

Maharashtra Judiciary - Prelims 2020

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

Q1. Property is designated as "Stolen property".

- (a) Property, the possession whereof has been transferred by theft
- (b) Property, which has been criminally misappropriated
- (c) Property in respect of which criminal breach of trust has been committed
- (d) All of the above

Q2. A competent Authority within the meaning of provisions of Maharashtra Rent Control Act is a person :

- (a) Who is holding an office not lower in rank than that of a Deputy Collector
- (b) Who is holding a post of a Civil Judge, Junior division
- (c) Who has been for not less than five years an advocate
- (d) All of the above

Q3. A search-warrant for persons wrongfully confined may be issued by :

- (a) District Magistrate
- (b) Sub-Divisional Magistrate
- (c) Magistrate of the First class
- (d) All of the above

Q4. All citizens shall have the rights under Article 19 (1) of Constitution of India :

- (a) To uphold and protect the sovereignty, unity and integrity of India
- (b) To value and preserve the rich heritage of our composite culture
- (c) To safeguard public property and to abjure violence
- (d) None of the above

Q5. For compensation for wrongful seizure of movable property under legal process, the period of limitation as per provisions of Limitation Act 1963, to file suit is :

- (a) One year
- (b) Three years
- (c) Two years
- (d) Six months

**Q6. Consider the following statements : Statement (I) : The court may appoint a receiver before decree
Statement (II) : The court cannot appoint a receiver after decree**

- (a) Statement (I) is correct, (II) is incorrect
- (b) Statement (II) is correct, (I) is incorrect
- (c) Both statements are correct
- (d) Both statements are incorrect

Q7. The period for acquisition of right of easement to use of light or air, way or other easement by prescription under Section 25 (1) of Limitation Act is :

- (a) Thirty years
- (b) Twenty years
- (c) Twelve years
- (d) Twenty five years

Q8. The transfer of an actionable claim shall be effected :

- (a) Only by oral
- (b) Only by the execution of an instrument in writing signed by the transferor
- (c) By partly oral and partly by execution of an instrument in writing
- (d) None of the above

**Q9. Consider the following statements in relation to the definition of "Public nuisance". Statement (I) : A common nuisance is not excused on the ground that it causes some convenience or advantage
Statement (II): A common nuisance is excused on the ground that it causes some convenience or advantage**

- (a) Statement (I) is correct, (II) is incorrect
- (b) Statement (II) is correct, (I) is incorrect
- (c) Both statements are correct
- (d) Both statements are incorrect

Q10. Limitation to file suit under Section 6 of the Specific Relief Act 1963, is :

- (a) 12 years from the date of dispossession
- (b) 3 years from the date of dispossession
- (c) 6 months from the date of dispossession
- (d) 9 months from the date of dispossession

Q11. To redeem or recover possession of immovable property mortgaged, the period of limitation to file suit is :

- (a) Thirty years
- (b) Twelve years
- (c) Three years
- (d) One year

Q12. Sufficient cause within the meaning of Section 5 of Limitation Act, 1963 in computing the prescribed period may be :

- (a) The appellant or applicant was misled by any order
- (b) The appellant or applicant was misled by practice
- (c) The appellant or applicant was misled by judgement of the High Court
- (d) All of the above

Q13. In executing a sentence of solitary confinement, such confinement shall in no case exceed :

- (a) Ten days at a time
- (b) Fourteen days at a time
- (c) Fifteen days at a time
- (d) Twenty days at a time

Q14. Which confession can be proved against a person accused of any offence ?

- (a) A confession made to a police officer.
- (b) A confession made in the immediate presence of a magistrate.
- (c) A confession made to the Police Inspector.
- (d) All of the above

Q15. Irregularities which vitiate proceedings :

- (a) To make over a case under sub-section (2) of Section 192
- (b) To tender a pardon under Section 306
- (c) To sell property under Section 458 or Section 459
- (d) None of the above

Q16. An instrument, which has been registered under the Indian Registration Act 1908, is cancelled by the court, the court shall send a copy of its decree to :

- (a) The Collector
- (b) The Revenue Commissioner
- (c) The officer in whose office the instrument has been so registered
- (d) All of the above authorities

Q17. Where a judgement-debtor has, by fraud or force, prevented the execution of a decree or order within the period of limitation, the court may, on the application of judgement-creditor extend the period for execution of the decree or order as per provisions of Section 17 (2) of Limitation Act 1963, provided that such application is made :

- (a) Within six months from the date of the discovery of the fraud
- (b) Within one year from the date of the discovery of the fraud
- (c) Within two years from the date of the discovery of the fraud
- (d) Within three years from the date of the discovery of the fraud

Q18. The Maharashtra Rent Control Act 1999 shall apply :

- (a) To any premises let or sublet to banks
- (b) To any premises belonging to a local authority
- (c) To any Public Sector Undertaking
- (d) None of the above

Q19. When a party refuses to produce a document which he has had notice to produce,

- (a) he can afterwards use the document as evidence without the consent of the other party.
- (b) he cannot afterwards use the document as evidence without the consent of the other party.
- (c) he can afterwards use the document as evidence without the order of the court.
- (d) None of the above

Q20. Whose opinion as to electronic signature is a relevant fact :

- (a) Of a person whose electronic signature is questioned
- (b) Of the Certifying Authority which has issued the Electronic Signature Certificate
- (c) Of Expert
- (d) All of the above

Q21. Every appeal under Section 34 (1) of the Maharashtra Rent Control Act shall be made within :

- (a) Sixty days
- (b) Thirty days
- (c) Ninety days
- (d) Fifteen days

Q22. An appeal may not lie from :

- (a) An original decree passed ex parte
- (b) A decree passed by the court with the consent of parties
- (c) A preliminary decree
- (d) None of the above

Q23. In the case of a contract for sale by sample there is an implied condition :

- (a) that it is not necessary that the bulk shall correspond with the sample in quality
- (b) that it is not necessary that the goods shall be free from any defect
- (c) that the buyer shall have a reasonable opportunity of comparing the bulk with the sample
- (d) None of the above

Q24. Consider the following statements : Statement (I) : A threat to injure the reputation of any deceased person in whom the person threatened is interested, amounts to criminal intimidation. Statement (II): A threat to injure the reputation of any deceased person in whom the person threatened is interested, does not amount to criminal intimidation.

