

Kerala Judiciary - Prelims 2022

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

Q1. Under Section 146 of the Contract Act, the co-sureties are liable to contribute.....

- (a) Equally
- (b) Unequally
- (c) According to capacity
- (d) Neither (A), (B) or (C)

Q2. Under the Specific Relief Act, a suit for recovery can be filed

- (a) Only in respect of movable property
- (b) In respect of both movable and immovable property
- (c) Only in respect of immovable property
- (d) Neither the movable or immovable property

Q3. Section 53A of the Transfer of Property Act deals with

- (a) Doctrine of election
- (b) Specific performance
- (c) Part performance of contract
- (d) Fraudulent transfer

Q4. A cheque is adrawn upon a specified banker and payable on demand.

- (a) Bill of exchange
- (b) Hundi
- (c) Promissory note
- (d) None of the above

Q5. Section 25 of the Limitation Act deals with

- (a) Acquisition of easement by prescription
- (b) Special exception
- (c) Effect of acknowledgment in writing
- (d) Continuing breaches and torts

Q6. Which Section of the Kerala (Buildings Lease and Rent Control) Act, interdicts the tenant from contesting the application or preferring an appeal under Section 18?

- (a) Section 11(2)
- (b) Section 5
- (c) Section 12(1)
- (d) None of the above

Q7. Section 14 of the Limitation Act deals with

- (a) Effect of fraud or mistake
- (b) Extension of prescribed time in certain cases
- (c) Exclusion of time taken for proceeding bona fide before a court without jurisdiction
- (d) All of the above

Q8. 'Pari passu' distribution mean?

- (a) Equal distribution
- (b) Rateable distribution
- (c) Partition by metes and bounds
- (d) None of the above

Q9. Which is not correct about the promissory note ?

- (a) It contains a conditional undertaking
- (b) It contains the amount mentioned on it
- (c) It is an instrument in writing
- (d) It is signed by the maker

Q10. As per Order 13 Rule 9, the person entitled to receive back a document produced in a suit is

- (a) Only a party to the suit
- (b) Plaintiff
- (c) Defendant
- (d) Person who produced the document, whether a party or not.

Q11. Which among the following acts can be done by an outgoing partner conducting business, competing with the firm?

- (a) Use of firm's name
- (b) Advertise such business
- (c) Represent himself as carrying on the business of the firm
- (d) Solicit business from customers who were dealing with the firm before he ceased to be a partner

Q12. Under Section 6(2)(a) of the Specific Relief Act, no suit shall be brought after the expiry of a period from the date of dispossession.

- (a) 6 months
- (b) 1 year
- (c) 2 years
- (d) 3 years

Q13. A suit posted for hearing can be adjourned by the court only a maximum of at the instance of a party.

- (a) Once
- (b) Two times
- (c) Three times
- (d) Hearing cannot be adjourned

Q14. What is the remedy provided against an order passed at the execution stage in a rent control petition?

- (a) Appeal
- (b) Revision
- (c) Writ petition
- (d) None of the above

Q15. A suit for possession under Section 5 of the Specific Relief Act can be filed within

- (a) Three years
- (b) Twelve years
- (c) Five years
- (d) Nine years

Q16. A and B are partners in a stationery business. Z orders on the firm's letterhead to supply two bags of wheat at his residence. What will be the liability of the firm under the Indian Partnership Act, 1932?

- (a) The firm is not liable to pay the debt
- (b) The firm is liable to pay the debt
- (c) The firm is liable only for half of the debt
- (d) None of the above

Q17. An inchoate instrument is

- (a) An incomplete instrument
- (b) An instrument presented beyond time
- (c) An illegible instrument
- (d) None of the above

Q18. The period of limitation for filing a suit based on promissory note is from the date of execution.

- (a) One year
- (b) Two years
- (c) Three years
- (d) 12 Years

Q19. The rule against perpetuity is contained in

- (a) Section 32 of the Partnership Act
- (b) Section 62 of the Contract Act
- (c) Section 14 of the Transfer of Property Act
- (d) Section 6 of the Specific Relief Act

Q20. Section 114 and Order 47 Rule 1 of the Code of Civil Procedure pertain to the filing of

- (a) Appeal
- (b) Revision
- (c) Review
- (d) None of the above

Q21. Which of the following tests are to be applied in cases where the plea of bar of suit under Order 2 Rule 2 is raised?

- (a) Whether the cause of action in the previous suit and that in the subsequent suit are identical
- (b) Whether the relief claimed in the subsequent suit could have been given in the previous suit, on the basis of the pleading filed in that suit
- (c) Whether the plaintiff omitted to sue for a particular relief on the cause of action disclosed in the previous suit
- (d) All of the above

Q22. Where a promissory note is payable by instalments and two or more instalments have become due and the holder of the note sues only for one of the instalments and omits to sue for the other instalment?

- (a) He can sue for the other instalments later
- (b) He cannot sue for the other instalments
- (c) Either A or B
- (d) None of the above

Q23. Which provision in the Code of Civil Procedure deals with the transfer of a decree?

- (a) Section 52
- (b) Section 39
- (c) Section 41
- (d) Section 151

Q24. To calculate the maturity drawing date of a negotiable instrument, the drawing date be.....

- (a) Included
- (b) Considered
- (c) Excluded
- (d) None of the above

Q25. According to the provisions of the Transfer of Property Act, the easements.....

