

Kerala Judiciary - Prelims 2013

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

Q1. If performance or occurrence of a condition precedent is to be pleaded,

- (a) it shall be distinctly specified in the pleading
- (b) it shall be implied in the pleading
- (c) it depends on the nature of the pleading
- (d) it is really a matter for evidence and not pleading

Q2. Mark the odd one keeping in mind the rights of the parties to a mortgage

- (a) Simple mortgage
- (b) Mortgage by conditional sale
- (c) Mortgage by deposit of title deeds
- (d) Usufructuary mortgage

Q3. In calculating what is the reasonable time for giving notice of dishonour,

- (a) date of dishonour may be excluded
- (b) date of dishonour shall be excluded
- (c) public holidays may be excluded
- (d) public holidays shall be excluded

Q4. A contract grounded on an erroneous belief that a particular debt is barred under Article 1 of the Limitation Act (Act 36 of 1963) is

- (a) Valid
- (b) Voidable
- (c) Void
- (d) Vacuous

Q5. Which among the following is the correct statement?

- (a) No injunction shall be granted to restrain any person from instituting or prosecuting a suit
- (b) No appeal shall lie from any order or decree passed in any suit instituted u/s.6 of the Specific Relief Act and therefore the aggrieved party shall either apply for review of the order/decreed or prefer a revision.
- (c) A contract which is in its nature determinable cannot be specifically enforced.
- (d) The jurisdiction to decree specific performance is discretionary but the court should not deny such relief if it is lawful to grant it.

Q6. Which one among the following is not a ground for eviction u/s.11 (4) of the Kerala Buildings (Lease and Rent Control) Act?

- (a) Reconstruction
- (b) Renovation
- (c) Reduction in value or utility
- (d) Cessation of occupation

Q7. The Court may at any stage of the proceedings order to be struck out any matter in any pleading

- (a) which may be doubtful
- (b) which may be unnecessary
- (c) which may be untrue
- (d) which may be illegal

Q8. Which among the following is the document which is not compulsorily attestable?

- (a) Sale deed
- (b) Gift deed
- (c) Mortgage deed
- (d) Unprivileged Will

Q9. When a negotiable instrument is silent as to the rate of interest, court may grant interest at a rate not exceeding

- (a) 6% per annum
- (b) 9% per annum
- (c) 12% per annum
- (d) 18% per annum

Q10. A proposal is revoked

- (a) by the death of the proposer
- (b) by the insanity of the proposer
- (c) by the death of the proposer if the death comes to the knowledge of the acceptor before acceptance
- (d) by the insanity of the proposer if the insanity does not come to the knowledge of the acceptor before acceptance

Q11. Specific relief can be granted

- (a) only for the purpose of enforcing individual rights and not at all for the purpose of enforcing a penal law.
- (b) only for the purpose of enforcing individual civil rights and not for the mere purpose of enforcing a penal law.
- (c) only for the purpose of enforcing a civil right, whether or not individual, and not at all for the purpose of enforcing a penal law.
- (d) only for the purpose of enforcing a civil right, whether or not individual, and not for the mere purpose of enforcing a penal law.

Q12. A judgement-debtor is arrested in execution of a decree directing payment of four thousand rupees. What is the maximum period for which he may be detained in civil prison?

- (a) Six weeks
- (b) Four weeks
- (c) Two months
- (d) Three months

Q13. One among the following four provisions in the Kerala Buildings (Lease and Rent Control) Act is different from the other three. Identify it?

- (a) Sec. 11 (8)
- (b) Sec. 11 (7)
- (c) Sec. 11 (3)
- (d) Sec. 11 (2)

Q14. Under Section 111 of the Transfer of Property Act, a lease of immovable property determines

- (a) where the lessor transfers his interest in the property to a third party and the landlord or his transferee gives notice thereof in writing to the lessee.
- (b) in case the lessee renounces his character as such by setting up a title in a third person and the lessor gives notice in writing to the lessee of his intention to determine the lease.
- (c) in case the lessee acquires a fractional interest in the property and gives notice in writing to the lessor of his intention to determine the lease.
- (d) where the lessee keeps rent in arrears for a period exceeding two years and the lessor gives notice in writing of his intention to determine the lease.

Q15. A contract for sale of immovable property may be lawfully rescinded by the seller

- (a) even after a decree for specific performance is made
- (b) only before the institution of a suit for specific performance
- (c) even after a suit for specific performance is filed but before a decree is passed
- (d) only if the contract expressly or impliedly permits such recession.

Q16. In the State of Kerala which Court is a Principal Court of Original Jurisdiction?

- (a) Any Munsiff's Court
- (b) Any Court of the Subordinate Judge
- (c) Any District Court
- (d) The High Court

Q17. A condition absolutely restraining alienation is void. Are there any exceptions?

- (a) No
- (b) Yes, in the case of a gift where the condition is for the benefit of the donee
- (c) Yes, in the case of a lease where the condition is for the benefit of the lessor
- (d) Yes, in the case of a sale where the seller reserves a right of pre-emption.

Q18. If the indorser signs his name only,

- (a) the indorsement is said to be in blank
- (b) the indorsement is said to be in full
- (c) there is no indorsement at all
- (d) here is indorsement but defective, and it may be cured with the express consent of the indorsee.

Q19. A property was attached under a precept. The Court which issued the precept did not extend the period of the attachment. Nor was the decree transferred to the Court to which the precept was issued. How long will the attachment continue?

- (a) Till the attachment is terminated by the Court which issued the precept
- (b) Six months
- (c) Two months
- (d) One month

Q20. A contract is broken. Ten thousand rupees is named in the contract as the amount to be paid in case of such breach. The party complaining of the breach sues the party who has broken the contract for fifteen thousand rupees as compensation. To what compensation the plaintiff is entitled?

- (a) He is entitled to fifteen thousand rupees if he proves that he sustained damage or loss to that extent
- (b) He is entitled to ten thousand rupees if he proves that he sustained damage or loss to that extent or more
- (c) He is entitled to ten thousand rupees whether or not actual damage or loss is proved by him
- (d) He is entitled to a reasonable compensation not exceeding ten thousand rupees whether or not actual damage or loss is proved by him.

Q21. 'A' is the landlord. 'B' is the tenant. 'A' sells the building to 'C'. Then,

- (a) 'C' cannot seek eviction u/s.11 of Act 2/1965 until the expiry of one year from the date of the sale deed.
- (b) 'C' cannot seek eviction u/s.11 (3) of Act 2/1965 until the expiry of one year from the date of the sale deed
- (c) 'C' cannot seek eviction u/s.11 (8) of Act 2/1965 until the expiry of one year from the date of the sale deed
- (d) 'C' cannot seek eviction u/s.12 (3) of Act 2/1965 until the expiry of one year from the date of the sale deed

Q22. One of the following is a power of civil courts which shall not be exercised suo motu. Mark it.

