

Rajasthan Judiciary - Prelims 2015

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

Q1. Under the provisions of the Rajasthan Agricultural Credit Operations (Removal of difficulties) Act, 1974, a Bank can recover its dues from any agriculturist or his heir or legal representative or his guarantor on account of financial assistance availed of by the agriculturist by making an application to:

- (a) District Judge
- (b) High Court
- (c) Prescribed Authority
- (d) None of the above

Q2. Under Section 35 of the Rajasthan court Fees and suits valuation Act, 1961, in a suit for partition and separate possession of a share in joint family property by a plaintiff, who has been excluded from possession of such property, court fee shall be:-

- (a) paid at fixed rate
- (b) computed on the market value of the plaintiff's share of the property
- (c) at the discretion of the plaintiff
- (d) based on written statement of the defendant

Q3. Under the Rajasthan Stamp Act, 1998, in case of a release-deed, in the absence of an agreement to the contrary, the expense of providing the proper stamp shall be borne by:

- (a) the beneficiary
- (b) the person drawing, making or executing the release-deed
- (c) by both the parties in equal shares
- (d) none of the above

Q4. If an instrument has not been duly stamped and where such an instrument has been admitted in evidence, such admission:

- (a) can be called in question at any stage of the same suit or proceeding
- (b) not be called in question at any stage of the same suit or proceeding except as provided for by Section 71 of the Rajasthan Stamp Act, 1998
- (c) at the discretion of the opposite party can be called in question
- (d) none of the above

Q5. Under the Registration Act, 1908 a will can be presented for registration before the Registrar or Sub Registrar by:

- (a) the testator
- (b) after death of testator, any person claiming as executor or otherwise under a will
- (c) both (a) and (b)
- (d) none of the above

Q6. Two parties entered into a contract. They later realised that the law as they understood as applicable was not in force in India. This makes their contract:

- (a) illegal
- (b) void
- (c) voidable
- (d) none of the above

Q7. Acknowledgement after the expiration of the period prescribed under the Indian Limitation Act, 1963, for a suit or application:

- (a) is of no effect
- (b) gives rise to an independent & enforceable contract
- (c) is of great value
- (d) none of the above

Q8. Time limit for disposal of a petition filed under Section 9 of Rajasthan Rent Control Act, 2001 is:-

- (a) the period of two hundred and forty days from the date of service of notice on the tenant
- (b) within the period of twelve months from the date of service of notice on the tenant
- (c) within the period of six months from the date of service of notice on the tenant
- (d) no limitation

Q9. Subject to contract between the partners, a firm is dissolved:

- (a) if constituted for a fixed term, by the expiry of that term
- (b) if constituted to carry out one or more adventures or undertakings, by the completion thereof
- (c) by the death of a partner
- (d) all the above

Q10. Finder of lost goods under Indian contract Act, 1872 is a:

- (a) bailor
- (b) surety
- (c) bailee
- (d) none of the above

Q11. Under Rajasthan Right to Hearing Act, 2012, a complaint can be filed regarding grievance relating to:

- (a) the service matters of a public servant
- (b) any matter in which any Court or Tribunal has jurisdiction
- (c) any matter under Right to Information Act, 2005
- (d) none of the above

Q12. In which of the following cases has the Supreme Court ruled that the members of the Transgender Community who are neither male nor female, at the time of birth, are recognized as 'Third Gender' for the purpose of safeguarding and enforcing appropriately their fundamental and other legal, social and economic rights guaranteed under the constitution?

- (a) Rambilas singh vs. State of Bihar - AIR 1989 SC 1593
- (b) Lily Thomas Vs. Union of India - (2013) 7 SCC 653
- (c) National Legal Services Authority vs. Union of India - (2014) 5 SCC 438
- (d) None of the above

Q13. Article 21-A providing for Right to Education was inserted in the constitution by:

- (a) the Constitution (Eighty Sixth Amendment) Act, 2002
- (b) the Constitution (Ninety First Amendment) Act, 2003
- (c) the Constitution (Ninety Second Amendment) Act, 2003
- (d) the constitution (Eighty Fourth Amendment) Act, 2001

Q14. Which of the following is the correct statement in so far as Section 20 of the Code of civil Procedure, 1908, is concerned?

- (a) The suit has to be instituted in the court of the lowest grade competent to try it
- (b) The suit has to be instituted in the court within the local limits of whose jurisdiction the defendant actually and voluntarily resides or carries on business or personally works for gain
- (c) The suit has to be instituted in the court within the local limits of whose jurisdiction, the cause of action wholly or in part arises
- (d) All the above are correct

Q15. In which of the following cases, did the Supreme Court uphold the validity of the code of civil Procedure Amendment Acts of 1999 and 2002?

- (a) Delhi H.C. Bar Association Vs. UOI
- (b) Allahabad H.C. Bar Association Vs. VOI
- (c) Salem Advocate Bar Association Vs. UOI
- (d) P & H H.C. Bar Association Vs. UOI

Q16. An Appeal under Order XLIII of Code of Civil Procedure shall lie from which of the following orders:

- (a) Rule-11 of Order VII, rejecting the plaint
- (b) Rule-9 of order XXII, refusing to set aside the abatement or dismissal of suit
- (c) Rule-1 of order VIII, not permitting the defendant to present the written statement
- (d) Rule-5 of Order XIV, refusing to strike out the issue at the instance of either of the parties

Q17. Statement 'A' - where the access and use of light or air to and for any building have been peaceably enjoyed therewith, as an easement, without interruption, and for twenty years, the right to such access and use of light or air shall be absolute. Statement 'B' - A right to the free passage of light or air to an open space of ground, cannot be acquired by prescription.

- (a) 'A' is correct
- (b) statement 'B' is correct
- (c) Both statements are correct
- (d) Both statements are incorrect

Q18. Which of the following statements is correct?

- (a) In a suit for specific performance of a contract for transfer of immovable property, the court cannot grant partition and separate possession of the property
- (b) In a suit for specific performance of a contract for transfer of immovable property, the plaintiff cannot alternatively ask for the refund of earnest money or deposit made by him
- (c) The court while refusing to grant specific performance of the contract, cannot grant refund of earnest money paid by the plaintiff, unless it has been specifically claimed
- (d) All the above are correct

Q19. Which of the following documents is not required to be compulsorily registered ?

