



JAMMU AND KASHMIR PUBLIC SERVICE COMMISSION

RESHAM GHAR COLONY, BAKSHI NAGAR, JAMMU - 180001

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Subject: Conduct of Written Examination for the post of Assistant Legal Remembrancer/District Litigation Officer in the Department of Law, Justice and Parliamentary Affairs- Provisional Answer Key thereof.

Notification No. PSC/Exam/S/2024/55

Dated: 15.09.2024

In pursuance of Rule 10(c) of the Jammu & Kashmir Public Service Commission (Conduct of Examination) Rules, 2022, as amended upto date, the Provisional Answer Key of Question Paper pertaining to the **Written Test for the post of Assistant Legal Remembrancer/District Litigation Officer** held on **15.09.2024**, is hereby notified for seeking objections from candidates:

Provisional Answer Key

Assistant Legal Remembrancer/District Litigation Officer

Test Booklet Question No. (Series A)	
Q1	B
Q2	D
Q3	C
Q4	C
Q5	A
Q6	A
Q7	D
Q8	D
Q9	A
Q10	B
Q11	B
Q12	C
Q13	D
Q14	A
Q15	C
Q16	B
Q17	D
Q18	B
Q19	B
Q20	C
Q21	D
Q22	C
Q23	A
Q24	C

Test Booklet Question No. (Series A)	
Q25	B
Q26	C
Q27	A
Q28	D
Q29	A
Q30	D
Q31	D
Q32	C
Q33	B
Q34	A
Q35	B
Q36	D
Q37	C
Q38	A
Q39	B
Q40	D
Q41	B
Q42	A
Q43	C
Q44	D
Q45	C
Q46	B
Q47	A
Q48	D

Test Booklet Question No. (Series A)	
Q49	C
Q50	B
Q51	D
Q52	B
Q53	A
Q54	C
Q55	B
Q56	A
Q57	D
Q58	C
Q59	B
Q60	D
Q61	C
Q62	A
Q63	B
Q64	C
Q65	D
Q66	B
Q67	C
Q68	A
Q69	B
Q70	D
Q71	C
Q72	D

Test Booklet Question No. (Series A)	
Q73	B
Q74	C
Q75	B
Q76	A
Q77	D
Q78	C
Q79	B
Q80	C
Q81	A
Q82	C

Test Booklet Question No. (Series A)	
Q83	D
Q84	D
Q85	C
Q86	C
Q87	B
Q88	A
Q89	B
Q90	A
Q91	C
Q92	D

Test Booklet Question No. (Series A)	
Q93	C
Q94	D
Q95	B
Q96	D
Q97	A
Q98	B
Q99	B
Q100	A

The candidates are advised to refer to **Question Booklet (Series A)** to match the corresponding question(s) in their respective Question Booklet Series and if any candidate feels that the key to any of the question(s) is/are wrong, he/she may represent on prescribed format/proforma annexed as **Annexure-A** along with the documentary proof/evidence (**hard copies only**) and fee of Rs.500/- per question in the form of Demand Draft drawn in favour of **COE, J&K PSC** (refundable in case of genuine/correct representation) to the Controller of Examinations, Jammu & Kashmir Public Service Commission, from 17.09.2024 to 19.09.2024. **The candidates are further advised to clearly mention the question(s) objected to with reference to its serial number as it appears in the Question Booklet of Series A of the Provisional Answer Key.**

Further, any objection/application not accompanied by the requisite Demand Draft of Rs.500/- as prescribed, shall not be considered/entertained under any circumstances. Candidates are, in their own interest, advised to adhere to these instructions and not submit any objection unaccompanied by the Demand Draft as required under extant rules.

The Commission shall not entertain any such representation(s) after the expiry of the stipulated period i.e. **after 19.09.2024 (Thursday), 05.00 pm.**

The provisional answer key is available on the website of the Commission <http://www.jkpsc.nic.in>.

Sachin Jamwal
15/09/24
(Sachin Jamwal) JKAS,

Controller of Examinations
J&K Public Service Commission

Dated: 15.09.2024

No. PSC/Ex-Secy/2024/44

Copy to the: -

1. Director, Information and Public Relations, J&K for publication of the notice in all leading newspapers published from Jammu/Srinagar.
2. P.S. to Hon'ble Chairman, J&K Public Service Commission for information of the Hon'ble Chairman.
3. P.S. to Hon'ble Member, Shri _____ for information of the Hon'ble Member.
4. P. A. to Secretary, J&K Public Service Commission for information of the Secretary.
5. Main file/Stock file/Notice Board.

Annexure-A

Representation regarding objection(s) to any Question/Answer pertaining to the Written Test conducted for the post of Assistant Legal Remembrancer/District Litigation Officer on 15.09.2024

(NOTE: USE SEPARATE FORMS FOR SEPARATE QUESTIONS)

Name of the Applicant : _____
Roll No. : _____
Correspondence Address : _____
Contact/Mobile No. : _____
Date of Application: _____ 09.2024
Demand Draft No. date : _____
Candidates Account No.(16 digit) & IFSC Code : _____

Question No. in Series A	Details of the Objection	Resource Material (copy to be enclosed)	Details of the Website (if any)
<u>Correct Answer/Option as per candidate :</u>			

Signature of the Candidate

Note: Application for each question/answer shall be made on separate page in the given format, otherwise the first question entered in the format shall only be considered.

DO NOT OPEN THIS TEST BOOKLET UNTIL YOU ARE TOLD TO DO SO

Booklet Serial No. **233673**

Test Booklet Series

**TEST BOOKLET
ASSISTANT LEGAL
REMEMBRANCER/DISTRICT LITIGATION OFFICER
Written Test-2024**



(81)

Time Allowed : Two Hours

Maximum Marks : 100

INSTRUCTIONS

1. IMMEDIATELY AFTER THE COMMENCEMENT OF THE EXAMINATION, YOU SHOULD CHECK THAT THIS TEST BOOKLET **DOES NOT** HAVE ANY UNPRINTED OR TORN OR MISSING PAGES OR ITEMS, ETC. IF SO, GET IT REPLACED BY A COMPLETE TEST BOOKLET.
2. Please note that it is the candidate's responsibility to encode and fill in the Roll Number and Test Booklet Series Code A, B, C or D carefully and without any omission or discrepancy at the appropriate places in the OMR Answer /Response Sheet. Any omission/discrepancy will render the Response Sheet liable for rejection.
3. You have to enter your Roll Number on the Test Booklet in the Box provided alongside. **DO NOT write anything else** on the Test Booklet.
4. This Test booklet contains **100** items (questions). Each item comprises of four responses (answers). You will select the response which you want to mark on the Answer Sheet/Response Sheet. In case you feel that there is more than one correct response, mark the response which you consider the best. In any case, choose **ONLY ONE** response for each item.
5. You have to mark all your responses **ONLY** on the separate Answer /Response Sheet provided. See directions in the Response Sheet.
6. **All** items carry equal marks.
7. Before you proceed to mark in the Answer /Response Sheet, the response to various items in the Test Booklet, you have to fill in some particulars in the Answer /Response Sheet as per instructions sent to you with your Admission Certificate.
8. After you have completed filling in all your responses on the Response Sheet and the examination has concluded, you should hand over to the Invigilator **only the Answer /Response Sheet**. You are permitted to take away with you the Test Booklet and **Candidate's Copy of the Response Sheet**.
9. Sheets for rough work are appended in the Test Booklet at the end.
10. While writing Centre, Subject and Roll No. on the top of the Answer Sheet/Response Sheet in appropriate boxes use **"ONLY BALL POINT PEN"**.
11. **Penalty for wrong answers:**
THERE WILL BE PENALTY FOR WRONG ANSWERS MARKED BY THE CANDIDATE IN THE WRITTEN TEST (OBJECTIVE TYPE QUESTIONS PAPERS).
 - (i) There are four alternatives for the answer to every question. For each question for which a wrong answer has been given by the candidate, **(0.25)** of the marks assigned to that question will be deducted as penalty.
 - (ii) If a candidate gives more than one answer, it will be treated as a **wrong answer** even if one of the given answers happens to be correct and there will be same penalty as above for that question.
 - (iii) If a question is left blank, i.e., no answer is given by the candidate, there will be **no penalty** for that question.

DO NOT OPEN THIS TEST BOOKLET UNTIL YOU ARE TOLD TO DO SO

1. Which of the following thinkers opined that “Both primary rules and secondary rules contain a minimum amount of natural law, *i.e.*, law and morals which every legal system must necessarily contain”?
- A) Dean Roscoe Pound.
 - B) Prof. H.L.A. Hart.
 - C) G. W. Keeton.
 - D) Sir Thomas Erskine Holland.

2. Which of the following statement(s) is/are correct with regard to the source(s) of law which are recognized by the English legal system?
- I. Legislation, which consists of enacted law.
 - II. Custom, which includes customary law.
 - III. Precedent, which comprise of caselaw or judicial decisions.
 - IV. Conventions, which are based on agreements, etc.

Choose the correct option :

- A) Only I is correct.
 - B) Only I and II are correct.
 - C) Only I, II and III are correct.
 - D) I, II, III and IV are correct.
3. Which of the following thinkers has preferred to divide jurisprudence into two senses - the generic sense which is defined as the ‘Science of Civil Law’ and the specific sense which can be defined as the ‘Science of the First Principle of Civil Law’?
- A) C.K. Allen.
 - B) Hans Kelsen.
 - C) Sir John Salmond.
 - D) Oliver Wendell Holmes Jr.

4. Which of the following statement(s) is/are correct with regard to custom as a source of law?

- I. A conventional custom, also called 'usage', is an established practice whose authority is conditional upon its acceptance and incorporation in the agreement between the parties who are bound by it.
- II. A conventional custom is legally binding not because of any legal authority independently possessed by it, but because it has been expressly or impliedly incorporated in a contract between the parties concerned.
- III. A conventional custom can be recognized even if it is contrary to the general law of the country, meaning thereby, that it is inconsistent with statutory law.
- IV. A conventional custom may either be local or national.

Choose the correct option :

- A) Only I and II correct.
- B) Only I, II and III are correct.
- C) Only I, II and IV are correct.
- D) I, II, III and IV are correct.

5. Which of the following is NOT one of the circumstances which destroys the binding force of a judicial precedent?

- A) *Obiter dicta* : While writing his judgment, the judge may make various observations which are not precisely relevant to the issues at hand.
- B) Inconsistency with earlier decision of a court of the same rank.
- C) Inconsistency with earlier decision of a higher court.
- D) Precedent *sub silentio* : Law point involved is either not fully argued or not fully perceived by the court.

6. Which of the following statement(s) is/are correct with regard to the concept of 'possession' under Roman and English law?

- I. Under Roman law, to be in possession of a thing, has the same meaning as having legal possession over it.
- II. Under Roman law, certain important consequences are attached to *civils possessionis*, i.e., legal possession.
- III. English law recognizes that acquisition or loss of possession results into many important legal consequences.
- IV. Possession has been given protection under English law.

Choose the correct option :

- A) Only II, III and IV are correct.
- B) Only I, II and IV are correct.
- C) Only II and III are correct.
- D) I, II, III and IV are correct.