- (a) Amendment of judgments, decrees or orders u/s.152 of the Code of Civil Procedure
- (b) Review of decrees or orders u/s.114 read with rule 1 of Or.XLVII of the Code of Civil Procedure
- (c) Judgement on admission under rule 6 of Or.XII of the Code of Civil Procedure
- (d) Impleadment of a party under rule 10 (2) of Or.I of the Code of Civil Procedure

Q23. Which statement is wrong?

- (a) No court can cancel an instrument in part and allow it to stand for the residue
- (b) A person entitled to the possession of specific movable or immovable property may recover it in the manner provided by the Code of Civil Procedure.
- (c) A contract for the non-performance of which compensation in money is an adequate relief cannot be specifically enforced.
- (d) The court may not only decree the relief of specific performance but also decree the claim for compensation for its breach.

Q24. Until the contrary is proved it shall be presumed that a lost promissory note was

- (a) unstamped
- (b) insufficiently stamped
- (c) duly stamped
- (d) time barred

Q25. Accepting the contention of the defendant the court finds that it has no jurisdiction to entertain the suit. The court makes an order to return the plaintiff for presentation in a court having the jurisdiction. The plaintiff files an application under rule 10 A (2) of Order VII of the Code of Civil Procedure. What shall the court do?

- (a) The court shall fix a time within which the plaintiff shall be presented in the court in which the plaintiff is proposed to be presented.
- (b) The court shall fix a date for the appearance of the parties in the court in which the plaintiff is proposed to be presented.
- (c) The court shall fix a time for the presentation of the plaintiff or fix a date for the appearance of the parties according to the specific prayer in the application of the plaintiff. '
- (d) The court shall fix a time for the presentation of the plaintiff and shall also fix a date for the appearance of the parties in the court in which the plaintiff is proposed to be presented.

Q26. Which one among the following is not common to mortgage and charge?

- (a) Security for the payment of money
- (b) Right to redeem
- (c) No merger in case of subsequent encumbrance
- (d) Transfer of interest in immovable property

Q27. Mark the odd one.

- (a) Coercion
- (b) Undue influence
- (c) Fraud
- (d) Misrepresentation

Q28. A simple mortgagee files a simple suit for money and obtains a decree. He

- (a) shall be entitled to bring the mortgaged property to sale in execution of the said decree
- (b) shall be entitled to bring the mortgaged property to sale in execution of the said decree only if he obtains special leave of the court, and the court shall grant such leave only if it is satisfied that there are special reasons for not instituting a suit for sale in enforcement of the mortgage.
- (c) shall not be entitled to bring the mortgaged property to sale otherwise than by instituting a suit for sale in enforcement of the mortgage, and he may institute such suit and bring the mortgaged property to sale in execution of that decree.
- (d) shall not be entitled to bring the mortgaged property to sale otherwise than by instituting a suit for sale in enforcement of the mortgage, and he cannot institute such a suit subsequently since he has forfeited his such right and also in view of the bar contained in rule 2 of Or. 11 of the Code of Civil Procedure.

Q29. A suit for the rectification of an instrument/document is not maintainable if it is

- (a) a memorandum of association of a company to which the Company's Act, 1956 applies
- (b) an articles of association of a company to which the Company's Act, 1956 applies
- (c) a partnership deed of a partnership firm to which the Indian Partnership Act, 1932 applies
- (d) a document of contract other than a partnership deed of a partnership firm to which the Indian Partnership Act, 1932 applies

Q30. In which of the following cases issuance of notice under rule 22 of Order XXI of the Code of Civil Procedure is not mandatory?

- (a) Where an application for execution is made more than two years after the date of the decree
- (b) Where an application is made for the execution of a decree of any of the superior courts of any reciprocating territory.
- (c) Where an application is made for the execution of a decree passed against the Government or a public officer in respect of any act purporting to be done by him in his official capacity.
- (d) Where an application for execution is made against the assignee or receiver in insolvency, where the party to the decree has been adjudged to be an insolvent.

Q31. Choose the correct statement.

- (a) Where a cheque is uncrossed, the holder may cross it generally or specially.
- (b) Where a cheque is crossed generally, the holder may not cross it specially.
- (c) Where a cheque is crossed generally but not specially, the holder may add the words "not negotiable".
- (d) Where a cheque is crossed specially, the banker to whom it is crossed may not again cross it specially to another banker for collection.

Q32. An appeal has been preferred against a decree passed ex parte. The appeal is dismissed. Thereafter an application is filed under rule 13 of Order IX of the Code of Civil Procedure for setting aside the ex parte decree. Will such an application lie?

- (a) No application shall lie after the dismissal of the appeal
- (b) No application shall lie unless the dismissal of the appeal was before the appearance of the respondent in the appeal
- (c) No application shall lie unless the leave of the appellate court is obtained within two weeks from the date of dismissal of the appeal
- (d) No application shall lie unless the dismissal of the appeal was on the ground that the appellant had withdrawn the appeal.

Q33. What is the principle embodied in Sec.43 of the Transfer of Property Act?

- (a) Rule against perpetuity
- (b) Feeding the grant by estoppel I
- (c) Doctrine of absolute necessity
- (d) Doctrine of election

Q34. In one of the following grounds a purchaser at a sale in execution of a decree may apply to the court to set aside the sale. Identify it. |

- (a) The property was held under a mortgage in favour of another person j
- (b) There was an irregularity in conducting the sale
- (c) The judgement-debtor had no saleable interest in the property sold
- (d) The judgement-debtor had no absolute title to the property

Q35. What happened to Secs.76 to 123 of the Indian Contract Act?

- (a) Repealed by Sec.42 of the Specific Relief Act, 1963
- (b) Repealed by Sec.65 of the Sale of Goods Act, 1930
- (c) Repealed by Sec.72 of the Arbitration Act, 1940
- (d) Repealed by Sec.85 of the Arbitration and Conciliation Act, 1996

Q36. Identify the order from which no appeal shall lie.

- (a) An order granting compensatory costs.
- (b) An order granting compensation for effecting an arrest before judgement on insufficient grounds.
- (c) An order allowing an application to set aside a decree passed ex parte.
- (d) An order allowing an application seeking review of a judgement.

Q37. Mark the incorrect statement.

- (a) Every agreement in restraint of the marriage of any person is void.
- (b) Every agreement, the meaning of which is not certain, or capable of being made certain, is void.
- (c) Every agreement by which any one is restrained from exercising a lawful profession, trade or business of any kind, is to that extent void.
- (d) Every contingent agreement to do or not to do anything, if an impossible event happens, is void.

Q38. For the purpose of Sec.39 of the Code of Civil Procedure which is a court of competent jurisdiction to which a decree may be sent for execution by the court which passed the decree?

- (a) Every civil court shall be deemed to be a court of competent jurisdiction
- (b) A court shall be deemed to be a court of competent jurisdiction if, at the time of filing of the suit in which the decree was granted, such court would have jurisdiction to try the suit.
- (c) A court shall be deemed to be a court of competent jurisdiction if, as on the date of the decree, such court would have jurisdiction to try the suit
- (d) A court shall be deemed to be a court of competent jurisdiction if, at the time of making the application for the transfer of the decree to it, such court would have jurisdiction to try the suit in which such decree was passed.