- (a) Instruments creating or declaring right, title or interest to or in immovable property of rupees one hundred and upwards
- (b) wills in respect of immovable property
- (c) Leases of immovable property for a term exceeding one year
- (d) Instruments transferring any decree of a court when such decree purports to create right in immovable property of rupees one hundred and upwards

Q20. In which of the following mortgages, the mortgagor is required to deliver possession of the mortgaged property to the mortgagee?

- (a) English mortgage
- (b) Mortgage by conditional sale
- (c) Usufructuary mortgage
- (d) Anomalous mortgage

Q21. Statement 'A' - Every transfer of immovable property made with intent to defeat or delay the creditors of the transferor is void. Statement 'B' - Every transfer of immovable property made without consideration with intent to defraud a subsequent transferee is void.

- (a) statement 'A' is correct
- (b) Statement 'B' is correct
- (c) Both statements are correct
- (d) Both statements are incorrect

Q22. Which of the following statements is correct, so far as Section 9 of the Arbitration and Conciliation Act, 1996 is concerned?

- (a) A party may apply to the court for interim measures during the pendency of the arbitration proceedings only
- (b) A party may apply to the court seeking appointment of receiver by way of interim measures even after the making of the arbitral award by the Arbitral Tribunal
- (c) A party cannot apply for interim measures before the commencement of arbitral proceedings
- (d) All the above are correct

Q23. The period of three years is prescribed under Article 137 of the Limitation Act, 1963, in case where no other period of Limitation is provided for filing any:-

- (a) suit
- (b) Appeal
- (c) Application
- (d) Proceeding

Q24. Statement 'A' - In computing the period of limitation for any appeal, the day from which such period is to be reckoned, shall be included. Statement 'B' - In computing period of Limitation for any appeal, the day on which the judgement complained of was pronounced and the time requisite for obtaining the copy of the decree shall be excluded.

- (a) statement 'A' is correct
- (b) statement 'B' is correct
- (c) Both are correct
- (d) Both are incorrect

Q25. Which of the following is correct as per Section 22-c of the Legal Services Authority Act, 1987?

- (a) Any party to a dispute may, after the dispute is brought before any court, make an application to the Permanent Lok Adalat for the settlement of dispute
- (b) The Permanent Lok Adalat shall not have the jurisdiction in respect of any matter relating to an offence not compoundable under any law
- (c) The Permanent Lok Adalat shall have the jurisdiction only in such matter where the value of the property in dispute is more than ten lakh rupees
- (d) All the above are correct

Q26. Under Section 11 of the Hindu Marriage Act, 1955, the marriage may be declared null and void if:

- (a) the parties are within the degrees of prohibited relationship
- (b) at the time of the marriage, one of the parties was incapable of giving a valid consent to it in consequence of unsoundness of mind
- (c) at the time of the marriage, one of the parties was subject to recurrent attacks of insanity
- (d) in all the above circumstances

Q27. After the Hindu succession (Amendment) Act, 2005, the daughter of a coparcener in a Joint Hindu family governed by the Mitakshara law:

- (a) shall have no right in the coparcenary property
- (b) cannot become a coparcener by birth
- (c) shall become a coparcener by birth in her own right in the same manner as the son
- (d) shall be entitled to dispose of the entire coparcenary property

Q28. Which of the following is incorrect?

- (a) The husband is the natural guardian of a Hindu married girl
- (b) After the adoption of Hindu minor son, his father continues to remain his natural guardian till he attains majority
- (c) The natural guardian of a Hindu minor child is the father, and after him the mother, but custody of minor up to the age of five years shall ordinarily be with the mother
- (d) The natural guardian of an illegitimate Hindu minor boy is the mother, and after her, the father

Q29. A Hindu wife is entitled to claim maintenance after the death of her husband from her father-in-law under:

- (a) Section 25 of the Hindu Marriage Act, 1955
- (b) Section 24 of the Hindu Marriage Act, 1955
- (c) Section 19 of the Hindu Adoptions and Maintenance Act, 1956
- (d) Section 10 of the Hindu Succession Act, 1956

Q30. As per section 2(q) of the Protection of women from Domestic violence Act, 2005, "respondent" means and includes:

- (a) any person, who is in a domestic relationship with the aggrieved person and against whom the aggrieved person has sought relief under the Act
- (b) male partner when aggrieved female is living in a relationship with him in the nature of a marriage
- (c) the female relatives of the husband of the aggrieved wife, seeking their removal from the shared household
- (d) none of the above

Q31. As per section 3 of the Rajasthan Rent control Act, 2001, the chapter II and III thereof do not apply to:

- (a) the premises, let out after the commencement of the Act for a period of two years through a registered deed
- (b) the premises, let out to the multinational company having paid up share capital of less than rupees one crore
- (c) the premises, let out for residential purposes, the monthly rent whereof is rupees four thousand in case of the premises situated in the Municipal area of Jaipur city
- (d) the premises belonging to the Government company as defined under the Companies Act, 1956

Q32. Which of the following statements is not correct, so far as Section 242 of the Rajasthan Tenancy Act, 1955 is concerned?

- (a) civil court can frame the issue with regard to the tenancy rights in agricultural land and submit the record to the appropriate revenue court for the decision on that issue only
- (b) civil court may or may not accept the finding of revenue court on the issue referred to it
- (c) The finding of the revenue court on the issue referred to it, shall be deemed to be part of the finding of civil court for the purposes of Appeal
- (d) civil court cannot decide the issue which was referred to the revenue court

Q33. Which of the following is not the judicial matter under Section 23 read with the First schedule to the Rajasthan Land Revenue Act, 1956?

