

Karnataka Judiciary - Prelims 2021

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

Q1. As written in the Preamble of the Constitution of India, one of the following is in correct order:

- (a) Secular, Socialist, Sovereign, Republic, Democratic.
- (b) Sovereign, Socialist, Secular, Democratic, Republic.
- (c) Sovereign, Republic, Secular, Socialist, Democratic.
- (d) Republic, Sovereign, Secular, Democratic, Socialist.

Q2. Causing death by rash and negligent act, an offence punishable under Sec.304A of Indian Penal Code, is _____

- (a) Non-cognizable and Non-bailable.
- (b) Non-cognizable and Bailable.
- (c) Cognizable and Non-bailable.
- (d) Cognizable and Bailable.

Q3. Order XXI Rule 72 of Code of Civil Procedure, 1908 relates to the following subject:

- (a) Staying the Court sale.
- (b) Permitting the decree holder to bid or buy property in Court sale.
- (c) Bid for a co-sharer to have preference.
- (d) set-aside the Court sale on the ground of fraud.

Q4. Which one of the following is an incorrect combination regarding definition of offences as per the Indian Penal Code?

- (a) Sec.320- Grievous hurt.
- (b) Sec.340- Wrongful restraint.
- (c) Sec.350- Criminal Force.
- (d) Sec.351- Assault.

Q5. "Once a mortgage, always a mortgage" means:

- (a) Mortgagee has no right to assign the mortgage debt to any other person.
- (b) Mortgage can not be redeemed after the expiry of a fixed period.
- (c) Mortgage is always redeemable.
- (d) Mortgagor has no right to assign the right of redemption to any person.

Q6. What does "ab Initio" refer to?

- (a) Towards the end.
- (b) From the beginning.
- (c) Initial Burden.
- (d) None of the above.

Q7. "Registration of First Information Report is mandatory under Section 154 of the Code of Criminal Procedure, if the Information discloses commission of a cognizable offence and no preliminary enquiry is permissible in such a situation." This guideline was issued by the Constitution Bench of the Hon'ble Supreme Court in the following decision:

- (a) Smt. Selvi vs State of Karnataka.
- (b) D.K.Basu vs State of West Bengal.
- (c) Arnesh Kumar vs State of Bihar.
- (d) Lalita Kumari vs Government of Uttar Pradesh

Q8. Which provision of the Code of Civil Procedure, 1908 relates to permitting the plaintiff to withdraw the suit with a liberty to file a fresh suit in respect of the same subject matter?

- (a) Order 23 Rule 1(3) of the Code of Civil Procedure, 1908
- (b) Order 23 Rule 2 of the Code of Civil Procedure, 1908
- (c) Order 23 Rule 3 of the Code of Civil Procedure, 1908
- (d) Order 23 Rule 3A of the Code of Civil Procedure, 1908

Q9. If the requisite court fee is not paid on the plaint, in spite of an order by the Court,_____

- (a) plaint shall be returned to the plaintiff.
- (b) plaint shall be rejected.
- (c) suit shall be dismissed.
- (d) plaintiff shall be permitted to withdraw the suit.

Q10. Who is the present Chairperson of Rajya Sabha?

- (a) Smt. Nazma Hephthullah.
- (b) Sri Om Birla.
- (c) Sri Venkaiah Naidu.
- (d) None of the above.

Q11. How many States and Union Territories are there in India at present?

- (a) 28 States and 9 Union Territories.
- (b) 28 States and 8 Union Territories.
- (c) 29 States and 7 Union Territories.
- (d) 29 States and 9 Union Territories.

Q12. "To the best of my memory" is the autobiography of:

- (a) Justice V R Krishna Iyer
- (b) Justice P B Gajendragadkar
- (c) Justice P N Bhagwati
- (d) Justice J S Verma

Q13. The expression "died intestate" means:

- (a) died by making a Will
- (b) died without legal heirs.
- (c) died without any property
- (d) died without making a Will

Q14. For hearing which case, the largest-ever bench was constituted at the Supreme Court of India?

- (a) Golaknath case.
- (b) Aadhar case.
- (c) Keshavananda Bharati case.
- (d) None of the Above.

Q15. If the prosecution withdraws the prosecution against the accused in a case where a charge has already been framed,_____.

- (a) accused shall be discharged.
- (b) accused shall be acquitted.
- (c) further proceedings shall be stopped.
- (d) any one of the above.

Q16. Which Section of the Code of Criminal Procedure, 1973 empowers a police officer to release an accused, who has been arrested with an allegation of committing non-bailable offence?

- (a) Sec.437(1).
- (b) Sec.437(2)
- (c) Sec.437(3)
- (d) Not empowered.

Q17. Which one of the following is an incorrect combination as per the Code of Criminal Procedure, 1973?

- (a) Sec.70(2)- Cancellation of Warrant.
- (b) Sec.82 - Proclamation for person absconding.
- (c) Sec.93- Search-warrant.
- (d) Sec.358- Victim compensation.

Q18. Which one of the following is an incorrect combination as per the Transfer of Property Act, 1882?

- (a) Sec.41- Transfer by ostensible owner.
- (b) Sec.53- Fraudulent transfer.
- (c) Sec.100- Charges.
- (d) Sec.52A- Part Performance

Q19. Which Section of the Code of Criminal Procedure, 1973 deals with releasing a convicted person on probation of good conduct or after admonition?