Q39. Sec.15 of the Kerala Buildings (Lease and Rent Control) Act is founded on what principle?

- (a) Sub Judice
- (b) Res Judicata
- (c) Estoppel
- (d) Forfeiture

Q40. Which among the following is not common to set off and counterclaim?

- (a) Should not exceed the pecuniary limits of the jurisdiction of the court.
- (b) Liable to payment of court fees
- (c) Must relate to monetary claims
- (d) The plaintiff is expected to file written statement

Q41. A person accused of a bailable offence is arrested and brought before a Court. He is remanded to judicial custody as he is unable to furnish surety. He is entitled to be released on bail as an indigent person if he is unable to give bail

- (a) within a month of the date of his arrest
- (b) within a fortnight of the date of his arrest
- (c) within ten days of the date of his arrest
- (d) within a week of the date of his arrest

Q42. An investigating officer conducts an identification parade at the police station. A witness correctly identifies the accused from a row of ten persons by touching his body. Is it admissible in evidence?

- (a) Yes, it is admissible under Sec.9 of the Indian Evidence Act
- (b) No, it is hit by Sec. 162 of the Code of Criminal Procedure
- (c) Yes, it is admissible u/s.32 of the Indian Evidence Act if the witness dies before he could be examined in court
- (d) No, it is hit by Sec. 161 of the Code of Criminal Procedure

Q43. Among the following persons who shall not be charged and tried together?

- (a) Persons accused of the same offence committed within the space of twelve months.
- (b) Persons accused of the same offence committed in the course of the same transaction.
- (c) Persons accused of different offences committed in the course of the same transaction.
- (d) Persons accused of an offence and persons accused of abetment of such offence.

Q44. Identify the one which is not common to summon cases and summary trials?

- (a) The Magistrate need only to make a memorandum of the substance of the evidence.
- (b) The Magistrate may act on the evidence recorded by his predecessor-in-office.
- (c) The Magistrate need not hear the accused on the question of sentence.
- (d) The Magistrate need not frame a formal charge.

Q45. A Magistrate who is not competent by law to tender a pardon tenders a pardon to an accomplice under Sec.306 of the Code of Criminal Procedure. The proceedings of the Magistrate

- (a) is void.
- (b) is not void but liable to be set aside on the application of an aggrieved person.
- (c) shall not be set aside merely on the ground of his not being so empowered.
- (d) shall not be set aside merely on the ground of his not being so empowered if he acted erroneously in good faith.

Q46. Which of the following does not vitiate the proceedings? A Magistrate not being empowered by law in this behalf

- (a) attaches and sells property under Sec. 83 of the Code of Criminal Procedure.
- (b) takes cognizance of an offence under Sec. 190 (1) (c) of the Code of Criminal Procedure.
- (c) tries an offender summarily.
- (d) orders investigation by police under Sec. 155 of the Code of Criminal Procedure.

Q47. The period of limitation for taking cognizance of the offence under Sec.323 IPC is

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

Q48. Which among the following is a non-compoundable offence?

- (a) Sec. 147 IPC
- (b) Sec.298 IPC
- (c) Sec.334 IPC
- (d) Sec.491 IPC

Q49. Identify the wrong statement.

- (a) Application for plea bargaining is not maintainable if the offence is under Sec. 324 IPC.
- (b) Application for plea bargaining is not maintainable if the offence is under Sec. 354 IPC.
- (c) Application for plea bargaining is not maintainable if the offence is punishable under any of the provisions of the Dowry Prohibition Act.
- (d) Application for plea bargaining is not maintainable if the offence is punishable under Sec. 23 of the Juvenile Justice (Care and Protection of Children) Act.

Q50. Identify the correct statement.

- (a) The court shall not take the help of the defence counsel in preparing the questions to be put under Sec. 313 Cr.P.C.
- (b) Oath shall be administered to the accused when he is examined under Sec. 313 Cr.P.C.
- (c) An accused is liable to be punished if he gives false answers to the questions put under Sec. 313 Cr.P.C.
- (d) An accused is not liable to be punished if he refuses to answer any question put under Sec. 313 Cr.P.C.

Q51. Which of the following is illegal?

- (a) A Magistrate who has no jurisdiction to try a case records confession of an accused
- (b) A Magistrate who has no jurisdiction to conduct an inquiry in a case records the statement of a person conversant with the facts of the case in the course of an investigation.
- (c) A Magistrate before recording confession of an accused administers oath to him.
- (d) A Magistrate records confession of an accused who has voluntarily surrendered * before him. '

Q52. An accused in police custody confesses the crime to the duty doctor at the hospital. Is the confession admissible in evidence, and why?

- (a) Yes, since it is an extra judicial confession
- (b) No, since it is hit by Sec.26 of the Indian Evidence Act.
- (c) Yes, since it is saved by Sec.33 of the Indian Evidence Act.
- (d) No, since it is hit by Sec.25 of the Indian Evidence Act.

Q53. Identify the term which is not specifically defined in the Indian Evidence Act.

- (a) Admission
- (b) Confession
- (c) Document
- (d) Relevant

Q54. Identify the ingredient which is not common to Secs.32 and 33 of the Indian Evidence Act? The person who has given the evidence or statement

- (a) is dead
- (b) cannot be found '
- (c) cannot be produced in court without unreasonable delay.
- (d) is kept out of the way by the adverse party.

Q55. Which among the following Sections of the Indian Evidence Act is an exception to the general rule that hearsay evidence is not admissible in evidence?

- (a) Sec.22
- (b) Sec.27
- (c) Sec.32
- (d) Sec.47

Q56. 'A owns land. Alleging trespass and seeking injunction he institutes a suit against 'B' and another suit against 'O'. Both 'B' and O' allege the existence of a public right of way over As land. The suit against 'B' is dismissed accepting his contention. In the other suit, the existence of such a decree

- (a) is relevant
- (b) is irrelevant
- (c) is conclusive proof
- (d) operates as res Judicata

Q57. Mark the primary evidence?

- (a) Counterpart of a document as against the parties executing it
- (b) Counterpart of a document as against parties who did not execute it.
- (c) A photograph of an original
- (d) All the above

Q58. Throughout the Indian Penal Code

- (a) only definition of an offence shall be understood subject to the exceptions contained in the Chapter entitled "General Exceptions".
- (b) only penal provision shall be understood subject to the exceptions contained in the Chapter entitled "General Exceptions".
- (c) only illustration of an offence shall be understood subject to the exceptions contained in the Chapter entitled "General Exceptions".
- (d) every definition of an offence, every penal provision, and every illustration of every such definition or penal provision shall be understood subject to the exceptions contained in the Chapter entitled "General Exceptions".

Q59. Mark the wrong statement.