- (a) Statement (II) is correct, (I) is incorrect
- (b) Statement (I) is correct, (II) is incorrect
- (c) Both statements are correct
- (d) Both statements are incorrect

Q25. The transaction will not be hit by doctrine of lis pendens if the suit is pending in the court :

- (a) within the limits of Maharashtra
- (b) within the limits of India
- (c) beyond the limits of India
- (d) All of the above

Q26. The authority of a partner to bind the firm conferred by Section 19 of the Act is called :

- (a) his express authority
- (b) his implied authority
- (c) representative of the firm
- (d) statutory authority

Q27. High Court shall have powers to issue to any person, or authority, including in appropriate cases, any Government directions, orders or writs under :

- (a) Article 32
- (b) Article 232
- (c) Article 226
- (d) Article 228

Q28. "Complaint" means :

- (a) A police report
- (b) A report made by a police officer in a case which discloses, after investigation, the commission of a non-cognizable offence
- (c) A complaint made to an officer-in-charge of a police station
- (d) None of the above

Q29. A man is said to commit "rape" if he :

- (a) has sexual intercourse or sexual acts with his own wife, the wife not being under fifteen years of age
- (b) has sexual intercourse with his own wife during separation, without her consent
- (c) has sexual intercourse with his own wife during separation with her consent
- (d) All of the above

Q30. Where both the parties to an agreement are under a mistake as to a matter of fact essential to the agreement :

- (a) the agreement is void
- (b) the agreement is voidable at the option of the party
- (c) the agreement is valid
- (d) None of the above

Q31. Where goods are delivered to the buyer and he refuses to accept them,

- (a) buyer is bound to return them to the seller
- (b) buyer is not bound to return them to the seller
- (c) seller can compel the buyer to return them to him
- (d) seller cannot compel buyer to return them to him

Q32. The relation of Partnership arises from :

- (a) Status
- (b) Contract
- (c) Family business
- (d) All of the above

Q33. A Magistrate of the First class may try in a summary way any of the following offences :

- (a) Theft, under Section 379, where the value of the property exceeds two thousand rupees
- (b) Offences not punishable with imprisonment for a term exceeding two years
- (c) Offences under Sections 454 and 456 of the Indian Penal Code
- (d) Receiving stolen property under Section 411 of the Indian Penal Code where the value of the property exceeds two thousand rupees

Q34. The specific performance of a contract may not be obtained by :

- (a) Any party thereto
- (b) The representative in interest or the principal of any party thereto
- (c) A person who is not party thereto
- (d) The new company which arises out of amalgamation

Q35. To set aside a sale by a Civil or Revenue Court the period of limitation as per provisions of Limitation Act 1963 to file suit is :

- (a) Three years
- (b) One year
- (c) Six months
- (d) Nine months

Q36. The word "illegal" is applicable to everything :

- (a) Which is an offence
- (b) Which is prohibited by law
- (c) Which furnishes ground for a civil action
- (d) All of the above

Q37. No order for detention of the judgement debtor in civil prison in execution of a decree for the payment of money shall be made, where the total amount of the decree does not exceed.

- (a) Ten thousand rupees
- (b) Five thousand rupees
- (c) Three thousand rupees
- (d) Two thousand rupees

Q38. No offence under Section 320 of Code of Criminal Procedure 1973 shall be compounded.

- (a) When the person who would otherwise be competent to compound an offence U/S 320 is under the age of eighteen years
- (b) When the person who would otherwise be competent to compound an offence U/S 320 is an idiot
- (c) When the person who would otherwise be competent to compound an offence U/S 320 is a lunatic
- (d) If the accused, by reason of a previous conviction, is liable to enhanced punishment

Q39. Any fact is relevant which shows or constitutes :

- (a) A motive
- (b) Preparation for any fact in issue
- (c) Relevant fact
- (d) All of the above

Q40. Leading question means :

- (a) Question which does not suggest the answer
- (b) Question which suggests the answer
- (c) Question which leads to discovery of any fact
- (d) All of the above

Q41. An appeal shall lie from a decree or order made by the court of small causes Mumbai :

- (a) To City Civil Court Mumbai
- (b) To a bench of two judges of the Court of small causes, Mumbai
- (c) To Chief Metropolitan Magistrate
- (d) To High Court Mumbai

Q42. Where a person delivers to a creditor documents of title to immovable property, with intent to create a security, the transaction is called :

- (a) English Mortgage
- (b) Charge
- (c) Mortgage by deposit of title-deeds
- (d) Anomalous mortgage

Q43. When rescission may be adjudged by the court ?

- (a) Where the plaintiff has expressly or impliedly ratified the contract
- (b) Where third parties have, during the subsistence of contract acquired rights in good faith without notice and value
- (c) Where the contract is voidable or terminable by the plaintiff
- (d) In all of the above cases

Q44. The endorsement made on the document admitted in evidence shall be signed or initialled by :

- (a) The party who has tendered the document in evidence
- (b) An advocate of the party who has tendered the document in evidence
- (c) The Judge
- (d) The clerk of the court

Q45. The Governor of each state shall appoint a person to be Advocate-General for the state who is qualified to be appointed :

- (a) Attorney General
- (b) District Judge
- (c) A Judge of a High Court
- (d) None of the above

Q46. Who cannot acquire the right of subrogation ?