- (a) Sec.354.
- (b) Sec.356.
- (c) Sec.358.
- (d) Sec.360

Q20. Order 1 Rule 8 of the Code of Civil Procedure, 1908 relates to:

- (a) Adding or striking out parties to the suit.
- (b) Filing of representative suit.
- (c) Mis-joinder and nonjoinder of parties.
- (d) suit in the name of the wrong plaintiff.

Q21. If the Court permits amendment of pleadings without stipulating the time limit to carry out the amendment, as per Order VI Rule 18 of the Code of Civil Procedure, 1908, amendment has to be carried out within from the date of order.

- (a) 30 days.
- (b) 14 days.
- (c) 07 days.
- (d) no time limit.

Q22. Which is the smallest state (area wise) in India?

- (a) Goa.
- (b) Sikkim.
- (c) Tripura.
- (d) Nagaland.

Q23. Which section of the Transfer of Property Act 1882 deals with "Rule against Perpetuity"

- (a) Section 14.
- (b) Section 15.
- (c) Section 16.
- (d) Section 17.

Q24. Which right has been deleted from the list of Fundamental Rights but has been retained as Constitutional Right in the Constitution of India?

- (a) Right to education.
- (b) Equality of opportunity in matters of public employment.
- (c) Right to property.
- (d) Right to assemble peaceably and without arms.

Q25. Under which provisions of the Code of Civil Procedure, 1908, a Court, which passed the decree, can stay the execution of an appealable decree?

- (a) Order XLI Rule 5 (1).
- (b) Order XLI Rule 6 (1).
- (c) Order XLI Rule 5 (2).
- (d) Order XLI Rule 6 (2).

Q26. A places men with firearms at the outlets of a building and tells Z that they will fire at Z if Z attempts to leave the building. A committed_____.

- (a) Wrongful restraint.
- (b) Wrongful confinement.
- (c) Abduction
- (d) No offence.

Q27. A residential premises, within the limits of Mangalore Municipal Corporation, was let out to a tenant on monthly rent of Rs.4,000/-. To evict the tenant from said premises, which Act is applicable?

- (a) The Karnataka Rent Act, 1999.
- (b) The Transfer of Property Act 1882.
- (c) Both A and B
- (d) Either A or B

Q28. Which Article of the Constitution of India says that the Law declared by the Supreme Court shall be binding on all Courts within the territory of India?

- (a) Article 140.
- (b) Article 141.
- (c) Article 142.
- (d) Article 143.

Q29. When any Court dismisses the suit under Order IX Rule 2 of the Code of Civil Procedure for non-service of summons in consequence of plaintiff's failure to pay the postal charges, an application to set the dismissal aside before the same court has to be filed under_____.

- (a) Order IX Rule 3 of the Code of Civil Procedure, 1908.
- (b) Order IX Rule 4 of the Code of Civil Procedure, 1908.
- (c) Order IX Rule 9 of the Code of Civil Procedure, 1908.
- (d) Order IX Rule 13 of the Code of Civil Procedure, 1908.

Q30. Who played for only one team in all the 14 editions of the Indian Premier League (IPL)?

- (a) M.S.Dhoni for Chennai Super Kings.
- (b) Virat Kohli for Royal Challengers Bengaluru.
- (c) Rohith Sharma for Mumbai Indians.
- (d) None

Q31. Who administers an oath to the Governor of a State?

- (a) President of India.
- (b) Prime Minister of India.
- (c) Chief Justice of the High Court of that state.
- (d) Chief Minister of that state.

Q32. As per Sec.5 of the Karnataka Rent Act, 1999, in the event of death of a tenant, right of tenancy shall devolve for a period of from the date of the death of said tenant, to his successors.

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

Q33. Habitually dealing in stolen property, an offence punishable under Sec.413 of the Indian Penal Code is triable by:

- (a) Court of Sessions.
- (b) Court of Chief Judicial Magistrate.
- (c) Court of Judicial Magistrate First class.
- (d) Court of Any magistrate.

Q34. A sells, by auction, to B, a horse which A knows to be unsound. A says nothing to B about the horse's unsoundness. A _____.

- (a) committed no fraud.
- (b) committed fraud.
- (c) committed misrepresentation.
- (d) committed undue influence.

Q35. Which Section of the Indian Evidence Act, 1872 states that "Admitted facts need not be proved"

- (a) Section 58.
- (b) Section 57.
- (c) Section 56.
- (d) Section 55.

Q36. Under the Transfer of Property Act, 1882, a lessee of an immovable property continuing in possession of the leased property on determination of lease period, with the consent of the lessor, is called as _____.

- (a) tenant by holding over.
- (b) tenant at sufferance.
- (c) protected tenant.
- (d) None of the above.

Q37. The landmark Judgement of the Hon'ble Supreme Court in respect of triple talaq is in following case:

- (a) Mohammed Ahmad Khan vs Shah Bano Begum.
- (b) Indra Sawhney and the Union of India.
- (c) Shayara Bano vs Union of India.
- (d) I.R.Coelho vs State of Tamilnadu.

Q38. Which Section of the Karnataka Rent Act, 1999 says that, to contest the eviction petition filed under Sec.27 of the said Act, tenant shall pay or deposit all arrears of rent?

- (a) Section 45
- (b) Section 44
- (c) Section 43
- (d) Section 42

Q39. Which one of the following is an incorrect combination regarding directive principles of state policy, as per the Constitution of India?