7. Which of the following statement(s) is/are correct with regard to valid exercise of delegated legislative power?
- I. The parent Act, *i.e.*, the Act under which the power to make subordinate legislation is exercised, must be valid.
 - II. The delegation clause in the parent Act must be valid.
 - III. The statutory instrument so made, must be in conformity with the delegation clause in point of substance, procedure and form.
 - IV. The statutory instrument must not violate any of the Fundamental Rights guaranteed by the Constitution, or any other provision of the Constitution.

Choose the correct option :

- A) Only III and IV are correct.
 - B) Only II, III and IV are correct.
 - C) Only I, II and IV are correct.
 - D) I, II, III and IV are correct.
8. Which of the following is **NOT** one of the requisites of a valid custom?
- A) Reasonableness.
 - B) Consistency.
 - C) Continuity and Immemorial Antiquity.
 - D) Uncertainty.
9. Which of the following is **NOT** one of the different types of ownership?
- A) Extensive and Derivative Ownership.
 - B) Corporeal Ownership and Incorporeal Ownership.
 - C) Sole Ownership and Co-Ownership.
 - D) Trust Ownership and Beneficial Ownership.
10. Which of the following statement(s) is/are correct with regard to 'ownership'?
- I. The concept of ownership includes within it, the right to use a thing.
 - II. The concept of ownership includes within it, the right to exclude others from using the thing.
 - III. The concept of ownership does not include within it, the right to dispose the thing.
 - IV. The concept of ownership includes within it, the right to destroy the thing.

Choose the correct option :

- A) Only I and II are correct.
- B) Only I, II and IV are correct.
- C) Only I, II and III are correct.
- D) I, II, III and IV are correct.

11. Match the thinkers in List - I with their corresponding school of jurisprudence given under List - II.

List - I

1. Montesquieu
2. Rudolf von Jhering
3. Jeremy Bentham
4. Hugo Grotius

List - II

- i. Philosophical school.
- ii. Analytical school.
- iii. Sociological school.
- iv. Historical school

Choose the correct option :

- A) 1-i, 2-ii, 3-iii, 4-iv.
 - B) 1-iv, 2-iii, 3-ii, 4-i.
 - C) 1-i, 2-ii, 3-iv, 4-iii.
 - D) 1-i, 2-iii, 3-iv, 4-ii.
12. John Austin accepts that there are three kinds of laws which, though not commands, may be included within the purview of law, by way of exception. Which of the following is **NOT** one of these three kinds of laws?
- A) Declaratory or Explanatory laws.
 - B) Laws of repeal.
 - C) Laws improperly so called.
 - D) Laws of imperfect obligation.
13. According to Salmond, which of the following is **NOT** one of the authoritative sources of law?
- A) Legislation (enacted law).
 - B) Precedent (caselaw).
 - C) Customary law (based on customs).
 - D) Foreign judgments.

14. Match the thinkers in List - I with their corresponding thoughts given under List - II:

List - I	List - II
1. John Austin	i. Law is the command of the sovereign backed by threat of sanction.
2. Friedrich Karl von Savigny	ii. Law is an assemblage of signs declarative of a volition conceived or adopted by the Sovereign in a State.
3. Jeremy Bentham	iii. Law is a slow, almost imperceptible growth that is formed in much the same way as a language is.
4. Sir John Salmond	iv. Liability is the necessary connection between a wrongdoer and the remedy for the wrong.

Choose the correct option :

- A) 1-i, 2-iii, 3-ii, 4-iv.
- B) 1-i, 2-ii, 3-iii, 4-iv.
- C) 1-iv, 2-ii, 3-iii, 4-i.
- D) 1-i, 2-iv, 3-iii, 4-ii.

15. Which of the following statement(s) is/are correct with regard to the salient features of the Philosophical School of Jurisprudence?

- I. The philosophical school of jurisprudence seeks to differentiate between the spheres of law and justice.
- II. This school of jurisprudence attempts to highlight the ethical significance of legal conceptions.
- III. The concept of justice has a philosophical or ethical content, and law and justice are closely inter - related concepts.
- IV. Law is an end in itself, and is not just an instrument towards fulfillment of the objectives of justice.

Choose the correct option :

- A) Only I is correct.
- B) Only I and II are correct.
- C) Only I, II and III are correct.
- D) I, II, III and IV are correct.

16. Match the options in **List - I** with the relevant caselaw given under **List - II** :

List - I	List - II
1. Freedom of speech and expression.	i. <i>Union of India v. H.S. Dhillon</i> , (1971) 2 SCC 779.
2. Right to undertake religious conversions.	ii. <i>Selvi v. State of Karnataka</i> , (2010) 7 SCC 263.
3. Right against self - incrimination	iii. <i>Rev. Stainislaus v. State of M.P.</i> , AIR 1959 SC 544.
4. Residuary power of legislation.	iv. <i>Secy, Ministry of I&B v. Cricket Assn of Bengal</i> , (1995) 2 SCC 161.

Choose the correct option :

- A) 1-i, 2-ii, 3-iii, 4-iv.
- B) 1-iv, 2-iii, 3-ii, 4-i.
- C) 1-i, 2-ii, 3-iv, 4-iii.
- D) 1-i, 2-iii, 3-iv, 4-ii.

17. Which of the following statement(s) is/are correct with regard to the clemency powers of the President of India?

- I. The President enjoys the power to grant pardons, reprieves, respites or remissions of punishment, and also enjoys the power to suspend, remit or commute the sentence of any person, who has been convicted of any offence in cases where the punishment or sentence is for an offence against any law relating to a matter to which the executive power of the Union extends.
- II. The clemency power of the President is subject to judicial review.
- III. The President enjoys the power to grant pardons, reprieves, respites or remissions of punishment, in all cases where the punishment or sentence has been awarded by means of a Court Martial.
- IV. The President enjoys the power to grant pardons, reprieves, respites or remissions of punishment, and can suspend, remit or commute the sentence of any person, provided the sentence which has been awarded, is a sentence of death.

Choose the correct option :

- A) Only I and II are correct.
- B) Only I and III are correct.
- C) I, II, III and IV are correct.
- D) Only I, II and III are correct.

18. Which provision(s) of the Constitution of India have been discussed in the case of *State of Gujarat v. Mirzapur Moti Kureshi Kassab Jamat*, (2005) 8 SCC 534?

- I. Article 19(6).
- II. Article 39A.
- III. Article 47.
- IV. Article 48.

Choose the correct option :

- A) Only I, II and IV have been discussed in this case.
- B) Only I, III and IV have been discussed in this case.
- C) Only I and III have been discussed in this case.
- D) I, II, III and IV have been discussed in this case.

19. Which of the following cases **DOES NOT** pertain to 'reservation for members of the Scheduled Castes and Scheduled Tribes in matters of promotion'?

- A) *BK Pavitra II v. Union of India*, (2019) 16 SCC 129.
- B) *Pramati Educational and Cultural Trust v. Union of India*, (2014) 8 SCC 1.
- C) *Jarnail Singh v. Lacchmi Narain Gupta*, (2018) 10 SCC 396.
- D) *Union of India and Ors. v. Virpal Singh Chauhan and Ors.*, (1995) 6 SCC 684.

20. Which of the following does **NOT** form a part of the Electoral College for the election of the President of India?

- A) Elected members of the *Lok Sabha*.
- B) Elected members of the *Rajya Sabha*.
- C) Elected members of the Legislative Council of each state.
- D) Elected members of the Legislative Assembly of each state.

21. Which of the following statement(s) is/are correct with regard to the Supreme Court of India?

- I. A Judge of the Supreme Court shall not be removed from his office except by an order of the President, which has been passed after an address by each House of Parliament supported by a majority of the total membership of that House and by a majority of not less than two - thirds of the members of that House present and voting has been presented to the President in the same session, for such removal of the said Judge on grounds of proved misbehaviour or incapacity.
- II. The Supreme Court shall, to the exclusion of any other court, have original jurisdiction in any dispute where the Government of India and one or more States are arraigned against each other, or where the Government of India and any State or States are on one side, and one or more other States are arraigned on the other side.
- III. No person who has held office as a Judge of the Supreme Court shall plead or Act in any court or before any authority within the territory of India, except the Supreme Court of India.
- IV. An appeal shall lie to the Supreme Court from any judgment, decree or final order in a civil proceeding of a High Court in the territory of India, if the High Court certifies that the case involves a substantial question of law of general importance, and in the opinion of that High Court, that particular question needs to be decided by the Supreme Court.

Choose the correct option :

- A) Only I and II are correct.
- B) Only I, II and III are correct.
- C) I, II, III and IV are correct.
- D) Only I, II and IV are correct.

22. Which of the following authorities, appoints the Chief Minister of the National Capital Territory of Delhi?

- A) Lieutenant Governor of Delhi.
- B) Prime Minister of India.
- C) President of India.
- D) MLAs of the majority party in the Legislative Assembly.

23. Match the options in **List - I** with the relevant caselaw given under **List - II** :

List - I	List - II
1. Amendment of the Constitution.	i. <i>R.M.D.C. v. Union of India</i> , AIR 1957 SC 628.
2. Office of profit	ii. <i>Madras Bar Association v. Union of India</i> , (2014) 10 SCC 1.
3. Doctrine of Eclipse.	iii. <i>Jaya Bachchan v. Union of India</i> , (2006) 5 SCC 266.
4. Doctrine of Severability	iv. <i>Keshavan Madhava Menon v. State of Bombay</i> , AIR 1951 SC 128.

Choose the correct option :

- A) 1-ii, 2-iii, 3-iv, 4-i.
- B) 1-i, 2-ii, 3-iii, 4-iv.
- C) 1-ii, 2-i, 3-iv, 4-iii.
- D) 1-iii, 2-i, 3-iv, 4-ii.

24. Which of the following statement(s) is/are correct with regard to the position of the Governor of a State, under the Constitution of India?

- I. The Governor shall not hold any other office of profit.
- II. No criminal proceedings whatsoever, can be instituted or continued against the Governor of a State, in any court during his term of office, nor can any process for the arrest or imprisonment of the Governor of a State, be issued by any court during the term of office of the Governor.
- III. Judicial review can be exercised in the matter of removal of the Governor of a State, in the same manner as it can be exercised in the matter of removal of a civil servant.
- IV. The executive power of the State shall be vested in the Governor, and shall be exercised by him, either directly or through officers subordinate to him in accordance with the Constitution of India.

Choose the correct option :

- A) Only I and IV are correct.
- B) Only I, III and IV are correct.
- C) Only I, II and IV are correct.
- D) I, II, III and IV are correct.

25. Match the options in List - I with the relevant caselaw given under List - II :

List - I	List - II
1. Doctrine of Repugnancy.	i. <i>Epuru Sudhakar v. Govt. of Andhra Pradesh</i> , (2006) 8 SCC 321.
2. Union and its Territory.	ii. <i>Babulal Parate v. State of Bombay</i> , AIR 1960 SC 51.
3. Reservation in post - graduate medical education.	iii. <i>Gulshan Prakash v. State of Haryana</i> , (2010) 1 SCC 477.
4. Clemency powers of President and Governor	iv. <i>Zaverbhai v. State of Bombay</i> , AIR 1954 SC 752.

