- (a) to declare the decision of a cabinet as void
- (b) to declare financial emergency
- (c) to declare cut-down in the salaries of the State employees
- (d) to promulgate ordinances

**Q49. When a person voluntarily acquires citizenship of a foreign state**

- (a) he shall not be a citizen of India
- (b) he can continue to be a citizen of India
- (c) he can have the citizenship; of India with the permission of the jurisdictional Deputy Commissioner
- (d) none of the above

**Q50. Law declared by the Supreme Court is binding on all the courts in India**

- (a) as per Article 147
- (b) as per Article 141
- (c) as per Article 145
- (d) as per Article 143

**Q51. Protection of tenants against eviction is provided under**

- (a) section 27 of Karnataka Rent Act
- (b) section 28 of Karnataka Rent Act
- (c) section 21 of Karnataka Rent Act
- (d) none of the above

**Q52. A warrant of arrest may be executed**

- (a) within the jurisdiction of the police station covering the place of offence
- (b) within the limits of the jurisdiction of the trial court
- (c) within the district of location of the trial court
- (d) at any place in India

**Q53. Attachment of property of a person absconding can be made by the Court**

- (a) after issuing proclamation
- (b) before issuing proclamation
- (c) order simultaneous proclamation and attachment
- (d) none of the above

**Q54. An order for search in his presence can be made by**

- (a) any Magistrate
- (b) only Judicial Magistrate
- (c) only Executive Magistrate
- (d) none of the above

**Q55. Under Section 190 of Code of Criminal Procedure, cognizance may be taken by the Magistrate**

- (a) upon receiving police report of such facts
- (b) upon receiving FIR
- (c) upon receiving Property Form
- (d) none of the above

**Q56. Police report means**

- (a) a complaint given to a police
- (b) a report forwarded by a police officer to his superior officer
- (c) a report forwarded by a police officer to a magistrate under sub- section 2 of section 173.
- (d) none of the above

**Q57. Regarding the search of the persons wrongfully confined, a search warrant may be issued by**

- (a) District Magistrate
- (b) Executive Magistrate
- (c) Superintendent of Police
- (d) none of the above

**Q58. Where the complaint is made to a magistrate who is not competent to take cognizance of the offence, he shall**

- (a) if the complaint is in writing, return it for presentation to the proper court with an endorsement to that effect
- (b) report for conferring jurisdiction to him
- (c) submit the records to the District Court
- (d) none of the above

**Q59. To summon and examine a person as a witness**

- (a) that person must have been cited as a witness in the final report
- (b) he should have been summoned
- (c) it is not necessary that he should have been cited as a witness
- (d) none of the above

**Q60. To take cognizance of an offence for defamation punishable under chapter XXI of the Indian Penal Code**

- (a) a member of NGO only shall file complaint
- (b) only police officer can file a complaint
- (c) complaint made by the aggrieved person only
- (d) none of the above

**Q61. A court of Magistrate may grant bail**

- (a) under section 437 Cr. PC
- (b) under section 438 Cr. PC
- (c) under section 439 Cr. PC
- (d) none of the above

**Q62. Abetment is an offence**

- (a) only when the offence is committed
- (b) only when the abettor is present at the place of offence
- (c) only when the abettor participates in physical commission of the offence

**Q63. Minimum sentence of imprisonment specified for offence punishable under section 304-8 Indian Penal Code is**

- (a) 10 years
- (b) 7 years
- (c) 12 years
- (d) 9 years

**Q64. A body warrant in a criminal case is addressed to**

- (a) The officer of the Jurisdictional police station
- (b) The superintendent of police of the concerned district
- (c) The officer in-charge of the jail, where the accused is detained/lodged
- (d) Directly to the accused

**Q65. Statement under Sec. 161 of the Code of Criminal Procedure can be taken note for**

- (a) corroboration only
- (b) contradiction only
- (c) both Corroboration and Contradiction
- (d) neither corroboration nor contradiction

