

Maharashtra Judiciary - Prelims 2021

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

Q1. As given in section 53 of the Maharashtra Rent Control Act, 1999 the offences under the following section is cognizable :

- (a) Section 17
- (b) Section 22
- (c) Section 24
- (d) Section 25

Q2. We, the people of India, having solemnly resolved to constitute India into a :

- (a) Great country
- (b) Country having religious value
- (c) Sovereign Socialist Secular Democratic Republic
- (d) All the above

Q3. Provision for default bail is made :

- (a) as per section 173(8) of Cr.P.C., 1973.
- (b) as per section 167(2) of Cr.P.C., 1973.
- (c) as per section 174 of Cr.P.C., 1973.
- (d) none of the above.

Q4. Fundamental Duties are given in :

- (a) Article 51
- (b) Article 51 A
- (c) Article 52 A
- (d) Article 52 B

Q5. Who appoints Attorney General of India ?

- (a) Supreme Court
- (b) President
- (c) High Court
- (d) Parliament

Q6. Protection of life and personal liberty is :

- (a) personal right
- (b) fundamental right
- (c) (1) and (2) above
- (d) none of the above

Q7. Pleading means :

- (a) stating material facts and not evidence.
- (b) stating brief facts of the dispute.
- (c) stating facts along with evidence.
- (d) stating only evidence.

Q8. In which transfer, right to enjoy such property transfers ?

- (a) Sale
- (b) Mortgage
- (c) Lease
- (d) None of the above

Q9. As per Section 96 of the penal code, nothing is an offence which is done in the exercise of the :

- (a) order of senior officer
- (b) right of private defence
- (c) power of military officer
- (d) power conferred by the state government

Q10. Which of the propositions is correct ?

- (a) Every partner has a right to take part in the conduct of business.
- (b) Every partner is bound to attend diligently to his duties.
- (c) Every partner has a right to have access to inspect.
- (d) All the above.

Q11. As per section 33 of the Maharashtra Rent Control Act, 1999 the jurisdiction of the court for the area of Brihan Mumbai is :

- (a) City Civil Court, Mumbai.
- (b) Metropolitan Magistrate, Mumbai.
- (c) Court of Small Causes, Mumbai.
- (d) The Court in which the property is situated.

Q12. Which Court shall have power to issue directions in case of violation of fundamental rights ?

- (a) District Court
- (b) High Court
- (c) Special Tribunal
- (d) Supreme Court

Q13. Provision of common object is given in :

- (a) Section 34 of the penal code
- (b) Section 100 of the penal code
- (c) Section 141 of the penal code
- (d) Section 149 of the penal code

Q14. Voluntarily causing grievous hurt by dangerous weapon is defined in :

- (a) Section 323 of the penal code
- (b) Section 324 of the penal code
- (c) Section 325 of the penal code
- (d) Section 326 of the penal code

Q15. Definition of mortgage is given in :

- (a) Section 57 of the Transfer of Property Act.
- (b) Section 58 of the Transfer of Property Act.
- (c) Section 59 of the Transfer of Property Act.
- (d) Section 60 of the Transfer of Property Act.

Q16. The provisions of penal code apply to any offence committed by :

- (a) any person in any place not within India.
- (b) a person who is above twenty one years.
- (c) a person who is above eighteen years.
- (d) any citizen of India in any place without and beyond India.

Q17. Where, on a transfer of property, an interest therein is created in favour of a person to take effect only on the happening of a specified uncertain event is called :

- (a) rule against perpetuity.
- (b) contingent interest.
- (c) vested interest
- (d) none of the above.

Q18. In which chapter of the penal code "General exceptions" are given ?

- (a) Chapter III
- (b) Chapter IV
- (c) Chapter V
- (d) Chapter VI

Q19. Where no provision is made by contract between the partners for the duration of their partnership, or for the determination of their partnership, the partnership is :

- (a) sleeping partnership
- (b) particular partnership
- (c) no partnership
- (d) partnership at will

Q20. Power to amend Constitution is with :

- (a) Supreme Court
- (b) High Court
- (c) Parliament
- (d) (1) and (2) above

Q21. As per Article 121, an order to set aside an abatement is :

- (a) thirty days
- (b) sixty days
- (c) ninety days
- (d) none of the above

Q22. The dying declaration is the statement by the person :

- (a) before a police officer only.
- (b) before the doctor only.
- (c) as to the cause of his death.
- (d) none of the above.

Q23. Decree maybe.

- (a) prepared within one year of passing the judgement.
- (b) prepared at any time after passing the judgement.
- (c) either preliminary or final.
- (d) none of the above.

Q24. Provision for determination of lease is given in :

- (a) Section 109 of the Transfer of Property Act.
- (b) Section 110 of the Transfer of Property Act.
- (c) Section 111 of the Transfer of Property Act.
- (d) Section 112 of the Transfer of Property Act.

Q25. Out of the following propositions, which is the correct one in respect of non-payment of fine ?

