

**AIBE 2023 Set C Question Paper
with Solutions**

Total Time Allowed : 3 hour 30 minutes	Maximum Marks : 100	Total Questions : 100
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Question 1: Which of the following is incorrect with respect to arbitration agreement as per the Arbitration and Conciliation Act, 1996?

- (A) Arbitration agreement may be written as well as oral.
- (B) Arbitration agreement may be in the form of a separate agreement.
- (C) Arbitration agreement may be in the form of an arbitration clause in a contract.
- (D) Arbitration agreement may be for all or certain disputes which may arise between the parties.

Correct Answer: (A) Arbitration agreement may be written as well as oral.

Solution: The Arbitration and Conciliation Act, 1996 mandates that arbitration agreements must be in writing. Oral agreements are not considered valid under the Act, emphasizing the importance of clear, documented terms.

 Quick Tip

Written agreements ensure clarity and reduce disputes over the terms of arbitration.

Question 2: In which of the following circumstances an arbitrator may not be challenged as per the Arbitration and Conciliation Act, 1996?

- (A) When a justifiable doubt as to his independence arises.
- (B) When a justifiable doubt as to his impartiality arises.
- (C) When he possesses the qualifications agreed by the party.
- (D) When he becomes ineligible as per the seventh schedule of the Act.

Correct Answer: (C) When he possesses the qualifications agreed by the party.

Solution: An arbitrator cannot be challenged solely on the basis of possessing qualifications agreed upon by the parties involved in the arbitration. Challenges are valid when there are legitimate concerns about impartiality, independence, or ineligibility.

 Quick Tip

Arbitrator challenges must be rooted in substantial grounds like impartiality concerns, not agreed qualifications.

Question 3: When may two persons be said to be related to each other by half-blood in accordance with the Hindu Marriage Act, 1955?

- (A) When they are descended from a common ancestor by the same wife.
- (B) When they are descended from a common ancestor by different wives.
- (C) When they are descended from a common ancestress by different husbands.
- (D) When they are not descended from a common ancestor at all.

Correct Answer: (B) When they are descended from a common ancestor by different wives.

Solution: In accordance with the Hindu Marriage Act, individuals are considered related by half-blood if they share a common ancestor but are descended through different spouses (e.g., different mothers). This distinction plays a role in determining marriage eligibility under prohibited degrees of relationship.

 Quick Tip

Understanding half-blood relationships is crucial in the context of marriage restrictions in Hindu law.

Question 4: Which of the following is generally not considered as a valid condition for a Hindu marriage as per the Hindu Marriage Act, 1955?

- (A) The parties should not have a spouse living at the time of the marriage.
- (B) The parties should be within the degrees of prohibited relationship.
- (C) The parties should not be sapindas of each other.
- (D) The parties should not be suffering from epilepsy.

Correct Answer: (D) The parties should not be suffering from epilepsy.

Solution: The condition related to epilepsy was previously a bar to marriage under the Hindu Marriage Act, but it was later removed through amendments. The remaining conditions pertain to marital status and prohibited degrees of relationship, reflecting modern legal reforms.

 Quick Tip

Legal reforms have modernized marriage conditions by removing outdated health-based restrictions.

Question 5: Section 13(1) of the Hindu Marriage Act, 1955 provides for the following:

- i. Grounds for restitution of conjugal rights
- ii. Grounds for judicial separation
- iii. Grounds for divorce

- (A) i & ii
- (B) ii & iii
- (C) iii & i
- (D) Only iii

Correct Answer: (B) ii & iii

Solution: Section 13(1) of the Hindu Marriage Act outlines grounds for both judicial separation and divorce, but does not cover restitution of conjugal rights, which is addressed separately under Section 9. This section provides spouses with legal means to end or redefine their marital status.

 Quick Tip

Judicial separation and divorce differ in legal consequences, though both may rely on similar grounds.

Question 6: What is the meaning of the batil marriage in Muslim Law?

- (A) Valid marriage
- (B) Void marriage
- (C) Voidable marriage
- (D) Irregular marriage

Correct Answer: (B) Void marriage

Solution: In Muslim law, a "batil" marriage is one that is completely void from the outset and has no legal existence. This can occur due to non-fulfillment of essential conditions, such as prohibited relationships, making the union entirely invalid.

 Quick Tip

Void marriages hold no legal recognition and confer no marital rights or obligations.

Question 7: What is 'a contract of marriage which may be dissolved by the wife under a power delegated to her' called under the Muslim Law?