Choose the correct option :

- A) 1-iv, 2-iii, 3-i, 4-ii.
- B) 1-iv, 2-ii, 3-iii, 4-i.
- C) 1-iv, 2-iii, 3-ii, 4-i.
- D) 1-i, 2-ii, 3-iii, 4-iv.

26. Which of the following statement(s) is/are correct with regard to Public Service Commissions, under the provisions of the Constitution of India?

- I. The Public Service Commission for the Union, if requested to do so by the Governor of a State, may, with the approval of the President, agree to serve all or any of the needs of that State.
- II. A person who holds office as a member of a Public Service Commission shall, upon the expiration of his term of office, be ineligible for reappointment to that office.
- III. Upon ceasing to hold office, the Chairman of a State Public Service Commission shall be eligible for appointment as the Chairman or any other member of the Union Public Service Commission (UPSC), or as the Chairman of any other State Public Service Commission, but not for any other employment either under the Government of India or under the Government of a State.
- IV. The Central or State Government may seek the advice of UPSC or the state Public Service Commission in matters relating to methods of recruitment to civil services and for civil posts, however such consultation is not mandatory under the scheme of the constitution.

Choose the correct option :

- A) Only I and II are correct.
- B) Only I and III are correct.
- C) Only I, II and III are correct.
- D) I, II, III and IV are correct.

27. Which of the following statement(s) is/are correct with regard to a Proclamation of Emergency, under the Constitution of India?

- I. While a Proclamation of Emergency is in operation, the power of Parliament to make laws with respect to any matter also includes the power to make laws conferring powers and imposing duties, or authorising the conferring of powers and the imposition of duties, upon the Union or officers and authorities of the Union as respects that matter, notwithstanding that it is one which is not enumerated in the Union List.
- II. While a Proclamation of Emergency is in operation, the Supreme Court may, upon the advice of the President or otherwise, take up for hearing before itself, any matter which is listed for adjudication before any High Court.
- III. If the President of India is satisfied that a grave emergency exists whereby the security of India or of any part of the territory thereof is threatened, whether by war or external aggression or armed rebellion, he may, by Proclamation, make a declaration to that effect, in respect of the whole of India or of such part of the territory thereof as he may specified in such a Proclamation.
- IV. The power conferred on the President by virtue of Article 352 of the Constitution of India included the power to issue different Proclamations on different grounds, being war or external aggression or armed rebellion or imminent danger of war or external aggression or armed rebellion, whether or not there is a Proclamation which has already been issued by the President under Article 352(1), and such a Proclamation is in operation.

Choose the correct option :

- A) Only I, III and IV are correct.
- B) Only I and III are correct.
- C) Only I and IV are correct.
- D) I, II, III and IV are correct.

28. Which of the following statement(s) is/are correct with regard to the 'Distribution of Legislative Powers' under the Constitution of India?

- I. Parliament may make laws with respect to a subject in the State List, provided that the *Rajya Sabha* declares by a resolution which is supported by not less than two - thirds of the members present and voting, that it is necessary or expedient in the national interest that Parliament should make laws with respect to either goods and services tax provided under article 246A of the Constitution, or any matter enumerated in the State List specified in such a resolution.
- II. No law made by Parliament shall be deemed to be invalid on the ground that it would have extra - territorial operation.
- III. Nothing in articles 249 and 250 shall restrict the power of the Legislature of a State to make any law which under the Constitution it has power to make, but if any provision of a law made by the Legislature of a State is repugnant to any provision of a law made by Parliament which Parliament has under either of the said articles, the power to make, the law made by Parliament, whether passed before or after the law made by the Legislature of the State, shall prevail, and the law made by the Legislature of the State shall to the extent of the repugnancy, but so long only as the law made by Parliament continues to have effect, be inoperative.
- IV. Parliament has the power to make any law for the whole or any part of the territory of India for the purpose of implementing any treaty, agreement or convention with any other country or countries or any decision made at any international conference, association or other body.

Choose the correct option.

- A) Only II and III are correct.
- B) Only II, III and IV are correct.
- C) Only I, II and III are correct.
- D) I, II, III and IV are correct.

29. Match the options in **List - I** with the relevant caselaw given under **List - II** :

List - I	List - II
1. Waiver of fundamental rights	i. <i>Basheshar Nath v. CIT</i> , AIR 1959 SC 149.
2. Abolition of titles	ii. <i>Chiranjit Lal Chowdhuri v. Union of India</i> , AIR 1951 SC 41.
3. Concept of 'State' under Article 12	iii. <i>Balaji Raghavan v. Union of India</i> , (1996) 1 SCC 361.
4. Doctrine of Reasonable Classification.	iv. <i>Som Prakash Rekhi v. Union of India</i> , (1981) 1 SCC 449.

Choose the correct option :

- A) 1-i, 2-iii, 3-iv, 4-ii.
B) 1-i, 2-ii, 3-iii, 4-iv.
C) 1-iv, 2-ii, 3-iii, 4-i.
D) 1-i, 2-ii, 3-iv, 4-iii.

30. Which of the following statement(s) is/are correct with regard to the Preamble of the Constitution of India?

- I. In *re Berubari Union and Exchange of Enclaves*, AIR 1960 SC 845, the Supreme Court laid down that, ".....the Preamble to the Constitution is, in the words of Story, "a key to open the mind of the makers" which may show the general purposes for which they made the several provisions in the Constitution; but nevertheless the Preamble is not a part of the Constitution".
- II. In *Kesavananda Bharati v. State of Kerala*, (1973) 4 SCC 225, the Supreme Court overruled its previous decision in *re Berubari Union and Exchange of Enclaves*, AIR 1960 SC 845, and asserted that, "..... As preamble is a part of the Constitution, its provisions other than those relating to basic structure or framework, it may well be argued, are as much subject to the amendatory process contained in Article 368 as other parts of the Constitution.
- III. In *S.R. Bommai v. Union of India*, (1994) 3 SCC 1, the Supreme Court laid down that, ".....Notwithstanding the fact that the words 'Socialist' and 'Secular' were added in the Preamble of the Constitution in 1976 by the 42nd Amendment, the concept of Secularism was very much embedded in our constitutional philosophy?
- IV. The constitutional validity of section 2 of the Constitution (Forty - second Amendment) Act, 1976, which added the words 'socialist', 'secular', and 'integrity' to the Preamble, was upheld by the Supreme Court of India, in the year 2008.

Choose the correct option :

- A) Only I and II are correct.
B) Only I and III are correct.
C) Only I, II and III are correct.
D) I, II, III and IV are correct.

31. Which of the following statement(s) is/are correct with regard to the position of the members of the Union Public Service Commission (UPSC), under the Constitution of India?

- I. Members of the UPSC shall be appointed by the President of India.
- II. A member of the UPSC shall hold office for a term of five years from the date on which he enters upon his office.
- III. A member of the UPSC shall hold office for a term of six years from the date on which he enters upon his office or until he attains the age of sixty - five years.
- IV. One - half of the members of the UPSC shall be persons who at the dates of their respective appointments, have held office for at least ten years either under the Government of India or under the Government of a State.

Choose the correct option :

- A) Only I and II are correct.
- B) Only I and III are correct.
- C) I, II and III are correct.
- D) I, III and IV are correct.

32. Match the options in **List - I** with the relevant caselaw given under **List - II** :

List - I	List - II
1. Transfer of judges of the High court	i. <i>Special Reference No. 1 of 2002 (Re Gujarat Assembly Election Matter).</i>
2. Relationship between Articles 174(1) and 324.	ii. <i>Daryao v. State of U.P., AIR 1961 SC 1457.</i>
3. Concept of <i>Res Judicata</i> .	iii. <i>M.P. Spl Police Establishment v. State of M.P., (2004) 8 SCC 788.</i>
4. Sanction for prosecution of Ministers	iv. <i>Union of India v. Sankalchand H. Sheth, (1997) 4 SCC 193.</i>

Choose the correct option :

- A) 1-i, 2-ii, 3-iii, 4-iv.
- B) 1-iv, 2-i, 3-iii, 4-ii.
- C) 1-iv, 2-i, 3-ii, 4-iii.
- D) 1-i, 2-iii, 3-iv, 4-ii.

33. Which of the following statement(s) is/are correct with regard to 'State Emergency' under the Constitution of India?

- I. President's Rule in a State can only be imposed, when the President, upon receipt of a report from the Governor of that State, is satisfied that a situation has arisen in which the Government of that State cannot be carried on in accordance with the provisions of the Constitution.
- II. Where any State has failed to comply with, or to give effect to, any directions given in the exercise of the executive power of the Union under any of the provisions of the Constitution of India, it shall be lawful for the President to hold that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution.
- III. In the event that a Proclamation under Article 356(1) has been issued, the President may, assume to himself, all or any of the functions of the Government of that State, and all or any of the powers vested in or exercisable by the governor of that State, or any body or authority in that State, other than the Legislature of that State.
- IV. In the event that a Proclamation under Article 356(1) has been issued, the President may, declare that the powers of the Legislature of that State shall be exercisable by or under the authority of Parliament.

Choose the correct option :

- A) I, II, III and IV are correct.
- B) Only II, III and IV are correct.
- C) Only II and III are correct.
- D) Only I, II and IV are correct.

34. Match the options in **List - I** with the relevant caselaw given under **List - II** :

List - I	List - II
1. Powers and privileges of State Legislature.	i. <i>In re Keshav Singh</i> , AIR 1965 SC 745.
2. Doctrine of Pith and Substance	ii. <i>State of Rajasthan v. G. Chawla</i> , AIR 1959 SC 54.
3. Constitutionality of NJAC.	iii. <i>Samsher Singh v. State of Punjab</i> , (1974) 2 SCC 831.
4. Executive powers of the Governor.	iv. <i>SC Adv. on Record Assn v. Union of India</i> , 2016 (5) SCC 1.

Choose the correct option :

- A) 1-i, 2-ii, 3-iv, 4-iii.
- B) 1-iv, 2-ii, 3-iii, 4-i.
- C) 1-i, 2-ii, 3-iii, 4-iv.
- D) 1-i, 2-iii, 3-iv, 4-ii.

35. Which recent judgment of the Supreme Court of India pertains to the issue of alleged sexual harassment of a district judge by a sitting judge of the High Court?
- A) *Sushil Kumar Pandey v. High Court of Jharkhand and Anr.* 2024 SCC online SC 117.
- B) *X v. High Court of M.P.*, 2022 SCC Online SC 171.
- C) *High Court of Delhi v. Devina Sharma*, (2022) 4 SCC 643.
- D) *All India Judges Association v. Union of India*, (2022) 4 SCC 274.
36. Which of the following statement(s) is/are correct with regard to Fundamental Duties, which find mention under Part IVA of the Constitution of India?

- I. In the case of *Chandra Bhavan Boarding and Lodging v. State of Mysore*, AIR 1970 SC 2042, hotel owners challenged a legislation introduced by the State of Mysore, whereby minimum wages were imposed for hotel and restaurant employees in the State, and the Court read the provisions of Part IV of the Constitution dealing with Directive Principles of State Policy, as giving the State the power to impose certain duties upon citizens, connecting the imposition of these duties to the achievement of the said provisions contained in Part IV of the Constitution.
- II. Fundamental Duties were first introduced into our Constitutional framework as a result of the Constitution (Forty - second Amendment) Act, 1976.
- III. In *Javed v. State of Haryana*, AIR 2003 SC 3057, the Supreme Court laid down that Fundamental Rights must be read in conjunction with the Directive Principles of State Policy and Fundamental Duties.
- IV. In *Hon'ble Shri Ranganath Mishra v. Union of India*, (2003) 7 SCC 133, The Supreme Court directed the Centre to implement the recommendations of the Justice J.S. Verma Committee with respect to disseminating information on Fundamental Duties to the public.