- (a) Can be transferred
- (b) Cannot be transferred
- (c) Cannot be transferred apart from the dominant heritage
- (d) none of the above

Q26. The Doctrine of Lis pendens is applicable to

- (a) Movable and immovable properties
- (b) Partial and absolute transfers
- (c) Specified and unspecified properties
- (d) All of these

Q27. Novation means

- (a) Substitution of one agreement with another
- (b) Cancellation of an agreement
- (c) Withdrawal from an agreement
- (d) Expiry of an agreement

Q28. The limitation prescribed for filing application to implead the legal representatives of a deceased defendant or respondent is

- (a) 30 days from the death of the defendant/respondent
- (b) 45 days from the death of the defendant/respondent
- (c) 60 days from the death of the defendant/respondent
- (d) 90 days from the death of the defendant/respondent

Q29. Under Section 89 of CPC the court shall formulate the terms of settlement and give them to the parties for their observation and after receiving the observation of the parties the court may reformulate the terms of probable settlement and send them for

- (a) Arbitration
- (b) Mediation
- (c) Settlement before Lok Adalat
- (d) All of the above

Q30. Babu entered into a sale agreement with Thomas, for purchase of 5 cents of land belonging to Thomas, situated in Ernakulam District. The agreement was executed and the advance sale consideration paid at Thiruvananthapuram, where Babu is residing. Thomas having failed to execute the sale deed, in spite of Babu being ready and willing to pay the balance sale consideration, Babu can institute a suit for specific performance of the agreement at

- (a) Thiruvananthapuram
- (b) Ernakulam
- (c) Where Thomas is residing
- (d) All of the above

Q31. Rajan had let out his shop room to Venu on rent. Venu clandestinely sublet a portion of the room to Gopi. On coming to know about this, Rajan caused a lawyer notice to Venu under Section 11(4) of the Building Lease and Rent Control Act, but omitted to mention Gopi's name. Will the omission be fatal when Rajan files a rent control petition for evicting Venu alleging sub-lease?

- (a) Fatal
- (b) Not fatal
- (c) Curable
- (d) None of the above

Q32. Constructive res judicata is contained in

- (a) Explanation III to Section 11
- (b) Explanation IV to Section 11
- (c) Explanation VI to Section 11
- (d) Explanation VII to Section 11

Q33. Which among the following is not essential in relation to transfer of property to an infirm person, under the Transfer of Property Act ?

- (a) A life interest in favour of one or more living people.
- (b) The unborn person should come into existence before the expiry of prior life interest.
- (c) The remaining right after creation of life interest should be transferred to unborn persons.
- (d) The unborn person should be a descendant of the original transferor

Q34. Which among the following is not a new provision introduced in the Specific Relief Act by 2018 amendment?

- (a) Time limit for disposal of cases under the Act.
- (b) Special Court for trial of suits under the Specific Relief Act.
- (c) Provision for substituted performance
- (d) None of the above

Q35. In which among the following mortgages, a personal undertaking by the mortgagor is essential ?

- (a) Usufructuary mortgage
- (b) English mortgage
- (c) Mortgage by conditional sale
- (d) None of the above

Q36. Which among the following is the procedure for transfer of an Actionable claim?

- (a) Delivery of possession
- (b) By a formal declaration
- (c) By an instrument in writing signed by the transferor or agent
- (d) By an instrument in writing signed by both the transferor and the transferee and attested by two witnesses

Q37. Agreement in restraint of trade is

- (a) Voidable
- (b) Void
- (c) Illegal
- (d) None of the above

Q38. How is the gift of immovable property affected?

- (a) By delivery of possession
- (b) By a registered instrument, if value is more than Rs. 100 and otherwise by transfer of possession
- (c) By a registered document attested by two witnesses
- (d) By an oral transfer

Q39. Feeding the Grant by Transfer of Property Act. Estoppel is incorporated in of the

- (a) Section 43
- (b) Section 41
- (c) Section 35
- (d) Section 21

Q40. Which among the following sections of the Transfer of Property Act govern the transfer of property to an unborn person ?

- (a) Sections 12 and 13
- (b) Section 13
- (c) Sections 13 and 14
- (d) Section 9, 10, 13

Q41. Where a Magistrate has imposed a substantive sentence on the accused, the sentence of imprisonment in default of fine shall not exceed the term of sentence, which Magistrate is competent to impose as punishment ?

- (a) One half
- (b) One third
- (c) One fourth
- (d) None of the above

Q42. Which among the following sections incorporates the principle of vicarious liability in criminal jurisprudence?

- (a) S.120B IPC
- (b) S.120A IPC
- (c) S.149 IPC
- (d) S.34 IPC

Q43. In the trial of a criminal case, a question touching the relevant matter in issue is put to the witness, he refuses to answer, contending that the answer will incriminate him. He was compelled to give evidence. If so, under which provision of Law?

- (a) Sec. 129 of the Indian Evidence Act.
- (b) Sec.132 read with S.147 of the Indian Evidence Act.
- (c) S.142 of the Indian Evidence Act.
- (d) None of the above

Q44. After the trial was over, charge was altered invoking 8.216 Cr.P.C, from one under 8.306 to 8.302 I PC. Thereafter, on request of the prosecutor, a surgeon who was not examined earlier, was permitted by the court, to be summoned. Is the court legally competent to do so?

- (a) Yes, under S.218(1) Cr.P.C
- (b) No, under 8.217 (a) Cr.P.C
- (c) Yes, Under 8.217 (b) Cr.P.C
- (d) No, under 3.218 (2) Cr.P.C

Q45. A bond is executed by the accused for the appearance in court. The accused failed to appear, in spite of specific directions. What should be the next step taken by the court under 3.446 Cr.P.C?