- (A) Talaq-us-sunnat
- (B) Talaq-ul-biddat
- (C) Talaq-i-tafweez
- (D) Talaq-a-hasan

Correct Answer: (C) Talaq-i-tafweez

Solution: Talaq-i-tafweez refers to a form of delegated divorce where the husband empowers the wife to initiate and execute a divorce on his behalf. This contractual arrange-

ment must be agreed upon during or after the marriage.

 Quick Tip

Talaq-i-tafweez exemplifies contractual flexibility in Muslim marriage law, empowering women under specific conditions.

Question 8: A Hindu boy and a Hindu girl may be married under the following law:

- i. The Hindu Marriage Act, 1955
 - ii. The Special Marriage Act, 1954
- (A) Only i is correct.
(B) Only ii is correct.
(C) Both i and ii are correct.
(D) Neither i nor ii is correct.

Correct Answer: (C) Both i and ii are correct.

Solution: Hindu couples have the option to marry under the Hindu Marriage Act, 1955, or the Special Marriage Act, 1954, which permits civil and interfaith marriages. The latter offers a secular alternative for those who do not wish to marry under traditional religious laws.

 Quick Tip

The Special Marriage Act facilitates secular and interfaith unions, expanding marriage options.

Question 9: Through which of the following Amendment Act the rights in the coparcenary property is made available to a girl child as well?

- (A) The Hindu Succession (Amendment) Act, 2002
- (B) The Hindu Succession (Amendment) Act, 2004
- (C) The Hindu Succession (Amendment) Act, 2005
- (D) The Hindu Succession (Amendment) Act, 2006

Correct Answer: (C) The Hindu Succession (Amendment) Act, 2005

Solution: The 2005 amendment to the Hindu Succession Act granted daughters the same rights as sons in coparcenary property, ensuring gender equality in inheritance and property ownership within Hindu joint families.

 Quick Tip

This amendment was a landmark step towards gender equality in Hindu succession laws.

Question 10: What should be the age difference between the adoptive father and his adopted daughter for a valid adoption?

- (A) 15 years
- (B) 18 years
- (C) 21 years
- (D) No specific age difference required.

Correct Answer: (C) 21 years

Solution: According to the Hindu Adoption and Maintenance Act, 1956, a minimum age gap of 21 years between an adoptive father and his adopted daughter is mandated to maintain propriety and avoid societal discomfort.

 Quick Tip

Age differences in adoption maintain cultural propriety and societal norms.

Question 11: Which of the following is not included in the powers of Karta of a Hindu Joint Family?

- (A) Power to manage family affairs
- (B) Power to alienate family property for legal necessity
- (C) Power to partition family property unilaterally
- (D) Power to represent family in legal matters

Correct Answer: (C) Power to partition family property unilaterally

Solution: The Karta of a Hindu Joint Family has extensive powers to manage and represent the family but does not have the unilateral authority to partition the family property. Partition requires the consent of the family members.

 Quick Tip

The Karta's authority is balanced by the need for family consensus on major decisions.

Question 12: Who among the following is considered as the father of PIL in India?

- (A) Justice S.R. Das
- (B) Justice V.R. Krishna Iyer
- (C) Justice P.N. Bhagwati
- (D) Justice H.R. Khanna

Correct Answer: (C) Justice P.N. Bhagwati.

Solution: Justice P.N. Bhagwati is credited with pioneering the concept of Public Interest Litigation (PIL) in India. By relaxing the traditional rules of locus standi, he opened the doors of the judiciary to the public at large, enabling socially and economically disadvantaged individuals to seek justice through the courts. PIL has since become a powerful tool for social justice and judicial intervention.

 Quick Tip

PIL allows citizens to seek judicial redress for broader public issues, enhancing access to justice.

Question 13: Against which of the following a PIL cannot be filed?

- (A) Against a State Government
- (B) Against Central Government
- (C) Against a private party
- (D) Against Municipal Corporation

Correct Answer: (C) Against a private party.

Solution: Public Interest Litigation (PIL) is primarily directed against state authorities, government bodies, or public institutions. It cannot be filed against private individuals or entities unless there is a significant element of public interest and the actions of the private party have a direct link to public authorities or statutory obligations.

 Quick Tip

PIL serves to hold public authorities accountable, not to settle private disputes.

Question 14: In the light of the guidelines issued by the Supreme Court of India on which of the following issue a PIL cannot be entertained by the Court?

- (A) Bonded labour matters.
- (B) Petition from jail for pre-mature release.
- (C) Matters pertaining to neglected children.
- (D) Petitions against police for refusing to register a case.

Correct Answer: (D) Petitions against police for refusing to register a case.

Solution: The Supreme Court of India has established guidelines to prevent the misuse of PILs for matters that can be addressed through regular judicial or administrative channels. Petitions against police refusal to register cases do not fall within the scope of PIL, as there are designated legal remedies and forums for addressing such grievances.