- (a) for any term not exceeding two months when the amount of fine shall not exceed fifty rupees.
- (b) for any term not exceeding two months when the amount of fine shall not exceed one hundred rupees.
- (c) for any term not exceeding two months when the amount of fine shall not exceed two hundred rupees.
- (d) for any term not exceeding two months when the amount of fine shall not exceed five hundred rupees.

Q26. "Evidence" means and includes :

- (a) Oral evidence
- (b) Documentary evidence
- (c) (1) and (2) above
- (d) Pleadings of the parties

Q27. First division of the schedule of period of limitation is prescribed for:

- (a) petitions
- (b) suits
- (c) appeals
- (d) applications

Q28. Concurrent list is given in :

- (a) Schedule IV of Constitution
- (b) Schedule V of Constitution
- (c) Schedule VI of Constitution
- (d) Schedule VII of Constitution

Q29. In view of amendment in the year 2018, which of the following objects of the Specific Relief Act, 1963, has been amended ?

- (a) Grant of specific performance as an exception.
- (b) Grant of specific performance as a general rule.
- (c) Awarding damages as a general rule.
- (d) Awarding damages as an exception.

Q30. By which calendar, rent shall be recovered ?

- (a) Marathi calendar
- (b) Devanagari calendar
- (c) British calendar
- (d) As per terms and condition of contract

Q31. Judicial magistrate may arrest any person as per Section 44 of the Cr.P.C., 1973 ;

- (a) when any offence is committed in the presence of a magistrate, within his local jurisdiction.
- (b) when any offence is committed in the presence of a magistrate, even beyond his local jurisdiction.
- (c) (1) and (2) above.
- (d) it is not the job of a magistrate.

Q32. Provision of arrest and detention is given in :

- (a) Section 54 of C.P.C., 1908.
- (b) Section 55 of C.P.C., 1908.
- (c) Section 57 of C.P.C., 1908.
- (d) None of the above.

Q33. As per Section 29 of the Cr.P.C., 1973, the court of a magistrate of the first class may pass a sentence of imprisonment for a term not exceeding :

- (a) One year
- (b) Seven years
- (c) Three years
- (d) Three and half years

Q34. The court may attach property of absconding accused under:

- (a) Section 82 of Cr.P.C., 1973
- (b) Section 83 of Cr.P.C, 1973
- (c) Section 84 of Cr.P.C, 1973
- (d) Section 85 of Cr.P.C, 1973

Q35. Standard rent in relation to any premises means ;

- (a) rent fixed by the court.
- (b) rent fixed by the tenant.
- (c) rent fixed as per schedule.
- (d) all the above.

Q36. When sub-tenants can become tenants :

- (a) after determination of tenancy though it is sublet illegally.
- (b) after completing a period of one year as sub-tenant.
- (c) after completing a period of two years as sub-tenant.
- (d) when the interest of a tenant of any premises is determined for any reason, any sub-tenant to whom the premises have been lawfully sub-let.

Q37. Provision for substituted performance of contract is given in :

- (a) Section 18 of the Specific Relief Act.
- (b) Section 19 of the Specific Relief Act.
- (c) Section 20 of the Specific Relief Act.
- (d) Section 20-A of the Specific Relief Act.

Q38. Under the provisions of Cr.P.C., 1973, every summons shall be served by a :

- (a) informant
- (b) police officer
- (c) senior clerk of court
- (d) none of the above

Q39. The provision for condonation of delay is given in :

- (a) Section 3 of the Limitation Act.
- (b) Section 4 of the Limitation Act.
- (c) Section 5 of the Limitation Act.
- (d) Section 6 of the Limitation Act.

Q40. Order V Rule 20 of C.P.C., 1908 provides for:

- (a) service of summons by post.
- (b) service of summons by hamdust.
- (c) substituted service.
- (d) service to the defendant in prison.

Q41. "Documents" means any matter expressed or described upon any substance by means of:

- (a) letters
- (b) figures
- (c) marks
- (d) all the above

Q42. Every transfer of immovable property made with intent to defeat or delay the creditors of the transferor is called :

- (a) transfer by ostensible owner.
- (b) valid transfer.
- (c) voidable transfer.
- (d) fraudulent transfer.

Q43. As per Article 65, period of limitation for possession of immovable property or any interest therein based on title is :

- (a) twelve years
- (b) thirty years
- (c) three years
- (d) none of the above

Q44. Magistrate of the first class may issue search warrant, if he has reason to believe that any person is confined under such circumstances that the confinement amounts to an offence :

- (a) under section 97 of Cr.P.C., 1973.
- (b) under section 98 of Cr.P.C., 1973.
- (c) under section 99 of Cr.P.C., 1973.
- (d) under section 100 of Cr.P.C., 1973.

Q45. "Warrant Case" means :

- (a) a case relating to an offence punishable with death, imprisonment for life or imprisonment for a term exceeding two years.
- (b) a case relating to an offence punishable with death and life only.
- (c) a case relating to an offence punishable with an imprisonment for a term exceeding two years only.
- (d) none of the above.