**Q66. The officer competent to record statement under section 164 of Code of Criminal Procedure is**

- (a) Sessions Judge
- (b) Chief Judicial Magistrate
- (c) Judicial Magistrate
- (d) Any police officer of the rank of Inspector and above

**Q67. 'Complaint' under Section 2(d) of the Code of Criminal Procedure means**

- (a) allegation made in writing only to the police
- (b) report made by a police officer to his superior
- (c) includes a police report |
- (d) any allegation made orally or in writing to a Magistrate

**Q68. If an offence is committed by a person in the presence of a Magistrate,**

- (a) he may order for the arrest of that person
- (b) he cannot order for the arrest but inform the police
- (c) send information to the jurisdiction magistrate to arrest the person who has committed the offence
- (d) none, of the above

**Q69. Converting the property of others for one's own use, amounts to**

- (a) breach of trust
- (b) Cheating
- (c) misappropriation of property
- (d) none of the above

**Q70. Stolen property means the one connected to**

- (a) theft only
- (b) extortion only
- (c) robbery only
- (d) any of the above

**Q71. Attempt to commit suicide**

- (a) is an offence
- (b) is an offence only if the suicide is complete against that person
- (c) that attempted person is punishable under section 306 IPC
- (d) none of the above

**Q72. Kidnapping is of**

- (a) only one kind
- (b) is of two kinds
- (c) is of three kinds
- (d) none of the above

**Q73. Putting a person in fear of injury to induce him to deliver property or valuable security**

- (a) is robbery
- (b) is extortion
- (c) is lurking
- (d) none of the above

**Q74. Mere preparation is an offence, if it is**

- (a) to commit robbery
- (b) to commit extortion
- (c) to commit dacoity
- (d) none of the above

**Q75. To constitute unlawful assembly in prosecution of common object to commit an offence, the minimum number of persons are**

- (a) 5 or more
- (b) 3 or more
- (c) 2 or more
- (d) none of the above

**Q76. Accident in doing a lawful act**

- (a) is a general exception under section 80 IPC
- (b) is an offence
- (c) is a mis-conduct
- (d) none of the above

**Q77. When two or more persons agree to do an illegal act**

- (a) it amounts to abetment
- (b) attempt to commit dacoity
- (c) criminal conspiracy
- (d) none of the above

**Q78. To constitute an offence of 'Dowry death'**

- (a) it includes natural death of a married women but within 7 years of her marriage
- (b) un-natural death of a married women within 7 years of her marriage due to burns, bodily injury or otherwise than under normal circumstances
- (c) un-natural death of a married women even beyond 7 years from the date of her marriage
- (d) none of the above

**Q79. The maximum sentence of imprisonment and fine that a Judicial Magistrate of First class can impose is**

- (a) 5 years and Rs. 10,000/-
- (b) 6 years and Rs. 10,000/-
- (c) 3 years and Rs.5,000/-
- (d) 10 years and Rs.25,000/-

**Q80. In an offence of adultery**

- (a) wife is also punishable along with the adulterer
- (b) wife is not punishable as an abettor
- (c) wife is liable for fine only
- (d) none of the above

**Q81. If fingers of a person are cut and separated in an offence, it amounts to**

- (a) grievous hurt
- (b) simple hurt
- (c) emasculation
- (d) none of the above

**Q82. The contents of document may be proved**

- (a) only by primary evidence
- (b) only by secondary evidence
- (c) primary or secondary evidence
- (d) none of the above

**Q83. Oral account of the contents of the document given by some person who has himself seen it, is**

- (a) secondary evidence
- (b) primary evidence
- (c) expert evidence
- (d) hearsay evidence

**Q84. The expression "Court" includes**

- (a) all Judges and Magistrates j
- (b) arbitrators only
- (c) conciliators only
- (d) none of the above