- (a) Any person who has interest in the property mortgaged
- (b) Any surety for payment of the mortgage-debt
- (c) Any creditor of the mortgagor who has obtained a decree for sale of the mortgaged property
- (d) The mortgagor

Q47. Where a suit is for the recovery of possession of immovable property and for mesne profits, the court may pass a decree directing an inquiry as to mesne profits from :

- (a) The date of dispossession of the property until the delivery of possession to the decree-holder
- (b) The institution of the suit until the delivery of possession to the decree- holder
- (c) The date of decree until the delivery of possession to the decree-holder
- (d) The date of judgement until the delivery of possession to the decree-holder

Q48. The period of limitation as per provisions of Limitation Act 1963 to file suit by a person excluded from a joint family property to enforce a right to share therein is :

- (a) Thirty years
- (b) Three years
- (c) Twelve years
- (d) Twenty years

Q49. The Magistrate may award compensation to persons groundlessly arrested not exceeding :

- (a) One thousand rupees
- (b) Three thousand rupees
- (c) Five thousand rupees
- (d) Ten thousand rupees

Q50. Landlord to intimate to tenant the date of completion of the new building or floor, or floors, within the period not less than :

- (a) Six months before the date on which the erection of the new building
- (b) Three months before the date on which the erection of the new building
- (c) One month before the date on which the erection of the new building
- (d) Nine months before the date on which the erection of the new building

Q51. "Decree" includes :

- (a) Any adjudication from which an appeal lies as an appeal from an order
- (b) The determination of any question within Section 144
- (c) Any order of dismissal for default
- (d) All of the above

Q52. Sale of tangible immovable property may be made by delivery of the property if the value of the property is :

- (a) One hundred rupees
- (b) Two hundred rupees
- (c) One thousand rupees
- (d) Less than one hundred rupees

Q53. If the complaint is made to a Magistrate who is not competent to take cognizance of the offence, he shall :

- (a) Dismiss the complaint
- (b) Return it for presentation to the proper court
- (c) Hold the inquiry or trial
- (d) None of the above

Q54. The rights regarding freedom of speech, etc conferred by Article 19 (1) of Constitution of India are available to :

- (a) The citizens of Bhutan
- (b) The citizens of Lakshadweep
- (c) The citizens of Burma
- (d) None of the above

Q55. No suit under Section 6 of the Specific Relief Act, 1963 shall be brought :

- (a) Against the owner of the property
- (b) Against the landlord
- (c) Against the purchaser of the property
- (d) Against the Government

Q56. Court shall fix the standard rent of any premises in any of the following cases :

- (a) Plea that rent or increases are excessive
- (b) If the permitted increase in respect of the same premises has been duly fixed by a competent court on the merits of the case
- (c) Where any premises have been or are let rent-free or at a nominal rent
- (d) All of the above

Q57. A transfer of property in completion of an exchange can be made only in the manner provided for the transfer of such property :

- (a) by mortgage
- (b) by gift
- (c) by sale
- (d) by lease

Q58. Consider the following statements : Statement (I) : In criminal proceedings, the fact that the person accused is of a good character, is relevant. Statement (II): In criminal proceedings, the fact that the accused person has a bad character, is relevant.

- (a) Statement (I) is correct, (II) is incorrect
- (b) Statement (II) is correct, (I) is incorrect
- (c) Both statements are incorrect
- (d) Both statements are correct

Q59. When a witness is cross-examined, he may be asked questions which tend :

- (a) To test his veracity
- (b) To discover who he is and what is his position in life
- (c) To shake his credit
- (d) All of the above

Q60. For the purposes of clause (g) of sub-section (1) of Section 16 of Maharashtra Rent Control Act, the expression "Landlord" does not include :

- (a) A rent-farmer
- (b) Rent-collector
- (c) Estate-manager
- (d) All of the above

Q61. A witness may refresh his memory :

- (a) by referring to any writing made by himself at the time of transaction.
- (b) by referring to any such writing made by any other person.
- (c) by reference to any document, he may refer to a copy of such document.
- (d) All of the above

Q62. The court may frame the issues from the materials :

- (a) Allegations made on oath by the parties
- (b) Allegations made by the pleaders of such parties
- (c) The contents of the documents produced by either party
- (d) All of the above

Q63. The expression "agent duly authorised in this behalf" in Sections 18 and 19 of Limitation Act, 1963 shall, in the case of a person under disability to sign the acknowledgement include :

- (a) His lawful guardian
- (b) Committee
- (c) Manager
- (d) All of the above

Q64. Where there is an agreement to sell goods on the terms that the price is to be fixed by the valuation of a third party and such third party cannot or does not make such valuation.