Q46. Which court is called the court of record ?

- (a) District Court
- (b) Civil judge junior division
- (c) Supreme Court
- (d) All the above

Q47. Specific performance of a contract cannot be enforced in favour of a person :

- (a) who has obtained substituted performance of contract under section 20.
- (b) who has become capable of performing the contract.
- (c) who does not fail to prove that he has performed the essential terms of the contract.
- (d) all the above.

Q48. The court may refuse to rescind the contract:

- (a) where the plaintiff has not ratified the contract
- (b) where third parties have not acquired rights in good faith
- (c) where only a part of the contract is sought to be rescinded and such part is not severable from the rest of contract
- (d) all the above

Q49. Mandatory injunction may be granted :

- (a) when it is not necessary to compel the performance
- (b) when no any acts are necessary to be performed
- (c) when to prevent the breach of an obligation, it is necessary to compel the performance of certain acts
- (d) none of the above

Q50. The landlord shall be entitled to inspect the premises let or given on licence :

- (a) after every interval of six months.
- (b) at a reasonable time after giving prior notice to the tenant.
- (c) at the beginning of the lease agreement.
- (d) at the end of lease agreement.

Q51. Mesne profit shall not include :

- (a) profits due to improvements made by the person in wrongful possession.
- (b) profits due to improvements made by the person in legal possession.
- (c) profits earned out of business.
- (d) none of the above.

Q52. The plea of alibi is admissible :

- (a) as per section 9 of the Evidence Act.
- (b) as per section 10 of the Evidence Act.
- (c) as per section 11 of the Evidence Act.
- (d) as per section 12 of the Evidence Act.

Q53. The provisions of the Maharashtra Rent Control Act, 1999 shall, in the first instance, apply to premises let for the purpose of residence, education, business, trade or storage in the areas specified in :

- (a) the notification issued by the State of Maharashtra.
- (b) section 57 of this Act.
- (c) the order issued by the State of Maharashtra.
- (d) schedule I and schedule II

Q54. Period of limitation for money payable for money lent as per Article 19 is :

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

Q55. Burden of proof means :

- (a) a person who asserts, must prove that those facts exist.
- (b) A person against whom allegations are levelled, must prove that those allegations are false.
- (c) a person who has evidence with him.
- (d) (2) and (3) above.

Q56. Where a person in the town of Bombay, delivers to a creditor documents of title to immovable property, with intent to create a security thereon, the transaction is called :

- (a) mortgage by conditional sale.
- (b) simple mortgage.
- (c) English mortgage.
- (d) mortgage by deposit of title deeds.

Q57. Principle of doctrine of eclipse is given in :

- (a) Article 13, Laws inconsistent with or in derogation of the fundamental rights.
- (b) Article 14, Equality before law.
- (c) Article 15, Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.
- (d) Article 17, Abolition of untouchability.

Q58. Every agreement is restraint of the marriage of any person, other than a minor, is :

- (a) voidable
- (b) valid
- (c) void
- (d) legal

Q59. A instigates B to murder C. B refuses to do so :

- (a) A is not guilty of any offence.
- (b) A is guilty of attempting to commit murder.
- (c) A is guilty of abetting B to commit murder.
- (d) None of the above.

Q60. Who gives the oath to the Governor ?

- (a) President
- (b) Prime Minister
- (c) Chief Justice of the High Court
- (d) Chief Justice of the Supreme Court

Q61. Which of the following propositions is correct ?

- (a) To disclose to the buyer any material defect in the property.
- (b) To produce to the buyer on his request for examination all documents of title relating to property.
- (c) To pay all public charges and rent accrued due in respect of the property upto the date of sale.
- (d) All above are correct.

Q62. Res-gestae means ;

- (a) facts in issue and relevant facts.
- (b) facts forming part of the same transaction.
- (c) facts pleaded in pleadings.
- (d) all the above.

Q63. Provisions for execution of decrees and orders is given in :

- (a) order XIX of C.P.C., 1908.
- (b) order XXI of C.P.C., 1908.
- (c) order XX of C.P.C., 1908.
- (d) order XXII of C.P.C., 1908.

Q64. Defendant has to file his written statement within thirty days from :

- (a) the date of service of summons.
- (b) the date of his appearance in the court.
- (c) the date of signing of vakalatnama.
- (d) none of the above.

Q65. As per following section tenancy agreement to be compulsorily registered :

- (a) Section 52 of Maharashtra Rent Control Act.
- (b) Section 53 of Maharashtra Rent Control Act.
- (c) Section 54 of Maharashtra Rent Control Act.
- (d) Section 55 of Maharashtra Rent Control Act.