- (a) Issue show cause as to why bail bond shall not be forfeited
- (b) Record satisfaction regarding forfeiture and call upon the person to pay a penalty or to show cause why it shall not be paid.
- (c) Cancel the bail bond, impose penalty on the sureties for such amount not exceeding the bond amount.
- (d) None of the above.

Q46. In which among the following, oral admission as to the contents of documents is relevant?

- (a) If the party proposing is able to show that he is entitled to give secondary evidence under the rules.
- (b) If the genuineness of the document in question is admitted.
- (c) If the document in question is an electronic document.
- (d) None of the above.

Q47. Which among the following is not correct under 8.34 IPC?

- (a) Prior meeting of mind is essential.
- (b) Commission of a Criminal act by one or more persons among the group in furtherance of criminal intention of all.
- (c) Each of the persons need not commit any individual overt act.
- (d) Each of the above persons accused of common intention should be present at the time of commission of offence.

Q48. In which among the following instances, sanction under 8.197 Cr.P.C is essential?

- (a) Where the accused is a public servant and the offence was done by him, while he was a public servant.
- (b) Where the accused is or was a Judge or Magistrate or a public servant not removable from office, save without sanction of Government, is alleged to have committed offence, while acting or purporting to act in discharge of his official duty
- (c) Where the accused is or was a public servant and is alleged to have committed an offence while in service.
- (d) None of the above.

Q49. If a written complaint is submitted to a Magistrate who is not competent to take cognizance of that offence, he shall

- (a) Direct the complainant to the proper court
- (b) Return it for presentation to the proper court with an endorsement.
- (c) Forward the complaint to the proper court, through the concerned SHO and direct the complainant to that court.
- (d) Return it for presentation before the proper court and to refer the party to the proper court.

Q50. To attract the principle of estoppel, which among the following conditions must be fulfilled?

- (a) Representation by a person to another
- (b) The other shall have acted upon the said representation.
- (c) The act should have been detrimental to the interest of the person who has acted.
- (d) All the above.

Q51. Dying declaration to be admissible

- (a) Must be made before a Magistrate
- (b) Must be made before the Police Officer or a doctor
- (c) May be made before any private person.
- (d) All of above

Q52. Which among the following is not an essential ingredient of criminal conspiracy under 8.120 B of IPC?

- (a) An object to be accomplished
- (b) A plan or scheme embodying means to accomplish that object.
- (c) An agreement or understanding between two or more persons to cooperate for accomplishment of the object.
- (d) commission of an overt act.

Q53. Which among the following conditions is to be satisfied to enable a court to order appointment of commission to examine a witness?

- (a) Whenever the court feels so
- (b) Whenever the presence of a witness cannot be easily procured, without an amount of delay, expense or inconvenience.
- (c) Whenever the court feels that the summoning of the witness may cause delay.
- (d) None of the above

Q54. In which among the following, the court can order costs to be paid by the accused of the complainant?

- (a) Under 8.359 Cr.P.C, when a person is convicted on a complaint of a non-cognizable offence, filed by the complainant.
- (b) Under 8.358 Cr.P.C, when a person is groundlessly arrested
- (c) When compensation is ordered under 8.357 Cr.P.C
- (d) None of the above.

Q55. In which among the following circumstances, can the court permit indecent and scandalous questions to be put to witnesses?

- (a) If it relates to the character of the witnesses
- (b) If it relates to fact in issue.
- (c) If it relates to previous conduct of the witnesses.
- (d) Court cannot permit indecent and scandalous questions.

Q56. Which among the following cannot be a method of impeaching the credit of witnesses?

- (a) Through the oral evidence of any other witness
- (b) Through the evidence of persons who know that the witness is not credit worthy
- (c) By proof that the witness has been bribed.
- (d) By producing previous contradicting statements of witnesses.

Q57. 8.34 IPC is?

- (a) a rule of evidence
- (b) a substantive offence
- (c) an inchoate offence
- (d) None of the above

Q58. Under Indian Penal Code "illegal" signifies?

- (a) everything which is an offence
- (b) everything prohibited by law
- (c) Everything which furnishes ground for civil action.
- (d) All the above.

Q59. Which among the following is true for dying declaration?

- (a) dying declaration cannot be used as the sole basis of conviction.
- (b) dying declaration, unless corroborated, cannot be read as sole basis for conviction.
- (c) dying declaration which is cryptic must be discarded
- (d) when witnesses affirm that deceased was not in a fit state to make declaration, medical opinion cannot prevail

Q60. If an offender is sentenced to imprisonment for a term not exceeding six months, solitary confinement shall not exceed.....?

- (a) 15 days
- (b) one month
- (c) two months
- (d) 45 days.

Q61. Section 76 and Section 79 of IPC provide the general exception of..... ?

- (a) mistake of law
- (b) mistake of fact
- (c) both mistake of fact and law
- (d) either mistake of law or of fact

Q62. In a criminal trial relating to causing injury on the body of the victim, sole eye witness deposed in accordance with the prosecution case that accused inflicted a puncture wound, with a sharp weapon. Post mortem surgeon gave evidence that the wound on the body was caused by a gunshot. On the basis of this evidence, which among the following will be the most probable outcome?

- (a) The Court can convict the accused based on direct evidence of an eye witness.
- (b) Court should discard opinion evidence, and rely on direct evidence
- (c) Court should rely only on evidence of expert surgeon
- (d) Accused should be acquitted, granting benefit of doubt, based on contradictory versions of prosecution witness.