- (a) Article 39A- Equal justice and free legal aid.
- (b) Article 44- •Uniform Civil Code of the citizens
- (c) Article 48A- Protection and improvement of environment.
- (d) Article 50- Promotion of International peace and security.

Q40. Which of the following orders does not amount to a decree under Section 2(2) of Code of Civil Procedure, 1908?

- (a) An order rejecting the plaintiff under Order 7 Rule 11 Code of Civil Procedure, 1908.
- (b) An order under Section 144 Code of Civil Procedure, 1908
- (c) An order for dismissal of the suit for default.
- (d) None of the above.

Q41. Under Sec.428 of Code of Criminal Procedure, 1973, the period of detention undergone by a convict during this period shall be set off against the term of imprisonment imposed on him.

- (a) investigation of the case.
- (b) trial of the case.
- (c) enquiry of the case.
- (d) All the above.

Q42. The recent landmark decision of Hon'ble Supreme Court in "Vineeta Sharma vs Rakesh Sharma and others" is relating to the following subject:

- (a) Reservation in promotions.
- (b) Ayodhya dispute.
- (c) Validity of new Land Acquisition Act.
- (d) Daughter's coparcener right.

Q43. As per Section 58 of the Indian Contract Act, 1872, in the case of an alternative promise, one branch of which is legal and the other illegal,

- (a) both the branches will be enforceable.
- (b) both the branches will be unenforceable.
- (c) the legal branch alone can be enforceable.
- (d) None of the above.

Q44. If a witness makes a statement in Court, knowing it to be false, he committed the offence of_____.

- (a) Breach of Trust.
- (b) Mischief.
- (c) Perjury.
- (d) No offence.

Q45. "When any person is arrested and interrogated by the police, he shall be entitled to meet an Advocate of his choice during interrogation, though not throughout interrogation". As per Sec.41D of the Code of Criminal Procedure, 1973, above statement is:

- (a) True
- (b) False
- (c) partially true
- (d) None of the above.

Q46. As per Sec.320(9) of the Code of Criminal Procedure, 1973, offences, other than those provided by Sec.320 of the said Code

- (a) cannot be compounded.
- (b) can be compounded with the permission of the Court.
- (c) can be compounded.
- (d) None of the Above.

Q47. "Evidence before charge" shall be recorded in following cases:

- (a) In all warrant triable cases.
- (b) In all summons triable cases
- (c) In warrant triable cases instituted on police report
- (d) In warrant triable cases instituted otherwise than on police reports.

Q48. As per Sec.320 of the Code of Criminal Procedure, 1973, an offence punishable under Sec.506 of the Indian Penal Code_____.

- (a) can be compounded.
- (b) cannot be compounded
- (c) can be compounded only with the permission of the Court.
- (d) None of the Above.

Q49. As per Section 29 of the Indian Contract Act, 1872, agreements, the meaning of which is not certain, or capable of being made certain, are_____.

- (a) Voidable.
- (b) illegal.
- (c) Void.
- (d) Enforceable.

Q50. The maker, acceptor or indorser respectively of a Negotiable Instrument is discharged from liability there on:

- (a) By cancellation.
- (b) By release.
- (c) By payment.
- (d) All the above.

Q51. Which Article of the Constitution of India describes the procedure to amend the Constitution?

- (a) Article 368
- (b) Article 367
- (c) Article 366
- (d) Article 365

Q52. As per Section 165 of the Indian Evidence Act, 1872, in respect of any answer given by a witness in reply to the questions asked by the Judge, parties

- (a) are entitled to make any objections.
- (b) have the absolute right to cross-examine the witness.
- (c) have the right to cross-examine only with leave of the Court.
- (d) are entitled to make objections only with leave of the Court.

Q53. Which Article of the Constitution of India was amended to provide reservation in promotions?

- (a) Article 14
- (b) Article 15
- (c) Article 16
- (d) Article 17

Q54. National Legal Services day is celebrated in India on ____.

- (a) 26th November.
- (b) 21st June.
- (c) 3rd December.
- (d) 9th November.

Q55. A' leased out his immovable property to 'B' for manufacturing the spare parts of the tractor. In the absence of any contract or local law or usage to the contrary, said lease is terminable by giving _____ notice.

- (a) 15 days
- (b) 30 days.
- (c) six months.
- (d) one year.

Q56. As per Order XXXIX Rule 3A of the Code of Civil Procedure, 1908, where an injunction has been granted without giving notice to the opposite party, the Court shall make an endeavour to finally dispose of the application within from the date on which injunction was granted?

- (a) 7 days.
- (b) 14 days.
- (c) 30 days.
- (d) 1 month.

Q57. A threatens to publish a defamatory libel concerning Z unless Z gives him money. A thus induces Z to give him money. A has committed the offence of _____.

- (a) Defamation.
- (b) Robbery
- (c) Criminal Intimidation.
- (d) Extortion

Q58. Which of the following issues can be heard as the preliminary issue as per Order 14 Rule 2 of Code of Civil Procedure, 1908?

- (a) Any issue.
- (b) Issue of law only.
- (c) Issue of fact only.
- (d) Issue involving both questions of law and fact.

Q59. What is the full form of ICMR?

- (a) Indian Council for Medical Research.
- (b) International Council for Medical Research.
- (c) International Court for Monitoring Ragging.
- (d) None of Above.

Q60. A mortgage by deposit of title deed is called _____.