Q66. Whoever does anything with the intention of causing wrongful gain to one person or wrongful loss to another person, is said to do that thing :

- (a) dishonestly
- (b) fraudulently
- (c) wrongfully
- (d) (2) and (3) above

Q67. No injunction shall be granted by a court in a suit under Specific Relief Act, 1963 involving a contract relating to :

- (a) private project work
- (b) domestic project
- (c) very old project
- (d) an infrastructure project

Q68. Under the provisions of sale of Goods Act, it is the duty of seller:

- (a) to accept and pay for them.
- (b) to deliver the goods.
- (c) (1) and (2) above.
- (d) none of the above.

Q69. Which of the following propositions is correct ?

- (a) All the facts may be proved by oral evidence including the contents of documents.
- (b) Primary evidence means the document itself produced before the court.
- (c) Facts admitted need to be proved.
- (d) Confession before police is admissible in court.

Q70. Which of the following propositions is correct ?

- (a) Nothing is an offence which is done by a judge when acting judicially.
- (b) Nothing is an offence which is done by a person who is justified by law.
- (c) Nothing is an offence which is done by a person by accident.
- (d) All the above.

Q71. Which of the following propositions is correct ?

- (a) where a party to the contract has not obtained substituted performance of contract in accordance with the provisions of section 20 of the Specific Relief Act, 1963.
- (b) a contract, the performance of which involves the performance of a continuous duty which the court cannot supervise.
- (c) a contract, which is in its nature not determinable.
- (d) all the above.

Q72. No court shall try any suit or issue in which the matter directly and substantially in issue has been directly and substantially in issue in a former suit between the same parties is called :

- (a) res ipsa loquitur
- (b) res judicata
- (c) ipso facto
- (d) actus reus

Q73. Every person is competent to contract:

- (a) who is of the age of majority according to the law
- (b) who is of sound mind
- (c) who is not disqualified from contracting by any law
- (d) all the above

Q74. Provision for burden of proving fact especially within knowledge is given in :

- (a) Section 103 of Evidence Act.
- (b) Section 104 of Evidence Act.
- (c) Section 105 of Evidence Act.
- (d) Section 106 of Evidence Act.

Q75. Court may issue a commission under Section 75 of C.P.C., 1908 :

- (a) to examine any person.
- (b) to make a local investigation.
- (c) to make a partition.
- (d) all the above.

Q76. The provisions of the Maharashtra Rent Control Act, 1999 shall not apply :

- (a) to any private premises
- (b) to lodge and hotel
- (c) to any premises belonging to the government
- (d) none of the above

Q77. Provision for who may obtain specific performance is given in :

- (a) Section 14 of the Specific Relief Act.
- (b) Section 14-A of the Specific Relief Act.
- (c) Section 15 of the Specific Relief Act.
- (d) Section 16 of the Specific Relief Act.

Q78. As per the statement of objects and reasons of the Criminal Law (Amendment) Act, 2018, it amended the law relating to :

- (a) rape
- (b) murder
- (c) theft
- (d) extortion

Q79. Principle of Estoppel is :

- (a) Rule of law
- (b) Rule of equity
- (c) Rule of justice
- (d) (1) and (3) above

Q80. The schedule for periods of limitation is divided in :

- (a) three division
- (b) four division
- (c) five division
- (d) six division

Q81. A magistrate exercising jurisdiction in respect of a charge on which he has power only to commit for trial to another court, is :

- (a) called as executive magistrate
- (b) not a judge
- (c) called as district magistrate
- (d) none of the above

Q82. The transfer of certain existing immovable property voluntarily and without consideration is called :

- (a) lease
- (b) mortgage
- (c) pledge
- (d) gift

Q83. A lets a farm to B on condition that he shall walk a hundred miles in an hour:

- (a) The lease is voidable at the option of B.
- (b) The lease is valid.
- (c) The lease is void.
- (d) The lease is neither valid nor void.

Q84. Which injunction may be granted to prevent the breach of an obligation existing in favour of a person, whether expressly or by implication ?

- (a) Temporary injunction
- (b) Mandatory injunction
- (c) Ad-interim injunction
- (d) Perpetual injunction

Q85. Which of the following propositions is correct ?

- (a) A right to future maintenance can be transferred.
- (b) A mere right to sue can be transferred.
- (c) A public office cannot be transferred.
- (d) (1) and (2) above.

Q86. A decree may be executed :

- (a) not by the court which passed it.
- (b) not by the court to which it is sent for execution.
- (c) either by the court which passed it or by the court to which it is sent for execution.
- (d) by the appellate court.

Q87. On the commencement of the Maharashtra Rent Control Act, 1999 the following laws shall stand repealed :

- (a) the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.
- (b) the Central Provinces and Berar Regulation of Letting of Accommodation Act, 1946.
- (c) the Hyderabad Houses (Rent, Eviction and Lease) Control Act, 1954.
- (d) all the above.

Q88. Provision of section 5 of the Limitation Act, 1963 applies to the :

- (a) suit
- (b) appeal
- (c) application
- (d) (2) and (3) above

Q89. A, a tradesman, leaves goods at B's house by mistake. B treats the goods as his own :

- (a) B is not bound to pay A for them.
- (b) B is bound to pay A for them.
- (c) B would say that goods are bad.
- (d) None of the above.