Q63. Accident as an exception has been dealt with in which among the following provisions of IPC ?

- (a) 8.77
- (b) S.78
- (c) 8.80
- (d) 5.82

Q64. Which among the following statements is true in relation to examination in chief of a witness?

- (a) Leading question can be asked
- (b) It must only relate to relevant facts
- (c) It must relate to facts in question
- (d) All the above

Q65. The presumption that all judicial and official acts have been regularly performed can be drawn from which provision of Indian Evidence Act?

- (a) 8.123
- (b) 8.114
- (c) 8.121
- (d) 8.112

Q66. A disputed signature or handwriting of a person can be proved under 8.67 of the Indian Evidence Act by which among the following methods?

- (a) By invoking S.73 of the Indian Evidence Act.
- (b) By direct oral evidence of a person who is conversant into the handwriting or signature of that person.
- (c) By adducing the evidence of an expert.
- (d) All of the above.

Q67. To form an opinion under 8.50 of Indian Evidence Act relating to relationship of one person with another, opinion of which among the following person is admissible?

- (a) Any member of the family.
- (b) Any person who has some knowledge about the relationship
- (c) Any member of family or otherwise, who has special means of knowledge on the subject.
- (d) All of the above.

Q68. Under the provisions of Code of Criminal Procedure, 1973 Cognizance is taken of

- (a) Offence
- (b) Accused
- (c) Final report
- (d) None of the above

Q69. Regarding presumption about a document under 8.90 of the Indian Evidence Act, which among the following is true?

- (a) It should come from proper custody
- (b) It should be more than 30 years old
- (c) If conditions under 3.90 are attracted, the court can draw presumptions regarding signature and handwriting.
- (d) All of the above

Q70. Under 8.202 Cr.RC, the Magistrate is not authorised to

- (a) Conduct enquiry himself
- (b) Ask police officer to conduct an investigation
- (c) Ask a person who is not a police officer to conduct an investigation
- (d) Issue process to the accused.

Q71. Laying of trap is a part of

- (a) Inquiry
- (b) Enquiry
- (c) trial
- (d) Investigation

Q72. Test Identification Parade is conducted as a part of

- (a) Trial
- (b) Enquiry
- (c) Inquiry
- (d) None of the above

Q73. A' without any cause fires a loaded pistol into a crowd. One person died of bullet injury on the spot. What, if any, is the offence committed by 'A'?

- (a) Murder
- (b) Culpable homicide not amounting to murder
- (c) No offence, since he had no intention
- (d) Rash and negligent act endangering or safety of others

Q74. To escape from criminal liability, when a defence of intoxication is set up, the intoxication should be

- (a) Self administered
- (b) Administered against his will or knowledge
- (c) Should not be self administered
- (d) All of the above

Q75. The right of private defence is based on which among the following

- (a) Self preservation
- (b) Self respect
- (c) Self sufficiency
- (d) Self reliance

Q76. Which one among the following is correct in relation to distinction under S.34 and S.149 of IPC?

- (a) Section 34 creates a specific offence, whereas Section 149 does not
- (b) Section 34 as well as Section 149 create specific offence
- (c) Section 149 creates a specific offence whereas Section 34 does not
- (d) Section 34 as well as Section 149 do not create specific offence

Q77. Cruelty under S.498 A IPC does not include which among the following?

- (a) Harassment of the woman
- (b) Physical cruelty
- (c) Mental cruelty
- (d) All of the above cumulatively

Q78. Doctrine of volenti non fit injuria is incorporated in?

- (a) S.88 of IPC
- (b) S.87 of IPC
- (c) S.89 of IPC
- (d) All the above

Q79. Under Indian Law of crimes, right of private defence is available with respect to

- (a) Harm to body
- (b) Harm to movable property
- (c) Harm to immovable property
- (d) All the above

Q80. In preparing the questions put to the accused under Section 313 Cr.P.C., the Court can take assistance of whom among the following ?

- (a) Amicus curiae
- (b) The accused
- (c) The prosecutor
- (d) The prosecutor and the defence counsel

Q81. The principle of actus curiae neminem gravabit is incorporated in which provisions of the Code of Civil Procedure ?

- (a) S.151
- (b) S.152
- (c) S.144
- (d) 8.10

Q82. Concept of letter rogatory is found in which among the following?

- (a) Indian Penal Code
- (b) Code of Criminal Procedure
- (c) Law of Property
- (d) Specific Relief Act

Q83. Legality of Narco Analysis Test was considered by the Supreme Court in which among the following cases?

- (a) Selvi V. State of Karnataka
- (b) Kathi Kalu Oghad V. State of Bombay
- (c) Aruna Shanbaug V. Union of India
- (d) Indira Jai Singh V. Union of India

Q84. Who among the following was the first woman Chief Justice of a State ?

- (a) Smt. Anna Chandy
- (b) Smt. Leila Seth
- (c) Smt. Fatima Beevi
- (d) Smt. K.K. Usha

Q85. Find out the odd pair?

- (a) Indian Penal Code and Lord Macaulay
- (b) Fundamental Duties and Fundamental Rights
- (c) Doctrine of substituted Security and substituted performance
- (d) Murder and culpable homicide

Q86. Principle of rarest of rare case was laid down by Supreme Court in?

- (a) Mithu V. State of Punjab
- (b) P. Kottaya V. King Emperor
- (c) Selvi V. Union of India
- (d) Kathi Kalu Oghad V. State of Bombay

Q87. In a trial relating to murder of 'A', one witness deposed that a few days prior to the death of 'A', the witness saw 'A' and accused sitting in a Bar and consuming liquor. He had not seen them thereafter. Which is the most reasonable and rational conclusion which the court can draw?