 Quick Tip

PILs are meant for broader public concerns and should not replace standard legal remedies.

Question 15: In which of the following landmark case was it held that Principles of Natural Justice apply to both judicial and administrative functions?

- (A) A.K. Kraipak v Union of India
- (B) Ram Jawaya Kapoor v State of Punjab
- (C) Sonik Industries Rajkot v Municipal Corporation, Rajkot
- (D) Maneka Gandhi v Union of India

Correct Answer: (A) A.K. Kraipak v Union of India.

Solution: In the case of *A.K. Kraipak v Union of India*, the Supreme Court held that the principles of natural justice are applicable to both judicial and quasi-judicial proceedings, as well as administrative actions. This landmark decision expanded the scope of natural justice to ensure fairness in all governmental actions affecting individual rights.

 Quick Tip

Natural justice principles aim to promote fairness, transparency, and impartiality in decision-making.

Question 16: In which of the following judgments did the Supreme Court comprehensively reconsider *S.P. Sampath Kumar v Union of India* case?

- (A) J.B. Chopra v Union of India
- (B) L. Chandra Kumar v Union of India
- (C) R.K. Jain v Union of India
- (D) S.K. Sarkar v Vinay Chandra Mishra

Correct Answer: (B) L. Chandra Kumar v Union of India.

Solution: The Supreme Court, in *L. Chandra Kumar v Union of India*, revisited the decision in *S.P. Sampath Kumar v Union of India* and reaffirmed the role of High Courts in the judicial review of decisions made by administrative tribunals. This judgment strengthened judicial review as an essential component of constitutional checks and balances.

 Quick Tip

Judicial review by High Courts ensures that tribunal decisions comply with constitutional norms.

Question 17: Who among the following defined administrative law as ‘the law relating to the control of governmental power’?

- (A) Ivor Jennings
- (B) Wade
- (C) K.C. Davis
- (D) Garner

Correct Answer: (B) Wade.

Solution: Sir William Wade is recognized for his definition of administrative law as the "law relating to the control of governmental power." His work emphasizes the need for checks and balances in the exercise of administrative authority, reflecting the principles of accountability and legality.

 Quick Tip

Administrative law ensures that government powers are exercised within legal bounds.

Question 18: What penalty is prescribed for persons illegally practising in courts under the Advocate Act, 1961?

- (A) Imprisonment up to 3 months
- (B) Imprisonment up to 6 months
- (C) Imprisonment up to 9 months
- (D) Imprisonment up to 12 months

Correct Answer: (B) Imprisonment up to 6 months.

Solution: Under the Advocates Act, 1961, any person found practicing law without proper authorization may face a penalty of imprisonment for up to six months. This provision safeguards the integrity of the legal profession by ensuring only authorized advocates represent clients.

 Quick Tip

Regulation of legal practice maintains professionalism and ethical standards within the legal community.

Question 19: Which provision of the Advocate Act, 1961 empowers the Bar Council of India to prescribe professional conduct standards for advocates?

- (A) Section 42
- (B) Section 42A
- (C) Section 48A
- (D) Section 49

Correct Answer: (D) Section 49.

Solution: Section 49 of the Advocates Act, 1961, empowers the Bar Council of India to make rules governing the professional conduct and standards expected of advocates. This includes ethical guidelines, dress codes, and disciplinary actions to maintain the integrity of the legal profession.

 Quick Tip

Ethical standards uphold public trust and professionalism within the legal field.

Question 20: Which of the following is incorrect according to the Bar Council of India Rules?

- (A) An Advocate can plead in any matter in which he is himself pecuniarily interested.
- (B) An advocate shall appear in court at all times only in the prescribed dress.
- (C) An Advocate shall not stand as a surety for his client.
- (D) An Advocate shall not influence the decision of a court by any improper means.

Correct Answer: (A) An Advocate can plead in any matter in which he is himself pecuniarily interested.

Solution: According to the Bar Council of India Rules, advocates are prohibited from pleading in matters where they have a personal financial interest, to prevent conflicts of interest and maintain impartiality in legal proceedings.

 Quick Tip

Impartiality is key to ensuring unbiased representation and fairness in legal practice.

Question 21: Which authority acts as an appellate authority against the order made by the disciplinary committee of the Bar Council of India?

- (A) Chairman of the Bar Council of India
- (B) Vice-chairman of the Bar Council of India
- (C) High Courts
- (D) Supreme Court of India

Correct Answer: (D) Supreme Court of India.

Solution: The Supreme Court of India serves as the appellate authority for decisions made by the disciplinary committee of the Bar Council of India. This ensures a higher level of scrutiny and accountability for matters affecting professional conduct and discipline.