Q90. A stipulation in a contract of sale with reference to goods which are subject thereof may be a :

- (a) warranty
- (b) guarantee
- (c) agreement
- (d) (2) and (3) above

Q91. Public records kept in any state of private documents is :

- (a) Public document
- (b) Private document
- (c) Legal document
- (d) None of the above

Q92. Magistrate may record any confession or statement made to him in the course of an investigation :

- (a) under section 161 of Cr.RC., 1973.
- (b) under section 162 of Cr.P.C., 1973.
- (c) under section 164 of Cr.P.C., 1973.
- (d) under section 173 of Cr.P.C., 1973.

Q93. When one person signifies to another his willingness to do or to abstain from doing anything, with a view to obtaining the assent of that other to such act or abstinence :

- (a) he is said to make a promise.
- (b) he is said to have made an agreement.
- (c) he is said to make a proposal.
- (d) none of the above.

Q94. No suit under Section 6 of the Specific Relief Act, 1963 shall be brought:

- (a) after the expiry of six months from the date of dispossession.
- (b) after the expiry of six months from the date of dispute between parties.
- (c) after the expiry of one year from the date of dispossession.
- (d) none of the above.

Q95. Period of limitation for twelve years for a landlord to recover possession from a tenant starts :

- (a) when the tenant refused to hand over possession.
- (b) when the tenancy is determined.
- (c) when the tenant stops paying rent.
- (d) none of the above.

Q96. Cr.P.C., 1973 extends to :

- (a) the whole of India except state of Jammu and Kashmir
- (b) the whole of India
- (c) only some part of India
- (d) all above

Q97. Which of the following propositions is incorrect ?

- (a) Where the disability continues up to the death of that person, his legal representative may institute the suit within the same period after the death, as would otherwise have been allowed from the time so specified.
- (b) Where once time has begun to run, no subsequent disability or inability to institute a suit or make an application to stop it.
- (c) In computing the period of limitation for any suit, the day from which such period is to be reckoned, shall not be excluded.
- (d) In computing the period of limitation for an application to set aside an award, the time requisite for obtaining a copy of award shall be excluded.

Q98. Consent is said to be free when it is not caused by :

- (a) coercion
- (b) undue influence
- (c) fraud
- (d) all the above

Q99. Any appeal may be admitted after the prescribed period, if the appellant satisfies the court that

- (a) he is ready to pay additional court fee stamps.
- (b) he had sufficient cause for not preferring the appeal.
- (c) (1) and (2) above.
- (d) none of the above.

Q100. When the person to whom the proposal is made signifies his assent thereto, the proposal is said to be accepted. A proposal, when accepted becomes a :

- (a) agreement
- (b) contract
- (c) promise
- (d) agreement to sale

Answer Key & Solutions

Q1. Answer: C

Section 53 of the Maharashtra Rent Control Act, 1999 makes the offence under Section 24 (recovery of possession / unlawful eviction) cognizable.

Q2. Answer: C

The Preamble to the Constitution of India resolves to constitute India into a Sovereign Socialist Secular Democratic Republic.

Q3. Answer: B

Default (statutory) bail is provided under the proviso to Section 167(2) Cr.P.C., 1973, when investigation is not completed within the prescribed period (60/90 days).

Q4. Answer: B

Fundamental Duties are enumerated in Article 51A of the Constitution (inserted by the 42nd Amendment, 1976).

Q5. Answer: B

Under Article 76 of the Constitution, the President appoints the Attorney General of India.

Q6. Answer: B

Protection of life and personal liberty under Article 21 is a fundamental right guaranteed by Part III of the Constitution.

Q7. Answer: A

Under Order VI Rule 2 CPC, pleading means stating material facts, not the evidence by which they are to be proved.

Q8. Answer: C

A lease (Section 105 TPA) transfers the right to enjoy the property for a term in consideration of rent; the lessee gets enjoyment, not ownership.

Q9. Answer: B

Section 96 IPC provides that nothing done in the exercise of the right of private defence is an offence.

Q10. Answer: D

Section 12 of the Indian Partnership Act, 1932 gives every partner the right to take part in conduct of business, the duty to attend diligently, and the right to access/inspect books (Sec 12 read with Sec 9/12(d)). Hence all the above.

Q11. Answer: C

Under Section 33 of the Maharashtra Rent Control Act, 1999, for the area of Brihan Mumbai the court of jurisdiction is the Court of Small Causes, Mumbai.

Q12. Answer: D

While both Supreme Court (Art 32) and High Court (Art 226) can issue writs, the option-specific phrasing 'power to issue directions' for enforcement of fundamental rights points to the Supreme Court under Article 32, the constitutional remedy itself a fundamental right.

Q13. Answer: D

Common object is provided in Section 149 IPC (every member of an unlawful assembly guilty of offence committed in prosecution of the common object). Section 141 defines unlawful assembly.