Choose the correct option :

- A) Only I and II are correct.
- B) Only I, II and III are correct.
- C) Only II, III and IV are correct.
- D) I, II, III and IV are correct.

37. Which of the following statement(s) is/are correct with regard to the Advisory Jurisdiction of the International Court of Justice (ICJ)?

- I. The advisory jurisdiction of the ICJ is a special procedure which is available to public (governmental) international organizations alone, and is available to five United Nations (UN) organs, fifteen specialized agencies and one related organization.
- II. Though based on contentious proceedings, advisory proceedings have distinctive features resulting from the special nature and purpose of the advisory function.
- III. The advisory opinions of the ICJ shall, in all cases, be binding upon the parties concerned.
- IV. The advisory opinions of the ICJ carry great legal weight and moral authority, and are often an instrument of preventive diplomacy and help to maintain international peace.

Choose the correct option :

- A) Only I and II are correct.
- B) Only I, II and III are correct.
- C) Only I, II and IV are correct.
- D) I, II, III and IV are correct.

38. Match the options in **List - I** with the relevant caselaw given under **List - II** :

List - I

List - II

- | | |
|---|---|
| 1. Delimitation of continental shelf between Germany and Denmark, and Germany and Netherlands | i. <i>Reparation for Injuries Suffered in the Service of the United Nations Case</i> , ICJ Rep. 1949. |
| 2. Question of violation of international law by Turkey when Turkish courts Exercised jurisdiction over a crime committed by a French national, outside Turkey. | ii. <i>Right of Passage over Indian Territory (Merits)</i> , ICJ Rep. 1960 p.6. |
| 3. UN has the capacity to bring a claim and give to it, the character of an international action for reparation for damages. | iii. <i>S.S. Lotus Case</i> , PCIJ, Ser. A, No. 10(1927). |
| 4. Right to passage does not extend to armed forces, armed police, arms and ammunition. | iv. <i>North Sea Continental Shelf Cases</i> , ICJ Rep. 1969, p.3. |

Choose the correct option :

- A) 1-iv, 2-iii, 3-i, 4-ii.
- B) 1-iv, 2-iii, 3-ii, 4-i.
- C) 1-iv, 2-i, 3-iii, 4-ii.
- D) 1-i, 2-iii, 3-iv, 4-ii.

39. Which of the following statements with regard to the United Nations (UN), is **INCORRECT**, as per the provisions of the UN Charter, which came into effect on October 24, 1945?
- A) The original Members of the United Nations shall be the states which, having participated in the United Nations Conference on International Organization at San Francisco, or having previously signed the Declaration by UN of January 1, 1942, signed the UN Charter, and ratified it in accordance with Article 110 of the UN charter.
 - B) A Member of the UN which has persistently violated the Principles contained in the UN Charter can be expelled from the Organization by the General Assembly, even without the recommendation of the Security Council.
 - C) Membership in the UN is open to all other peace - loving states which accept the obligations contained in the UN Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.
 - D) The admission of any state to membership in the UN will be effected by a decision of the General Assembly upon the recommendation of the Security Council.
40. Which of the following statement(s) is/are correct with regard to the concept of 'State succession', as per the 1978 Vienna Convention on Succession of States in Respect of Treaties?
- I. 'Succession of States' means the replacement of one State by another in the responsibility for the international relations of territory.
 - II. 'Successor State' means the State which has replaced another State on the occurrence of a succession of States.
 - III. 'Newly independent State' means a successor State the territory of which immediately before the date of the succession of States was a dependent territory for the international relations of which the predecessor State was responsible.
 - IV. 'Notification of succession' means in relation to a multilateral treaty any notification, however phrased or named, made by a successor State expressing its consent to be considered as bound by the treaty.

Choose the correct option :

- A) Only I is correct.
- B) Only I and II are correct.
- C) Only I, II and III are correct.
- D) I, II, III and IV are correct.

41. Match the options in List - I with the relevant caselaw given under List - II :

- | List - I | List - II |
|---|--|
| 1. Irregular grant of diplomatic asylum | i. <i>Island of Palmas Case</i> , (1928) Permanent Court of Arbitration, 2 R.I.A.A. 829. |
| 2. Territory ceded by Spain to USA by treaty in 1898, claimed by Netherlands as forming part of its possessions based on it having exercised sovereignty for over 200 years. | ii. <i>Temple of Preah Vihear Case (Merits)</i> , ICJ Reports 1962, p.6. |
| 3. Thailand had accepted the map previously, and was under an obligation to withdraw any military or police force stationed there, and to restore objects removed from the ruins. | iii. <i>Columbia v. Peru</i> , ICJ Rep. 1950, p. 266. |
| 4. The continued presence of South Africa was illegal, and it was under an obligation to withdraw its administration immediately. | iv. <i>Advisory Opinion of ICJ on Namibia</i> , ICJ Rep. 1971, p. 16. |

Choose the correct option :

- A) 1-i, 2-ii, 3-iii, 4-iv.
B) 1-iii, 2-i, 3-ii, 4-iv.
C) 1-iii, 2-ii, 3-i, 4-iv.
D) 1-i, 2-iii, 3-ii, 4-iv.

42. Which of the following statement(s) is/are correct with regard to 'recognition' of a state or government under the provisions of international law?

- I. The term 'recognition' may be said to comprised of two different Acts : a political Act and a legal Act.
- II. The legal Act of 'recognition' of a State or Government does not mean that the recognising state is willing to enter into political and other relations with the recognised State or Government.
- III. A codification of the norms of general (common) international law concerning recognition, must, above all, furnish a clear distinction between the two functions known as 'recognition'.
- IV. Political recognition can be conditional or unconditional.

Choose the correct option :

- A) Only I, III and IV are correct.
- B) Only I, II and III are correct.
- C) Only II, III and IV are correct.
- D) I, II, III and IV are correct.

43. Which of the following statement(s) is/are correct with regard to the 'Principal Organs of the UN', as discussed in Article 7 of the UN charter?

- I. The General Assembly is the main organ of the UN, and is composed of representatives from all Member States of the UN, where in each Member State has one vote.
- II. The ICJ is the principal judicial organ of the UN, which is charged with settling legal disputes between States and providing advisory opinions.
- III. The Security Council has primary responsibility for the maintenance of international peace and security, and it has a total of thirteen (13) Members, each of whom has one vote.
- IV. Various economic, social, and environmental challenges confronting the world are discussed and debated in the Economic and Social Council (ECOSOC).

Choose the correct option :

- A) Only I and II are correct.
- B) Only I, II and III are correct.
- C) Only I, II and IV are correct.
- D) I, II, III and IV are correct.

44. Which of the following statement(s) is/are correct with regard to the ICJ?
- I. ICJ Acts as a world court.
 - II. It decides, in accordance with international law, disputes of a legal nature, which are submitted to it by States.
 - III. It gives advisory opinions on legal questions at the request of the organs of the UN, specialized agencies, or one related organization which is authorized to make such a request.
 - IV. It enjoys two type of jurisdictions, *i.e.*, jurisdiction in contentious cases, and advisory jurisdiction.

Choose the correct option :

- A) Only I and III are correct.
- B) Only I, II and III are correct.
- C) Only I, III and IV are correct.
- D) I, II, III and IV are correct.

45. Match the options in **List - I** with the relevant caselaw given under **List - II** :

List - I

List - II

- | | |
|---|---|
| 1. Whether Western Sahara at the time of colonization, was a territory belonging to no one (<i>terra nullius</i>)? | i. <i>Certain Activities Carried Out by Nicaragua in the Border Area</i> , ICJ Reports 2018 |
| 2. Albania was responsible under international law for explosions which took place in its waters, and for damage and loss of life which ensued. | ii. <i>Corfu Channel Case (Merits)</i> , ICJ Rep. 1949, p.4. |
| 3. Responsibility for military and paramilitary activities in and against Nicaragua. | iii. <i>Nicaragua v. USA</i> , ICJ Rep. 1986, p.14. |
| 4. Breach of principle of territorial integrity by Nicaragua's army. | iv. <i>Advisory Opinion of ICJ in Western Sahara Case</i> , ICJ Rep. 1975, p.12. |

Choose the correct option :

- A) 1-iv, 2-ii, 3-i, 4-iii.
- B) 1-ii, 2-iv, 3-i, 4-iii.
- C) 1-iv, 2-ii, 3-iii, 4-i.
- D) 1-iv, 2-iii, 3-ii, 4-i.

46. Which of the following statement(s) is/are correct with regard to the concept of 'mesne profits' under the Civil Procedure Code, 1908?

- I. 'Mesne profits' of property refers to those profits which the person in wrongful possession of such property actually received or might with ordinary diligence have received.
- II. 'Mesne profits' of property includes interest on such profits.
- III. 'Mesne profits' of property includes profits which are the result of improvements made to the property by the person who is in wrongful possession of such property.

Choose the correct option :

- A) Only I is correct.
- B) Only I and II are correct.
- C) Only I and III are correct.
- D) I, II and III are correct.

47. Match the options in List - I with the relevant caselaw given under List - II :

List - I

List - II

- | | |
|--|--|
| 1. Section 9 of CPC : jurisdiction of civil court to decide whether plaintiff is agriculturist. | i. <i>State of U.P. v. Nawab Hussain</i> , AIR 1977 SC 1680. |
| 2. Applicability of section 10 of CPC to a summary suit filed under Order 37 of CPC | ii. <i>Gundaji S. Shinde v. Ram Chandra Joshi</i> , AIR 1979 SC 653. |
| 3. Whether decision of earlier Court in a former suit would be applicable as res judicata upon subsequent suit filed by parties who were co-plaintiffs in former suit. | iii. <i>Iftikhar Ahmed v. Syed Meharban Ali</i> , AIR 1974 SC 749. |
| 4. Whether decision of High Court on merits in a writ petition, operates as <i>res judicata</i> in a regular suit regarding the same matter between the same parties. | iv. <i>Indian Bank v. Maharashtra State Coop Marketing Federation Ltd.</i> , AIR 1998 SC 1952. |

Choose the correct option :

- A) 1-ii, 2-iv, 3-iii, 4-i.
- B) 1-ii, 2-iii, 3-iv, 4-i.
- C) 1-ii, 2-iv, 3-i, 4-iii.
- D) 1-ii, 2-iii, 3-i, 4-iv.

48. Which of the following statement(s) is/are correct with regard to 'Rejection of plaint', which has been discussed under Order 7, Rule 11 of the Code of Civil Procedure, 1908?

- I. The plaint shall be rejected if it does not disclose a cause of action.
- II. The plaint shall be rejected in cases where the relief claimed has been undervalued, and the plaintiff, upon being required by the Court to correct the valuation within a time to be fixed by the Court, fails to do so.
- III. The plaint shall be rejected in cases where the relief claimed is properly valued, but the plaint is returned upon paper insufficiently stamped, and the plaintiff, upon being required by the Court to supply the requisite stamp - paper within a time to be fixed by the Court, fails to do so.
- IV. The plaint shall be rejected in cases where the suit appears from the statement in the plaint to be barred by any law.