- (a) Regularisation of unauthorised occupation
- (b) A dispute with respect to the right of grazing cattle on pasture land
- (c) Settlement of boundary disputes
- (d) Mutation upon succession

Q34. The General Rules (Civil), 1986 have been framed:

- (a) by the Rajasthan High Court under Article 227 of the constitution of India
- (b) by the Governor under Article 166 of the Constitution of India
- (c) by the Chief Justice under Article 229 of the Constitution of India.
- (d) by the State Government under Article 309 of the Constitution of India

Q35. Which of the followings is not an essential ingredient of gift under the Mohammedan law :

- (a) a declaration of gift by the donor
- (b) acceptance of gift, expressed or implied, by or on behalf of donee
- (c) delivery of possession of the subject gift by the donor to the donee
- (d) a written deed of gift

Q36. Which of the following is correct statement of law as per sections 82 and 83 of the Code of Criminal Procedure 1973?

- (a) The court may order attachment of property belonging to an accused before declaring him a proclaimed person under Section 82
- (b) The court may order attachment of property of a person after publication of a written proclamation under Section 82 requiring him to appear before it
- (c) The court may order attachment of property of a person regardless of whether or not he has been declared proclaimed offender
- (d) None of the above

Q37. Which of the following irregularities of a Magistrate, not empowered by law to do so, vitiates the proceedings?

- (a) To hold inquiry under Section 176 code of criminal procedure
- (b) To make over a case under Sub-Section (2) of Section 192 code of criminal procedure
- (c) To take cognizance of an offence under clause (c) of subsection (1) of Section 190 of the code of criminal procedure
- (d) To tender pardon to accomplice under Section 306 of the code of criminal procedure

Q38. Which of the following irregularities of a Magistrate not empowered by Law to do so, does not vitiate the proceedings:

- (a) calling of record to exercise powers of revision under Section 397 of Code of Criminal Procedure
- (b) taking cognizance of an offence under clause (a) or clause (b) of sub-section (1) of Section 190 of Code of Criminal Procedure
- (c) decision of an appeal
- (d) revision of an order passed under section 466 of Code of Criminal Procedure

Q39. Which of the following offences is cognizable, non-bailable and non compoundable:

- (a) voluntarily causing grievous hurt, punishable under Section 325 IPC
- (b) attempt to murder punishable under Section 307 IPC
- (c) voluntarily causing hurt to extort confession, or to compel restoration of property, punishable under Section 330 IPC
- (d) voluntarily causing grievous hurt on provocation punishable under Section 335 IPC

Q40. Which of the following provisions of the Indian Penal Code defines culpable homicide

- (a) Section 302
- (b) Section 300
- (c) Section 301
- (d) Section 299

Q41. Statement of an accused can be recorded on oath:

- (a) is not a correct statement of law
- (b) under Section 315 code of criminal procedure
- (c) under Section 313 code of criminal procedure
- (d) under Section 391 code of criminal procedure

Q42. Which of the following is the correct statement according to law?

- (a) An accomplice shall be competent witness against an accused person
- (b) Leading question may be asked in cross-examination of a witness
- (c) The court may permit a party, who, calls a witness, to put any question to him, which might be put in cross examination by the adverse party
- (d) All the above

Q43. Burden of proof under Section 101 of the Indian Evidence Act, 1872:

- (a) goes on shifting as the trial proceeds
- (b) never shifts
- (c) may shift
- (d) both (a) and (c) are correct

Q44. Proceedings under section 145 of the code of criminal Procedure are initiated by the Executive Magistrate on the report of which of the following?

- (a) Judicial Magistrate
- (b) Police officer
- (c) Revenue officer
- (d) Complainant

Q45. In which of the following judgments has the Supreme Court held that only those courts within whose territorial limits the drawee bank is situated, would have jurisdiction to try the cases for offence under Section 138 of the Negotiable Instruments Act, 1881?

- (a) K. Bhaskaran vs. Sankaran vaidhyan Balan and Another - (1999) 7 SCC 510
- (b) Dashrath Rupsingh Rathod vs. State of Maharashtra and Another - (2014) 9 SCC 129
- (c) state of Bihar and others vs. Kalyan pur cement Limited - (2010) 3 SCC 274
- (d) None of the above

Q46. Which of the following is a correct statement of law as per Sections 138 and 142 of the Negotiable Instruments Act, 1881?

- (a) A cheque is to be presented to the bank within a period of six months from the date it is drawn or within the period of its validity, whichever is earlier
- (b) Notice within thirty days of receipt of information from the bank regarding return of cheque as unpaid, has to be served upon drawer, demanding payment of amount of money
- (c) on failure of drawer of such cheque to make payment within fifteen days of receipt of such notice, the payee or holder of cheque has to file complaint within one month thereof
- (d) All the above

Q47. The delay in filing a complaint under Section 138 of the Negotiable Instruments Act, 1881, can be condoned:

- (a) under Section 5 of the Indian Limitation Act, 1963
- (b) under Section 138 of the Negotiable Instruments Act, 1881
- (c) under Section 142 of the Negotiable Instruments Act, 1881
- (d) under Section 143 of the Negotiable Instruments Act, 1881

Q48. In which of the following judgments has the Supreme Court struck down Section 66-A of t

- (a) Shreya singhal vs. Union of India - AIR 2015 SC 1523
- (b) Selvi and others Vs. State of Karnataka - (2010) 7 SCC 263
- (c) PUCL Vs. Union of India - (1997) 1 SCC 301
- (d) Amar singh vs. Union of India - (2011) 7 SCC 67

Q49. According to Section 25 of the Protection of children from Sexual offences Act, 2012, statement of a child under Section 164 of the code of Criminal Procedure to be recorded by the Magistrate:-

- (a) shall be recorded in presence of the advocate of the accused
- (b) shall not be recorded in presence of the advocate of the accused
- (c) shall be recorded in presence of the Investigating Officer
- (d) Shall be recorded in presence of woman Police officer

Q50. Which of the following is not the duty of a Probation officer?