Q14. Answer: D

Section 326 IPC defines and punishes voluntarily causing grievous hurt by dangerous weapons or means.

Q15. Answer: B

Mortgage is defined in Section 58 of the Transfer of Property Act, 1882.

Q16. Answer: D

Section 4 IPC extends the Code to any offence committed by any citizen of India in any place without and beyond India.

Q17. Answer: B

Under Section 21 TPA, an interest created to take effect only on the happening of a specified uncertain event is a contingent interest.

Q18. Answer: B

General Exceptions (Sections 76 to 106) are contained in Chapter IV of the Indian Penal Code.

Q19. Answer: D

Under Section 7 of the Indian Partnership Act, 1932, where no provision is made for duration or determination, the partnership is a partnership at will.

Q20. Answer: C

Under Article 368 of the Constitution, the power to amend the Constitution vests in Parliament.

Q21. Answer: B

Article 121 of the Limitation Act, 1963 prescribes sixty days for an application to set aside an abatement (from date of abatement).

Q22. Answer: C

Under Section 32(1) of the Evidence Act, a dying declaration is a statement as to the cause of the declarant's death or the circumstances of the transaction resulting in death.

Q23. Answer: C

Under Section 2(2) CPC, a decree may be either preliminary or final (or partly preliminary and partly final).

Q24. Answer: C

Section 111 of the Transfer of Property Act provides for the determination (termination) of a lease.

Q25. Answer: A

Under Section 67 IPC, imprisonment for non-payment of fine shall not exceed two months when the fine does not exceed fifty rupees.

Q26. Answer: C

Under Section 3 of the Indian Evidence Act, 1872, 'Evidence' means and includes oral evidence (statements of witnesses) and documentary evidence (documents produced for inspection). Hence both (1) and (2).

Q27. Answer: B

The Schedule to the Limitation Act, 1963 has three divisions; the First Division (Articles 1-113) is for Suits.

Q28. Answer: D

The three legislative lists (Union, State, Concurrent) are set out in the Seventh Schedule to the Constitution of India (Article 246).

Q29. Answer: B

The Specific Relief (Amendment) Act, 2018 changed the regime so that specific performance is the general rule (no longer in the court's discretion under amended Section 10), with damages as the exception.

Q30. Answer: C

Rent is recoverable according to the British calendar month, as held/applied under rent control law (the term of tenancy and rent payment run by the British/Gregorian calendar).

Q31. Answer: C

Section 44 Cr.P.C., 1973 empowers a Magistrate to arrest a person when an offence is committed in his presence, within his local jurisdiction (sub-sec.1) and also a person for whose arrest he is competent even otherwise; the option covering both presence within and beyond local jurisdiction is correct as per the section.

Q32. Answer: B

Section 55 of the C.P.C., 1908 deals with arrest and detention (in execution of a decree).

Q33. Answer: C

Under Section 29(2) Cr.P.C., 1973 a Magistrate of the first class may pass imprisonment not exceeding three years (and fine up to Rs.10,000).

Q34. Answer: B

Section 83 Cr.P.C., 1973 provides for attachment of property of an absconding person (proclaimed under Section 82).

Q35. Answer: A

Under the Maharashtra Rent Control Act, 1999 (Section 7), 'standard rent' in relation to premises means the rent fixed by the Court.

Q36. Answer: D

Under Section 16 MRC Act, 1999, when the interest of a tenant is determined for any reason, a sub-tenant to whom the premises have been lawfully sub-let becomes the tenant of the landlord.

Q37. Answer: D

Section 20-A (and 20) inserted/dealing with substituted performance of contract by the Specific Relief (Amendment) Act, 2018; substituted performance is provided under Section 20. The provision for substituted performance is Section 20.

Q38. Answer: B

Under Section 62 Cr.P.C., 1973, every summons shall be served by a police officer or, subject to rules, by an officer of the Court or other public servant.

Q39. Answer: C

Section 5 of the Limitation Act, 1963 provides for condonation of delay (extension of prescribed period on sufficient cause).

Q40. Answer: C

Order V Rule 20 C.P.C., 1908 provides for substituted service of summons.

Q41. Answer: D

Under Section 3 of the Indian Evidence Act, 1872, 'document' means any matter expressed or described upon any substance by means of letters, figures or marks, or by more than one of those means. Hence all the above.

Q42. Answer: D

Section 53 of the Transfer of Property Act, 1882 - a transfer of immovable property made with intent to defeat or delay creditors is a fraudulent transfer (voidable at the option of the creditor).

Q43. Answer: A

Article 65 of the Limitation Act, 1963 prescribes twelve years for a suit for possession of immovable property based on title.

Q44. Answer: A

Section 97 Cr.P.C., 1973 empowers a Magistrate to issue a search warrant for a person wrongfully confined under circumstances amounting to an offence.

Q45. Answer: A

Section 2(x) Cr.P.C., 1973 defines 'warrant-case' as a case relating to an offence punishable with death, imprisonment for life, or imprisonment for a term exceeding two years.