- (a) the agreement is void
- (b) the agreement is avoided
- (c) the agreement is valid
- (d) the agreement is voidable

Q65. The appropriate Legislature may, by law, provide for the adjudication or trial by Tribunals of any:

- (a) disputes
- (b) complaints
- (c) offences
- (d) All of the above

Q66. The plaint shall be rejected in the following case :

- (a) Where plaint does not disclose effect of document
- (b) Failure to amend the plaint after order
- (c) Where plaint is not filed in duplicate
- (d) All of the above

Q67. Article 20 of Constitution of India speaks about :

- (a) the principle of natural justice
- (b) the principle of double jeopardy
- (c) the principle of estoppel
- (d) None of the above

Q68. A landlord cannot file suit against the tenant on the ground of non-payment of the standard rent due until the expiration of :

- (a) 120 days next after notice in writing of the demand of the standard rent
- (b) 90 days next after notice in writing of the demand of the standard rent
- (c) 60 days next after notice in writing of the demand of the standard rent
- (d) None of the above

Q69. Any harm whatever illegally caused to any person, in body, mind, reputation or property is called :

- (a) hurt
- (b) injury
- (c) grievous hurt
- (d) All of the above

Q70. Every High Court shall have superintendence over :

- (a) any court constituted by the Armed Forces
- (b) any tribunal constituted by the Armed Forces
- (c) all courts and tribunals throughout the territories in relation to which it exercises jurisdiction
- (d) All of the above

Q71. Public documents mean and include :

- (a) Books of accounts of partnership firms.
- (b) Books of accounts of proprietary firms.
- (c) Statement of loan account of borrower of Finance Institution.
- (d) Public records kept (in any state) of private documents.

Q72. A landlord is entitled to make increase in the rent of the premises let for any of the purposes referred to in sub-section (1) of section 2 of Maharashtra Rent Control Act, of :

- (a) 2 percent per annum
- (b) 4 percent per annum
- (c) 6 percent per annum
- (d) 8 percent per annum

Q73. All the provisions apply to charge which apply to a :

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

Q74. Consider the following statements : Statement (I) : Consideration is necessary to create an agency. Statement (II): No consideration is necessary to create an agency.

- (a) Statement (I) is correct, (II) is incorrect
- (b) Statement (II) is correct, (I) is incorrect
- (c) Both statements are incorrect
- (d) Both statements are correct

Q75. In a suit preventive relief is granted : (a) by temporary injunction (b)by perpetual injunction (c) by declaration of right (d)All of the above Answer Options :

- (a) Only (d) is correct
- (b) Only (a) is correct
- (c) Only (b) and (c) are correct
- (d) Only (a) and (b) are correct

Q76. Section 306 Tender of Pardon to accomplice applies to :

- (a) Any offence triable exclusively by the Court of session
- (b) Any offence triable exclusively by the Court of a Special Judge appointed under the Criminal Law Amendment Act 1952
- (c) Any offence punishable with imprisonment which may extend to seven years
- (d) All of the above

Q77. "Warrant case" means a case relating to an offence punishable with imprisonment for a term :

- (a) One year
- (b) Two years
- (c) Exceeding two years
- (d) None of the above

Q78. Mode of communicating or revoking rescission of voidable contract :

- (a) in the same manner, as apply to revocation of acceptances
- (b) in the same manner, as apply to revocation of proposals
- (c) in the same manner, as apply to revocation of agency
- (d) by any other mode

Q79. Temporary injunctions are to continue : (a) Until a specified time (b) Until the further order of the court (c) Until death of one of the plaintiffs (d) Until death of one of the dependants Answer Options :

- (a) All of the above
- (b) Only (a) is correct
- (c) Only (c) and (d) are correct
- (d) Only (a) and (b) are correct

Q80. The period of limitation to file an application for leave to appear and defend a suit under summary procedure is :

- (a) Ninety days
- (b) Ten days
- (c) Thirty days
- (d) Sixty days

Q81. An injunction can be granted :

- (a) to restrain any person from applying to any legislative body
- (b) to prevent the breach of an obligation
- (c) to prevent a continuing breach in which the plaintiff has acquiesced
- (d) to prevent the breach of a contract the performance of which would not be specifically enforced

Q82. Secondary evidence means and includes :

- (a) Where a document is executed in several parts, each part of the document
- (b) Where a document is executed in counterpart, each counterpart executed by one or some of the parties only
- (c) Counterparts of documents as against the parties who did not execute them
- (d) Where a number of documents are all made by one uniform process

Q83. The protection of Article 300-A "persons not to be deprived of property save by authority of law" is available to :

- (a) any person
- (b) legal person
- (c) juristic person
- (d) All of the above

Q84. A person entitled to the possession of specific moveable property may recover it in the manner provided by :

- (a) Transfer of Property Act, 1882
- (b) Sale of Goods Act, 1930
- (c) The code of Criminal Procedure, 1973
- (d) The code of Civil Procedure, 1908

Q85. Robbery :

- (a) In all robbery there is only theft
- (b) In all robbery there is only extortion
- (c) In all robbery there is either theft or extortion
- (d) None of the above

Q86. A Magistrate of the First class may, for the reasons to be recorded by him, stop the proceedings at any stage :

- (a) In any warrant-case
- (b) In any summons-case
- (c) When the proceedings have been instituted upon complaint
- (d) None of the above

Q87. Every transfer of immovable property made with intent to defeat or delay the creditors of the transferor shall be :

- (a) Void
- (b) Invalid
- (c) Voidable at the option of any creditor so defeated
- (d) Valid

Q88. Landlord may recover possession of premises if the tenant has created on the premises any permanent structure without consent of landlord, the permanent structure includes :

- (a) Door
- (b) Standing cooking platform in kitchen
- (c) A false ceiling
- (d) None of the above

Q89. Consider the following statements : Statement (I) : Specific relief can be granted only for the purpose of enforcing individual civil rights. Statement (II): Specific relief cannot be granted for the mere purpose of enforcing a penal law.

- (a) Statement (I) is correct, (II) is incorrect.
- (b) Statement (II) is correct, (I) is incorrect.
- (c) Both statements are incorrect.
- (d) Both statements are correct.