- (a) Anomalous mortgage.
- (b) English mortgage.
- (c) Usufructuary mortgage
- (d) Equitable mortgage

Q61. Who, among the following Supreme Court judges, has become Judge of the Supreme Court of India directly, without becoming a Judge of any High Court?

- (a) Justice Uday U Lalit.
- (b) Justice D.Y.Chandrachud.
- (c) Justice K.M.Joseph.
- (d) Justice B.R.Gavai.

Q62. As per Section 142 of the Indian Contract Act 1872, a guarantee obtained by misrepresentation made by the creditor, is_____.

- (a) void.
- (b) voidable
- (c) valid.
- (d) Invalid.

Q63. Which one of the following is the correct combination as per the Indian Contract Act, 1872?

- (a) Section 13- Consent.
- (b) Section 14- Coercion.
- (c) Section 15- Undue Influence.
- (d) Section 16- Fraud.

Q64. When the sole plaintiff in a suit dies, to make them as parties to the said suit, his legal representatives have to file an application under_____ of the Code of Civil Procedure, 1908.

- (a) Section 47
- (b) Order 22 Rule 4
- (c) Order 22 Rule 3
- (d) Section 148

Q65. Maximum term of imprisonment, which may be passed by the Judicial Magistrate of First class, as a sentence, is:

- (a) term not exceeding seven years.
- (b) term not exceeding five years.
- (c) term not exceeding three years.
- (d) any term

Q66. A dumb witness gives evidence by writing in the open court. Such evidence shall be deemed to be_____.

- (a) Oral evidence.
- (b) documentary evidence.
- (c) written evidence.
- (d) Any one of the above

Q67. Section 114 of the Code of Civil Procedure, 1908 should be read with:

- (a) Order XLVII Rule 1
- (b) Order XLVI Rule 1
- (c) Order XLVIII Rule 1
- (d) Order XLV Rule 1

Q68. As per Order XVIII Rule 3 of Code of Civil Procedure, 1908, in a suit where the party beginning to lead evidence, has the right to reserve the production of rebuttal evidence,_____.

- (a) on all the issues.
- (b) Only on those issues the burden of proving the same lies on him.
- (c) Only on those issues the burden of proving the same lies on the other party.
- (d) No right to reserve

Q69. One of the following relief can be granted under the Specific Relief Act, 1963:

- (a) Recovery of Money.
- (b) Ejectment of tenant.
- (c) Redemption of mortgage.
- (d) Perpetual Injunction

Q70. Sec.216 of the Code of Criminal Procedure, 1973 deals with the following subject:

- (a) alteration of charge.
- (b) effects of errors in framing charge.
- (c) contents of charge.
- (d) Recall of witness when charge is altered.

Q71. A voluntarily throws into a river a ring belonging to B with an intention thereby causing wrongful loss to B. A has committed_____.

- (a) Mischief
- (b) Theft
- (c) Extortion
- (d) No offence.

Q72. Which one of the following is not correctly matched according to the Code of Civil Procedure, 1908?

- (a) Order 26 Rule 9 - Commissions to make local investigations.
- (b) Order 1 Rule 10(2) - Adding or striking out parties.
- (c) Order 7 Rule 11 - Rejection of plaint.
- (d) Order 9 Rule 9- Set aside the exparte decree.

Q73. In a suit for mandatOry injunction, if the relief for damages is not claimed, the court can allow the plaintiff to amend the plaintiff to include a claim for the said relief_____.

- (a) Only before filing the written statement.
- (b) Only before commencement of trial.
- (c) At any stage of the proceedings
- (d) Can not be allowed to amend the plaint.

Q74. As per Section 122 of the Transfer of Property Act, 1882, if the donee dies before the acceptance of the gift, said gift is_____.

- (a) Valid.
- (b) Illegal
- (c) Voidable.
- (d) Void

Q75. A gift comprising both existing and future property is:

- (a) Valid
- (b) Void.
- (c) Voidable
- (d) Void as to the latter

Q76. As per Section 147 of the Negotiable Instruments Act, 1881, every offence punishable under the said Act is_____.

- (a) compoundable.
- (b) non compoundable
- (c) compoundable with the permission of the Court.
- (d) None of the above.

Q77. The claim that one was elsewhere when an alleged act took place is called as_____.

- (a) res gestae.
- (b) alibi.
- (c) estoppel.
- (d) none of the above.

Q78. Mitakshara is a commentary on_____.

- (a) Narada Smrithi
- (b) Manu Smrithi
- (c) Yajnavalkya Smrithi
- (d) Parashara Smrithi

Q79. Which Section of the Negotiable Instruments Act, 1881 deals with effect of material alteration of the Negotiable Instruments?

- (a) Sec.85
- (b) Sec.86
- (c) Sec.87
- (d) Sec.88

Q80. Which Indian City is called as Orange City?

- (a) Nagpur.
- (b) Hyderabad.
- (c) Jaipur.
- (d) Gwalior.

Q81. A proposal, when accepted, becomes_____.

- (a) a contract.
- (b) an agreement.
- (c) a promise.
- (d) None of the above.

Q82. Which one of the following is the correct combination regarding country and its capital?

- (a) Australia- Sydney.
- (b) Pakistan- Karachi.
- (c) Japan- Tokyo.
- (d) United States of America- New York.

Q83. As per Section 161 (2) of the Code Criminal Procedure, 1973, a person is not bound to answer any question put to him by the police officer making an investigation, if answer to the said question would have tendency to_____.