**Q85. Fact of which the Court will take judicial notice**

- (a) requires proof
- (b) need not be proved
- (c) requires secondary evidence
- (d) none of the above

**Q86. Not proved means**

- (a) when a fact is neither proved nor dis-proved
- (b) when there is no documentary proof
- (c) conclusive proof
- (d) none of the above

**Q87. Provisions relating to proof of Wills are governed by the**

- (a) Indian Succession Act
- (b) Indian Evidence Act
- (c) wills Act
- (d) none of the above

**Q88. Confession made before a Police Officer**

- (a) shall not be taken as proved against the accused person
- (b) conclusive proof
- (c) confession to be considered if a memo is filed by the police officer
- (d) none of the above

**Q89. First Information lodged to the Police can be used in a trial court for**

- (a) corroboration only
- (b) contradiction onlyM
- (c) corroboration and contradiction
- (d) none of the above

**Q90. Copy compared with the original**

- (a) is secondary evidence
- (b) is primary evidence
- (c) is pictorial evidence
- (d) none of the above

**Q91. The presumption as to electronic record of 5 years old provided under section 90A of Evidence Act**

- (a) is regarding electronic signature
- (b) thumb impression
- (c) execution of the documents
- (d) none of the above

**Q92. The Union Law Minister is**

- (a) Sri. Sadananda Gowda
- (b) Sri. Rajanath Singh
- (c) Sri. Arun Jaitley
- (d) none of the above

**Q93. The author of "Roses in December" is**

- (a) Sri. P.M.Munshi
- (b) Sri. Kamalcharanpanth
- (c) Sri. Justice M.C.Chagla
- (d) Sri. Sathyajit Ray

**Q94. Total number of assembly constituencies for which the elections are held in Karnataka are**

- (a) 224
- (b) 234
- (c) 214
- (d) 208

**Q95. "Vande Mataram" was written by**

- (a) Sri Rabindranath Tagore
- (b) Sri Subhash Chandra Bose
- (c) Sri Surendranath Banerjee
- (d) Shri Bankim Chandra Chattarjee

**Q96. Ms. Saina Nehwal is associated with**

- (a) Badminton
- (b) cricket
- (c) chess
- (d) none of the above

**Q97. 'Law Day', the day on which we accepted/adopted our Constitution is**

- (a) 26.11.1949
- (b) 01.11.1956
- (c) 26.01.1950
- (d) 05.08.1947

**Q98. Sea route to India was discovered by**

- (a) Columbus
- (b) Vasco da gama
- (c) Robert Clive
- (d) Duplex

**Q99. India has won the One day International World Cup in Cricket**

- (a) Once
- (b) Twice
- (c) thrice
- (d) four times

**Q100. The present Chief Justice of Karnataka is**

- (a) Sri Justice N.K.Jain
- (b) Sri Justice I<sup>^</sup>.K.Sodhi
- (c) Sri Justice Vikramajit Sen
- (d) Sri Justice Subhro Kamal Mukherjee

## Answer Key & Solutions

**Q1. Answer: D**

Order VIII Rule 1 CPC requires the written statement within 30 days from the date of service of summons (extendable to 90 days). None of the options correctly states this rule, so 'none of the above' is the best answer.

**Q2. Answer: B**

Under Order XXIII Rule 3 CPC the court must be satisfied that the compromise is lawful and in writing; it is not bound to record an unlawful or improper compromise.

**Q3. Answer: C**

Explanation I to Order XXXIII Rule 1 CPC defines an indigent person as one not possessed of sufficient means (other than exempt property and the subject-matter) to pay the prescribed court fee.

**Q4. Answer: C**

Order XXXIX Rule 3A CPC: where an injunction is granted without notice to the opposite party, the court shall endeavour to finally dispose of the application within thirty days.

**Q5. Answer: A**

An ex parte order/decreed against the defendant is set aside on an application under Order IX (Rule 7 to set aside the order of ex parte proceeding); the other rules cited (VII Rule 9/7, I Rule 10) do not relate to setting aside ex parte orders.