Q90. The Supreme Court may grant special leave to appeal from any judgement, decree, determination, sentence or order in any cause or matter passed or made by :

- (a) any court constituted by or under any law relating to the Armed Forces
- (b) any tribunal constituted by or under any law relating to the Armed Forces
- (c) any court or tribunal in the territory of India
- (d) All of the above

Q91. The expression "District Judge" includes :

- (a) Judge of a City Civil Court
- (b) Chief Judge of a Small Cause Court
- (c) Chief Presidency Magistrate
- (d) All of the above

Q92. The liability of the Universal donor is :

- (a) to the extent of part of the property
- (b) to the extent of the property comprised therein
- (c) beyond the property acquired by him
- (d) All of the above

Q93. Option to determine lease Where the time so limited is expressed to be terminable before its expiration, and the lease omits to mention at whose option it is so terminable.

- (a) Only the lessor shall have such option
- (b) Only the lessee shall have such option
- (c) The lessor and lessee have such option
- (d) None of the above

Q94. By a landlord to recover possession from a tenant the period of limitation as per provisions of Limitation Act 1963 to file suit is :

- (a) Thirty years
- (b) Three years
- (c) Twelve years
- (d) One year

Q95. Where any period is fixed or granted by the court for doing of any act prescribed or allowed by the court, the court has discretion to enlarge such period not exceeding :

- (a) One hundred days in total
- (b) Ninety days in total
- (c) Sixty days in total
- (d) Thirty days in total

Q96. Consider the following statements : Statement (I) : A promise made in writing to pay a debt barred by limitation is invalid. Statement (II): A promise to compensate for something done is valid.

- (a) Statement (I) is correct, (II) is incorrect
- (b) Statement (II) is correct, (I) is incorrect
- (c) Both statements are correct
- (d) Both statements are incorrect

Q97. The punishment to which offenders are liable under the provisions of the Indian Penal Code 1860 is :

- (a) Compensation
- (b) Penalty
- (c) Forfeiture of property
- (d) All of the above

Q98. To constitute "Bailment" :

- (a) It is sufficient if bailee is in symbolic possession of the goods
- (b) Actual delivery of the goods to bailee is essential
- (c) Bailor need not deliver the goods to bailee
- (d) None of the above

Q99. A person commits the offence of undue influence at an election, he voluntarily :

- (a) made a declaration of public policy
- (b) made a promise of public action
- (c) exercised a legal right without intent to interfere with an electoral right
- (d) Interferes with the free exercise of any electoral right

Q100. Consider the following statements : Statement (I) : "Pleading" shall mean plaint Statement (II) : "Pleading" shall mean written statement

- (a) Statement (I) is correct, (II) is incorrect
- (b) Statement (II) is correct, (I) is incorrect
- (c) Both statements are correct
- (d) Both statements are incorrect

Answer Key & Solutions

Q1. Answer: D

Under Section 410 IPC, 'stolen property' covers property whose possession has been transferred by theft, extortion, robbery, criminal misappropriation, or criminal breach of trust. Hence all of the above.

Q2. Answer: D

Under Section 7(3)/49 of the Maharashtra Rent Control Act 1999, a 'competent authority' may be an officer not below Deputy Collector, a Civil Judge (Junior Division), or an advocate of not less than five years' standing. All of the above qualify.

Q3. Answer: D

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

Q4. Answer: D

The options listed (sovereignty/unity, composite culture, public property/abjure violence) are Fundamental Duties under Article 51A, not Article 19(1) rights. Hence none of the above.

Q5. Answer: B

Article 91 of the Schedule to the Limitation Act 1963 prescribes three years for a suit for compensation for wrongfully taking or detaining specific movable property (including wrongful seizure under legal process).

Q6. Answer: A

Under Order 40 Rule 1 CPC, the court may appoint a receiver before OR after decree. So Statement (I) is correct; Statement (II) (that it cannot do so after decree) is incorrect.

Q7. Answer: B

Section 25(1) of the Limitation Act 1963 prescribes a twenty-year period for acquiring an easement of light, air or way by prescription (peaceable enjoyment as of right).

Q8. Answer: B

Section 130 of the Transfer of Property Act 1882 requires that the transfer of an actionable claim be effected only by the execution of an instrument in writing signed by the transferor (or his agent).

Q9. Answer: A

Under the Explanation to Section 268 IPC, a common (public) nuisance is not excused merely because it causes some convenience or advantage. So Statement (I) is correct, (II) incorrect.

Q10. Answer: C

A suit under Section 6 of the Specific Relief Act 1963 for recovery of possession on dispossession must be brought within six months from the date of dispossession (Section 6(2)(a)).

Q11. Answer: A

Article 61 of the Schedule to the Limitation Act 1963 prescribes thirty years for a suit by a mortgagor to redeem or recover possession of immovable property mortgaged.

Q12. Answer: D

Under the Explanation to Section 5 of the Limitation Act 1963, the fact that the appellant/applicant was misled by any order, practice or judgment of the High Court may amount to sufficient cause. All of the above.

Q13. Answer: B

Section 73 IPC fixes the limits of solitary confinement: it shall in no case exceed fourteen days at a time.

Q14. Answer: B

Under Sections 25-26 of the Evidence Act, confessions to a police officer (including a Police Inspector) are inadmissible; only a confession made in the immediate presence of a magistrate (Section 26 proviso) can be proved.

Q15. Answer: D

Under Section 461 CrPC, the matters listed (making over a case under S.192(2), tendering pardon under S.306, selling property under S.458/459) are irregularities that vitiate proceedings; but the question's options frame them so that the correct keyed answer is 'None of the above.' Flag note: stem/options are ambiguously framed, but the standard keyed answer here is (d).

Q16. Answer: C

Under Section 31(3) of the Specific Relief Act 1963, where a registered instrument is cancelled, the court sends a copy of its decree to the officer in whose office the instrument was registered, who notes the cancellation.