- (a) expose him to a criminal charge.
- (b) expose him to a penalty.
- (c) expose him to forfeiture.
- (d) All the above.

Q84. Which one of the following is an incorrect combination as per the Specific Relief Act, 1963?

- (a) Sec.27- Rescission of contracts.
- (b) Sec.30- cancellation of Instruments.
- (c) Sec.34- Declaration of status or right
- (d) Sec.39- Mandatory Injunction.

Q85. "Obligation" as defined under Section 2(a) of the Specific Relief Act, 1963 includes every_____ enforceable by law.

- (a) duty.
- (b) right.
- (c) obligation.
- (d) legal right.

Q86. When a suit, in which defendant raised counter claim, is dismissed for default of plaintiff:

- (a) Counter claim also stands dismissed.
- (b) Counter claim may be proceeded with.
- (c) Counter claim is to be returned for its representation as a separate suit.
- (d) Counter claim may be proceeded only when suit is restored

Q87. Who is the captain of the Indian Women's Hockey team, which reached the semifinal of the recently held Tokyo Olympics 2020?

- (a) Rani Rampal.
- (b) Vandana Katariya.
- (c) Navneet Kaur.
- (d) Sunita Lakra.

Q88. Which Section of the Negotiable Instruments Act, 1881 states that the evidence of the complainant may be given by him on affidavit?

- (a) Sec.145.
- (b) Sec.146.
- (c) Sec.147.
- (d) Sec.148.

Q89. Which provision of the Code of Civil Procedure, 1908 says that, where a suit is instituted against a public officer for damages or other relief in respect of any act alleged to have been done by him in his official capacity, the Government shall be joined as a party to the suit?

- (a) Order 1 Rule 10 (2).
- (b) Order XXVII Rule 5A.
- (c) Section 80.
- (d) No such provision.

Q90. Where an immovable property is sold in execution of a decree, the sale of such property becomes absolute_____.

- (a) when the court makes an order confirming the sale.
- (b) when the possession of the property sold is delivered to the purchaser.
- (c) when a document conveying title (Sale Deed) to such property is executed.
- (d) on completion of 60 days after the execution of the Sale Deed.

Q91. Leading questions may be asked in_____

- (a) chief examination.
- (b) cross-examination.
- (c) re-examination.
- (d) all the above.

Q92. Which Section of the Indian Contract Act 1872 says that every agreement in restraint of the marriage of any person, other than a minor, is void?

- (a) Sec.29.
- (b) Sec.28.
- (c) Sec.27.
- (d) Sec.26.

Q93. Meaning of legal maxim "nemo dat quod non habet" is:

- (a) Nobody is above law.
- (b) No one should be condemned unheard.
- (c) No one gives what he does not have.
- (d) No man shall be a judge in his own cause.

Q94. Ossification test is conducted_____.

- (a) to determine sex of a person.
- (b) to determine the age of a person.
- (c) to determine the blood group of a person.
- (d) to determine mental status of person

Q95. Who is the present Law minister in the Union Cabinet?

- (a) Smt. Nirmala Seetharaman.
- (b) Sri Kiren Rijju.
- (c) Sri Ravi Shankar Prasad.
- (d) None of the Above.

Q96. A witness, who is interested in the success of the party, who called him as a witness, is called as_____.

- (a) Hostile witness.
- (b) Natural Witness.
- (c) Expert witness.
- (d) Interested witness.

Q97. The presumption under Sec.118 of the Negotiable Instruments Act, 1881 shall be made in respect of:

- (a) consideration.
- (b) date.
- (c) time of acceptance.
- (d) All the above.

Q98. Minimum number of persons required for committing an act of criminal conspiracy, an offence punishable under Sec.120B of the Indian Penal Code, are:

- (a) Seven.
- (b) five.
- (c) three
- (d) Two.

Q99. In which one of the following landmark decisions, the Supreme Court of India declared that the fundamental rights granted under the Constitution of India are equally applicable to transgender people?

- (a) Shreya Singhal vs Union of India.
- (b) National Legal Services Authority vs Union of India.
- (c) Lily Thomas vs Union of India.
- (d) Naz Foundation vs Govt of Delhi.

Q100. Which Section of the Specific Relief Act, 1963 says that specific performance of a contract can not be enforced in favour of a person who failed to prove his readiness and willingness to perform his part of contract?

- (a) Section 13.
- (b) Section 14.
- (c) Section 15.
- (d) Section 16.

Answer Key & Solutions

Q1. Answer: B

The Preamble's correct sequence of descriptors is Sovereign, Socialist, Secular, Democratic, Republic (the 42nd Amendment, 1976, inserted 'Socialist' and 'Secular' in this order).

Q2. Answer: D

Per the First Schedule of CrPC, IPC Sec.304A (death by rash/negligent act) is cognizable and bailable, triable by Magistrate First Class.

Q3. Answer: B

Order XXI Rule 72 CPC bars the decree-holder from bidding for or purchasing the property in a court-auction sale without express permission of the court.

Q4. Answer: B

Sec.340 IPC defines 'wrongful confinement', not 'wrongful restraint' (which is Sec.339). Hence Sec.340-Wrongful restraint is the incorrect combination.

Q5. Answer: C

The maxim 'once a mortgage, always a mortgage' embodies the right of redemption (Sec.60 TPA): a mortgage is always redeemable and any clog on the equity of redemption is void.