**Q6. Answer: B**

Under Section 79/80 CPC read with the Railways Act, a suit relating to a railway is instituted against the General Manager of that railway.

**Q7. Answer: A**

Order XXI Rule 58(4) CPC declares that an order determining a claim/objection to attachment shall have the force of a decree and is therefore appealable as a decree under Order XLI.

**Q8. Answer: B**

Order VI Rule 18 CPC: if no time is fixed in the order granting amendment, the amendment must be carried out within fourteen days from the date of the order.

**Q9. Answer: B**

Section 149 CPC empowers the court to allow a party to pay the requisite court fee where the whole or part has not been paid, and on such payment the document is treated as duly stamped from the date of presentation.

**Q10. Answer: A**

The proviso to Order XVII Rule 1 CPC provides that no party shall be granted more than three adjournments during the hearing of the suit.

**Q11. Answer: C**

After completion of pleadings (and before framing issues), Section 89 CPC directs the court to formulate terms of possible settlement and refer the dispute to ADR mechanisms; this is the immediate step contemplated soon after pleadings.

**Q12. Answer: C**

Order XXXII Rule 1 CPC: every suit by a minor shall be instituted in his name by a person who is the 'next friend' of the minor.

**Q13. Answer: B**

Section 88 CPC: in an interpleader suit the plaintiff claims no interest in the subject-matter other than charges or costs and is merely a stakeholder among rival claimants.

**Q14. Answer: B**

Under Section 138 proviso (c) read with Section 142 NI Act, the complaint is filed after the drawer fails to pay within 15 days of receipt of the statutory notice; thus the cause of action arises after the lapse of 15 days.

**Q15. Answer: C**

Section 143 of the Negotiable Instruments Act provides that offences under Section 138 shall be tried summarily (summary procedure) by the Magistrate.

**Q16. Answer: B**

Section 4 of the Negotiable Instruments Act defines a promissory note as an unconditional undertaking to pay; the Explanation expressly excludes a bank note and currency note, so a promissory note does not include a bank note.

**Q17. Answer: C**

Section 19 of the Negotiable Instruments Act: a promissory note or bill of exchange in which no time for payment is specified is payable on demand.

**Q18. Answer: A**

Section 10 of the Transfer of Property Act voids a condition absolutely restraining alienation, except in the case of a lease where the condition is for the benefit of the lessor.

**Q19. Answer: A**

Under Section 6 of the Transfer of Property Act a mere right to re-entry and a mere right to sue cannot be transferred by themselves; however clause (a)'s prohibition on transferring a 'right of re-entry' is by itself (not annexed); among these options a right of re-entry annexed to property passes with the property, making (a) the best answer relative to the clearly non-transferable 'mere right to sue' and 'easement only'.

**Q20. Answer: B**

The right of redemption under Section 60 of the Transfer of Property Act is a statutory right available to the mortgagor, and any clog on it is void.

**Q21. Answer: A**

Section 122 of the Transfer of Property Act requires acceptance during the lifetime of the donee; if the donee dies before acceptance the gift is void.

**Q22. Answer: B**

Section 35 of the Transfer of Property Act: the doctrine of election applies where a person professes to transfer property to which he has no right and as part of the same transaction confers a benefit on the owner of that property.

**Q23. Answer: B**

Under Section 58(d) of the Transfer of Property Act, where the mortgagor delivers possession to the mortgagee who retains it and receives rents/profits in lieu of interest, it is a usufructuary mortgage.

**Q24. Answer: C**

Section 124 of the Transfer of Property Act: a gift comprising future property is void.

**Q25. Answer: A**

Section 19 of the Transfer of Property Act: a vested interest is not defeated by the death of the transferee before he obtains possession; it passes to his heirs.

**Q26. Answer: C**

Under Section 20 of the Indian Contract Act, where both parties are under a mistake as to a matter of fact essential to the agreement, the agreement is void.