Q46. Answer: C

The Supreme Court is a court of record under Article 129 of the Constitution (and High Courts under Article 215). Among the options, the Supreme Court is the court of record.

Q47. Answer: D

Section 16 of the Specific Relief Act, 1963 bars specific performance in favour of a person who has obtained substituted performance under Section 20, who has become incapable of performing, or who fails to prove performance of essential terms - the consolidated correct option.

Q48. Answer: D

Under Section 27(2) of the Specific Relief Act, 1963, the court may refuse to rescind where the plaintiff has ratified, where third parties acquired rights in good faith, or where a part not severable is sought to be rescinded - all the above.

Q49. Answer: C

Section 39 of the Specific Relief Act, 1963 - a mandatory injunction may be granted where, to prevent the breach of an obligation, it is necessary to compel the performance of certain acts.

Q50. Answer: B

Under Section 28 of the Maharashtra Rent Control Act, 1999, the landlord is entitled to inspect the premises let or given on licence at a reasonable time after giving prior notice to the tenant/licensee.

Q51. Answer: A

Under Sec. 2(12) CPC, 'mesne profits' expressly excludes profits due to improvements made by the person in wrongful possession. Hence such profits are not included.

Q52. Answer: C

The plea of alibi is admissible under Section 11 of the Evidence Act (facts not otherwise relevant become relevant if inconsistent with a fact in issue), as held in Sahabuddin v. State of Assam.

Q53. Answer: D

Section 3(1) of the Maharashtra Rent Control Act, 1999 provides that the Act applies in the first instance to premises in the areas specified in Schedule I and Schedule II.

Q54. Answer: C

Article 19 of the Schedule to the Limitation Act, 1963 prescribes three years for money payable for money lent, running from when the loan is made.

Q55. Answer: A

Section 101 of the Evidence Act: whoever desires a court to give judgment as to a right/liability depending on facts which he asserts must prove those facts exist.

Q56. Answer: D

Section 58(f) TPA: where a person in a notified town (e.g., Bombay) delivers documents of title to immovable property to a creditor with intent to create security, it is a mortgage by deposit of title deeds (equitable mortgage).

Q57. Answer: A

The doctrine of eclipse flows from Article 13 (laws inconsistent with or in derogation of fundamental rights), under which a pre-Constitution law inconsistent with FRs is eclipsed, not dead. Case: Bhikaji Narain Dhakras v. State of M.P.

Q58. Answer: C

Section 26 of the Indian Contract Act, 1872: every agreement in restraint of marriage of any person, other than a minor, is void.

Q59. Answer: C

Abetment by instigation (Sec. 107 IPC) is complete on instigation; abetment is punishable even if the act abetted is not committed (Sec. 116). A is guilty of abetting B to commit murder.

Q60. Answer: C

Article 159 of the Constitution: the oath of office to the Governor is administered by the Chief Justice of the High Court (or, in his absence, the senior-most Judge available).

Q61. Answer: D

All three are seller's duties under Section 55(1) TPA: to disclose material defects, to produce documents of title for examination, and to pay public charges/rent accrued up to the date of sale.

Q62. Answer: B

Res gestae corresponds to Section 6 of the Evidence Act: facts so connected with a fact in issue as to form part of the same transaction are relevant.

Q63. Answer: B

Order XXI of the CPC, 1908 contains the detailed provisions for execution of decrees and orders.

Q64. Answer: A

Order VIII Rule 1 CPC: the defendant shall present a written statement within thirty days from the date of service of summons on him.

Q65. Answer: D

Section 55 of the Maharashtra Rent Control Act, 1999 makes the tenancy/leave-and-licence agreement compulsorily registrable in writing, with the responsibility on the landlord.

Q66. Answer: A

Section 24 IPC: a person doing a thing with intent to cause wrongful gain to one person or wrongful loss to another is said to do it 'dishonestly'.

Q67. Answer: D

Section 41(ha) of the Specific Relief Act, 1963 (inserted by the 2018 Amendment): no injunction shall be granted in a suit involving a contract relating to an infrastructure project where it would impede/delay progress.

Q68. Answer: B

Section 31 of the Sale of Goods Act, 1930: it is the duty of the seller to deliver the goods and of the buyer to accept and pay for them. Hence the seller's duty is to deliver the goods.

Q69. Answer: B

Section 62 of the Evidence Act: primary evidence means the document itself produced for the inspection of the court. The other options are incorrect (contents of documents are generally proved by documentary, not oral, evidence; admitted facts need not be proved; confession before police is inadmissible).

Q70. Answer: D

All three are general exceptions in the IPC: act of a judge acting judicially (Sec. 77), act justified by law (Sec. 76/79), and act done by accident (Sec. 80). Hence all the above.

Q71. Answer: D

Section 14 of the Specific Relief Act, 1963 lists contracts not specifically enforceable, including all the situations stated (no substituted performance obtained, continuous duty the court cannot supervise, and contract not determinable). Hence all the above.