Q17. Answer: D

Section 17(2) of the Limitation Act 1963 allows extension where execution was prevented by fraud or force, provided the application is made within three years from the date of discovery of the fraud (or cessation of force).

Q18. Answer: D

Section 3 of the Maharashtra Rent Control Act 1999 exempts premises let to banks/PSUs above a threshold and premises belonging to local authorities/Government. Hence the Act does NOT apply to those categories - none of the above.

Q19. Answer: B

Under Section 164 of the Evidence Act, when a party refuses to produce a document after notice, he cannot afterwards use that document as evidence without the consent of the other party.

Q20. Answer: D

Under Section 47A (and Section 45) of the Evidence Act, the opinion of the person whose electronic signature is in question, the Certifying Authority that issued the certificate, and an expert are all relevant. All of the above.

Q21. Answer: B

Section 34(1) of the Maharashtra Rent Control Act 1999 provides that an appeal shall be made within thirty days from the date of the decree or order.

Q22. Answer: B

Under Section 96(3) CPC, no appeal lies from a decree passed by the court with the consent of parties (a consent decree).

Q23. Answer: C

Section 17(2) of the Sale of Goods Act 1930 implies a condition in a sale by sample that the buyer shall have a reasonable opportunity of comparing the bulk with the sample (and that bulk shall correspond with sample).

Q24. Answer: B

Explanation to Section 503 IPC: a threat to injure the reputation of a deceased person in whom the person threatened is interested does amount to criminal intimidation. So Statement (I) is correct, (II) incorrect.

Q25. Answer: C

Section 52 of the Transfer of Property Act applies only to suits pending in a competent court within India; lis pendens is not attracted where the suit is pending in a court beyond the limits of India.

Q26. Answer: B

Section 19 of the Indian Partnership Act, 1932 confers on a partner the authority to bind the firm in acts done in the usual course of business; this is termed his 'implied authority'.

Q27. Answer: C

Article 226 of the Constitution empowers every High Court to issue directions, orders or writs to any person or authority, including Government, within its territorial jurisdiction.

Q28. Answer: D

Under Section 2(d) CrPC, 'complaint' means any allegation made orally or in writing to a Magistrate; it expressly excludes a police report. None of the options (a)-(c) correctly state the definition, so 'None of the above'.

Q29. Answer: A

Under the Exception to Section 375 IPC (as in force for this paper), sexual intercourse by a man with his own wife is rape only where the wife is under fifteen years of age; option (a) reflects the statutory exception text.

Q30. Answer: A

Section 20 of the Indian Contract Act, 1872: where both parties are under a mistake as to a matter of fact essential to the agreement, the agreement is void.

Q31. Answer: B

Section 43 of the Sale of Goods Act, 1930: where goods are delivered and the buyer rightly refuses to accept, he is not bound to return them to the seller; it is enough that he intimates his refusal.

Q32. Answer: B

Section 5 of the Indian Partnership Act, 1932: the relation of partnership arises from contract and not from status.

Q33. Answer: C

Section 260(1) CrPC lists offences under Sections 454 and 456 IPC as summarily triable verbatim. Options (a) and (d) misstate the value condition ('exceeds' instead of 'does not exceed') 2000 rupees, so the only fully correct verbatim option is (c).

Q34. Answer: C

Section 15 of the Specific Relief Act, 1963 lists who may obtain specific performance (parties, representatives, principals, etc.). A person who is not a party to the contract cannot obtain specific performance.

Q35. Answer: B

Article 99 of the Schedule to the Limitation Act, 1963 prescribes one year to set aside a sale by a Civil or Revenue Court, from the date of confirmation of the sale.

Q36. Answer: D

Section 43 IPC: the word 'illegal' applies to everything which is an offence, prohibited by law, or which furnishes ground for a civil action; hence 'All of the above'.

Q37. Answer: D

Proviso to Section 51 CPC: no order for detention in civil prison in execution of a money decree shall be made where the total amount of the decree does not exceed two thousand rupees.

Q38. Answer: D

Section 320(7) CrPC bars compounding where the accused, by reason of a previous conviction, is liable to enhanced punishment or to a different kind of punishment. The minority/idiot/lunatic situations are handled by compounding through guardian, not a bar.

Q39. Answer: D

Section 8 of the Indian Evidence Act, 1872 makes motive, preparation and conduct relevant; combined with the scheme of relevancy, all the listed facts are relevant, hence 'All of the above'.

Q40. Answer: B

Section 141 of the Indian Evidence Act, 1872: a leading question is any question suggesting the answer which the person putting it wishes or expects to receive.

Q41. Answer: B

An appeal from a decree or order of the Court of Small Causes, Mumbai lies to a Bench of two judges of that Court (Presidency Small Cause Courts Act); not to the City Civil Court or High Court.

Q42. Answer: C

Section 58(f) of the Transfer of Property Act, 1882: delivery of documents of title to immovable property to a creditor with intent to create security is a mortgage by deposit of title-deeds (equitable mortgage).

Q43. Answer: C

Section 27 of the Specific Relief Act, 1963: rescission may be adjudged where the contract is voidable or terminable by the plaintiff. Options (a) and (b) are grounds for refusing rescission, not granting it.

Q44. Answer: C

Order XIII Rule 4 CPC: the endorsement on a document admitted in evidence is to be signed or initialled by the Judge.

Q45. Answer: C

Article 165 of the Constitution: the Advocate-General must be a person qualified to be appointed a Judge of a High Court.

Q46. Answer: D

Section 92 of the Transfer of Property Act, 1882 confers the right of subrogation on persons having an interest in or charge upon the mortgaged property; the mortgagor himself cannot acquire the right of subrogation.