**Q27. Answer: C**

Per Section 19A of the Indian Contract Act, consent caused by undue influence makes the agreement voidable at the option of the party whose consent was so obtained.

**Q28. Answer: C**

Under Section 128 of the Indian Contract Act, the surety's liability is co-extensive with that of the principal debtor; it is joint and several, so the creditor may proceed against the surety without first exhausting remedies against the principal debtor.

**Q29. Answer: B**

A surety is traditionally described as a 'favoured debtor' because the law leans in his favour and any material variation in the contract discharges him.

**Q30. Answer: B**

Under Section 187 of the Indian Contract Act, an agent's authority may be express or implied.

**Q31. Answer: C**

Section 124 of the Indian Contract Act defines a contract of indemnity as one to save the promisee from loss caused either by the conduct of the promisor himself or by the conduct of any other person.

**Q32. Answer: C**

A contract of guarantee (Section 126, Indian Contract Act) is a tripartite arrangement involving the principal debtor, the creditor and the surety.

**Q33. Answer: A**

Under Section 145 of the Indian Contract Act, in every contract of guarantee there is an implied promise by the principal debtor to indemnify the surety.

**Q34. Answer: B**

Under Section 140 of the Indian Contract Act, on payment of the guaranteed debt the surety is invested with all the rights of the creditor against the principal debtor; the right of subrogation belongs to the surety.

**Q35. Answer: C**

Section 185 of the Indian Contract Act expressly provides that no consideration is necessary to create an agency.

**Q36. Answer: A**

Section 31 of the Specific Relief Act, 1963 deals with when cancellation of written instruments may be ordered.

**Q37. Answer: A**

Section 6 of the Specific Relief Act provides a possessory remedy in respect of immovable property; options a and b are identical and 'movable' is not covered there, so the intended correct choice is the immovable-property option (a).

**Q38. Answer: A**

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

**Q39. Answer: B**

Under Section 41(d) of the Specific Relief Act, an injunction cannot be granted to restrain any person from instituting or prosecuting any proceeding in a criminal matter.

**Q40. Answer: D**

Under Article 47 of the Limitation Act read with Section 6 of the Specific Relief Act, a suit to recover possession from the Government must be filed within 30 days; neither six months, one year nor two years is correct, so 'none of the above'.

**Q41. Answer: B**

Under Section 14(1)(b)/(d) of the Specific Relief Act, a contract whose performance involves the continuous duty/supervision of the court cannot be specifically enforced.

**Q42. Answer: B**

Article 5 of the Constitution deals with citizenship at the commencement of the Constitution.

**Q43. Answer: A**

Article 51A of the Constitution enumerates the Fundamental Duties.

**Q44. Answer: C**

Article 37 makes the Directive Principles non-justiciable but declares it the duty of the State to apply these principles in making laws.

**Q45. Answer: A**

Article 234 of the Constitution provides for recruitment of persons other than District Judges to the judicial service.

**Q46. Answer: B**

Article 14 guarantees equality before the law and equal protection of the laws.

**Q47. Answer: D**

Under Article 89, the Vice-President of India is the ex-officio Chairman of the Council of States (Rajya Sabha).

**Q48. Answer: D**

Under Article 213, the Governor's legislative power includes the power to promulgate ordinances when the Legislature is not in session.

**Q49. Answer: A**

Under Article 9 of the Constitution and Section 9 of the Citizenship Act, a person who voluntarily acquires the citizenship of a foreign State ceases to be a citizen of India.

**Q50. Answer: B**

Article 141 of the Constitution provides that the law declared by the Supreme Court is binding on all courts within the territory of India.

**Q51. Answer: A**

Section 27 of the Karnataka Rent Act, 1999 is titled 'Protection of tenants against eviction' and bars eviction except on the specified grounds.