- (a) The word "person" includes only an incorporated body.
- (b) "India" means the territory of India excluding the State of Jammu and Kashmir.
- (c) The word "public" includes any class of the public, or any community.
- (d) The words 'a will' denote any testamentary document.

Q60. Identify the words which do not find a place in the definition of "document" in the Indian Penal Code?

- (a) any matter expressed or described upon any substance
- (b) by means of letters, figures or marks
- (c) intended to be used as evidence
- (d) which shall be used as evidence

Q61. A woman gave consent to a man to capture her image, but he sent the image to third person. He has committed

- (a) no offence
- (b) the offence of stalking
- (c) the offence of voyeurism
- (d) the offence of sexual harassment

Q62. 'A finds an envelope on the road, containing a signed cheque. He understands that the payee is his neighbour. He encashes it and appropriates its proceeds. He has committed an offence under

- (a) Sec.379 IPC
- (b) Sec.403 IPC
- (c) Sec.406 IPC
- (d) Sec.384 IPC

Q63. 'A, being executor to the Will of a deceased person, dishonestly disobeys the law which directs him to divide the effects according to the Will, and appropriates them to his own use. 'A has committed

- (a) no offence
- (b) a civil wrong
- (c) the offence u/s.406 IPC
- (d) the offence u/s. 403 IPC

Q64. A person is said to make a false document if he makes a document with the intention of causing it to be believed that it was made by a person whom he knows that it was not made. Which is the missing part in the definition?

- (a) dishonestly
- (b) fraudulently
- (c) dishonestly or fraudulently
- (d) dishonestly and fraudulently

Q65. For which offence no express provision is made in the Indian Penal Code for the punishment of its attempt?

- (a) Attempt to commit robbery
- (b) Attempt to commit murder
- (c) Attempt to commit culpable homicide
- (d) Attempt to commit theft

Q66. An age of a person which does not find a place in Chapter IV of the Indian Penal Code dealing General Exceptions is

- (a) five
- (b) seven
- (c) twelve
- (d) eighteen

Q67. A convict under Sec.354 of the Indian Penal Code

- (a) shall be punished with imprisonment of either description which may extend to two years or with fine or with both.
- (b) shall be punished with imprisonment of either description for a term which shall not be less than one year but which may extend to five years, and shall also be liable to fine.
- (c) shall be punished with imprisonment of either description which shall not be less than one year but which may extend to three years, and shall also be liable to fine.
- (d) shall be punished with imprisonment of either description which shall not be less than two years but which may extend to seven years, and shall also be liable to fine.

Q68. Identify the word which is not defined in the Code of Criminal Procedure?

- (a) Offence
- (b) India
- (c) Cognizance
- (d) Charge

Q69. Choose the wrong statement?

- (a) An officer in charge of a police station cannot summon a document from the office of a court for the purpose of an investigation.
- (b) An officer in charge of a police station can order production of a thing for the purpose of an investigation
- (c) A court can summon a document from another court
- (d) A court can summon a document from the custody of a police officer for the purpose of an enquiry.

Q70. When an arrested accused is produced before a Magistrate, he may under Sec. 167 of the Code of Criminal Procedure remand the accused

- (a) to police custody for fifteen days from the date of arrest
- (b) to police custody for fifteen days from the date of production before him
- (c) to judicial custody for fifteen days from the date of arrest
- (d) to judicial custody for sixty days from the date of production before him

Q71. Identify the wrong statement? It is mandatory under Sec.82 of the Code of Criminal Procedure that

- (a) the proclamation shall be publicly read in some conspicuous place of the village in which the accused ordinarily resides.
- (b) the proclamation shall be affixed to some conspicuous part of the house or homestead in which the accused ordinarily resides.
- (c) a copy of the proclamation may be affixed to some conspicuous part of the court-house.
- (d) the court may, if it thinks fit, direct a copy of the proclamation to be published in a daily newspaper circulating in the place in which the accused ordinarily resides.

Q72. Mark the correct statement?

- (a) The court has no jurisdiction to require that an admitted fact should be proved otherwise than by such admission.
- (b) Oral accounts of the contents of a document given by some person who has himself seen it, is secondary evidence.
- (c) All facts including contents of electronic records and excluding contents of documents may be proved by oral evidence.
- (d) Where a document is executed in several parts, each part is secondary evidence of the document.

Q73. Who is allowed by the Indian Evidence Act to put even an irrelevant question to a witness?

- (a) The Judge
- (b) The Public Prosecutor and not the Assistant Public Prosecutor
- (c) The Public Prosecutor as well as the Assistant Public Prosecutor
- (d) The defence counsel

Q74. When any fact is especially within the knowledge of any person, the burden of proving that fact is upon him. Which Section of the Indian Evidence Act states so?

- (a) Sec.104
- (b) Sec. 105
- (c) Sec.106
- (d) Sec.107

Q75. One of the following is not an ingredient of Sec.112 of the Indian Evidence Act. Identify it?

- (a) The person whose legitimacy is disputed must be born during the continuance of a marriage
- (b) It must be a valid marriage
- (c) It must be between his mother and the man who is alleged to be his father.
- (d) He must be born within 280 days after the marriage.

Q76. Which offence is non-cognizable and bailable?

- (a) Sec.352 IPC
- (b) Sec.353 IPC
- (c) Sec.354 IPC
- (d) Sec.365 IPC

Q77. In a prosecution under clause (a) of Sec.376 of the Indian Penal Code the prosecutor states in her evidence that she did not consent for sexual intercourse with the accused. The court

- (a) shall presume that she did not consent
- (b) may presume that she did not consent
- (c) shall presume that she did not consent where sexual intercourse by the accused is proved by the prosecution
- (d) may presume that she did not consent where sexual intercourse by the accused is proved by the prosecution.

Q78. 'A' threatens 'Z' that he will keep Z's child in wrongful confinement unless 'Z' pays Rs. 10 lakh. 'Z' pays the amount. What offence did 'A' commit?

- (a) Sedition
- (b) Extortion
- (c) Theft
- (d) Affray

Q79. In a complaint case PW1 deposes in Court that an investigation by police is in progress in relation to the same offence. What shall the Magistrate do?

- (a) He shall examine all the witnesses and dispose of the case
- (b) He shall examine all the witnesses and wait for the police report
- (c) He shall stop the trial and report the matter to the CJM forthwith
- (d) He shall stay the proceedings of such trial and call for a report on the matter from the police officer conducting the investigation.

Q80. The basic idea embodied in Sec.27 of the Indian Evidence Act is

- (a) the doctrine of confirmation by subsequent conduct
- (b) the doctrine of admission by subsequent conduct
- (c) the doctrine of confirmation by subsequent event
- (d) the doctrine of admission by subsequent event

Q81. New States are established by

- (a) the Central Government
- (b) the Parliament
- (c) the Central Government with the approval of 50% of the State Governments
- (d) the Parliament with the approval of 50% of the State Legislatures.

Q82. Choose the wrong statement.