- (a) To supervise probationers placed under his supervision and where necessary, endeavour to find them suitable employment
- (b) To advise and assist offenders in payment of compensation or costs ordered by the court
- (c) To inquire into the circumstances or home surroundings of any person accused of an offence
- (d) To arrange for lodging and boarding of the probationers

Q51. Which of following conditions, as per provisions of the Protection of Children from Sexual offences Act, 2012, has to be adhered to while examining or recording statement of the child:

- (a) the statement of child shall be recorded at the residence of child or the place where he usually resides or the place of his choice
- (b) as far as practicable the statement should be recorded by woman police officer not below the rank of Sub Inspector, who shall not be in uniform
- (c) the Investigating officer shall ensure that at no point of time the child comes in contact in any way with the accused
- (d) all the above

Q52. A private key and its mathematically related public key, which are so related that the public key, can verify a digital signature created by the private key. in an Asymmetric crypto system means:-

- (a) Key pair
- (b) Both keys
- (c) Soft keys
- (d) soft pair

Q53. A person, who sends, generates, stores or transmits any electronic message; or causes any electronic message to be sent, generated, stored or transmitted to any other person, is called:

- (a) Sender
- (b) originator
- (c) Generator
- (d) Intermediary

Q54. What is the minimum and maximum sentence that can be awarded to an accused guilty of second or subsequent offence of theft of electric lines and materials under Section 136 of the Electricity Act, 2003:

- (a) not less than 1 year but which may extend to 10 years and also fine which shall not be less than one lac rupees
- (b) not less than 6 months but which may extend to 5 years and also fine which shall not be less than ten thousand rupees
- (c) not less than 3 months but which may extend to 3 years and also fine which shall not be less than fifty thousand rupees
- (d) not less than 9 months but which may extend to 3 years and also fine which shall not be less than one lac rupees

Q55. A police officer empowered to investigate cyber crime as per Section 78 of the Information Technology Act, 2000, must not be below the rank of

- (a) Sub Inspector
- (b) Inspector
- (c) Deputy Superintendent of Police
- (d) Superintendent of Police

Q56. In which of the following judgments did the Supreme Court set aside the judgement of the High Court of Delhi which decriminalised Section 377 of the Indian Penal Code, 1860:

- (a) Sakshi vs. Union of India - AIR 2004 SC 3566
- (b) Naz Foundation (India) Trust vs. Suresh Kumar Koushal - (2014) 3 SCC 220
- (c) PUCL Vs. Union of India - (2010) 14 SCC 245
- (d) Suresh Kumar Kaushal vs. Naz Foundation (India) Trust (2014) 1 SCC 1

Q57. Which of the following acts constitute 'Atrocity' as defined in Section 3(1) of the scheduled Castes and scheduled Tribes (Prevention of Atrocities) Act, 1989?

- (a) Forcing to drink or eat any inedible or obnoxious substances
- (b) Intentionally insulting or intimidating with intent to humiliate in any place within public view
- (c) Forcing or intimidating not to vote or to vote for a particular candidate or vote in a manner other than provided by law
- (d) All the above

Q58. Benefit of probation to a convict of offence under the Narcotic Drugs and Psychotropic substances Act, 1985 can be provided only if:

- (a) he is under 21 years of age and is convicted for offence punishable under Section 26 or 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985
- (b) he is under 18 years of age or is convicted for offence punishable under Section 26 or 27 of the Narcotic Drugs and Psychotropic Substances Act, 1985
- (c) to any accused, regardless of his age, sentenced to rigorous imprisonment up to 10 years
- (d) none of the above

Q59. Who, as per Section 2(1) of the Juvenile Justice (Care and Protection of children) Act, 2000, is a 'Juvenile in conflict with law'?

- (a) A Juvenile who is alleged to have committed an offence and has not completed eighteen years of age as on the date of commission of such offence
- (b) A Juvenile who is alleged to have committed an offence and has not completed twelve years of age on the date of commission of such offence
- (c) A Juvenile who is alleged to have committed an offence and has not completed sixteen years of age on the date of commission of such offence
- (d) A Juvenile who is alleged to have committed an offence and has not completed fourteen years of age on the date of commission of such offence

Q60. Which of the following statements is not correct:

- (a) one or more Juvenile Justice Boards shall be constituted by the State Government for every district
- (b) each Juvenile Justice Board shall consists of a Metropolitan Magistrate or a Judicial Magistrate and two social workers, of whom at least one shall be a woman
- (c) the order passed by the Juvenile Justice Board in absence of any Member at any stage of proceedings shall be invalid
- (d) power of the Juvenile Justice Board may also be exercised by the High Court and the court of Sessions when Court and the Court of Sessions, when the proceedings come before them in appeal, revision or otherwise

Q61. Under Section 32 of the Indian Evidence Act, 1872, statement of a person, who is dead, is relevant:

- (a) if it relates to cause of someone else's death
- (b) if it relates to cause of his own death or someone else's death
- (c) if it relates to the cause of his own death
- (d) none of the above

Q62. Section 436-A of the Code of Criminal Procedure, 1973, provides for grant of bail to an accused pending trial if:

- (a) he has undergone detention for one-fourth period of imprisonment specified for the offence for which he is being tried
- (b) /he has undergone detention for one-third period of imprisonment specified for the offence for which he is being tried
- (c) he has undergone detention for one-half period of imprisonment specified for the offence for which he is being tried
- (d) (a) and (b) above

Q63. Facts, which, though not in issue, are so connected with a fact in issue as to form part of the same transaction, whether they occurred at the same time and place or at different times and places:

- (a) are irrelevant
- (b) are relevant
- (c) are partly relevant
- (d) none of the above

Q64. Which of the following statements, as per provisions of the Indian Evidence Act, 1872, is not correct?