- (a) Last seen theory can be applied.
- (b) A and the accused were friends and hence the accused could not have committed murder of 'A'.
- (c) No inference can be drawn from the version of witness
- (d) A and accused were in good terms at least till few days prior to death of 'A'

Q88. Fiduciary relationship is a relation between two person based on

- (a) Trust
- (b) Contract
- (c) Blood relation
- (d) Money

Q89. A witness makes a statement in court, knowing it to be false. He commits the offence of

- (a) Perjury
- (b) Contempt of court
- (c) Forgery
- (d) None of the above

Q90. Who is an eo Nomine party?

- (a) A nominee of a party
- (b) A party, by or under that name
- (c) Not a nominee of a party
- (d) A party who is brought on record by orders of court.

Q91. A statute states that "sale of car, van, jeep and such other vehicles require licence". Question arises whether for sale of two wheelers, licence is required. Which Rule of interpretation is to be employed?

- (a) Literal interpretation
- (b) Golden rule of interpretation
- (c) Reddendo singula singulis
- (d) None of the above

Q92. Court of record means

- (a) A court which preserves the records forever
- (b) A court whose judicial proceedings are covered by records.
- (c) A court which can punish for contempt
- (d) None of the above

Q93. Who was the first Chief Justice of India?

- (a) Patanjali Sastri
- (b) Harilal J. Kania
- (c) M.C.Mahajan
- (d) B.K.Mukherjee

Q94. If both offices of President and Vice President happen to be vacant simultaneously, who will discharge the duties of President?

- (a) Prime Minister
- (b) Speaker of Lok Sabha
- (c) Chairman of Rajya Sabha
- (d) Chief Justice of India

Q95. Fundamental duty is referred to in which part of the Constitution of India?

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

Q96. In which case, the Supreme Court allowed passive euthanasia in exceptional circumstances?

- (a) Geeta Chopra V Union of India
- (b) Aruna Shanbaug V Union of India
- (c) Seema V Aswin Kumar
- (d) Minerva Mills V Union of India

Q97. What is the meaning of "in Pari Delicto"?

- (a) Both parties in dispute are at fault
- (b) When parties dispute each other
- (c) Both sides are not at fault
- (d) None of the above

Q98. In which case, the Supreme Court of India directed compulsory registration of all marriages?

- (a) Seema Shetty V. Union of India
- (b) Selvi V. State of Karnataka
- (c) Minerva Mills V. Union of India
- (d) Seema V. Aswinkumar

Q99. In which case the Supreme Court, for the first time, laid down that Fundamental Rights have primacy over the Directive principles of the state policy?

- (a) Sanjay Singh V. State of Punjab
- (b) ADM Jabalpur V. Union of India
- (c) Minerva Mills V. Union of India
- (d) Maneka Gandhi V. Union of India

Q100. What is meant by a holographic will?

- (a) Will in the hand writing of the testator
- (b) Will kept in a mechanical device
- (c) Will in a printed form
- (d) None of the above

Answer Key & Solutions

Q1. Answer: A

Section 146 of the Indian Contract Act, 1872 provides that co-sureties are liable to contribute equally to the debt or part unpaid by the principal debtor.

Q2. Answer: B

Under the Specific Relief Act (Sections 5 and 7), a suit for recovery of possession lies in respect of both immovable property (s.5) and movable/specific movable property (s.7-8).

Q3. Answer: C

Section 53A of the Transfer of Property Act, 1882 embodies the doctrine of part performance of a contract.

Q4. Answer: A

Under Section 6 of the Negotiable Instruments Act, 1881, a cheque is a bill of exchange drawn on a specified banker and payable on demand.

Q5. Answer: A

Section 25 of the Limitation Act, 1963 deals with acquisition of easements (right to light, air, way, water etc.) by prescription on 20 years' uninterrupted enjoyment.

Q6. Answer: C

Section 12(1) of the Kerala Buildings (Lease and Rent Control) Act, 1965 bars a tenant from contesting an eviction application or preferring an appeal under Section 18 unless he pays/deposits the admitted arrears of rent.

Q7. Answer: C

Section 14 of the Limitation Act, 1963 provides for exclusion of time spent prosecuting in good faith a civil proceeding before a court that, from defect of jurisdiction or like cause, was unable to entertain it.

Q8. Answer: B

'Pari passu' means proportionate/rateable distribution among creditors on an equal footing; in the execution context (s.73 CPC) it denotes rateable distribution of assets.

Q9. Answer: A

A promissory note (s.4 NI Act) contains an UNconditional undertaking to pay; a conditional undertaking is therefore not correct of a promissory note.

Q10. Answer: D

Order 13 Rule 9 CPC entitles the person who produced a document to receive it back, whether or not he is a party to the suit.

Q11. Answer: B

Under Section 36 of the Partnership Act, 1932, an outgoing partner may carry on a competing business and advertise it, but may not use the firm's name, represent himself as carrying on the firm's business, or solicit the firm's old customers.

Q12. Answer: A

Section 6(2)(a) of the Specific Relief Act, 1963 bars a suit for possession based on prior possession if brought after six months from the date of dispossession.

Q13. Answer: C

Under the proviso to Order 17 Rule 1 CPC, no adjournment shall be granted more than three times to a party during the hearing of the suit.

Q14. Answer: B

Orders passed at the execution stage of a rent control petition are challengeable by revision (under Section 20 of the Kerala Buildings (Lease and Rent Control) Act / civil revision), not by appeal.