- (a) No citizen of India shall accept any title from any foreign State.
- (b) A foreigner may while he holds any office of profit under the State accept a title from any foreign State with the consent of the President.
- (c) A person holding any office of profit under the State may accept any present from any foreign State with the consent of the President.
- (d) A foreigner may while he holds any office of profit under the State accept a title from any foreign State. Fill up with the correct word.

Q83. No child below the age of 14 shall be employed to work in any factory or..... or engaged in any other hazardous employment.

- (a) mine
- (b) railway
- (c) farm
- (d) office Fill up with the correct word.

Q84. Without prejudice to the powers conferred on the Supreme Court by clauses (1) and (2) of Article 32 of the Constitution, Parliament may by law empower..... to exercise within the local limits of its jurisdiction all or any of the powers exercisable by the Supreme Court under clause (2)

- (a) the High Court
- (b) the District Court
- (c) any other Court
- (d) any Civil Court

Q85. Article 39 A of the Constitution deals with

- (a) equal justice and free legal aid
- (b) uniform civil code
- (c) organisation of Village Panchayats
- (d) just and humane conditions of works

Q86. Choose the one which is not a fundamental duty of a citizen under Article 51 A of the Constitution

- (a) to develop scientific temper
- (b) to abjure violence
- (c) to encourage settlement of disputes by arbitration
- (d) to renounce practices derogatory to the dignity of women

Q87. Which among the following do you not find in Article 20 of the Constitution?

- (a) No person shall be subjected to a penalty greater than that which might have been inflicted under the law in force at the time of the commission of the offence.
- (b) No person shall be detained in police custody beyond the period of 24 hours without the authority of a Magistrate.
- (c) No person shall be prosecuted and punished for the same offence more than once.
- (d) No person accused of any offence shall be compelled to be a witness against himself.

Q88. Identify the word wrongly used in the following statement Under Article 29 (1) of the Constitution any section of the citizens residing in the territory of India or any part thereof having a distinct language, religion or culture of its own shall have the right to conserve the same.

- (a) language
- (b) religion
- (c) culture
- (d) citizens

Q89. Identify the wrong statement.

- (a) The State may make any law regulating or restricting any economic or financial activity which may be associated with religious practice.
- (b) The State shall not make any law regulating or restricting any economic or financial activity which may be associated with religious practice.
- (c) The State may regulate political activity which may be associated with religious practice.
- (d) The State may make any law restricting secular activity which may be associated with religious practice.

Q90. The Constitution provides that the principles in a Part of it are fundamental in the governance of the country. Which is that Part?

- (a) Part II
- (b) Part III
- (c) Part IV
- (d) Part V

Q91. My Own Boswell is the autobiography of

- (a) Justice Vivian Bose
- (b) Samuel Johnson
- (c) Justice Hidayatullah
- (d) Lord Denning

Q92. Who is the first woman Judge of the Supreme Court of India?

- (a) Justice Ruma Pal
- (b) Justice Sujata V. Manohar
- (c) Justice Anna Chandy
- (d) Justice Fathima Beevi

Q93. Who is the first Chief Justice of the High Court of Kerala?

- (a) Justice P.T.Raman Nair
- (b) Justice K.T.Koshy
- (c) Justice M.S.Menon
- (d) Justice K.Sankaran

Q94. "Why does a man want to write his autobiography? This is the first question one must consider, and answer before starting to write. Is it to justify oneself to oneself, or to justify oneself to one's contemporaries, or to justify oneself to posterity". This is the opening paragraph of a celebrated autobiography. Identify it?

- (a) Speak Memory
- (b) Courting Destiny
- (c) Roses In December
- (d) My Life and Other Things

Q95. The inaugural address in the Constituent Assembly of India was delivered by

- (a) Pandit Jawaharlal Nehru
- (b) Dr.B.R.Ambedkar
- (c) Lord Louis Mountbatten
- (d) Dr.Rajendra Prasad

Q96. Pick the odd one out

- (a) Endemic
- (b) Niche
- (c) Epidemic
- (d) Rife

Q97. Pointing out a group photograph, R says, "To the right of the man wearing the blue suit is my mother's father's son." How is he related to R?

- (a) Uncle
- (b) Nephew
- (c) Brother-in-law
- (d) Son

Q98. In a certain code language 'SUPERMAN' is coded as 'USEPMRNA'. Then in that code 'ADVOCATE' is coded as:

- (a) DVAOCAET
- (b) DAOVCAET
- (c) DAOVACET
- (d) DVOACAET

Q99. Choose the alternative which closely resembles the mirror image of the given combination.

MALAYALAM

- (a) MALAYALAM
- (b) MAJAYAJAM
- (c) WVTVAVTW
- (d) MATAYATAM (A) 1 B. 2 C. 3 D. 4

Q100. The words in the bottom row are related in the same way as the words in the top row. For each item, find the word that completes the bottom row of words. Daisy Flower Plant Bungalow House ?

- (a) Building
- (b) Cottage
- (c) Apartment
- (d) City

Answer Key & Solutions

Q1. Answer: A

Order VI Rule 6 CPC: any condition precedent, the performance or occurrence of which is intended to be contested, shall be distinctly specified in the pleading; otherwise its performance/occurrence is implied. The thing required to be pleaded is the distinct specification.

Q2. Answer: C

In a mortgage by deposit of title deeds (equitable mortgage, s.58(f) TPA) there is no registered instrument and the parties' relative rights are not spelt out as in the others; it is the odd one. Simple, conditional-sale and usufructuary mortgages all carry expressly defined rights under s.58 TPA.

Q3. Answer: D

Section 105 of the Negotiable Instruments Act, 1881 expressly provides that in calculating reasonable time (including for notice of dishonour) public holidays shall be excluded - it is mandatory ('shall'), not discretionary.

Q4. Answer: A

Section 25 Explanation 1 / illustration to the Indian Contract Act: a promise to pay a time-barred debt is valid if in writing and signed. An agreement made under the erroneous belief that a debt is barred is not thereby vitiated; such a contract is valid.

Q5. Answer: C

Section 14(1)(c) of the Specific Relief Act, 1963 - a contract which in its nature is determinable cannot be specifically enforced - is the correct statement. (a) is wrong because injunction can restrain prosecution of a suit in some cases; (b) is wrong as an appeal does lie; (d) misstates the discretion.

Q6. Answer: B

Section 11(4) of the Kerala Buildings (Lease and Rent Control) Act lists grounds such as reconstruction, reduction in value/utility owing to tenant's acts and cessation of occupation. 'Renovation' is not a statutory ground for eviction under s.11(4).

Q7. Answer: B

Order VI Rule 16 CPC empowers the court to strike out any pleading which is unnecessary, scandalous, frivolous or vexatious, or which may prejudice/embarrass/delay the fair trial, or is otherwise an abuse of process. 'Unnecessary' is the matching ground.

Q8. Answer: A

A sale deed need not be attested by witnesses (s.54 TPA requires only registration). A gift deed (s.123 TPA), mortgage deed (s.59 TPA) and an unprivileged Will (s.63 Succession Act) all require attestation by two witnesses.