Choose the correct option :

- A) Only I and II are correct.
- B) Only I and III are correct.
- C) Only I, II and III are correct.
- D) I, II, III and IV are correct.

49. Which of the following statement(s) is/are correct with regard to 'Temporary injunctions', which has been discussed under Order 39 of the Code of Civil Procedure, 1908?

- I. Where in any suit it is proved by affidavit or otherwise, that any property in dispute in a suit is in danger of being wasted, damaged or alienated by any party to the suit, or wrongfully sold in execution of a decree, the Court may by order grant a temporary injunction to restrain such act, or make such other order for the purpose of staying and preventing the wasting, damaging, alienation, sale, removal or disposition of the property or dispossession of the plaintiff, or otherwise causing injury to the plaintiff in relation to any property in dispute in the suit as the Court thinks fit, until the disposal of the suit, or until further orders.
- II. In any suit for restraining the defendant from committing a breach of contract or other injury of any kind, whether compensation is claimed in the suit or not, the plaintiff may, at any time after the commencement of the suit, and either before or after judgment, apply to the Court for a temporary injunction to restrain the defendant from committing the breach of contract or injury complained, of, or any breach of contract or injury of a like kind arising out of the same contract or relating to the same property or right.
- III. The Court shall by order, grant such injunction, on such terms as to the duration of the injunction, keeping an account, giving security, or otherwise, as the Court thinks fit.
- IV. In the case of disobedience of any injunction granted or other order made under Rule 1 or Rule 2 of Order 39, or breach of any of the terms on which the injunction was granted or the order made, the court granting the injunction or making the order, or any Court to which the suit or proceeding is transferred, may order the property of the person guilty of such disobedience or breach to be attached, and may also order such person to be detained in the civil prison for a term not exceeding three months, unless in the meantime, the Court directs his release.

Choose the correct option.

- A) Only I and II are correct.
- B) Only I, II and III are correct.
- C) Only I, II and IV are correct.
- D) I, II, III and IV are correct.

50. Match the options in **List - I** with the relevant caselaw given under **List - II**.

List - I

List - II

- | | |
|---|--|
| 1. If a second suit is barred on the facts of a case, then a Writ Petition is equally barred | i. <i>Mechelec Engineers v. Basic Equipment Corporation</i> , AIR 1977 SC 577. |
| 2. Principles governing grant of leave to defend in summary suits under Order 37 of CPC | ii. <i>Dalpat Kaur v. Prahlad Singh</i> , AIR 1993 SC 276. |
| 3. Grant of temporary injunctions | iii. <i>Bhanu Kumar Jain v. Archana Kumar</i> , AIR 2005 SC 626. |
| 4. Order 9, Rule 7 allows a defendant to be heard in response to a suit if <i>ex-parte</i> order was made without suit being heard fully. | iv. <i>C.A. Balakrishnan v. Corporation of Madras</i> , AIR 2003 Mad. 170. |

Choose the correct option :

- A) 1-iv, 2-iii, 3-ii, 4-i.
B) 1-iv, 2-i, 3-ii, 4-iii.
C) 1-i, 2-iii, 3-ii, 4-iv.
D) 1-i, 2-ii, 3-iii, 4-iv.

51. Which of the following statement(s) is/are correct with regard to 'Appeals from Original Decrees', which has been discussed under Order 41 of the Civil Procedure Code, 1908?

- I. Where an Appellate Court dismisses an appeal under Rule 11 of Order 41, the power of the Court to amend, under section 152 of the Civil Procedure Code, 1908, the decree or order appealed against, may be exercised by the Court which had passed the decree or order in the first instance, notwithstanding that the dismissal of the appeal has the effect of confirming the decree or order, as the case may be, passed by the Court of first instance.
- II. Where the memorandum of appeal is not drawn up in the manner prescribed under the Civil Procedure Code, 1908, it shall be rejected, or be returned to the appellant for the purpose of being amended within a time to be fixed by the Court.
- III. Where there are more plaintiffs or more defendants than one in a suit, and the decree appealed from proceeds on any ground common to all the plaintiffs or to all the defendants, any one of the plaintiffs or of the defendants may appeal from the whole decree, and thereupon the Appellate Court may reverse or vary the decree in favour of all the plaintiffs or defendants, as the case may be.
- IV. When an appeal is presented after the expiry of the period of limitation specified therefore, it shall be accompanied by an application supported by affidavit setting forth the facts on which the appellant relies to satisfy the Court that he had sufficient cause for not preferring the appeal within such period.

Choose the correct option :

- A) I, II, III and IV are correct.
- B) Only I and III are correct.
- C) Only I, II and IV are correct.
- D) Only I, III and IV are correct.

52. Which of the following statement(s) is/are correct with regard to 'Summary Procedure', which has been discussed under Order 37 of the Civil Procedure Code, 1908?

- I. In a suit to which this Order applies, the plaintiff shall, together with the summons under Rule 2, serve upon the defendant, a copy of the plaint and annexures thereto, and the defendant may, at any time within ten days of such service, enter an appearance either in person or by pleader and, in either case, he shall file in Court an address for service of notices upon him.
- II. Unless otherwise ordered, all summonses, notices and other judicial processes, required to be served upon the defendant, shall be deemed to have been duly served upon him if they are left at the address given by him for the purpose of such service.
- III. On the day of entering the appearance, notice of such appearance shall be given by the defendant to the plaintiff's pleader, or, if the plaintiff sues in person, to the plaintiff himself, either by notice delivered at or sent by a pre-paid letter directed to the address of the plaintiff's pleader or of the plaintiff, as the case may be.
- IV. At the hearing of such summons for judgment, if the defendant has applied for leave to defend, the plaintiff shall be entitled to judgment forthwith.

Choose the correct option:

- A) Only I and II are correct.
- B) Only I, II and III are correct.
- C) Only I, III and IV are correct.
- D) I, II, III and IV are correct.

53. Match the options in **List -I** with the relevant caselaw given under **List - II**:

List - I

List -II

- | | |
|---|--|
| 1. Supreme Court held that the High Court had erred in its application of Order 2, Rule 2 of CPC. | i. <i>Jai Jai Ram Manohar Lal v. National Building Material Supply Co.</i> , AIR 1969 SC 1267. |
| 2. Inherent powers of court u/s 151 of CPC. | ii. <i>Mahant Ram Dass v. Mahant Ganga Dass</i> , AIR 1961 SC 882. |
| 3. Order 6, Rule 17 : Amendment of Pleadings. | iii. <i>Haridas Das v. Smt. Usha Rani Banik</i> , 2006 (3) SCALE 287. |
| 4. Order 7, Rule 11 : Rejection of Plaintiff. | iv. <i>Saleem Bhai v. State of Maharashtra</i> , AIR 2003 SC 759. |

Choose the correct option :

- A) 1-iii, 2-ii, 3-i, 4-iv.
B) 1-iv, 2-ii, 3-i, 4-iii.
C) 1-i 2-ii, 3-iii, 4-iv.
D) 1-iv, 2-iii, 3-i, 4-ii.

54. Which of the following cases **DOES NOT** deal with the procedure for filing Appeals under the Code of Civil Procedure, 1908?

- A) *Gill & Co. v. Bimla Kumari*, 1986 RLR 370.
B) *Koppi Setty v. Ratnam v. Pamarti Venka*, 2009 RLR 27 (NSC)
C) *B.K. Narayana Pillai v. Parameswaran Pillai*, (2000) 1 SCC 712.
D) *Chunilal V. Mehta v. Century Spinning and Manufacturing Co. Ltd.*, AIR 1962 SC 1314.

55. Which of the following statement(s) is/are correct with regard to the 'appearance of parties and consequences of non - appearance', which has been discussed under Order 9 of the Code of Civil Procedure, 1908?

- I. In cases where the plaintiff appears and the defendant does not appear when the suit is called upon for hearing, if it is proved that the summons was duly served, the Court may make an order that the suit shall be heard *ex parte*.
- II. In any case in which a decree is passed *ex parte* against a defendant, he may apply to the Court by which the decree was passed for an order to set it aside; and if he satisfies the Court that the summons was not duly served, or that he was prevented by any sufficient cause from appearing when the suit was called upon for hearing, the Court shall make an order setting aside the decree as against him upon such terms as to costs, payment into Court or otherwise as it thinks fit, and shall appoint a day for proceeding with the suit.
- III. In case where the plaintiff appears and the defendant does not appear when the suit is called upon for hearing, if it is not proved that the summons was duly served, the Court shall direct a second summons to be issued and served upon the defendant.
- IV. Where the Court has adjourned the hearing of the suit, *ex parte*, and the defendant, at or before such hearing appears and assigns good cause for his previous non - appearance, he shall, upon such terms as the Court directs as to costs or otherwise, be heard in answer to the suit as if he had appeared on the day fixed for his appearance.

Choose the correct option :

- A) Only I and II are correct.
- B) Only I, II and III are correct.
- C) Only II, III and IV are correct.
- D) I, II, III and IV are correct.

56. Which of the following statement(s) is/are correct with regard to 'breach of contract' under the Indian Contract Act, 1872?

- I. The concept of anticipatory breach of contract has been incorporated under section 39 of the Act.
- II. The consequences following breach of contract can be seen under Chapter VII of the Act.
- III. Compensation can be given for remote and indirect loss or damage sustained due to breach.
- IV. Classification of damages into general and special, as laid down in the landmark English case of *Hadley v. Baxendale*, has been included in section 74 of the Act.

Choose the correct option :

- A) Only I is correct.
- B) Only II is correct.
- C) I and III are correct.
- D) II and IV are correct.

57. Which of the following statement(s) is/are correct with regard to 'revocation of proposals' under the Indian Contract Act, 1872?

- I. Communication of revocation of proposal is deemed to be made by any Act or omission of the party revoking, by which (s) he intends to communicate such revocation.
- II. Communication of revocation of proposal is deemed to be made by any Act or omission of the party revoking, which has the effect of communicating such revocation.
- III. Communication of revocation is complete as against the person to whom it is made, when it comes to his/her knowledge.
- IV. Section 6 of the Act states four modes of revocation of proposal.

Choose the correct option :

- A) Only I, III and IV are correct.
- B) Only II, III and IV are correct.
- C) Only I and II are correct.
- D) I, II, III and IV are correct.

58. Match **List - I** with **List - II** and select the correct answer using the codes given below the lists :

List - I

List -II

- | | |
|---|------------------------|
| 1. <i>Ajudhia Prasad v. Chandan Lal</i> | i. Undue Influence. |
| 2. <i>Karsandas H. Thacker v. M/s. The Saran Engineering Co. Ltd.</i> | ii. Remote Damages |
| 3. <i>Subhas Chandra Das Mushib v. Ganga Prasad Das Mushib and Ors.</i> | iii. Standing offer. |
| 4. <i>Union of India v. Maddala Thathiah.</i> | iv. Minor's agreement. |

1 2 3 4

- A) i ii iii iv
- B) iv iii i ii
- C) iv ii i iii
- D) i iv ii iii

59. Which of the following statement(s) is/are correct with regard to 'void agreements' under the Indian Contract Act, 1872?