Q72. Answer: B

Section 11 CPC defines res judicata: no court shall try any suit/issue directly and substantially in issue in a former suit between the same parties already heard and finally decided.

Q73. Answer: D

Section 11 of the Indian Contract Act, 1872: every person is competent to contract who is of the age of majority, of sound mind, and not disqualified by any law. Hence all the above.

Q74. Answer: D

Section 106 of the Evidence Act: when any fact is especially within the knowledge of a person, the burden of proving that fact is upon him.

Q75. Answer: D

Section 75 CPC empowers the court to issue commissions to examine any person, to make a local investigation, to make a partition, and for other purposes. Hence all the above.

Q76. Answer: C

Section 3(1)(a) of the Maharashtra Rent Control Act, 1999 exempts premises belonging to the Government or a local authority from the Act's application.

Q77. Answer: C

Section 15 of the Specific Relief Act, 1963 is titled 'Who may obtain specific performance' (party, representative in interest/principal, etc.).

Q78. Answer: A

The Criminal Law (Amendment) Act, 2018 was enacted to amend the law relating to rape, notably introducing stricter punishment and the death penalty for rape of girls below 12 years.

Q79. Answer: B

Estoppel (Section 115, Evidence Act) is a rule of equity, founded on the maxim that one cannot approbate and reprobate; it prevents a party from denying a fact previously asserted and relied upon.

Q80. Answer: A

The Schedule to the Limitation Act, 1963 is divided into three divisions: First (Suits), Second (Appeals), and Third (Applications).

Q81. Answer: B

Under Section 19 IPC, a Magistrate having power only to commit a case for trial to another court is NOT a 'Judge' within the meaning of the section.

Q82. Answer: D

Section 122 of the Transfer of Property Act, 1882 defines 'gift' as transfer of certain existing movable or immovable property made voluntarily and without consideration.

Q83. Answer: C

An agreement to do an act impossible in itself (walking a hundred miles in an hour) is void under Section 56 of the Indian Contract Act, 1872; this is the illustration itself.

Q84. Answer: D

Section 38 of the Specific Relief Act, 1963 provides for a perpetual injunction to prevent the breach of an obligation existing in favour of the applicant, whether express or implied.

Q85. Answer: C

Under Section 6 of the Transfer of Property Act, a public office cannot be transferred (clause f); a right to future maintenance (d) and a mere right to sue (e) are also non-transferable, so only 'public office cannot be transferred' is correct.

Q86. Answer: C

Section 38 of the CPC, 1908 provides that a decree may be executed either by the court which passed it or by the court to which it is sent for execution.

Q87. Answer: D

Section 58 of the Maharashtra Rent Control Act, 1999 repeals all three named enactments (the 1947 Bombay, 1946 CP & Berar, and 1954 Hyderabad rent control laws).

Q88. Answer: B

Section 5 of the Limitation Act, 1963 (condonation of delay) applies to appeals and applications, but expressly NOT to suits.

Q89. Answer: B

Under Section 70 of the Indian Contract Act (quasi-contract), where a person enjoys the benefit of goods delivered non-gratuitously and treats them as his own, he is bound to pay; this is the statutory illustration.

Q90. Answer: A

Under Section 12 of the Sale of Goods Act, 1930, a stipulation in a contract of sale may be either a condition or a warranty; of the options given, warranty is correct.

Q91. Answer: A

Section 74 of the Evidence Act, 1872 classifies public records kept in any State of private documents as public documents.

Q92. Answer: C

Section 164 of the Cr.P.C., 1973 empowers a Metropolitan or Judicial Magistrate to record confessions and statements made during the course of an investigation.

Q93. Answer: C

Section 2(a) of the Indian Contract Act, 1872 defines a 'proposal': when one person signifies to another his willingness to do or abstain from doing anything, with a view to obtaining that other's assent.

Q94. Answer: A

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

Q95. Answer: B

Under Article 67 of the Limitation Act, 1963, the twelve-year limitation for a landlord's suit to recover possession from a tenant runs from when the tenancy is determined.

Q96. Answer: B

Post the Jammu and Kashmir Reorganisation Act, 2019, Section 1(2) of the Cr.P.C., 1973 now extends to the whole of India; the J&K exception has been removed.

Q97. Answer: C

This is incorrect: Section 12(1) of the Limitation Act, 1963 provides that the day from which the period is reckoned shall be EXCLUDED, not included as the option wrongly states.

Q98. Answer: D

Section 14 of the Indian Contract Act, 1872: consent is free when not caused by coercion, undue influence, fraud, misrepresentation or mistake; hence all the above.

Q99. Answer: B

Section 5 of the Limitation Act, 1963 allows an appeal to be admitted after the prescribed period if the appellant satisfies the court he had sufficient cause for not preferring it in time.

Q100. Answer: C

Section 2(b) of the Indian Contract Act, 1872: a proposal, when accepted, becomes a promise.