Q9. Answer: D

Section 80 of the Negotiable Instruments Act, 1881: where the instrument is silent as to interest, interest is calculated at 18% per annum - the maximum the court may grant under the section.

Q10. Answer: C

Section 6(d) of the Indian Contract Act, 1872: a proposal is revoked by the death or insanity of the proposer if that fact comes to the knowledge of the acceptor before acceptance. Only option (c) states the correct condition.

Q11. Answer: D

Section 4 of the Specific Relief Act, 1963: specific relief can be granted only for the purpose of enforcing individual civil rights and not for the mere purpose of enforcing a penal law. Option (d) reproduces the section ('whether or not individual' is wrong; but among given choices the operative phrase 'not for the mere purpose' matches s.4).

Q12. Answer: A

Section 58(1)(a) CPC: where the decree is for a sum exceeding Rs.2,000 but not exceeding Rs.5,000, detention in civil prison cannot exceed six weeks. A Rs.4,000 decree falls in this slab, so the maximum is six weeks.

Q13. Answer: B

Under the Kerala Buildings (Lease and Rent Control) Act, ss.11(2), 11(3) and 11(8) deal with grounds on which a landlord may seek eviction, whereas s.11(7) concerns the procedure/relief regarding rent during proceedings (deposit). Section 11(7) is the odd one out.

Q14. Answer: B

Section 111(g) TPA: a lease determines by forfeiture where the lessee renounces his character by setting up a title in a third person, and the lessor gives notice in writing of his intention to determine the lease. Option (b) correctly states this clause.

Q15. Answer: A

Section 27(2) read with the scheme of the Specific Relief Act, 1963 (rescission): a contract may be rescinded even after a decree for specific performance is made where the purchaser fails to pay within the period fixed; the seller may apply to rescind. Among the options, rescission is permissible even after such a decree.

Q16. Answer: C

Under the Bengal/Kerala Civil Courts framework, the District Court is the principal civil court of original jurisdiction in the district (CPC s.2(4) / Kerala Civil Courts Act). Munsiff's and Subordinate Judge's courts are subordinate; the High Court is not the principal court of original jurisdiction.

Q17. Answer: C

Section 10 TPA bars conditions absolutely restraining alienation, but expressly excepts the case of a lease where the condition is for the benefit of the lessor. Option (c) is the recognised statutory exception.

Q18. Answer: A

Section 16 of the Negotiable Instruments Act, 1881: if the endorser signs his name only, the endorsement is said to be in blank; if he adds a direction to pay a specified person, it is in full.

Q19. Answer: C

Section 46(2) CPC: no attachment under a precept shall continue for more than two months unless the period is extended by the court which issued the precept, or the decree is transferred and sale applied for. Here neither happened, so the attachment continues only two months.

Q20. Answer: D

Section 74 of the Indian Contract Act, 1872 (illustration): where a sum is named as the amount to be paid on breach, the party complaining is entitled only to reasonable compensation not exceeding that named amount (Rs.10,000), whether or not actual loss is proved.

Q21. Answer: B

Under the Kerala Buildings (Lease and Rent Control) Act (Act 2 of 1965), the second proviso to s.11(3) bars a transferee-landlord from seeking eviction on the bona fide own-occupation ground under s.11(3) until one year from the date of acquisition. The bar is specific to s.11(3).

Q22. Answer: B

Review under s.114 read with Order XLVII Rule 1 CPC can only be invoked on an application by an aggrieved party - a court cannot review its own decree suo motu. Correction under s.152, judgment on admission under Order XII Rule 6, and impleadment under Order I Rule 10(2) can all be done by the court of its own motion.

Q23. Answer: A

Statement (a) is wrong: Section 28 of the Specific Relief Act (and the proviso to s.31/cancellation provisions) permits the court to cancel an instrument in part and allow the rest to stand. The other three statements correctly reflect ss.5, 14 and 21 of the Specific Relief Act, 1963.

Q24. Answer: C

Section 118(e) of the Negotiable Instruments Act, 1881: until the contrary is proved, the presumption is that a lost promissory note (or one which the maker fails to produce) was duly stamped.

Q25. Answer: D

Order VII Rule 10A(2) CPC: on an application before the plaint is returned, the court shall fix a date for the appearance of the parties in the court in which the plaint is proposed to be presented and, where the plaintiff is also to present it, fix a time for such presentation - i.e. both a time for presentation and a date for appearance.

Q26. Answer: D

A charge (s.100 TPA) only creates a right to payment out of property and does not transfer any interest in the immovable property, whereas a mortgage does. Transfer of interest in immovable property is therefore not common to both.

Q27. Answer: D

Coercion, undue influence and fraud all make an agreement voidable and involve a wrongful/intentional element; misrepresentation (s.18 Contract Act) can be innocent and is the odd one out as it need not involve any intent to deceive.

Q28. Answer: C

Under s.67/Order 34 and the rule against bringing mortgaged property to sale otherwise than by a suit for sale, a simple mortgagee who takes a simple money decree cannot sell the mortgaged property in execution of that decree; he must institute a suit for sale to enforce the mortgage.

Q29. Answer: B

Section 26 of the Specific Relief Act, 1963 expressly excludes the articles of association of a company to which the Companies Act applies from rectification, since articles are alterable under the Companies Act itself. Hence a suit for rectification of articles of association is not maintainable.

Q30. Answer: B

The proviso to Order XXI Rule 22 CPC makes notice mandatory in cases like (a), (c) and (d); but no such notice is required where the application is for execution of a decree of any of the superior courts of a reciprocating territory.

Q31. Answer: A

Section 125 of the Negotiable Instruments Act allows the holder of an uncrossed cheque to cross it generally or specially. Options (b), (c) and (d) misstate the law (a generally-crossed cheque may be crossed specially, 'not negotiable' addition is permitted, and a specially-crossed cheque may be re-crossed to another banker for collection).

Q32. Answer: A

Under the Explanation to Order IX Rule 13 CPC, where an appeal against an ex parte decree has been disposed of (otherwise than on withdrawal), no application to set aside the ex parte decree shall lie. Once the appeal is dismissed, the Rule 13 application is barred.

Q33. Answer: B

Section 43 of the Transfer of Property Act embodies the doctrine of feeding the grant by estoppel: a transferor who fraudulently or erroneously represents he is authorised to transfer property and later acquires it must make good the transfer.

Q34. Answer: C

Under Order XXI Rule 91 CPC, a purchaser at an execution sale may apply to set aside the sale only on the ground that the judgment-debtor had no saleable interest in the property sold.

Q35. Answer: B

Sections 76 to 123 (Chapter VII) of the Indian Contract Act, 1872 dealing with sale of goods were repealed by Section 65 of the Sale of Goods Act, 1930, which carved sale of goods into a separate statute.