- (a) Facts which are inconsistent with any fact in issue, shall not be relevant
- (b) Facts not otherwise relevant are relevant if by themselves or in connection with other facts, they make the existence or non-existence of any fact in issue or relevant fact highly probable or improbable
- (c) Any fact is relevant, which shows or constitutes a motive or preparation for any fact in issue or relevant fact
- (d) Admissions are not conclusive proof of the matters admitted, but they may operate as estoppels under the provisions of the Indian Evidence Act, 1872

Q65. Narcoanalysis, polygraph test and brain electrical activation profile test conducted against will of the person subjected to such tests, violates his right protected under Article 20(1), and right to personal liberty protected under Article 21 of the Constitution of India, was held by the Supreme Court in which of the following cases:

- (a) Wakkar and Another vs. State of Uttar Pradesh - (2011) 3 SCC 306
- (b) Munna Kumar Upadhyay vs. State of Andhra Pradesh - (2012) 6 SCC 174
- (c) Jagroop singh vs. State of Punjab - (2012) 11 scc 768
- (d) Selvi and others vs. State of Karnataka - (2010) 7 SCC 263

Q66. Statement 'A' - when a court of Sessions passes a sentence of death, the court shall, according to Rule 102 of the General Rules (Criminal) 1980, commit the prisoner by a warrant in the appropriate form to the jail from which he came to stand his trial, and shall submit its proceedings to the High Court at the latest on the fourth day after the sentence of death has been pronounced. Statement 'B' - when a court of Sessions passes a sentence against a female prisoner to death, according to Rule 104 of the General Rules (criminal) 1980, it shall consider after enquiring from such prisoner herself, if necessary, whether she is pregnant and if it thinks that it is likely, it shall have her examined by the District Medical officer or such other doctor as it may consider fit and if it finds that she is in fact pregnant, it shall make a report to the High Court.

- (a) Both the aforesaid statements are correct
- (b) Statement 'A' is correct and Statement 'B' is incorrect
- (c) Statement 'B' is correct and Statement 'A' is incorrect
- (d) None of them is correct

Q67. How many kinds of punishment are provided in Section 53 of the Indian Penal Code, 1860?

- (a) six
- (b) Four
- (c) Five
- (d) Seven

Q68. According to Sections 73 and 74 of the Indian Penal Code, 1860, a convict can be kept in solitary confinement for any portion or portions of imprisonment to which he is sentenced. Which of the following is incorrect?

- (a) For period not exceeding three months in the whole
- (b) For period not exceeding three months, if the term of the imprisonment exceeds six months and does not exceed one year
- (c) For period not exceeding three months if the term of imprisonment exceeds one year
- (d) The solitary confinement in no case shall exceed 14 days at a time

Q69. A knows Z to be behind a bush. B does not know it. A, intending to cause, or knowing it to be likely to cause z's death, induces B to fire at the bush. B fires and kills z. What offence has been committed by A and B?

- (a) A and B both would be guilty of committing offence punishable under Section 302 IPC
- (b) while A would be guilty of committing offence under Section 302 IPC, B would be guilty of committing offence under Section 304 Part II, IPC,
- (c) A would be guilty of committing offence punishable under Section 302 IPC, B would be guilty of no offence
- (d) A and B both would be guilty of committing offence punishable under Section 304 Part-I of the IPC

Q70. A is in a house which is on fire, with z, a child. People below hold out a blanket. A drops the child from the house-top, knowing it to be likely that the fall may kill the child but not intending to kill the child, and intending, in good faith, the child's benefit, and the child dies: Which of the following offences has been committed by A?

- (a) Section 304-A, of Indian Penal Code, 186
- (b) Section 304 part II, of Indian Penal Code, 1860
- (c) Section 302, of Indian Penal Code, 1860
- (d) A has committed no offence

Q71. I am pleading for the preservation of trees

- (a) simple Present Tense
- (b) Past Tense
- (c) Present continuous Tense
- (d) Past continuous Tense

Q72. Fill in the blank with correct form of verb: My sister saw a snake while she in the garden

- (a) was walking
- (b) walks
- (c) Is walking
- (d) were walking

Q73. Pick up the correct synonym for the word: STUBBORN

- (a) Easy
- (b) obstinate
- (c) willing
- (d) Pliable

Q74. Choose the word opposite in the meaning to the word: ARBITRARY

- (a) Dictatorial
- (b) Autocratic
- (c) High handed
- (d) Methodical

Q75. Note: In next two questions, choose the alternative which best expresses the meaning of the idiom/phrase. 'A man of weight'

- (a) A fat person
- (b) To truthful and trustworthy man
- (c) A man of importance
- (d) A notorious man

Q76. 'A fool's paradise'

- (a) Paradise of idiots
- (b) A state of happiness for foolish reasons
- (c) To live in the past
- (d) To remain in the state of daydreaming

Q77. Note: In the next three questions, identify the correct indirect speech. The policeman said to us, where are you going'?

- (a) The Policeman asked to us where we are going.
- (b) The policeman told us where we were going.
- (c) The Policeman enquired where we were going.
- (d) The Policeman said where were we going

Q78. Call the first witness', said the Judge.

- (a) The Judge asked for calling first witness.
- (b) The Judge commanded them to call the first witness.
- (c) The Judge said to call the first witness.
- (d) The Judge requested to call for first witness

Q79. She said to me, "I shall play now."

- (a) she told me that she should play now.
- (b) she told me that she should play then.
- (c) She told me that she would play now.
- (d) She told me that she would play then.

Q80. Note: In the next two questions mark the correct passive voice of the given sentence. Someone gave her a bulldog

- (a) She was given a bulldog
- (b) A bulldog was given to her by someone.
- (c) she has been given a bulldog
- (d) She is being given a bulldog by someone.

Q81. Mona was writing a letter to her father

- (a) A letter was written to her father by Mona.
- (b) A letter has been written to her father by Mona.
- (c) A letter was being written by Mona to her father.
- (d) A letter was written by Mona to her father.

Q82. Note: In the next three questions choose the correct option to fill in the blanks rich should helppoor

- (a) A, a
- (b) The, a
- (c) The, an
- (d) The, the

Q83. pupil should obey his teacher

- (a) A
- (b) The
- (c) An
- (d) X

Q84. Kalidas is Shakespeare of India.

- (a) a
- (b) an
- (c) the
- (d) X

Q85. What do you mean by 'ACTUS CURIAE NEMINEM GRAVABIT'

- (a) A personal right of action dies with the person
- (b) The law holds no man responsible for the act of God
- (c) An act of the court shall prejudice no man
- (d) None

Answer Key & Solutions

Q1. Answer: C

Under the Rajasthan Agricultural Credit Operations (Removal of Difficulties) Act, 1974, a Bank recovers its dues by applying to the Prescribed Authority, which then certifies the amount for recovery as arrears of land revenue.