Q15. Answer: B

A suit for possession of immovable property based on title under Section 5 of the Specific Relief Act follows the ordinary 12-year limitation period (Articles 64/65, Limitation Act).

Q16. Answer: A

Supplying wheat is wholly outside the ordinary course of a stationery business, so the act does not bind the firm under Sections 19/22 of the Partnership Act; the firm is not liable.

Q17. Answer: A

An inchoate (incomplete) stamped instrument is one delivered incomplete, dealt with under Section 20 of the Negotiable Instruments Act, 1881.

Q18. Answer: C

Under Article 35 of the Limitation Act, 1963, the limitation for a suit on a promissory note payable on demand is three years from the date of execution.

Q19. Answer: C

The rule against perpetuity is contained in Section 14 of the Transfer of Property Act, 1882.

Q20. Answer: C

Section 114 and Order 47 Rule 1 CPC deal with the filing of a review.

Q21. Answer: D

All three tests (identity of cause of action, whether relief could have been claimed in the earlier suit, and omission to sue for a relief on the same cause of action) apply to a bar under Order 2 Rule 2 CPC.

Q22. Answer: B

Under Order 2 Rule 2 CPC, a plaintiff who omits to sue for an instalment already due cannot afterwards sue for that omitted portion of the claim.

Q23. Answer: B

Section 39 of the Code of Civil Procedure deals with the transfer of a decree to another court for execution.

Q24. Answer: C

In computing maturity under Section 24 of the Negotiable Instruments Act, the date of drawing/presentation is excluded and three days of grace are added.

Q25. Answer: C

Under Section 6(c) of the Transfer of Property Act, an easement cannot be transferred apart from the dominant heritage to which it is attached.

Q26. Answer: A

Lis pendens (Section 52, Transfer of Property Act) applies to immovable property only; among the options, 'movable and immovable properties' is the closest intended answer recognising it covers transfers of immovable property pending suit. Note: strictly TPA s.52 is confined to immovable property, but the keyed option here is (a).

Q27. Answer: A

Novation under Section 62 of the Indian Contract Act means substitution of a new contract for an existing one, discharging the old contract.

Q28. Answer: D

Under Article 120 of the Limitation Act, 1963, the period to apply to bring the legal representatives of a deceased defendant/respondent on record is 90 days from the date of death.

Q29. Answer: D

Section 89 CPC lists arbitration, conciliation, judicial settlement including Lok Adalat, and mediation as modes of alternative dispute resolution the court may refer the dispute to; hence all of the above.

Q30. Answer: D

A suit for specific performance can be filed where the immovable property is situate (Ernakulam), where the cause of action wholly or partly arose / where the agreement was executed and money paid (Thiruvananthapuram), or where the defendant resides (Section 16 read with Sections 19/20 CPC); hence all of the above.

Q31. Answer: B

Omission to name the sub-tenant (Gopi) in the Section 11(4) notice is not fatal to a rent control petition for eviction on the ground of subletting, since the statutory requirement is notice to the tenant; the sub-tenant need not be separately noticed.

Q32. Answer: B

Constructive res judicata is embodied in Explanation IV to Section 11 CPC - matters which might and ought to have been made a ground of attack or defence in the former suit are deemed to have been directly and substantially in issue.

Q33. Answer: D

Under Section 13 TPA (transfer for benefit of unborn person), the requirements are a prior life interest, the whole remaining interest vested in the unborn, and existence before the prior estate ends; there is no requirement that the unborn be a descendant of the transferor. Hence (d) is not essential.

Q34. Answer: D

The Specific Relief (Amendment) Act, 2018 introduced substituted performance (s.20), special courts for infrastructure contracts (s.20B), and a 12-month time limit for disposal (s.20C). Since all three listed are genuinely new provisions, the correct answer is 'None of the above'.

Q35. Answer: B

In an English mortgage (Section 58(e) TPA), the mortgagor binds himself to repay the mortgage money on a certain date - a personal undertaking to pay is an essential feature, unlike a usufructuary mortgage where there is no personal liability.

Q36. Answer: C

Under Section 130 TPA, transfer of an actionable claim is effected only by an instrument in writing signed by the transferor or his duly authorised agent.

Q37. Answer: B

Under Section 27 of the Indian Contract Act, an agreement in restraint of trade is void (to that extent).

Q38. Answer: C

Under Section 123 TPA, a gift of immovable property must be effected by a registered instrument signed by the donor and attested by at least two witnesses.

Q39. Answer: A

The doctrine of feeding the grant by estoppel is contained in Section 43 of the Transfer of Property Act (transfer by unauthorised person who subsequently acquires interest in the property).

Q40. Answer: C

Transfer of property for the benefit of an unborn person is governed by Section 13 TPA, read with Section 14 (rule against perpetuity); hence Sections 13 and 14.

Q41. Answer: C

Under Section 30 Cr.P.C., imprisonment in default of fine shall not exceed one-fourth of the term of imprisonment which the Magistrate is competent to inflict as punishment for the offence otherwise than as imprisonment in default.

Q42. Answer: C

Section 149 IPC (unlawful assembly - every member vicariously liable for an offence committed in prosecution of the common object) is the classic provision incorporating constructive/vicarious criminal liability.

Q43. Answer: B

A witness may be compelled to answer an incriminating question under Section 132 of the Indian Evidence Act (with the proviso protecting the answer from being used against him), read with Section 147.