**Q52. Answer: D**

Under Section 77 CrPC a warrant of arrest may be executed at any place in India; it is not confined to the issuing court's jurisdiction.

**Q53. Answer: A**

Under Section 83 CrPC, attachment of an absconder's property is ordered only after publication of the proclamation under Section 82 (subject to the proviso permitting simultaneous attachment in special cases).

**Q54. Answer: A**

Under Section 103 CrPC any Magistrate may direct a search to be made in his presence of any place for which he is competent to issue a search warrant.

**Q55. Answer: A**

Section 190(1)(b) CrPC: a Magistrate may take cognizance upon a police report of facts constituting the offence (the report under Section 173(2)).

**Q56. Answer: C**

'Police report' is defined in Section 2(r) CrPC as a report forwarded by a police officer to a Magistrate under sub-section (2) of Section 173.

**Q57. Answer: A**

Under Section 97 CrPC, a search warrant for a person wrongfully confined may be issued by a District Magistrate, Sub-Divisional Magistrate or Magistrate of the first class.

**Q58. Answer: A**

Section 201 CrPC: if the complaint is in writing the Magistrate not competent to take cognizance shall return it for presentation to the proper court with an endorsement to that effect.

**Q59. Answer: C**

Under Section 311 CrPC the court may summon any person as a witness; it is not necessary that he was cited as a witness, if his evidence appears essential to a just decision.

**Q60. Answer: C**

Defamation (Chapter XXI IPC) is non-cognizable; under Section 199 CrPC a court takes cognizance only upon a complaint made by the person aggrieved.

**Q61. Answer: A**

A Magistrate's power to grant bail is under Section 437 CrPC; Section 438 is anticipatory bail (High Court/Sessions) and 439 is the special power of the High Court/Court of Session.

**Q62. Answer: A**

While abetment itself is complete on instigation, abetment as a substantive punishable wrong attaches when the act abetted is committed (Sec. 109 IPC); presence/participation is not required. Among the options, 'only when the offence is committed' is the intended answer.

**Q63. Answer: B**

Section 304-B IPC prescribes imprisonment of not less than seven years (extendable to life) for dowry death.

**Q64. Answer: C**

A body (production) warrant is addressed to the officer in-charge of the jail where the accused is detained, directing his production before the court.

**Q65. Answer: B**

A statement recorded under Section 161 CrPC is unsigned and may be used only to contradict the witness as provided in Section 162 CrPC; it cannot be used for corroboration.

**Q66. Answer: C**

Under Section 164 CrPC, a Metropolitan or Judicial Magistrate is competent to record confessions and statements; police officers cannot.

**Q67. Answer: D**

Section 2(d) CrPC defines 'complaint' as any allegation made orally or in writing to a Magistrate, with a view to his taking action, but does not include a police report.

**Q68. Answer: A**

Under Section 44 CrPC, when an offence is committed in the presence of a Magistrate within his local jurisdiction, he may himself arrest or order the arrest of the offender.

**Q69. Answer: C**

Dishonestly converting to one's own use property belonging to another is criminal misappropriation of property under Section 403 IPC.

**Q70. Answer: D**

Under Section 410 IPC, 'stolen property' includes property the possession of which has been transferred by theft, extortion, robbery, criminal misappropriation or criminal breach of trust.

**Q71. Answer: A**

Attempt to commit suicide is an offence under Section 309 IPC (as it stood at the time of the exam). Section 306 deals with abetment of suicide, not the attempt.

**Q72. Answer: B**

Section 359 IPC: kidnapping is of two kinds - kidnapping from India (Sec. 360) and kidnapping from lawful guardianship (Sec. 361).

**Q73. Answer: B**

Putting a person in fear of injury to dishonestly induce delivery of property or valuable security is extortion under Section 383 IPC.

**Q74. Answer: C**

Mere preparation is punishable in the case of dacoity - Section 399 IPC penalises making preparation to commit dacoity.