Q2. Answer: B

Section 35 of the Rajasthan Court Fees and Suits Valuation Act, 1961, provides that where a plaintiff excluded from possession sues for partition and separate possession of his share of joint family property, court fee is computed on the market value of the plaintiff's share.

Q3. Answer: B

Mirroring Section 29 of the Indian Stamp Act, under the Rajasthan Stamp Act, 1998, in the case of a release-deed, absent contrary agreement, the duty/expense of providing the proper stamp is borne by the person drawing, making or executing the instrument.

Q4. Answer: B

Like Section 36 of the Indian Stamp Act, once an instrument has been admitted in evidence, such admission cannot be called in question at any stage of the same suit or proceeding except as provided (here, Section 71 of the Rajasthan Stamp Act, 1998).

Q5. Answer: C

Under Section 40 of the Registration Act, 1908, a will may be presented for registration by the testator himself, or after his death by any person claiming as executor or otherwise under the will; hence both (a) and (b).

Q6. Answer: B

An agreement made under a mutual mistake as to a matter of fact essential to the agreement is void under Section 20 of the Indian Contract Act, 1872; a mistaken belief about a law not in force in India is treated as a mistake of fact, rendering the contract void.

Q7. Answer: B

A promise to pay a time-barred debt is enforceable; an acknowledgement/promise after expiry of the limitation period gives rise to an independent and enforceable contract (cf. Section 25(3) Contract Act). Acknowledgement under Section 18 of the Limitation Act only extends time if made before expiry.

Q8. Answer: A

A petition under the Rajasthan Rent Control Act, 2001 is to be disposed of within two hundred and forty (240) days from the date of service of notice on the tenant.

Q9. Answer: D

Under Section 42 of the Indian Partnership Act, 1932 (subject to contract between partners), a firm is dissolved by expiry of a fixed term, by completion of the adventures/undertakings, and by the death of a partner; hence all the above.

Q10. Answer: C

Under Section 71 of the Indian Contract Act, 1872, the finder of lost goods is in the position of a bailee, with the responsibilities of a bailee.

Q11. Answer: D

The Rajasthan Right to Hearing Act, 2012 expressly excludes service matters of public servants, matters within the jurisdiction of any court/tribunal, and RTI matters; therefore none of (a)-(c) is a maintainable grievance.

Q12. Answer: C

National Legal Services Authority v. Union of India, (2014) 5 SCC 438 (NALSA), is the case in which the Supreme Court recognised transgender persons as a 'third gender' and protected their constitutional rights.

Q13. Answer: A

Article 21-A (Right to Education) was inserted by the Constitution (Eighty-Sixth Amendment) Act, 2002.

Q14. Answer: D

Section 20 CPC permits suit where the defendant resides/carries on business (option b) or where the cause of action wholly or in part arises (option c); the 'lowest grade competent' rule is Section 15. Read with the framing, all the listed propositions are recognised principles, so 'all the above'.

Q15. Answer: C

In Salem Advocate Bar Association v. Union of India, the Supreme Court upheld the validity of the CPC (Amendment) Acts of 1999 and 2002.

Q16. Answer: B

Order XLIII Rule 1 CPC lists appealable orders, including an order under Order XXII Rule 9 refusing to set aside an abatement or dismissal of a suit. Rejection of plaint (Order VII Rule 11) is a decree, not an Order XLIII appeal.

Q17. Answer: C

Both statements are correct: Section 25 of the Indian Easements Act, 1882 grants an absolute right to light/air enjoyed peaceably for 20 years (Statement A), while the Explanation/settled law denies prescriptive right to free passage of light or air to an open space of ground (Statement B).

Q18. Answer: A

In a suit for specific performance of a contract to transfer immovable property, the court cannot grant partition and separate possession of the property; (b) and (c) are wrong because a plaintiff may alternatively claim, and the court may grant, refund of earnest money/deposit (Sections 21-22 Specific Relief Act).

Q19. Answer: B

Under Section 17 of the Registration Act, 1908, wills are expressly exempt from compulsory registration (their registration is optional under Section 18); the instruments in (a), (c) and (d) are compulsorily registrable.

Q20. Answer: C

In a usufructuary mortgage (Section 58(d) of the Transfer of Property Act, 1882), the mortgagor delivers possession of the mortgaged property to the mortgagee, who retains possession and receives rents/profits in lieu of interest/principal.

Q21. Answer: D

Both statements are incorrect: under Section 53 of the Transfer of Property Act, 1882, such transfers (to defeat/delay creditors, or without consideration to defraud a subsequent transferee) are voidable at the option of the person defeated/defrauded, not void.

Q22. Answer: B

Under Section 9 of the Arbitration and Conciliation Act, 1996, a party may seek interim measures (e.g., appointment of a receiver) before, during, and even after the making of the arbitral award (but before enforcement); statements (a) and (c) wrongly restrict this, so (b) is the correct statement.

Q23. Answer: C

Article 137 of the Limitation Act, 1963 is the residuary article prescribing three years for any application for which no period of limitation is provided elsewhere in the Schedule.

Q24. Answer: B

Statement B is correct: under Sections 12(1) and 12(2) of the Limitation Act, 1963, in computing limitation for an appeal, the day of pronouncement of the judgment and the time requisite for obtaining the copy of the decree are excluded; Statement A is wrong because that day is excluded, not included.

Q25. Answer: B

Under Section 22-C of the Legal Services Authorities Act, 1987, the Permanent Lok Adalat has no jurisdiction over any matter relating to an offence not compoundable under any law. Option (a) is wrong (application must be made 'before' the dispute goes to court) and (c) is wrong (PLA has no jurisdiction where property value 'exceeds' ten lakh rupees).

Q26. Answer: A

Section 11 HMA, 1955 makes a marriage null and void only for breach of Section 5 clauses (i) bigamy, (iv) prohibited degrees and (v) sapinda. Of the listed options, parties within prohibited degrees (a) is a void ground; unsoundness of

mind and recurrent insanity (b, c) are voidable grounds under Section 12(1)(b), so (a) is correct.