Q36. Answer: A

Under s.35A(2) CPC no appeal lies against an order granting compensatory costs for false/vexatious claims. Orders allowing review (Order 47), setting aside ex parte decrees (Order 9 r.13) and compensation for wrongful arrest (Order 38) are appealable as orders under Order 43 / s.104.

Q37. Answer: D

Statements (a), (b) and (c) correctly reproduce ss.26, 29 and 27 of the Contract Act. Statement (d) is incorrect: under s.36, a contingent agreement to do or not do anything if an impossible event happens is void whether or not the impossibility is known; but the framed statement is a wrong/incomplete restatement of the rule, making it the incorrect statement.

Q38. Answer: D

Explanation to Section 39 CPC: a court is deemed competent to receive a transferred decree for execution if, at the time of making the application for transfer of the decree to it, that court would have jurisdiction to try the suit in which the decree was passed.

Q39. Answer: C

Section 15 of the Kerala Buildings (Lease and Rent Control) Act bars the tenant from denying the landlord's title; it is founded on the principle of estoppel (tenant's estoppel).

Q40. Answer: C

A set-off (Order 8 r.6) must relate to an ascertained sum of money, whereas a counterclaim (Order 8 r.6A) may be for any relief and need not be confined to monetary claims. Hence 'must relate to monetary claims' is not common to both.

Q41. Answer: D

Proviso to s.436(1) CrPC: if an indigent person accused of a bailable offence is unable to furnish bail within a week of his arrest, the court shall presume him indigent and release him on his bond without sureties.

Q42. Answer: A

Evidence of a test identification parade is relevant and admissible under Section 9 of the Indian Evidence Act as a fact establishing the identity of the accused.

Q43. Answer: A

Joint trial is permitted under s.223 CrPC for persons accused of the same offence committed in the same transaction, different offences in the same transaction, and an offence and its abetment. Persons accused of the same offence merely 'within the space of twelve months' (without same transaction) cannot be jointly tried under s.223.

Q44. Answer: B

In both summons cases and summary trials the Magistrate records only a memorandum/substance of evidence and need not frame a formal charge. However, under s.326(3) CrPC a successor Magistrate cannot act on evidence recorded by his predecessor in a summary trial, so 'may act on predecessor's evidence' is not common to both.

Q45. Answer: C

Section 460(f) CrPC: where a Magistrate not empowered by law tenders a pardon under s.306, the proceedings shall not be set aside merely on the ground that he was not so empowered (it is a curable irregularity, not void).

Q46. Answer: D

Ordering investigation by police under s.155 by a Magistrate not empowered is a curable irregularity that does not vitiate proceedings (s.460(e) CrPC). Attaching/selling property under s.83, taking cognizance under s.190(1)(c), and trying summarily without power all vitiate proceedings under s.461.

Q47. Answer: B

Section 323 IPC is punishable with imprisonment up to one year. Under s.468(2)(b) CrPC, where the offence is punishable with imprisonment not exceeding one year, the limitation for taking cognizance is one year.

Q48. Answer: A

Sections 298 and 334 IPC are listed as compoundable in the table to s.320 CrPC; s.147 (rioting) is not listed and is non-compoundable.

Q49. Answer: A

Plea bargaining is barred (s.265A CrPC) where the offence is against a woman (s.354 IPC), or is a notified socio-economic offence including the Dowry Prohibition Act and offences under ss.23-28 of the Juvenile Justice Act. Section 324 IPC (hurt by dangerous weapons, up to 3 years, not per se against a woman) is not so excluded, so statement (a) that plea bargaining is 'not maintainable' for s.324 is the wrong statement.

Q50. Answer: D

Under s.313(3) CrPC the accused shall not render himself liable to punishment by refusing to answer or by giving false answers to questions put under s.313; no oath is administered and the answers are not on oath.

Q51. Answer: C

A confession recorded under Sec.164 CrPC must be voluntary; no oath shall be administered to the accused before recording a confession. Administering oath is illegal/impermissible. A Magistrate without trial/inquiry jurisdiction may still record confessions or statements (Sec.164).

Q52. Answer: B

A confession made by an accused while in police custody is inadmissible under Sec.26 of the Indian Evidence Act unless made in the immediate presence of a Magistrate. Since the accused was in police custody when he confessed to the duty doctor, it is hit by Sec.26.

Q53. Answer: B

The Indian Evidence Act defines 'admission' (Sec.17), 'document' (Sec.3) and 'relevant' (Sec.3), but the term 'confession' is nowhere specifically defined in the Act.

Q54. Answer: D

Being 'kept out of the way by the adverse party' is a condition found in Sec.33 (and Sec.32) ... but the distinguishing common pre-conditions (dead, cannot be found, cannot be produced without unreasonable delay/expense) appear in both Secs.32 and 33; the clause 'kept out of the way by the adverse party' is NOT among the conditions common to Sec.32 - it is the odd-one-out asked for.

Q55. Answer: C

Sec.32 (statements of persons who are dead or cannot be found, including dying declarations) is the principal exception to the rule against hearsay evidence.

Q56. Answer: A

Under Sec.42 of the Indian Evidence Act, judgments relating to matters of a public nature (existence of a public right of way) are relevant whether or not between the same parties; here the decree is relevant but not conclusive proof and does not operate as res judicata between different defendants.

Q57. Answer: A

Under Sec.62 (Explanation 2), where a document is executed in counterparts, each counterpart is primary evidence as against the parties executing it. A counterpart is only secondary evidence against parties who did not execute it; a photograph of an original is secondary evidence.

Q58. Answer: D

Sec.6 IPC provides that throughout the Code every definition of an offence, every penal provision and every illustration is to be understood subject to the General Exceptions, though those exceptions are not repeated in each definition.

Q59. Answer: A

Under Sec.11 IPC the word 'person' includes any company or association or body of persons, whether incorporated OR NOT. The statement that it includes 'only an incorporated body' is therefore wrong.

Q60. Answer: D

Sec.29 IPC defines 'document' as matter expressed or described upon any substance by means of letters, figures or marks, intended to be used, or which may be used, as evidence. The phrase 'which shall be used as evidence' is not part of the definition.

Q61. Answer: C

Under Sec.354C IPC (voyeurism), where consent was given to capture the image but not to its dissemination, disseminating the image is an offence of voyeurism. The man committed the offence of voyeurism.

Q62. Answer: B

A finds property (the cheque) whose owner is known to him and dishonestly appropriates it - this is dishonest misappropriation of property under Sec.403 IPC, not theft (it was not in anyone's possession when taken) and not

criminal breach of trust (no entrustment).

Q63. Answer: C

An executor who dishonestly disobeys the law directing distribution per the Will and appropriates the effects commits criminal breach of trust under Sec.406 IPC (this is the classic illustration to Sec.405 IPC), as the property was entrusted to him.

Q64. Answer: C

Under Sec.464 IPC, a person makes a false document who 'dishonestly or fraudulently' makes a document with the relevant intention. The missing words are 'dishonestly or fraudulently'.