- I. Under section 27, every agreement in restraint of the marriage of any person, including a minor is void.
- II. Under section 28, an agreement by which two or more persons agree, that any dispute which may arise between them in respect of any subject shall be referred to arbitration, is void.
- III. Section 30 which deals with nature of wagering agreements, provides for an exception in favour of certain prizes won for horse - racing.
- IV. If consideration and object in an agreement are unlawful in part, the same does not render an agreement void.

Choose the correct option :

- A) Only II and III are correct.
 - B) Only III is correct.
 - C) Only I, II and IV are correct.
 - D) I, II, III and IV are correct.
60. "Between the person claiming compensation and person against whom it is claimed some lawful relationship must subsist, for that is the implication of the use of the word 'lawfully' in S. 70 ; but the said lawful relationship arises not because the party claiming compensation has done something for the party against whom the compensation is claimed but because what has been done by the former has been accepted and enjoyed by the latter. It is only when the latter accepts and enjoys what is done by the former that a lawful relationship arises between the two and it is the existence of the said lawful relationship which gives rise to the claim for compensation". This principle upon which section 70 of the Indian Contract Act, 1872, rests, was explained in which of the following cases?
- A) *Haridwar Singh v. Bagun Sumbrui* (1973) 3 SCC 889.
 - B) *Lakshmi Amma v. T. Narayana Bhatta* (1970) 3 SCC 159.
 - C) *Gherulal Parakh v. Mahadeodas Maiya*, AIR 1959 SC 781.
 - D) *State of West Bengal v B.K. Mondal & Sons*. AIR 1962 SC 779.

61. Which of the following statement is **INCORRECT** in relation to 'doctrine of restitution' under contract law?

- A) The party rescinding a voidable contract shall, if he has received any benefit thereunder from another party to such contract, restore such benefit, so far as may be, to the person from whom it was received.
- B) The result of section 65 of the Indian Contract Act, 1872 is that each of the parties becomes bound to restore to the other any advantage which the restoring party had received under the contract.
- C) In the landmark case of *Mohori Bibee v. Dharmodas Ghose* (1903) 30 I.A. 114, the privy Council had directed restitution of monetary benefits by the minor.
- D) Under section 33 of the specific Relief Act, 1963, court has the power to require benefit to be restored or compensation to be made when instrument is cancelled or is successfully resisted as being void or voidable.

62. Which of the following statement(s) is/are correct with regard to estimation of loss or damage resulting from breach of contract?

- I. The means which existed of remedying the inconvenience caused by the non - performance of the contract must be considered.
- II. The means which existed of remedying the inconvenience caused by the non - performance of the contract cannot be considered.
- III. Compensation is not given for any remote and direct loss or damage sustained by reason of the breach.
- IV. Compensation can be given for any remote and indirect loss or damage sustained by reason of the breach.

Choose the correct option :

- A) Only I is correct.
- B) Only IV is correct.
- C) I and IV are correct.
- D) II and III are correct.

63. Which of the following statement(s) is/are correct in relation to 'performance of contracts' under the Indian Contract Act, 1872?

- I. If the parties did not intend that time should be of the essence of the contract, the contract does not become voidable by the failure to do such thing at or before the specified time; and the promisee is not entitled to any compensation from the promisor for any loss occasioned to him by such failure.
- II. Promises which involve personal skills, like painting, do not bind the representatives of the promisor in case of the death of such promisor before performance of the obligation.
- III. Section 62 of the Indian Contract Act, incorporates both, the doctrine of "waiver" of contractual obligations as well as discharge by "accord and satisfaction".
- IV. 'A' and 'B' agree that 'A' shall pay 'B' 1,000 rupees, for which 'B' shall afterwards deliver to 'A' either rice or smuggled opium. Neither branch of the promise, i.e., one legal and other illegal, can be enforced.

Choose the correct option :

- A) Only I and II are correct.
- B) Only II is correct.
- C) Only I, III and IV are correct.
- D) I, II, III and IV are correct.

64. Which of the following statement(s) is/are **INCORRECT** with respect to consideration under the Indian Contract Act, 1872?

- I. Consideration in order to be valid has to be adequate in nature.
- II. Doctrine of privity of contract and privity of consideration, both are followed under the Indian law.
- III. Present consideration and future consideration are referred to as executed and executory consideration respectively.
- IV. Past consideration is not a valid consideration under both the Indian Law and English Law.

Choose the correct option :

- A) Only II and IV are incorrect.
- B) I, II, III and IV are incorrect.
- C) Only I, II and IV are incorrect.
- D) Only III is incorrect.

65. Which of the following statement(s) is/are correct with respect to 'free consent' as an essential of a valid contract as per the Indian Contract Act, 1872?

- I. Silence is considered as fraud, when it is duty of person to speak in a contract of *uberrima fides*, e.g., contract of insurance.
- II. Mistake of law not in force in India has the same effect as mistake of fact.
- III. According to Explanation 2 to section 25, the inadequacy of consideration may be taken into account by the Court in determining the question whether the consent of the promisor was freely given.
- IV. Explanation to section 15 makes it clear that it is immaterial whether the Indian Penal Code (45 of 1860) is or is not in force in the place where the coercion is employed.

Choose the correct option :

- A) Only I and IV are correct.
- B) Only II and III are correct.
- C) Only I, III and IV are correct.
- D) I, II, III and IV are correct.

66. Which of the following statement is correct about 'performance of reciprocal promises' under the Indian Contract Act, 1872?

- A) 'A' and 'B' contract that 'A' shall deliver goods to 'B' to be paid for by 'B' on delivery. 'A' is bound to deliver the goods, even if 'B' is not ready and unwilling to pay for the goods on delivery.
- B) Where the order in which reciprocal promises are to be performed, is not expressly fixed by the contract, they shall be performed in that order which the nature of the transaction requires.
- C) When a contract contains reciprocal promises, and one party to the contract prevents the other from performing his promise, the contract becomes void; and the party so prevented is not entitled to any compensation from the other party for any loss which he may sustain in consequence of the non - performance of the contract.
- D) In the case of an alternative promise, one branch of which is legal and the other illegal, neither of the branches can be enforced.

67. Which of the following statement(s) is/are correct about 'impossibility of performance' under the Indian Contract Act, 1872?

- I. Section 56 lays down a rule of positive law and does not leave the matter to be determined according to the intention of the parties.
- II. The word 'impossible' has not been used in the sense of physical or literal impossibility. The performance of an Act may be impracticable and useless from the point of view of the object which the parties has in view; and if an untoward event or change of circumstances totally upsets the very foundation upon which the parties rested their bargain, it can very well be said that the promisor finds it impossible to do the Act which he promised to do.
- III. The first paragraph of section 56 speaks of something which is impossible inherently or by its very nature, and no one can obviously be directed to perform such an Act.
- IV. The changed circumstances make the performance of the contract impossible and the parties are absolved from the further performance of it as they did not promise to perform an impossibility.

Choose the correct option :

- A) Only III and IV are correct.
- B) Only II, III and IV are correct.
- C) I, II, III and IV are correct.
- D) Only I, II and III are correct.

68. A shipment of perishable products was sent by a 'A' in Mumbai to 'B' in Kolkata. The port officials refused to give them to 'B' unless he paid an illegal carriage charge.

The consignee 'B' paid the extra charge to get the items. What will be the correct legal position?

- A) 'B' is entitled to recover the illegal and excessive charge as money was paid by him under coercion.
- B) 'B' cannot recover the illegal and excessive charge as there was no contract between 'B' and the port officials.
- C) 'B' is entitled to recover the illegal and excessive charge paid because port officials exercised coercion and obtained the consent of 'B' to enter a contract.
- D) 'B' cannot recover the illegal and excessive charge as he paid the extra money voluntarily.

69. Which of the following instance falls under the category of exception to the requirement of bilateral consideration in a contract as provided under the Indian Contract Act, 1872?
- A) 'A' promises to maintain 'B's child, and 'B' in return promises to pay 'A' 5,00,000 rupees yearly for the purpose.
 - B) 'A' owes 'B' 1,00,000 rupees, but the debt is barred by the limitation Act, 1963. 'A' signs a written promise to pay 'B' 50,000 rupees on account of the debt.
 - C) 'A' promises to deliver goods at 'B's warehouse on the first of June, and 'B' promises to pay on delivery. On the designated day 'A' brings the goods to 'B's warehouse, during the usual hours of business. Goods are received and paid for.
 - D) 'A' contracts to perform at 'B's theatre once a week for three months. 'B' promises to pay 'A' at the end of every month.

70. Which of the following landmark judgement is **NOT** illustrative of the concept of 'invitation to treat'?

- A) *Pharmaceutical Society of Great Britain v. Boots Cash Chemist (Southern) Ltd.* (1952) 2 All ER Rep. 456.
- B) *Harvey v. Facey* (1893) AC 552.
- C) *Fisher v. Bell* [1961] 1 QB 394.
- D) *Felthouse v. Bindley* (1862) 11 CB 869.

71. Which of the following statement(s) is/are correct with respect to 'pigeon hole theory' in law of torts?

- I. The injured party bears the burden of proving that the tort falls within any of the designated Torts or pigeon holes.
- II. There is no one 'general law' of tort but the law of torts, i.e., there are a specific well - defined number of wrongs such as negligence, trespass, etc. and the law of torts treats every single tort or wrong differently and not the same as in one way as the other.
- III. Winfield was one of the prominent supporters of pigeon - hole theory.
- IV. Dr. Jenks criticized the pigeon - hole theory and was of the opinion that it is 'law of tort' rather than 'law of torts'.

Choose the correct option :

- A) Only II is correct.
- B) Only II, III and IV are correct.
- C) Only I and II are correct.
- D) I, II, III and IV are correct.

72. Consider the following statements :

- I. *Volenti non fit injuria* means defence of consent, i.e., consent to the risk involved.
- II. *Scienti non fit injuria* means mere knowledge does imply consent to take risk.
- III. *Volenti non fit injuria* and *Scienti non fit injuria* can be used interchangeably and are one and the same thing.
- IV. What exists as defence against tortious liability is *scienti non fit injuria* and not *volenti non fit injuria*.

Which of the above mentioned statement(s) is/are correct in reference to defence against tortious liability?

- A) Only I is correct.
- B) Only III and IV are correct.
- C) I, II, III and IV are correct.
- D) Only I and II are correct.

73. Match the caselaw in List I with the principles stated under List II and choose the correct option using the codes given below the lists :

List - I

List - II

- | | |
|---|-------------------------------------|
| 1. <i>Municipal Corporation of Delhi v. Subhagwanti</i> | i. <i>Volenti non fit injuria</i> . |
| 2. <i>Chairman, Railway Board v. Chandrima Das.</i> | ii. Vicarious Liability. |
| 3. <i>M.P. Electricity Board v. Shail Kumar</i> | iii. Negligence. |
| 4. <i>Hall v. Brooklands Auto Racing Club</i> | iv. Strict Liability |

Codes :

- | | | | | |
|----|-----|-----|-----|----|
| | 1 | 2 | 3 | 4 |
| A) | i | ii | iii | iv |
| B) | iii | ii | iv | i |
| C) | iv | iii | i | ii |
| D) | ii | iv | iii | i |

74. Which of the following statement(s) is/are correct with regard to 'tort of false imprisonment'?

- I. False imprisonment refers to intentional Act of restricting someone's physical freedom without a legal justification.
- II. It entails intentional detention or restraining someone against their will, without their consent, and without legal authorization.
- III. Defences available in case of false imprisonment are consent of the victim and legal authority or privilege of the defendant.
- IV. The English case of *Mayor of Bradford Corpn. v. Pickles* (1895) AC 587, established the Principle that false imprisonment can occur even when the victim is not physically confined, as long as they are restrained within a defined space.