Q44. Answer: C

On alteration of charge under Section 216 Cr.P.C., the prosecutor and accused may be permitted under Section 217(b) Cr.P.C. to recall or re-summon and examine any witness with reference to the alteration. Hence yes, under 217(b).

Q45. Answer: B

On breach of a bond (failure to appear), the court under Section 446 Cr.P.C. records the grounds of proof of forfeiture and calls upon the person bound (or surety) to pay the penalty or show cause why it should not be paid.

Q46. Answer: A

Under Section 65 of the Indian Evidence Act, oral admissions as to the contents of a document are relevant when the party is shown to be entitled to give secondary evidence of its contents under the rules.

Q47. Answer: D

Under Section 34 IPC, physical presence at the scene is not always essential (participation in furtherance of common intention suffices); requiring each accused to be present at the time of commission is therefore not a correct/necessary proposition.

Q48. Answer: B

Section 197 Cr.P.C. sanction is required where a Judge, Magistrate or public servant not removable from office save by/with sanction of Government is accused of an offence alleged to have been committed while acting or purporting to act in the discharge of official duty - option (b).

Q49. Answer: B

Under Section 201 Cr.P.C., if a written complaint is made to a Magistrate not competent to take cognizance, he shall return it for presentation to the proper court with an endorsement to that effect.

Q50. Answer: D

Estoppel under Section 115 of the Indian Evidence Act requires a representation by one person to another, the other acting upon it, and that act being to his detriment/alteration of position; hence all the above.

Q51. Answer: D

Under Section 32(1) of the Indian Evidence Act, a dying declaration may be made to any person (Magistrate, police officer, doctor or any private individual); there is no rule requiring a particular recorder. Hence 'All of above.'

Q52. Answer: D

Criminal conspiracy under S.120A/120B IPC is complete on the mere agreement to do an illegal act; commission of an overt act is NOT essential (except for conspiracies to commit acts not amounting to an offence). Thus 'commission of an overt act' is not an essential ingredient.

Q53. Answer: B

Under S.284 CrPC, a commission to examine a witness may be issued when attendance of the witness cannot be procured without an amount of delay, expense or inconvenience which would be unreasonable in the circumstances.

Q54. Answer: A

S.359 CrPC empowers the court, on conviction of a non-cognizable offence on a complaint, to order the convicted accused to pay the complainant's costs. (S.358 deals with compensation to a groundlessly arrested person, not costs by the accused.)

Q55. Answer: B

Under S.151 of the Indian Evidence Act, the court may forbid indecent or scandalous questions, but it shall permit them when they relate to facts in issue, or to matters necessary to be known in order to determine whether facts in issue existed.

Q56. Answer: B

S.155 of the Evidence Act lists the modes of impeaching credit: evidence of persons who testify the witness is unworthy of credit, proof of bribery/corrupt inducement, and proof of former inconsistent statements. 'Evidence of persons who know the witness is not creditworthy' is not a recognised statutory mode (the witness must testify to his unworthiness from personal knowledge).

Q57. Answer: A

Section 34 IPC creates no substantive offence; it only lays down a rule of evidence/constructive joint liability where a criminal act is done by several persons in furtherance of common intention.

Q58. Answer: D

Section 43 IPC defines 'illegal' as everything which is an offence, or which is prohibited by law, or which furnishes ground for a civil action. Hence all of the above.

Q59. Answer: C

A true and voluntary dying declaration can be the sole basis of conviction without corroboration (so (a) and (b) are wrong), but a cryptic dying declaration, being unreliable, is to be discarded. Hence (c) is the correct statement.

Q60. Answer: B

Under S.73 IPC, where the imprisonment imposed does not exceed six months, the period of solitary confinement shall not exceed one month.

Q61. Answer: B

Sections 76 and 79 IPC embody the maxim *ignorantia facti excusat* - they provide the general exception of mistake of fact (a person bound, or believing in good faith by reason of a mistake of fact that he is bound/justified by law, to do an act).

Q62. Answer: D

Where the sole eyewitness says the wound was a puncture wound by a sharp weapon but the post-mortem surgeon says it was a gunshot, the direct evidence is fundamentally contradicted by medical evidence; such an irreconcilable conflict entitles the accused to the benefit of doubt and acquittal.

Q63. Answer: C

Accident as a general exception is dealt with in Section 80 IPC (act done by accident or misfortune, without criminal intention or knowledge, in doing a lawful act by lawful means with proper care and caution).

Q64. Answer: B

Examination-in-chief (S.137 Evidence Act) must be confined to relevant facts; leading questions are generally not permitted (S.142), and it is not restricted only to facts in issue. Hence 'It must only relate to relevant facts.'

Q65. Answer: B

Section 114 of the Evidence Act, especially illustration (e), allows the court to presume that judicial and official acts have been regularly performed (*omnia praesumuntur rite esse acta*).

Q66. Answer: D

Disputed handwriting/signature (S.67) may be proved by direct evidence of one acquainted with it (S.47), by expert evidence (S.45), or by the court comparing it under S.73. Hence all of the above.

Q67. Answer: C

Under S.50 of the Evidence Act, the opinion on relationship is relevant only when expressed by a person who, as a member of the family or otherwise, has special means of knowledge on the subject.

Q68. Answer: A

Under S.190 CrPC, cognizance is taken of an offence, not of an offender/accused. (*R.R. Chari v. State of U.P.*)

Q69. Answer: D

Under S.90 of the Evidence Act, a document must be 30 years old and come from proper custody, whereupon the court may presume the signature, execution and attestation. Hence all of the above.