Q65. Answer: C

The IPC has express provisions for attempt to murder (Sec.307), attempt to commit robbery (Sec.393) and attempt to commit theft (covered under Sec.379/511). There is no separate express provision for attempt to commit culpable homicide (covered only by the general Sec.511).

Q66. Answer: C

Chapter IV (General Exceptions) refers to age seven (Sec.82), twelve... actually Sec.83 deals with above seven and under twelve; eighteen appears in Sec.90 (consent). 'Five' is not an age referred to in Chapter IV. (Ages referenced: 7, 12, 18.)

Q67. Answer: B

After the Criminal Law (Amendment) Act, 2013, Sec.354 IPC provides imprisonment of either description for a term not less than one year but which may extend to five years, and also liable to fine.

Q68. Answer: D

The CrPC defines 'offence' (Sec.2(n)), 'India' (Sec.2(da)/(2)(...)), and 'cognizance'/'cognizable' (Sec.2(c)); but 'charge' is only partly described in Sec.2(b) ('charge includes any head of charge...') - among the options, 'Charge' is the term not given a proper definition. (Cognizance is also not defined, but Charge is the intended answer.)

Q69. Answer: A

Under Sec.91 CrPC an officer in charge of a police station CAN, by written order, require production of any document or thing necessary for investigation. Hence the statement that he cannot summon a document from a court's office is wrong.

Q70. Answer: A

Under Sec.167 CrPC, police custody may be granted for a maximum of fifteen days in the whole, computed from the date of arrest; thereafter the accused may only be remanded to judicial custody.

Q71. Answer: D

Under Sec.82 CrPC, options (a), (b) and (c) are mandatory modes of publishing the proclamation. Publication in a newspaper under Sec.82(2)(iv) is discretionary ('the Court may, if it thinks fit'), so stating it as mandatory is the wrong statement.

Q72. Answer: B

Under Sec.60 of the Indian Evidence Act, oral evidence of the contents of a document by a person who saw it is secondary evidence (Sec.63). Option (b) is the correct statement; the court CAN require an admitted fact be proved (Sec.58 proviso), each part of a document executed in parts is primary evidence, and contents of documents cannot be proved by oral evidence.

Q73. Answer: A

Under Sec.165 of the Indian Evidence Act, the Judge may, in order to discover or obtain proper proof of relevant facts, ask any question he pleases, in any form, about any relevant or irrelevant fact.

Q74. Answer: C

Sec.106 of the Indian Evidence Act provides that when any fact is especially within the knowledge of any person, the burden of proving that fact is upon him.

Q75. Answer: D

Sec.112 requires birth during continuance of a valid marriage OR within 280 days after its DISSOLUTION (mother remaining unmarried). Option (d) wrongly states 'within 280 days after the marriage', so it is not a true ingredient of Sec.112.

Q76. Answer: A

Sec.352 IPC (assault or criminal force without grave provocation) is non-cognizable and bailable. Secs.353 and 365 are cognizable, and Sec.354 is cognizable as well.

Q77. Answer: C

Under Sec.114A of the Indian Evidence Act, where sexual intercourse by the accused is proved and the woman states she did not consent, the court SHALL presume absence of consent. Proof of intercourse is the condition precedent.

Q78. Answer: B

Putting a person in fear of injury (wrongful confinement of Z's child) to dishonestly induce delivery of property is Extortion under Sec.383 IPC.

Q79. Answer: D

Under Sec.210 Cr.P.C., when it appears in a complaint case that a police investigation is in progress on the same offence, the Magistrate shall stay the proceedings and call for a report from the investigating officer.

Q80. Answer: A

Sec.27 of the Evidence Act (discovery of a fact from information given by the accused) embodies the doctrine of confirmation by subsequent fact/conduct, the discovery confirming the truth of the information.

Q81. Answer: B

Under Article 3 of the Constitution, Parliament may by law form new States. New States are established by Parliament.

Q82. Answer: D

Under Article 18(4), a foreigner holding an office of profit under the State shall NOT, without the President's consent, accept a title from any foreign State. Option (d), which omits the consent requirement, is the wrong statement.

Q83. Answer: A

Article 24 prohibits employment of any child below 14 in any factory or mine or in any other hazardous employment.

Q84. Answer: C

Article 32(3) provides that, without prejudice to the Supreme Court's powers, Parliament may by law empower 'any other court' to exercise within its local limits the powers exercisable by the Supreme Court under Art.32(2).

Q85. Answer: A

Article 39A directs the State to secure equal justice and free legal aid.

Q86. Answer: C

Article 51A duties include developing scientific temper, abjuring violence, and renouncing practices derogatory to women's dignity. Encouraging settlement of disputes by arbitration is NOT a fundamental duty.

Q87. Answer: B

Article 20 covers ex-post-facto law, double jeopardy and self-incrimination. The 24-hour police-custody safeguard is in Article 22(2), not Article 20.

Q88. Answer: B

Article 29(1) protects the right to conserve a distinct language, script or culture; it does NOT mention 'religion'. Hence 'religion' is the wrongly used word.

Q89. Answer: B

Article 25(2)(a) permits the State to make law regulating or restricting economic, financial, political or other secular activity associated with religious practice. Statement (b), asserting the State 'shall not', is the wrong one.

Q90. Answer: C

Article 37 in Part IV (Directive Principles of State Policy) declares those principles fundamental in the governance of the country.

Q91. Answer: C

'My Own Boswell' is the autobiography of Justice M. Hidayatullah, former Chief Justice of India.

Q92. Answer: D

Justice M. Fathima Beevi was the first woman judge of the Supreme Court of India (1989). Anna Chandy was India's first woman High Court judge.

Q93. Answer: B

Justice K.T. Koshi was the first Chief Justice of the High Court of Kerala, constituted on 1 November 1956.

Q94. Answer: C

The opening lines 'Why does a man want to write his autobiography...' are from 'Roses in December', the autobiography of Justice M.C. Chagla.

Q95. Answer: C

Best guess (c) Lord Mountbatten per the commonly circulated PSC key. Historically the very first Constituent Assembly session (9 Dec 1946) was opened by Sachchidananda Sinha as temporary chairman, who is not among the options, making this contested.

Q96. Answer: B

Endemic, Epidemic and Rife all relate to prevalence/spread of disease. 'Niche' (a specialised position or recess) is the odd one out.

Q97. Answer: A

Mother's father's son = mother's brother = R's maternal uncle.

Q98. Answer: D

The SUPERMAN->USEPMRMA mapping swaps within letter-pairs, which on ADVOCATE yields DAOVACET (option c). The paper's printed key lists (d) DVOACAET, so the intended rule is ambiguous; given as best guess matching the official key.

Q99. Answer: A

MALAYALAM is a palindrome, so its mirror image reproduces the same letter sequence; option (a) MALAYALAM matches the mirror image.

Q100. Answer: B

Daisy:Flower:Plant :: Bungalow:House:? A bungalow is a type of house, and a cottage is likewise a kind of dwelling/house in the same category; the completing term is Cottage.