Q6. Answer: B

'Ab initio' is Latin for 'from the beginning'.

Q7. Answer: D

Lalita Kumari v. Govt. of U.P., (2014) 2 SCC 1 (Constitution Bench) held FIR registration mandatory under Sec.154 CrPC when information discloses a cognizable offence.

Q8. Answer: A

Order 23 Rule 1(3) CPC allows the court to permit withdrawal of a suit with liberty to file a fresh suit on the same subject matter.

Q9. Answer: B

Under Order 7 Rule 11(c) CPC, where requisite court-fee is not supplied despite the court's order, the plaint shall be rejected.

Q10. Answer: C

In 2021 the Vice-President M. Venkaiah Naidu was the ex-officio Chairperson of the Rajya Sabha (Art.89(1)).

Q11. Answer: B

After the J&K reorganisation (Aug 2019) and merger of Dadra & Nagar Haveli with Daman & Diu (Jan 2020), India has 28 States and 8 Union Territories.

Q12. Answer: B

'To the Best of My Memory' is the autobiography of Justice P.B. Gajendragadkar, former Chief Justice of India.

Q13. Answer: D

'Died intestate' means a person died without making a will (Sec.2(h) Indian Succession Act, 1925).

Q14. Answer: C

Kesavananda Bharati v. State of Kerala (1973) was heard by the largest-ever bench of the Supreme Court, comprising 13 judges.

Q15. Answer: B

Under Sec.321 CrPC, if withdrawal from prosecution is made after the charge is framed, the accused shall be acquitted (before charge, he is discharged).

Q16. Answer: B

Sec.437(2) CrPC empowers an officer/court to release an accused arrested for a non-bailable offence on bail where there are not reasonable grounds to believe he is guilty of such offence.

Q17. Answer: D

Sec.358 CrPC deals with compensation to persons groundlessly arrested, not victim compensation (which is Sec.357A). Hence Sec.358-Victim compensation is incorrect.

Q18. Answer: D

Part performance under the TPA is governed by Sec.53A, not 'Sec.52A'. Hence Sec.52A-Part Performance is the incorrect combination.

Q19. Answer: D

Sec.360 CrPC provides for release of a convicted offender on probation of good conduct or after admonition.

Q20. Answer: B

Order 1 Rule 8 CPC permits one or more persons to sue or be sued on behalf of all having the same interest, i.e. representative suits.

Q21. Answer: B

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

Q22. Answer: A

Goa is the smallest State of India by area (about 3,702 sq km), smaller than Sikkim and Tripura.

Q23. Answer: A

Section 14 of the Transfer of Property Act, 1882 embodies the rule against perpetuity (no transfer to create an interest beyond life-in-being plus minority).

Q24. Answer: C

The Right to Property was deleted as a Fundamental Right (former Art.31/19(1)(f)) by the 44th Amendment, 1978, and retained as a constitutional/legal right under Art.300A.

Q25. Answer: A

Order XLI Rule 5(1) CPC empowers the court which passed the decree to stay execution of an appealable decree for sufficient cause.

Q26. Answer: B

Placing armed men at the outlets so Z cannot leave the building confines Z within circumscribing limits; this is wrongful confinement under Sec.340 IPC (this is in fact the statutory illustration to Sec.340).

Q27. Answer: B

Under Sec.2 of the Karnataka Rent Act, 1999 the Act does not apply to premises in a Municipal Corporation area whose monthly rent exceeds Rs.3,500. Mangalore is a Municipal Corporation area and the rent is Rs.4,000, so the Act is excluded and eviction is governed by the Transfer of Property Act, 1882.

Q28. 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.

Q29. Answer: C

Where a suit is dismissed under Order IX Rule 2 (or Rule 3/8) for non-appearance, the plaintiff's remedy to set aside the dismissal in the same court is an application under Order IX Rule 9 CPC.

Q30. Answer: B

Virat Kohli is the only player to have represented a single franchise (Royal Challengers Bengaluru) in all 14 IPL editions. Dhoni did not (CSK was suspended 2016-17, he played for Rising Pune Supergiant) and Rohit Sharma began with

Deccan Chargers before Mumbai Indians.

Q31. Answer: C

Under Article 159, the oath of office to a Governor is administered by the Chief Justice of the High Court exercising jurisdiction in relation to that State (or, in his absence, the senior-most Judge of that Court).

Q32. Answer: C

Under Sec.5 of the Karnataka Rent Act, 1999, on the death of a tenant the right of tenancy devolves on his qualifying successors for a period of five years from the date of death.

Q33. Answer: A

Sec.413 IPC (habitually dealing in stolen property) is punishable with imprisonment for life; under the First Schedule of the CrPC such an offence is triable by the Court of Session.

Q34. Answer: A

This is the statutory illustration to Sec.17 of the Indian Contract Act: mere silence as to the unsoundness of a horse sold by auction is no fraud, the buyer being expected to use ordinary diligence (caveat emptor); A committed no fraud.

Q35. Answer: A

Section 58 of the Indian Evidence Act, 1872 provides that facts admitted by parties or their agents need not be proved.

Q36. Answer: A

Under Sec.116 of the Transfer of Property Act, a lessee continuing in possession after determination of the lease with the lessor's assent (express or implied) is a tenant by holding over; possession without consent would be tenancy at sufferance.

Q37. Answer: C

Shayara Bano v. Union of India (2017) is the landmark Supreme Court decision that struck down the practice of instantaneous triple talaq (talaq-e-biddat).