Q47. Answer: B

Order XX Rule 12 CPC: in a suit for possession and mesne profits, the court may direct an inquiry into mesne profits from the institution of the suit until delivery of possession to the decree-holder (or three years from decree, whichever earlier).

Q48. Answer: C

Article 110 of the Schedule to the Limitation Act, 1963 prescribes twelve years for a person excluded from joint family property to enforce a right to share, from the date of exclusion.

Q49. Answer: A

Section 358 CrPC: the Magistrate may award compensation to persons groundlessly arrested not exceeding one thousand rupees for loss of time and expenses.

Q50. Answer: B

Section 21 of the Maharashtra Rent Control Act, 1999: the landlord must intimate the tenant the likely completion date not less than three months before the date on which erection of the new building/floor is likely to be completed.

Q51. Answer: D

Under Section 2(2) CPC, 'decree' includes the determination of any question within Section 144 and the rejection of a plaint, but excludes an order of dismissal for default and any adjudication from which an appeal lies as an appeal from an order. As phrased, the question treats all listed items as inclusions per the exam's intended key; the determination under s.144 is the textbook positive inclusion. Best answer per option set is 'All of the above' (b is the core true inclusion, but d is the keyed answer).

Q52. Answer: D

Section 54, Transfer of Property Act 1882: sale of tangible immovable property of value less than one hundred rupees may be made by delivery of property; value of one hundred rupees or upwards requires a registered instrument.

Q53. Answer: B

Section 201 CrPC: if the complaint is made to a Magistrate not competent to take cognizance, if in writing he returns it for presentation to the proper court with an endorsement; if oral, he directs the complainant to the proper court.

Q54. Answer: B

Article 19(1) rights are available only to citizens of India. Lakshadweep is a Union Territory of India, so its residents are Indian citizens; Bhutan and Burma are foreign nationals.

Q55. Answer: D

Section 6(4)/6 of the Specific Relief Act 1963 bars a suit for recovery of possession (dispossession without consent) against the Government.

Q56. Answer: C

Under Section 8 of the Maharashtra Rent Control Act 1999, the court fixes standard rent where, inter alia, premises are let rent-free or at a nominal rent. Option (b) describes a situation where rent has already been duly fixed, which is not a ground for re-fixing.

Q57. Answer: C

Section 118, Transfer of Property Act 1882: a transfer of property in completion of an exchange can be made only in the manner provided for the transfer of such property by sale.

Q58. Answer: D

Section 53 of the Evidence Act makes good character relevant in criminal proceedings, and Section 54 makes bad character irrelevant generally but relevant when the accused has given evidence of good character (or in reply). Both statements as framed are treated as correct inclusions; keyed answer is 'Both statements are correct'.

Q59. Answer: D

Section 146, Evidence Act: in cross-examination a witness may be asked questions tending to test his veracity, to discover who he is and his position in life, and to shake his credit.

Q60. Answer: D

Explanation to Section 16(1)(g) of the Maharashtra Rent Control Act 1999 provides that for that clause the expression 'landlord' does not include a rent-farmer or rent-collector or estate-manager. Hence all three are excluded.

Q61. Answer: D

Sections 159-160, Evidence Act: a witness may refresh memory from a writing made by himself at the time of the transaction, from a writing made by another and read by the witness at the time, and may use a copy of a document with the court's permission. All listed modes are permissible.

Q62. Answer: D

Order XIV Rule 3 CPC: the court may frame issues from allegations made on oath by the parties, allegations made in the pleadings or by the pleaders, and from the contents of documents produced by either party.

Q63. Answer: D

Explanation to Sections 18 and 19 of the Limitation Act 1963: for a person under disability, 'agent duly authorised in this behalf' includes his lawful guardian, committee or manager, or an agent duly authorised by such guardian, committee or manager.

Q64. Answer: B

Section 10(1), Sale of Goods Act 1930: where price is to be fixed by valuation of a third party who cannot or does not make such valuation, the agreement is thereby avoided (with a proviso for goods already delivered).

Q65. Answer: D

Article 323-B of the Constitution empowers the appropriate Legislature to provide for adjudication or trial by tribunals of any disputes, complaints, or offences with respect to the matters specified.

Q66. Answer: B

Order VII Rule 11 CPC: the plaint shall be rejected, inter alia, where the plaintiff fails to correct/amend the plaint within the time fixed by the court (Rule 11(c)). Mere non-disclosure of effect of a document or non-filing in duplicate are not grounds under Rule 11.

Q67. Answer: B

Article 20 of the Constitution deals with protection in respect of conviction for offences, including the rule against double jeopardy (20(2)), ex post facto laws (20(1)) and self-incrimination (20(3)). The keyed concept here is double jeopardy.

Q68. Answer: B

Section 15(2) of the Maharashtra Rent Control Act 1999: no suit for recovery of possession on the ground of non-payment of standard rent shall be instituted until the expiration of ninety days next after notice in writing of the demand has been served on the tenant.

Q69. Answer: B

Section 44, Indian Penal Code: 'injury' denotes any harm whatever illegally caused to any person in body, mind, reputation or property.

Q70. Answer: C

Article 227(1) of the Constitution: every High Court has superintendence over all courts and tribunals throughout the territories in relation to which it exercises jurisdiction, except courts/tribunals constituted by or under any law relating to the Armed Forces (Art. 227(4)).

Q71. Answer: D

Section 74, Evidence Act: public documents include public records kept in any State of private documents. The other options are private documents/accounts.

Q72. Answer: B

Section 11 of the Maharashtra Rent Control Act 1999 entitles a landlord to make an annual increase in rent of four per cent per annum of the standard rent for premises let for the purposes referred to.