Q70. Answer: D

S.202 CrPC concerns postponement of issue of process so the Magistrate may inquire himself or direct an investigation by a police officer or other person. At that stage the Magistrate is NOT authorised to issue process to the accused (process is issued under S.204).

Q71. Answer: D

Laying of a trap to catch an offender (e.g. in bribery cases) is a part of the investigation, which under S.2(h) CrPC includes all proceedings for collection of evidence conducted by a police officer.

Q72. Answer: D

A Test Identification Parade is held during investigation by the police (often with a Magistrate); it is neither part of the trial nor of an inquiry. Hence 'None of the above.'

Q73. Answer: A

Firing a loaded pistol into a crowd is an act so imminently dangerous that it must in all probability cause death, done without excuse - it falls under S.300 'Fourthly' and is murder.

Q74. Answer: B

Under S.85 IPC, involuntary intoxication is a defence only where the thing which intoxicated was administered to the accused without his knowledge or against his will.

Q75. Answer: A

The right of private defence (Ss.96-106 IPC) is founded on the instinct of self-preservation and the basic human right to protect oneself, one's property and others against unlawful aggression.

Q76. Answer: C

S.149 IPC (unlawful assembly) creates a distinct/specific substantive offence imputing constructive liability on members, whereas S.34 IPC is merely a rule of evidence/principle of joint liability and creates no offence by itself.

Q77. Answer: D

Cruelty under S.498A IPC includes harassment, physical cruelty and mental cruelty; the odd-one-out (what it does not separately require as a single answer) is 'all of the above cumulatively' - any one form suffices, so option (d) is the correct exclusion.

Q78. Answer: D

The maxim volenti non fit injuria (consent as defence) is reflected across Ss.87, 88 and 89 IPC dealing with acts done with consent; hence all the above.

Q79. Answer: D

Under Ss.97-99 IPC the right of private defence extends to the body of oneself or another and to property (movable or immovable); hence all the above.

Q80. Answer: D

In framing S.313 Cr.P.C. questions the court may take assistance of the Public Prosecutor and the defence counsel (S.313(5) Cr.P.C., inserted by 2008 amendment).

Q81. Answer: C

Actus curiae neminem gravabit (an act of the court shall prejudice no one) underlies restitution under S.144 CPC, which restores parties on reversal of a decree.

Q82. Answer: B

Letters rogatory for issue of process to a foreign authority/serving summons abroad are provided in the Code of Criminal Procedure (S.166A/166B Cr.P.C.).

Q83. Answer: A

The legality of narco-analysis, polygraph and BEAP tests was decided in Selvi v. State of Karnataka (2010) 7 SCC 263, holding involuntary administration violates Art.20(3) and 21.

Q84. Answer: B

Justice Leila Seth became the first woman Chief Justice of a State High Court (Himachal Pradesh) on 5 August 1991. (Fatima Beevi was first woman Supreme Court judge.)

Q85. Answer: C

The other pairs are genuinely related; 'Doctrine of substituted Security and substituted performance' is the odd/mismatched pair (substituted performance is a Specific Relief Act concept while 'substituted security' is not a paired counterpart).

Q86. Answer: A

The 'rarest of rare' doctrine for death penalty was laid down in *Bachan Singh v. State of Punjab* (1980); among the listed options only *Mithu v. State of Punjab* (death-penalty jurisprudence) fits, the others being evidence/narco cases, so (a) is the best answer.

Q87. Answer: D

Seeing A and the accused together amicably a few days before the death only shows they were on good terms till then; the gap is too large for the last-seen-together theory, so (d) is the most rational inference.

Q88. Answer: A

A fiduciary relationship is founded on trust and confidence reposed by one person in another.

Q89. Answer: A

A witness deliberately making a false statement on oath in court commits perjury (giving false evidence, S.191/193 IPC).

Q90. Answer: B

An eo nomine party is a person who is a party to the proceeding by or under that very name, expressly named on the record.

Q91. Answer: D

The question whether 'such other vehicles' covers two-wheelers is resolved by *eiusdem generis* (general words take colour from preceding specific words); since that rule is not listed, the answer is 'None of the above'.

Q92. Answer: A

A court of record is one whose acts and judicial proceedings are enrolled/preserved as records for perpetual memory and testimony (Art.129/215). Option (a) best captures this.

Q93. Answer: B

Harilal J. Kania was the first Chief Justice of India (from 26 January 1950).

Q94. Answer: D

If both the President and Vice-President offices are vacant, the Chief Justice of India (or senior-most SC judge) discharges the President's functions under the President (Discharge of Functions) Act, 1969.

Q95. Answer: A

Fundamental Duties (Art.51A) are contained in Part IVA of the Constitution, inserted by the 42nd Amendment, 1976.

Q96. Answer: B

Passive euthanasia in exceptional circumstances (with safeguards) was permitted in *Aruna Ramchandra Shanbaug v. Union of India* (2011) 4 SCC 454.

Q97. Answer: A

'In pari delicto' means both parties to the dispute are equally at fault/in wrong.

Q98. Answer: D

The Supreme Court directed compulsory registration of all marriages in *Seema v. Ashwani Kumar* (2006) 2 SCC 578. Option (d) 'Seema V. Aswinkumar' is the correct case (option (a) names a different respondent).

Q99. Answer: C

In *Minerva Mills v. Union of India* (1980) the Supreme Court held that Fundamental Rights and Directive Principles must be balanced, striking down the clause giving DPSPs unconditional primacy; among the options it is the case asserting primacy of Fundamental Rights.

Q100. Answer: A

A holographic will is one written entirely in the handwriting of the testator himself.