Choose the correct option :

- A) I, III and IV are correct.
- B) Only I and II are correct.
- C) I, II and III are correct.
- D) Only II and III are correct.

75. Which of the following statement is **INCORRECT** with regard to difference between 'private nuisance' and 'public nuisance'?

- A) Public nuisance is a crime in India and therefore, punishable; whereas, private nuisance is a civil wrong where the injured party is awarded compensation.
- B) Public nuisance can be legalized by prescription; private nuisance cannot be legalized.
- C) In private nuisance, it is must for the plaintiff to prove interference with the enjoyment of land; whereas, public nuisance is not necessarily associated with the use of land.
- D) In private nuisance, the injured person may bring an action ; whereas, in public nuisance, a person may bring an action only if he sustains a special injury.

76. Which of the following statement(s) is/are correct with respect to 'tort of conspiracy'?

- I. The main point of difference between the tort of conspiracy and criminal conspiracy is that, while in case of crime, mere agreement leads to liability, for the tort to be established it is also necessary that the agreement be carried out and damage be caused to the plaintiff.
- II. Like most of the cases in tort, intention as a rule is not an essential condition to be proven in conspiracy.
- III. Tort of conspiracy is recognized in two forms, viz., conspiracy with a 'predominant purpose to injure' and, unlawful means conspiracy.
- IV. One case in which the tort of conspiracy was considered in detail by the Supreme Court of India is *Rohtas Industries Ltd. v. Staff Union* (1976) 2 SCC 82.

Choose the correct option :

- A) I, III and IV are correct.
- B) II, III and IV are correct.
- C) I, II and III are correct.
- D) Only I and III are correct.

77. Which of the following is/are the essential(s) to be proven by the plaintiff in a suit claiming damages for malicious prosecution?

- I. That the plaintiff had been prosecuted by the defendant.
- II. That there was a reasonable and probable cause for institution of proceedings.
- III. That the defendant had acted maliciously and the plaintiff suffered damage as a result of the prosecution.
- IV. It is of no relevance whether those proceedings complained of terminated in favour of present plaintiff or defendant.

Choose the correct option :

- A) Only II and IV are correct.
- B) Only I is correct.
- C) I, II, III and IV are correct.
- D) Only I and III are correct.

78. Which of the following statement is **INCORRECT** with respect to joint tort - feasons?
- A) There lies element of concurrence, not just in the ultimate consequences but also mental concurrence in doing the Act.
 - B) In a wrongful Act done by an agent during the course of his employment for his principal, the latter can be made liable along with the agent as joint tort - feason.
 - C) Two drivers of a motor car are driving negligently, and coming from opposite directions. This leads to a collision and resultantly a pedestrian is crushed between the two motor cars. These drivers are joint - tortfeasors.
 - D) When two or more persons are engaged in a common activity and one of them commits a tort in the course of and in furtherance of that pursuit, the rest of them will be considered as joint - tortfeasors and liable as such.

79. Match List - I with List - II and select the correct answer using the codes given below the lists :

List - I

Definition of Tort

1. Tort is an infringement of a right *in rem* of a private individual giving a right of compensation at the suit of the injured party.
2. It is a civil wrong for which the remedy is a common law action for unliquidated damages, and which is not exclusively the breach of a contract or the breach of a trust or other merely equitable obligation.
3. Tortious liability arises from the breach of duty primarily fixed by law; this duty is towards persons generally and its breach is redressable by an action for unliquidated damages.
4. A tort may be described as wrong independent of contract, for which the appropriate remedy is common law action.

List -II

Thinker

- i. Winfield and Jolowicz
- ii. Clerk and Lindsell
- iii. Fraser
- iv. Salmond

Codes :

- | | | | | |
|----|-----|-----|-----|----|
| | 1 | 2 | 3 | 4 |
| A) | i | ii | iii | iv |
| B) | iii | iv | i | ii |
| C) | iv | i | iii | ii |
| D) | ii | iii | i | iv |

80. Which of the following statement(s) is/are correct with regard to the tort of defamation.

- I. Slander is more favorable to the claimant because it is actionable *per se* and injury to reputation will be presumed.
- II. Qualified privilege includes statements which are allowed to be made when the larger interest of the community overrides the interest of the individual. No action lies for the defamatory statement even though it may be false or malicious.
- III. According to Lord Atkins, whether a statement is defamatory or not depends upon how likely the right - thinking members of the society take it.
- IV. The test of defamatory nature of a statement is its tendency to incite an adverse opinion or feeling of other persons towards the Plaintiff.

Choose the correct option :

- A) I, II and III are correct.
- B) Only II and III are correct.
- C) Only III and IV are correct.
- D) II, III and IV are correct.

81. Match List - I with List -II and select the correct answer using the codes given below the lists :

List - I

- 1. *Ghapoo Yadav v. State of M.P.*
- 2. *Kishan v. State of M.P.*
- 3. *Suresh v. State of U.P.*
- 4. *State of M.P. v. Narayan Singh.*

List - II

- i. Private Defence.
- ii. Strict Liability.
- iii. Exception IV to Section 300, IPC
- iv. Joint Liability.

Codes :

- | | | | | |
|----|-----|-----|-----|----|
| | 1 | 2 | 3 | 4 |
| A) | iii | i | iv | ii |
| B) | iv | iii | ii | i |
| C) | i | ii | iii | iv |
| D) | iii | iv | ii | i |

82. Which of the following statement(s) is/are correct with regard to 'common intention' under the Indian Penal Code, 1860?

- I. Direct proof of common intention is seldom available and, therefore, such intention can only be inferred from the circumstances appearing from the proved facts of the case and the proved circumstances.
- II. If the common intention is proved but no overt Act is attributed to the individual accused, section 34 cannot be invoked, but if participation of the accused in crime is proved and common intention is absent, section 34 will be attracted as essentially it involves vicarious liability.
- III. Common intention need not be proved beyond reasonable doubt, and it is sufficient to merely create a doubt about the involvement of the accused.
- IV. Common intention is necessarily a psychological fact as it requires prior meeting of minds.

Choose the correct option :

- A) Only I is correct.
- B) Only IV is correct.
- C) I and IV are correct.
- D) I, II and III are correct.

83. Which of the following statement is **INCORRECT** with respect to the inchoate offence of abetment under the Indian Penal Code, 1860?

- A) 'A' tells 'B' that he is going to murder 'C', 'B' says "You may do as you like and take the consequence". 'A' kills 'C'. 'B' cannot be said to have instigated 'A' to murder 'C'.
- B) It is inferable from section 107, clause thirdly, as well as from Explanation 2 of that section, that abetment constituted by intentional aiding presupposes that the Act aided has been consummated or at any rate commenced.
- C) If an abettor is present during the commission of offence, he will be dealt with under section 114 of the Code, and if absent, then under sections 109, 115 or 116, as the case may be.
- D) Where 'A' instigates 'B' to murder 'C', but 'B' by mistake murders 'C's twin - brother, 'A' is not liable, also there would have been no liability of 'A' if 'B' had killed 'C' intentionally and without any mistake regarding his identity.

84. Which of the following statement(s) is/are correct with regard to general principles of criminal liability?

- I. Criminal liability law recognizes scenarios in which a person, despite committing a criminal Act, should not be held accountable for it. This comprises those who, due to mental incompetence, lack the necessary culpability for criminal wrongdoing.
- II. Criminal liability varies depending on jurisdiction and the type of crime committed.
- III. It must be remembered that inspite of the relevant distinctions, crimes and torts are complementary and not exclusive of each other. For instance, negligent driving as well as defamation are both actionable under criminal law as well as under law of torts.
- IV. As observed by the Hon'ble Supreme Court of India in the case of *State of Maharashtra v. Mayer Hans George*, the fact that the object of a statute is to promote welfare activities or to eradicate grave social evils is in itself decisive of the question whether the element of guilty mind is excluded from the ingredients of the offence.

Choose the correct option :

- A) Only I and III are correct.
 - B) Only II and IV are correct.
 - C) I, II, III and IV are correct.
 - D) Only I, II and III are correct.
85. In which of the recent Supreme Court Judgment, the Hon'ble Court overturned the conviction for attempt to murder by relying upon two crucial factors? It was held that the absence of repeated or severe blows and, the simple nature of injuries inflicted were enough to not sustain the charge of attempt to murder.
- A) *Phulel Singh v. State of Haryana*, 2023 SCC Online SC 1227.
 - B) *Charan Singh v. State of Uttarakhand*, 2023 SCC Online SC 454.
 - C) *Sivamani and Another v. State Represented by Inspector of Police*, 2023 SCC Online SC 1581.
 - D) *Kaushal Kishor v. State of Uttar Pradesh*, 2023 SCC Online SC 6.

86. Which of the following statement is correct with respect to General Exceptions under the Indian Penal Code, 1860?
- A) 'A', a surgeon, in good faith, communicates to a patient his opinion that he cannot live. The patient dies in consequence of the shock. 'A' has committed an offence, as he knew it to be likely that the communication might cause the patient's death.
 - B) Pecuniary benefit is the specific 'benefit' referred within the meaning of sections 88, 89 and 92, mainly dealing with Acts done in good faith for benefit of another person.
 - C) The right of private defence of property against house-breaking by night continues as long as the house-trespass which has been begun by such house-breaking continues.
 - D) In reference to the consent of child, section 90 of the Code provides that, unless the contrary appears from the context, if the consent is given by a person who is under eighteen years of age, it is an invalid consent.
87. Given below are the Explanations appended to Section 378 of the Indian Penal Code, 1860, which defines the offence of theft. Which one of the following is **INCORRECT**?
- A) A person, who by any means causes an animal to move, is said to move that animal, and to move everything which, in consequence of the motion so caused, is moved by that animal.
 - B) The consent mentioned in the definition may be express or implied, and shall be given by the owner only.
 - C) A thing so long as it is attached to the earth, not being movable property, is not the subject of theft; but it becomes capable of being the subject of theft as soon as it is severed from the earth.
 - D) A person is said to cause a thing to move by removing an obstacle which prevented it from moving or by separating it from any other thing, as well as by actually moving it.

88. Which of the following instance(s) illustrate(s) either the offence of culpable homicide or murder?
- I. 'A' without any excuse fires a loaded gun into a crowd of persons and kills one of them.
 - II. 'A' appears as a witness before 'B', a Magistrate. 'B' says that he does not believe a word of A's deposition, and that 'A' has perjured himself. 'A' is moved to sudden passion by these words, and kills 'Z'.
 - III. 'R' a renowned socialite, while returning from a party past midnight, dozed off while driving and ran over a family of four sleeping on the pavement. Thereafter his car rammmed into a pole and he woke up due to that impact. On being tested, high dosage of alcohol was confirmed in his blood.
 - IV. 'A' is attacked by 'B', a person of unsound mind who has a spear in his hand. In order to protect himself, 'A' strikes 'B' with a stick which lands on his head and proves to be lethal. As a result, 'B' dies.