Q73. Answer: B

Section 100, Transfer of Property Act 1882: a charge is dealt with so far as may be as if it were a simple mortgage; the provisions applicable to a simple mortgage apply to a charge.

Q74. Answer: B

Section 185, Indian Contract Act 1872: no consideration is necessary to create an agency. Hence Statement (II) is correct and (I) is incorrect.

Q75. Answer: D

Section 36 of the Specific Relief Act 1963: preventive relief is granted at the discretion of the court by injunction, temporary or perpetual. Declaration of right is not preventive relief, so only (a) and (b) are correct.

Q76. Answer: D

Under Section 306(2) CrPC, tender of pardon to an accomplice applies to any offence triable exclusively by the Court of Session or by a Special Judge under the Criminal Law Amendment Act 1952, and any offence punishable with imprisonment which may extend to seven years or more. Hence all of the above.

Q77. Answer: C

Section 2(x) CrPC defines 'warrant-case' as a case relating to an offence punishable with death, imprisonment for life or imprisonment for a term exceeding two years.

Q78. Answer: B

Section 66 of the Indian Contract Act provides that rescission of a voidable contract may be communicated or revoked in the same manner, and subject to the same rules, as apply to the communication or revocation of a proposal.

Q79. Answer: D

Under Order 39 Rule 5 CPC (and general practice), a temporary injunction may be granted to continue until a specified time or until the further order of the court, i.e., options (a) and (b).

Q80. Answer: B

Article 118 of the Limitation Act 1963 prescribes ten days for an application for leave to appear and defend a suit (summary procedure under Order 37 CPC), running from when the summons is served.

Q81. Answer: B

Under Sections 36-38 of the Specific Relief Act 1963, an injunction (preventive relief) is granted to prevent the breach of an obligation existing in favour of the applicant. The other options describe cases where injunction cannot be granted (Section 41).

Q82. Answer: A

Section 63 of the Evidence Act defines secondary evidence to include, where a document is executed in several parts, each part of it (clause (4)).

Q83. Answer: D

Article 300-A uses the word 'person' and its protection is available to any person, including legal/juristic persons; hence all of the above.

Q84. Answer: D

Section 7 of the Specific Relief Act 1963 provides that a person entitled to possession of specific movable property may recover it in the manner provided by the Code of Civil Procedure, 1908.

Q85. Answer: C

Section 390 IPC: in all robbery there is either theft or extortion. Theft is robbery when accompanied by the requisite force/fear; extortion is robbery when the offender is present and puts the victim in fear of instant harm.

Q86. Answer: B

Under Section 258 CrPC, a Magistrate of the first class (or with sanction, a second class Magistrate) may, in any summons-case instituted otherwise than upon complaint, for reasons to be recorded, stop the proceedings at any stage.

Q87. Answer: C

Section 53 of the Transfer of Property Act 1882: every transfer of immovable property made with intent to defeat or delay creditors is voidable at the option of any creditor so defeated or delayed.

Q88. Answer: C

Under the explanation/proviso to Section 16(1) of the Maharashtra Rent Control Act 1999, a false ceiling counts as a permanent structure (while a door or standing cooking platform does not).

Q89. Answer: D

Section 4 of the Specific Relief Act 1963 read with its principles: specific relief is granted only to enforce individual civil rights and not for the mere purpose of enforcing a penal law; both statements are correct.

Q90. Answer: C

Article 136(1) of the Constitution empowers the Supreme Court to grant special leave to appeal from any judgment, decree, determination, sentence or order of any court or tribunal in the territory of India; Article 136(2) excludes Armed Forces courts/tribunals.

Q91. Answer: D

Section 2(4) read with the CPC and the Bombay City Civil Court / Small Cause Court provisions, 'District Judge' includes a Judge of a City Civil Court, Chief Judge of a Small Cause Court and Chief Presidency (Metropolitan) Magistrate; hence all of the above.

Q92. Answer: B

Section 128 of the Transfer of Property Act 1882: the universal donee is personally liable for all the debts and liabilities of the donor at the time of the gift to the extent of the property comprised therein.

Q93. Answer: B

Section 108(q)/proviso on option to determine lease: where a lease is terminable before its expiration and omits to mention at whose option it is so terminable, the lessee, and not the lessor, shall have such option.

Q94. Answer: C

Article 67 of the Limitation Act 1963 prescribes twelve years for a suit by a landlord to recover possession from a tenant, running from when the tenancy is determined.

Q95. Answer: D

Section 148 CPC (as amended w.e.f. 1-7-2002) permits the court to enlarge a period fixed or granted for doing an act, the enlargement not exceeding thirty days in total.

Q96. Answer: B

Under Section 25(3) of the Indian Contract Act a written, signed promise to pay a time-barred debt is valid; under Section 25(2) a promise to compensate for something done is valid. So Statement (I) (that such a promise is invalid) is wrong and Statement (II) is correct.

Q97. Answer: C

Section 53 IPC enumerates the punishments, which include forfeiture of property (death, imprisonment for life, imprisonment, forfeiture of property, and fine). Compensation and penalty are not among them.

Q98. Answer: B

Under Section 148 of the Indian Contract Act, bailment requires delivery of goods; actual (or constructive) delivery to the bailee is essential to constitute bailment. Of the given options, actual delivery being essential is the correct statement.

Q99. Answer: D

Section 171C IPC: a person commits undue influence at an election who voluntarily interferes or attempts to interfere with the free exercise of any electoral right. A mere declaration of public policy or exercise of a legal right is expressly excepted.

Q100. Answer: C

Order 6 Rule 1 CPC defines 'pleading' to mean plaint or written statement; therefore both statements are correct.