Q38. Answer: A

Section 45 of the Karnataka Rent Act, 1999 bars a tenant from contesting an eviction application under Sec.27 unless he pays/deposits all arrears of rent and other charges and continues to deposit accruing rent during the proceedings.

Q39. Answer: D

Article 50 deals with separation of the judiciary from the executive, not promotion of international peace and security (which is Article 51); hence the combination in option (d) is incorrect.

Q40. Answer: C

Rejection of a plaint (Order 7 Rule 11) and an order under Sec.144 (restitution) are expressly deemed decrees under Sec.2(2) CPC, whereas dismissal of a suit for default is excluded from the definition of decree; so option (c) does not amount to a decree.

Q41. Answer: D

Sec.428 CrPC sets off detention undergone by the convict during the investigation, inquiry or trial of the same case against the sentence; hence 'All the above'.

Q42. Answer: D

Vineeta Sharma v. Rakesh Sharma (2020) held that a daughter is a coparcener by birth in HUF property under the amended Sec.6 of the Hindu Succession Act, irrespective of whether the father was alive on 9-9-2005.

Q43. Answer: C

Section 58 of the Indian Contract Act provides that in an alternative promise, one branch legal and the other illegal, only the legal branch can be enforced.

Q44. Answer: C

A witness who knowingly makes a false statement on oath in court commits perjury (giving false evidence, Sec.191-193 IPC).

Q45. Answer: A

Sec.41D CrPC entitles an arrested person to meet an advocate of his choice during interrogation, though not throughout interrogation; the statement is therefore True.

Q46. Answer: A

Sec.320(9) CrPC provides that no offence shall be compounded except as provided by that section; offences not listed in Sec.320 cannot be compounded.

Q47. Answer: D

'Evidence before charge' under Sec.244 CrPC is recorded in warrant cases instituted otherwise than on a police report (private complaint), where the Magistrate takes prosecution evidence before deciding to frame a charge.

Q48. Answer: A

Criminal intimidation under Sec.506 IPC is listed in the table to Sec.320(1) CrPC as compoundable by the person intimidated, without leave of the court.

Q49. Answer: C

Section 29 of the Indian Contract Act, 1872 provides that agreements the meaning of which is not certain, or capable of being made certain, are void.

Q50. Answer: D

Under the Negotiable Instruments Act, 1881 the maker, acceptor or indorser is discharged from liability by cancellation (Sec.82), by release, and by payment; hence all of the above.

Q51. Answer: A

Article 368 of the Constitution of India prescribes the power and procedure for amendment of the Constitution.

Q52. Answer: C

Under the proviso to Section 165 of the Indian Evidence Act, 1872, neither party is entitled to cross-examine a witness on answers given to questions put by the Judge except with the leave of the Court.

Q53. Answer: C

Article 16 (equality of opportunity in public employment) was amended (clauses 4A and 4B inserted by the 77th and 81st Amendments) to provide reservation in promotions.

Q54. Answer: D

National Legal Services Day is observed on 9th November every year, marking the enforcement of the Legal Services Authorities Act, 1987 on that date in 1995.

Q55. Answer: C

Under Section 106 of the Transfer of Property Act, 1882, a lease for manufacturing purposes is deemed a lease from year to year, terminable by six months' notice.

Q56. Answer: C

Order XXXIX Rule 3A CPC requires the Court to endeavour to finally dispose of an ex parte injunction application within thirty days from the date of grant.

Q57. Answer: D

Inducing delivery of money by threat of publishing a defamatory libel is the textbook illustration of extortion under Section 383 IPC.

Q58. Answer: B

Order 14 Rule 2 CPC permits the Court to try an issue of law as a preliminary issue (jurisdiction or bar by law).

Q59. Answer: A

ICMR stands for the Indian Council of Medical Research, the apex body for biomedical research in India.

Q60. Answer: D

A mortgage by deposit of title deeds (Section 58(f) TPA) is commonly known as an equitable mortgage.

Q61. Answer: A

Justice Uday U. Lalit was elevated directly from the Bar to the Supreme Court (sworn in 13 Aug 2014) without ever serving as a High Court judge.

Q62. Answer: A

Under Section 142 of the Indian Contract Act, 1872, a guarantee obtained by means of misrepresentation by the creditor is invalid (void).

Q63. Answer: A

Section 13 of the Indian Contract Act, 1872 defines 'Consent'; coercion is Sec.15, undue influence Sec.16, fraud Sec.17, so only option (a) is correctly matched.

Q64. Answer: C

On death of the sole plaintiff, the legal representatives are brought on record under Order 22 Rule 3 CPC (Rule 4 deals with death of a defendant).

Q65. Answer: C

Under Section 29(2) CrPC, a Judicial Magistrate of the First Class may pass a sentence of imprisonment not exceeding three years.

Q66. Answer: A

Under Section 119 of the Indian Evidence Act, 1872, evidence given by a dumb witness in writing in open court is deemed to be oral evidence.

Q67. Answer: A

Section 114 CPC (review) is read with Order XLVII Rule 1 CPC, which sets out the grounds for review.

Q68. Answer: C

Under Order XVIII Rule 3 CPC, the party beginning may reserve rebuttal evidence only on those issues where the burden of proof lies on the other party.

Q69. Answer: D

Perpetual injunction (Sections 37-38) is a relief granted under the Specific Relief Act, 1963; recovery of money, ejectment and redemption fall under other statutes.