Choose the correct option :

- A) Only I and II are correct.
- B) Only I, II and IV are correct.
- C) I, II, III and IV are correct.
- D) Only II and III are correct.

89. Which of the following statement(s) is/are correct with regard to the offence of robbery under the Indian Penal Code, 1860?

- I. Whoever commits robbery shall be punished with rigorous imprisonment for a term which may extend to seven years, and shall also be liable to fine; and, if the robbery be committed on the highway between sunset and sunrise, the imprisonment may be extended to twelve years.
- II. Attempt to commit robbery is punishable under section 511 of the Code.
- III. If, at the time of attempting to commit robbery, the offender is armed with any deadly weapon, the imprisonment with which such offender shall be punished shall not be less than ten years.
- IV. If, at the time of committing robbery, the offender uses any deadly weapon, or causes grievous hurt to any person, or attempts to cause death or grievous hurt to any person, the imprisonment with which such offender shall be punished shall not be less than seven years.

Choose the correct option :

- A) Only III is correct.
- B) Only IV is correct.
- C) II and IV are correct.
- D) I and III are correct.

90. Which of the following statement(s) is/are correct with regard to difference between the offences of theft and criminal misappropriation of property?

- I. Owner can commit theft of his own property; whereas, owner cannot commit criminal misappropriation of his own property.
- II. In case of theft, deprivation of property can be temporary; whereas, in case of criminal misappropriation, the deprivation of property must be permanent in nature.
- III. Theft can be of movable property only; whereas, dishonest misappropriation can be of both movable and immovable property.
- IV. Initial moving of property out of the possession of a person is itself dishonest; whereas, initial possession of property can be innocent or by chance in the offence of criminal misappropriation.

Choose the correct option :

- A) Only I and IV are correct.
- B) Only II and III are correct.
- C) Only I, II and IV are correct.
- D) I, II, III and IV are correct.

91. Match **List - I** with **List -II** and select the correct answer using the codes given below the lists :

List - I	List -II
1. Dishonestly	i. Section 25, the Indian Penal Code, 1860
2. Fraudulently	ii. Section 39, the Indian Penal Code, 1860.
3. Voluntarily	iii. Section 24, the Indian Penal Code, 1860.
4. Good faith	iv. Section 52, the Indian Penal Code, 1860.

Codes :

- | | 1 | 2 | 3 | 4 |
|----|-----|-----|-----|----|
| A) | iii | i | iv | ii |
| B) | i | iii | iv | ii |
| C) | iii | i | ii | iv |
| D) | iv | ii | iii | i |

92. Which of the following Law Commission Report, titled "Usage of the Law of Sedition", suggested the need to retain section 124A in the Indian Penal Code with certain amendments, including the incorporation of the *ratio decidendi* of *Kedar Nath Singh v. State of Bihar*, AIR 1962 SC 9551, so as to bring about greater clarity regarding the usage of the provision?
- A) 285th Law Commission Report (January, 2024).
 - B) 283rd Law Commission Report (September, 2023).
 - C) 282nd Law Commission Report (September, 2023).
 - D) 279th Law Commission Report (April, 2023).
93. Which of the following statement(s) is/are correct with respect to constructive liability under section 149 of the Indian Penal Code, 1860?
- I. After the membership of an unlawful assembly is established, it is incumbent on the prosecution to establish what specific overt Act has been assigned to every accused.
 - II. For the application of principle of constructive liability, the section describes the offence which is to be so attributed under two alternative forms : (i) it must be either an offence committed by a member of the unlawful assembly in prosecution of the common object of that assembly; or (ii) an offence such as the members of that assembly knew to be likely to be committed in prosecution of that object.
 - III. It is impossible to convict less than five persons with the aid of section 149 of the Code, even if participation of more than five persons established although their identity may not have been established.
 - IV. What is object of the unlawful assembly is a question of fact and that has to be determined keeping in view the nature of the assembly, the arms carried by the members and the behavior of the members at or near the scene of incident.

Choose the correct option :

- A) Only II and III are correct.
- B) Only I, II and IV are correct.
- C) Only II and IV are correct.
- D) I, II, III and IV are correct.

94. Which one of the following Supreme Court judgments **DOES NOT** deal with the offence of criminal conspiracy?

- A) *Kehar Singh and others v. state (Delhi Administration)* (1988) 3 SCC 609.
- B) *Yakub Abdul Razak Memon v. State of Maharashtra* through CBI, Bombay (2013) 13 SCC 1.
- C) *Mohd. Naushad v. State of NCT of Delhi* (2023) SCC Online SC 784.
- D) *V. Senthil Balaji v. The State Represented by Deputy Director and Ors.* (2023) SCC Online SC 934.

95. In which of the following recent decisions, the Hon'ble Supreme Court set free a man convicted under sections 302 and 201 of the Indian Penal Code, 1860, for allegedly killing his wife and destroying the evidence thereafter, more than two decades ago?

It was held that suspicion and doubt cannot serve as a ground for guilt.

- A) *Kamal v. State (NCT) of Delhi*, 2023 SCC Online SC 933.
- B) *Guna Mahto v. State of Jharkhand*, 2023 SCC Online SC 285.
- C) *Supriyo v. Union of India*, 2023 SCC Online SC 1348.
- D) *Charan Singh v. State of Uttarakhand*, 2023 SCC Online SC 454.

96. Which of the following statement(s) is/are correct with regard to 'warrant of arrest', which has been discussed under Chapter VI of the Code of Criminal Procedure, 1973?

- I. Every warrant of arrest issued by a Court under this Code shall be in writing, signed by the presiding officer of such Court, and shall bear the seal of the Court.
- II. Every such warrant shall remain in force until it is cancelled by the Court which issued it, or until it is executed.
- III. Any Court issuing a warrant for the arrest of any person may in its discretion direct by endorsement on the warrant that, if such person executes a bond with sufficient sureties for his attendance before the Court at a specified time and thereafter until otherwise directed by the Court, the officer to whom the warrant is directed shall take such security and shall release such person from custody.
- IV. The endorsement shall state the number of sureties, the amount in which they and the person for whose arrest the warrant is issued, are to be respectively bound, and the time at which he is to attend before the Court.

Choose the correct option :

- A) Only I and II are correct.
- B) Only I and III are correct.
- C) Only I, II and III are correct.
- D) I, II, III and IV are correct.

97. In which of the following recent judgments, has the Supreme Court warned against imposing onerous conditions for anticipatory bail, and stressed upon the need to strike a balance between personal liberty and the right to fair investigation?
- A) *Ramesh Kumar v. State of NCT of Delhi* (2023) SCC Online SC 766.
 - B) *Govt. of NCT of Delhi v. Ravinder Kumar Jain and Others* (2023) SCC Online SC 654.
 - C) *Santosh alias Bhure v. State (G.N.C.T) of Delhi* (2023) SCC Online SC 538.
 - D) *Rohit Bishnoi v. State of Rajasthan and Another* (2023) SCC Online SC 870.
98. Which of the following statement(s) is/are correct with regard to 'attachment of property of person absconding' under the provisions of sections 82 and 83 of the Code of Criminal Procedure, 1973?
- I. If any Court has reason to believe (whether after taking evidence or not) that any person against whom a warrant has been issued by it has absconded or is concealing himself so that such warrant cannot be executed, such Court may publish a written proclamation requiring him to appear at a specified place and at a specified time not less than thirty days from the date of publishing such proclamation.
 - II. Such a proclamation shall be publicly read in some conspicuous place of the town or village in which such person ordinarily resides, and it shall be affixed to some conspicuous part of the house or homestead in which such person ordinarily resides or to some conspicuous place of such town or village.
 - III. A copy of such proclamation may also be affixed to some conspicuous part of the Court - house, if the Court so directs.
 - IV. The Court issuing a proclamation under section 82 may, for reasons to be recorded in writing, at any time after the issue of the proclamation, order the attachment of any property, movable or immovable, or both, belonging to the proclaimed person.

Choose the correct option :

- A) Only I and II are correct.
- B) Only I, II and IV are correct.
- C) Only II, III and IV are correct.
- D) I, II, III and IV are correct.

99. Which of the following statement(s) is/are correct with regard to 'Summons to produce', which has been discussed under Chapter VII of the Code of Criminal Procedure, 1973?

- I. Whenever any Court or any officer in charge of a police station considers that the production of any document or other thing is necessary or desirable for the purposes of any investigation, inquiry, trial or other proceeding under this Code by or before such Court or officer, such Court may issue a summons, or such officer a written order, to the person in whose possession or power such document or thing is believed to be, requiring him to attend and produce, it, or to produce it, at the time and place stated in the summons or order.
- II. Any person who is required under the provisions of section 91 of the Code to merely to produce a document or other thing shall not be deemed to have complied with the requisition if he causes such document or thing to be produced instead of attending personally to produce the same.
- III. If any document, parcel or thing in the custody of a postal or telegraph authority is, in the opinion of the District Magistrate, Chief Judicial Magistrate, Court of Session or High Court wanted for the purpose of any investigation, inquiry, trial or other proceeding under this Code, such Magistrate or Court may require the postal or telegraph authority, as the case may be, to deliver the document, parcel or thing to such person as the Magistrate or Court directs.
- IV. If any such document, Parcel or thing is, in the opinion of any other Magistrate, whether Executive or Judicial, or of any Commissioner of Police or District Superintendent of Police, wanted for any such purpose, he may require the postal or telegraph authority, as the case may be, to cause search to be made for and to detain such document, parcel or thing pending the order of a District Magistrate, Chief judicial Magistrate or Court under sub - section (1) of section 92 of the Code.

Choose the correct option :

- A) Only I, II and III are correct.
- B) Only I, III and IV are correct.
- C) Only II, III and IV are correct.
- D) I, II, III and IV are correct.

100. Match the options in **List - I** with the relevant caselaw given under **List - II**.

- | List - I | List -II |
|--|--|
| 1. No provision of time restriction in applicability of anticipatory bail | i. <i>Gian Singh v. State of Punjab</i> , (2012) 10 SCC 303. |
| 2. Guidelines to exercise inherent power u/s 482 Cr.P.C. | ii. <i>Sushila Aggarwal v. State (NCT of Delhi)</i> , (2020) 5 SCC 1 |
| 3. When two views are possible while relying upon circumstantial evidence, the view favouring accused must be preferred. | iii. <i>Pradeep Kumar v. State of Chhattisgarh</i> , (2023) 5 SCC 350. |
| 4. Supreme Court recognized the validity of compromise agreements in criminal cases. | iv. <i>Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur. v. State of Gujarat</i> , (2017) 9 SCC 641 |

Choose the correct option :

- A) 1-ii, 2-iv, 3-iii, 4-i.
- B) 1-ii, 2-iv, 3-i, 4-iii.
- C) 1-iv, 2-ii, 3-iii, 4-i.
- D) 1-iv, 2-ii, 3-i, 4-iii.