**Q75. Answer: A**

Under Section 141 IPC an unlawful assembly requires five or more persons with a common object.

**Q76. Answer: A**

Accident in doing a lawful act by lawful means without criminal intent is a general exception under Section 80 IPC.

**Q77. Answer: C**

An agreement between two or more persons to do an illegal act (or a legal act by illegal means) is criminal conspiracy under Section 120A IPC.

**Q78. Answer: B**

Dowry death (Section 304B IPC) is the unnatural death of a woman by burns/bodily injury or otherwise than under normal circumstances within 7 years of marriage, connected to dowry demand.

**Q79. Answer: C**

Under Section 29 CrPC, a Magistrate of the First Class may pass a sentence of imprisonment up to 3 years and fine up to Rs. 5,000 (later raised to Rs. 10,000 by the 2005 amendment, but for this paper option c reflects the classic limit).

**Q80. Answer: B**

Under Section 497 IPC (as then in force), only the adulterer man was punishable; the wife was expressly not punishable even as an abettor.

**Q81. Answer: A**

Privation of any member or joint, including severing fingers, is grievous hurt under Section 320 IPC.

**Q82. Answer: C**

Section 61 of the Indian Evidence Act: contents of documents may be proved either by primary or by secondary evidence.

**Q83. Answer: A**

Under Section 63 of the Evidence Act, oral accounts of the contents of a document given by a person who has himself seen it constitute secondary evidence.

**Q84. Answer: A**

Section 3 of the Evidence Act defines 'Court' to include all Judges and Magistrates, and all persons (except arbitrators) legally authorised to take evidence.

**Q85. Answer: B**

Under Section 56 of the Evidence Act, a fact of which the Court takes judicial notice need not be proved.

**Q86. Answer: A**

Section 3 of the Evidence Act: a fact is said to be 'not proved' when it is neither proved nor disproved.

**Q87. Answer: B**

Proof of execution of Wills (attestation under Sections 68-71) is governed by the Indian Evidence Act, the evidentiary statute applicable to all documents.

**Q88. Answer: A**

Section 25 of the Evidence Act bars a confession made to a police officer from being proved against the accused.

**Q89. Answer: C**

An FIR is not substantive evidence but may be used to corroborate (Section 157) or contradict (Section 145) its maker.

**Q90. Answer: A**

Under Section 63 of the Evidence Act, copies compared with the original constitute secondary evidence.

**Q91. Answer: C**

Section 90A of the Evidence Act raises a presumption regarding the due execution and electronic signature of a five-year-old electronic record; among the options, execution of the document is the correct subject.

**Q92. Answer: A**

D.V. Sadananda Gowda was sworn in as Union Minister of Law and Justice on 9 November 2014, holding the post until July 2016.

**Q93. Answer: C**

'Roses in December' is the autobiography of Justice M.C. Chagla, former Chief Justice of the Bombay High Court.

**Q94. Answer: A**

The Karnataka Legislative Assembly has 224 elected constituencies (plus one nominated Anglo-Indian member historically).

**Q95. Answer: D**

'Vande Mataram' was written by Bankim Chandra Chattopadhyay (Chatterjee) in his novel Anandamath.

**Q96. Answer: A**

Saina Nehwal is an Indian badminton player.

**Q97. Answer: A**

The Constitution was adopted on 26 November 1949, observed as Law Day (Constitution Day); it came into force on 26 January 1950.

**Q98. Answer: B**

Vasco da Gama discovered the sea route to India, reaching Calicut in 1498.

**Q99. Answer: B**

As of 2014, India had won the ODI Cricket World Cup twice (1983 and 2011).

**Q100. Answer: D**

Flagged: in 2014 the Chief Justice of Karnataka was D.H. Waghela, who is not among the options; S.K. Mukherjee (option d) only became CJ in 2016. None of the listed options were CJ at the paper's date, so this question appears to carry an outdated/erroneous key; option d is the nearest listed CJ of Karnataka.