Q27. Answer: C

Section 6 of the Hindu Succession Act as amended by the 2005 Amendment makes the daughter of a coparcener a coparcener by birth in her own right in the same manner as the son.

Q28. Answer: B

Under the Hindu Minority and Guardianship Act, 1956, on adoption of a Hindu minor the natural guardianship vests in the adoptive parents; the natural father does NOT continue as natural guardian. Hence statement (b) is incorrect. (Statements (a), (c) and (d) correctly state Section 6.)

Q29. Answer: C

Section 19 of the Hindu Adoptions and Maintenance Act, 1956 entitles a Hindu widow to be maintained, after her husband's death, by her father-in-law (out of coparcenary property/estate).

Q30. Answer: A

Section 2(q) of the PWDV Act, 2005 defines 'respondent' as any adult person who is, or has been, in a domestic relationship with the aggrieved person and against whom relief is sought under the Act.

Q31. Answer: D

Section 3 of the Rajasthan Rent Control Act, 2001 exempts (inter alia) premises belonging to the Government and to a Government company as defined under the Companies Act, 1956 from the application of Chapters II and III.

Q32. Answer: B

Under Section 242 of the Rajasthan Tenancy Act, 1955, the civil court refers the tenancy issue to the revenue court and is bound by that finding; it is not free to accept or reject it. Hence statement (b) is the one that is NOT correct.

Q33. Answer: D

Under Section 23 read with the First Schedule of the Rajasthan Land Revenue Act, 1956, 'judicial matters' are adjudicatory proceedings (boundary disputes, grazing-right disputes, regularisation). Routine mutation upon succession is an administrative/non-judicial matter, so (d) is not a judicial matter.

Q34. Answer: A

The General Rules (Civil), 1986 are framed by the Rajasthan High Court in exercise of its power of superintendence over subordinate courts under Article 227 of the Constitution.

Q35. Answer: D

Under Mohammedan law the three essentials of a valid hiba (gift) are declaration, acceptance and delivery of possession. A written/registered deed is NOT essential, so (d) is the non-essential.

Q36. Answer: B

Under Sections 82-83 CrPC, attachment of property under Section 83 may be ordered only after publication of the written proclamation under Section 82 requiring the person to appear.

Q37. Answer: C

Under Section 461(k) CrPC, taking cognizance of an offence under clause (c) of Section 190(1) by a Magistrate not empowered to do so vitiates the proceedings; the others (inquiry u/s 176, making over u/s 192(2), tender of pardon u/s 306) are curable under Section 460.

Q38. Answer: B

Under Section 460(e) CrPC, taking cognizance under clause (a) or (b) of Section 190(1) by a Magistrate not empowered, if done in good faith, does NOT vitiate the proceedings. Revision, deciding an appeal and revising an order u/s 466 are incurable irregularities under Section 461.

Q39. Answer: B

Attempt to murder under Section 307 IPC is cognizable, non-bailable and non-compoundable. Section 325 (s.323-compoundable category) and 335 are compoundable; the others do not meet all three conditions as clearly as 307.

Q40. Answer: D

Section 299 IPC defines culpable homicide; Section 300 defines murder, and Sections 301/302 deal with consequences/punishment.

Q41. Answer: A

Under Section 313(2) CrPC no oath is administered to the accused when examined; and as a witness u/s 315 the accused gives evidence on oath only on his own request in defence - there is no general rule that an accused's statement is recorded on oath, so (a) 'is not a correct statement of law' is correct.

Q42. Answer: D

All are correct: an accomplice is a competent witness (Section 133 Evidence Act); leading questions are permitted in cross-examination (Section 143); and the court may permit a party to put cross-examination-type questions to its own witness (Section 154, hostile witness).

Q43. Answer: B

Section 101 of the Evidence Act lays down the burden of proof on the party who asserts; this legal/persuasive burden never shifts (it is the onus of proof under s.102 that shifts).

Q44. Answer: B

Proceedings under Section 145 CrPC are initiated by the Executive Magistrate on being satisfied from a police officer's report or other information of a dispute likely to cause breach of peace.

Q45. Answer: B

In *Dashrath Rupsingh Rathod v. State of Maharashtra*, (2014) 9 SCC 129, the Supreme Court held that only the court within whose territorial jurisdiction the drawee bank (where the cheque is dishonoured) is situated has jurisdiction to try a Section 138 NI Act offence.

Q46. Answer: D

All three statements correctly reflect Sections 138 and 142 NI Act (as in force in 2015): presentation within six months/validity, notice within 30 days of return, and complaint within one month of expiry of the 15-day payment period.

Q47. Answer: C

The proviso to Section 142(b) NI Act (added in 2002) empowers the court to condone delay in filing a Section 138 complaint if sufficient cause is shown; condonation is thus under Section 142, not Section 5 of the Limitation Act.

Q48. Answer: A

Section 66-A of the IT Act, 2000 was struck down as unconstitutional in *Shreya Singhal v. Union of India*, AIR 2015 SC 1523 / (2015) 5 SCC 1.

Q49. Answer: B

Section 25 POCSO Act, 2012 requires the Magistrate recording the child's statement under Section 164 CrPC to do so as far as practicable in the presence of the parents/person trusted by the child, and it shall not be recorded in the presence of the accused's advocate.

Q50. Answer: D

The duties of a probation officer (Section 14, Probation of Offenders Act, 1958) include inquiry into circumstances, supervision and assistance with employment, and advising on compensation/costs. Arranging lodging and boarding of probationers is not a statutory duty, so (d) is not a duty.

Q51. Answer: D

Sections 24 & 26 POCSO Act, 2012 require all these safeguards: statement at child's residence/place of choice, recording by a woman SI not in uniform as far as practicable, and ensuring no contact with the accused. Hence 'all the above'.

Q52. Answer: A

Section 2(1)(x) of the Information Technology Act, 2000 defines 'key pair' in an asymmetric crypto system as a private key and its mathematically related public key that can verify a digital signature created by the private key.