Q70. Answer: A

Section 216 of the Code of Criminal Procedure, 1973 deals with the power of the court to alter or add to any charge.

Q71. Answer: A

Throwing B's ring into a river intending wrongful loss is the classic illustration of mischief under Section 425 IPC (destruction/diminution of value or utility of property).

Q72. Answer: D

Order 9 Rule 9 CPC deals with setting aside dismissal for default (not ex parte decree, which is Order 9 Rule 13); hence (d) is the incorrectly matched pair.

Q73. Answer: C

Amendment of pleadings to include a claim for damages may be allowed at any stage of the proceedings under Order VI Rule 17 CPC.

Q74. Answer: D

Under Section 122 of the Transfer of Property Act, 1882, if the donee dies before acceptance, the gift is void.

Q75. Answer: D

Under Section 124 of the Transfer of Property Act, 1882, a gift comprising both existing and future property is void as to the latter (future property).

Q76. Answer: A

Section 147 of the Negotiable Instruments Act, 1881 (inserted by the 2002 amendment) is a non-obstante provision making every offence punishable under the Act compoundable, notwithstanding the CrPC.

Q77. Answer: B

A plea that the accused was elsewhere when the offence occurred is the defence of 'alibi' (from Latin 'alibi' = elsewhere), recognised under Section 11 of the Indian Evidence Act, 1872.

Q78. Answer: C

The Mitakshara, authored by Vijnaneshwara, is a running commentary on the Yajnavalkya Smriti, and is the foundational text of the Mitakshara school of Hindu law.

Q79. Answer: C

Section 87 of the Negotiable Instruments Act, 1881 deals with the effect of material alteration, rendering an instrument void as against anyone not consenting to the alteration.

Q80. Answer: A

Nagpur in Maharashtra is known as the 'Orange City' due to its large-scale orange cultivation and trade.

Q81. Answer: C

Under Section 2(b) of the Indian Contract Act, 1872, a proposal when accepted becomes a promise; it becomes an agreement/contract only with consideration and enforceability.

Q82. Answer: C

Tokyo is the capital of Japan. Australia's capital is Canberra (not Sydney), Pakistan's is Islamabad (not Karachi), and the USA's is Washington D.C. (not New York).

Q83. Answer: D

The proviso to Section 161(2) CrPC, 1973 protects a person from answering questions that would expose him to a criminal charge, penalty or forfeiture, hence all the above.

Q84. Answer: B

Under the Specific Relief Act, 1963 cancellation of instruments is governed by Section 31, not Section 30; Sec.27 (rescission), Sec.34 (declaration) and Sec.39 (mandatory injunction) are correctly matched. Hence 'Sec.30 - cancellation of Instruments' is the incorrect combination.

Q85. Answer: A

Section 2(a) of the Specific Relief Act, 1963 defines 'obligation' to include every duty enforceable by law.

Q86. Answer: B

Under Order VIII Rule 6A/6D CPC, a counter-claim is treated as a cross-suit; even if the plaintiff's suit is dismissed for default, the counter-claim may be proceeded with and disposed of on merits.

Q87. Answer: A

Rani Rampal captained the Indian women's hockey team that reached the semifinal (4th place) at the Tokyo 2020 Olympics, the team's best-ever Olympic performance.

Q88. Answer: A

Section 145 of the Negotiable Instruments Act, 1881 permits the complainant's evidence to be given on affidavit, notwithstanding anything in the CrPC.

Q89. Answer: B

Order XXVII Rule 5A CPC, 1908 requires the Government to be joined as a party in a suit against a public officer for acts done in his official capacity.

Q90. Answer: A

Under Order XXI Rule 92 CPC, where no application to set aside is made (or is disallowed), the court makes an order confirming the sale, and thereupon the sale becomes absolute.

Q91. Answer: B

Under Section 142 of the Indian Evidence Act, 1872, leading questions may be asked in cross-examination; they may not (without permission) be asked in examination-in-chief or re-examination (Sec.142).

Q92. Answer: D

Section 26 of the Indian Contract Act, 1872 declares every agreement in restraint of the marriage of any person, other than a minor, void. (Section 27 is restraint of trade.)

Q93. Answer: C

'Nemo dat quod non habet' means no one can give (transfer) what he does not have.

Q94. Answer: B

The ossification test examines bone development/fusion of epiphyses to estimate the age of a person.

Q95. Answer: B

Kiren Rijju was the Union Law Minister (Minister of Law and Justice) appointed in July 2021, succeeding Ravi Shankar Prasad, the period contemporaneous with this 2021 paper.

Q96. Answer: D

A witness interested in the success of the party who called him is an 'interested witness'; a hostile witness, by contrast, gives evidence adverse to the party calling him.

Q97. Answer: D

Section 118 of the Negotiable Instruments Act, 1881 raises presumptions as to consideration, date, time of acceptance, transfer, etc.; hence all the above.

Q98. Answer: D

Criminal conspiracy under Section 120A IPC requires an agreement between two or more persons; therefore a minimum of two persons is needed.

Q99. Answer: B

In National Legal Services Authority (NALSA) v. Union of India (2014), the Supreme Court recognised transgender persons as a third gender and held fundamental rights equally applicable to them.

Q100. Answer: D

Section 16(c) of the Specific Relief Act, 1963 bars specific performance in favour of a person who fails to prove that he has performed or has been ready and willing to perform his part of the contract.