Q53. Answer: B

Section 2(1)(za) of the Information Technology Act, 2000 defines 'originator' as a person who sends, generates, stores or transmits any electronic message (or causes it), excluding an intermediary.

Q54. Answer: B

Section 136(1) proviso, Electricity Act, 2003: for a second/subsequent conviction for theft of electric lines/materials, imprisonment shall not be less than six months extendable to five years, with fine not less than ten thousand rupees.

Q55. Answer: B

Section 78 of the Information Technology Act, 2000 (as amended 2008) empowers a police officer not below the rank of Inspector to investigate offences under the Act.

Q56. Answer: D

In Suresh Kumar Koushal v. Naz Foundation, (2014) 1 SCC 1, the Supreme Court set aside the Delhi High Court's Naz Foundation judgment and upheld/reinstated Section 377 IPC. Option (b) inverts the cause-title, so (d) is correct.

Q57. Answer: D

All three acts (forcing inedible substances, intentional insult in public view, and intimidation regarding voting) are enumerated atrocities under Section 3(1) of the SC/ST (Prevention of Atrocities) Act, 1989.

Q58. Answer: B

Section 33 NDPS Act, 1985 bars probation (CrPC §360/Probation of Offenders Act) for NDPS convicts UNLESS the person is under eighteen years of age OR the offence is punishable under Section 26 or 27. Option (b) matches ('under 18 OR §26/27').

Q59. Answer: A

Section 2(l) of the Juvenile Justice (Care and Protection of Children) Act, 2000 defines a 'juvenile in conflict with law' as one who has not completed eighteen years of age as on the date of commission of the offence.

Q60. Answer: C

Under Section 4(3) proviso of the JJ Act, 2000, an order passed by the Board in the absence of any member at any stage of proceedings shall NOT be invalid merely on that ground. So the statement in (c) is the incorrect one.

Q61. Answer: C

Section 32(1) of the Indian Evidence Act, 1872 (dying declaration) makes a deceased's statement relevant when it relates to the cause of his own death or circumstances of the transaction resulting in his death; it concerns his OWN death.

Q62. Answer: C

Section 436-A CrPC, 1973 entitles an under-trial to release on bail once he has undergone detention up to one-half of the maximum imprisonment specified for the offence.

Q63. Answer: B

Section 6 of the Indian Evidence Act, 1872 (res gestae): facts forming part of the same transaction as a fact in issue are relevant, whether occurring at the same or different times and places.

Q64. Answer: A

Under Section 11 of the Evidence Act, facts inconsistent with any fact in issue ARE relevant. So statement (a) ('shall not be relevant') is the incorrect one.

Q65. Answer: D

In Selvi v. State of Karnataka, (2010) 7 SCC 263, the Supreme Court held that involuntary narcoanalysis, polygraph and BEAP tests violate Article 20(3) and Article 21 of the Constitution.

Q66. Answer: A

Both statements correctly reproduce Rules 102 and 104 of the Rajasthan General Rules (Criminal), 1980 regarding commitment of a death-sentenced prisoner and the enquiry into pregnancy of a female prisoner sentenced to death.

Q67. Answer: C

Section 53 IPC provides five kinds of punishment: death, imprisonment for life, imprisonment (rigorous/simple), forfeiture of property, and fine.

Q68. Answer: C

Section 73 IPC caps solitary confinement at a maximum of three months only where imprisonment exceeds one year; (c) omits the limit and states 'exceeds one year' without the three-month cap context wrongly, making it the incorrect statement (the correct scale: <=6m:1m; 6m-1yr:2m; >1yr:3m).

Q69. Answer: C

This is Illustration (b) to Section 299 IPC. A, intending/knowing Z's death likely, induces innocent B to fire; A is guilty of culpable homicide (Section 302/304), while B, having no knowledge, commits no offence.

Q70. Answer: D

This is the illustration to Section 92 IPC (act done in good faith for another's benefit without consent in an emergency). A commits no offence.

Q71. Answer: C

'I am pleading' uses am + present participle (-ing), which is the Present Continuous Tense.

Q72. Answer: A

A past action interrupted by another past action takes the past continuous: 'while she was walking in the garden.'

Q73. Answer: B

A synonym of 'stubborn' is 'obstinate.' Easy, willing and pliable are antonyms.

Q74. Answer: D

'Arbitrary' (based on whim, not reason/order) is opposite to 'methodical' (orderly, systematic). The other options are synonyms.

Q75. Answer: C

The idiom 'a man of weight' means a person of importance or influence.

Q76. Answer: B

The idiom 'a fool's paradise' means a state of happiness based on false hope or foolish/unfounded reasons. Option (b) captures this; daydreaming (d) is a distractor.

Q77. Answer: C

An interrogative ('where are you going?') in indirect speech uses 'asked/enquired' with no inversion and tense back-shift: 'The Policeman enquired where we were going.' Option (a) wrongly keeps present tense and adds 'to'.

Q78. Answer: B

An imperative/command ('Call the first witness') is reported with 'commanded/ordered + object + to-infinitive': 'The Judge commanded them to call the first witness.'

Q79. Answer: D

'I shall play now' back-shifts to 'would play' and the adverb 'now' becomes 'then': 'She told me that she would play then.'

Q80. Answer: A

'Someone gave her a bulldog' converts to passive with the indirect object as subject: 'She was given a bulldog' (agent 'by someone' dropped as indefinite). This is the standard preferred passive.

Q81. Answer: C

Past continuous active ('was writing') becomes past continuous passive 'was being written': 'A letter was being written by Mona to her father.'

Q82. Answer: D

'The' before an adjective denotes a class of people ('the rich', 'the poor'). Hence 'The rich should help the poor' - option (d).

Q83. Answer: A

A singular countable noun used generically takes the indefinite article: 'A pupil should obey his teacher.'

Q84. Answer: C

When a proper noun is used as a common noun to denote an outstanding example ('the Shakespeare of India'), the definite article 'the' is used.

Q85. Answer: C

The maxim 'actus curiae neminem gravabit' means 'an act of the court shall prejudice no man' - no party should suffer due to a mistake of the court.