 Quick Tip

Appellate oversight by the Supreme Court upholds accountability within the legal profession.

Question 22: In which situation must a One Person Company (OPC) convert into either a private or public company under the Companies Act, 2013?

- (A) Paid-up share capital exceeds twenty-five lakh rupees.
- (B) Paid-up share capital exceeds fifty lakh rupees.
- (C) Paid-up share capital exceeds seventy-five lakh rupees.
- (D) Paid-up share capital exceeds one crore rupees.

Correct Answer: (B) Paid-up share capital exceeds fifty lakh rupees.

Solution: Under the Companies Act, 2013, a One Person Company (OPC) is required to convert into a private or public company when its paid-up share capital exceeds fifty lakh rupees or if its annual turnover crosses specified thresholds.

 Quick Tip

Conversion requirements ensure compliance with corporate regulations and promote transparency.

Question 23: Under the Companies Act, 2013, who among the following is eligible to form a One Person Company (OPC)?

- (A) Only Indian citizens residing in India
- (B) Any foreign citizen
- (C) A group of individuals
- (D) A corporation

Correct Answer: (A) Only Indian citizens residing in India.

Solution: According to the Companies Act, 2013, only an individual who is an Indian citizen and has been a resident of India for at least 182 days in the preceding calendar year is eligible to form a One Person Company (OPC). This restriction ensures that control and management remain within the country.

 Quick Tip

The OPC structure allows individual entrepreneurs to operate with limited liability.

Question 24: What is the maximum number of directors that can be appointed in a public company as per the Companies Act, 2013 without passing a special resolution?

- (A) 10
- (B) 15
- (C) 20
- (D) 25

Correct Answer: (B) 15.

Solution: The Companies Act, 2013, allows a public company to appoint up to 15 directors without the need for a special resolution. If the company wishes to appoint more than 15 directors, it must obtain approval through a special resolution passed by its shareholders.

 Quick Tip

The limit on the number of directors ensures manageable governance while allowing flexibility.

Question 25: Which of the following sections of the Companies Act, 2013 deals with the requirement of having a registered office?

- (A) Section 10
- (B) Section 12
- (C) Section 18
- (D) Section 20

Correct Answer: (B) Section 12.

Solution: Section 12 of the Companies Act, 2013, requires every company to have a registered office within 30 days of its incorporation. The registered office serves as the official address for receiving communications and notices from regulatory authorities and the public.

 Quick Tip

The registered office establishes a formal address for legal and regulatory interactions.

Question 26: In which of the following situations is the filing of annual financial statements with the Registrar of Companies (ROC) mandatory under the Companies Act, 2013?

- (A) For private companies only
- (B) For public companies only
- (C) For all companies incorporated under the Act
- (D) For companies with no business transactions

Correct Answer: (C) For all companies incorporated under the Act.

Solution: The Companies Act, 2013 mandates that all companies, regardless of their type, must file their annual financial statements with the Registrar of Companies (ROC). This ensures transparency, regulatory compliance, and accountability in the corporate sector.

 Quick Tip

Regular filings with the ROC promote financial transparency and regulatory oversight.

Question 27: Which of the following is not a fundamental duty under Article 51A of the Indian Constitution?

- (A) To respect the ideals of the Constitution
- (B) To uphold the sovereignty, unity, and integrity of India
- (C) To pay taxes honestly
- (D) To safeguard public property

Correct Answer: (C) To pay taxes honestly.

Solution: Article 51A of the Indian Constitution enumerates fundamental duties for Indian citizens, but paying taxes is not explicitly mentioned as one of them. Fundamental duties emphasize respect for national values, unity, and adherence to civic responsibilities.

 Quick Tip

Fundamental duties foster civic awareness and promote national unity.

Question 28: Which of the following articles of the Indian Constitution deals with the prohibition of untouchability?

- (A) Article 14
- (B) Article 15
- (C) Article 16

(D) Article 17

Correct Answer: (D) Article 17.

Solution: Article 17 of the Indian Constitution abolishes the practice of untouchability and makes its practice in any form a punishable offense. This article is a significant step towards social justice and equality, aiming to eliminate caste-based discrimination.

 Quick Tip

Article 17 enshrines the constitutional commitment to eradicating social discrimination.

Question 29: Under the Consumer Protection Act, 2019, who is considered a 'consumer'?

- (A) A person buying goods for resale
- (B) A person availing services for free
- (C) A person who buys goods for consideration for personal use
- (D) A person involved in commercial activity

Correct Answer: (C) A person who buys goods for consideration for personal use.

Solution: The Consumer Protection Act, 2019 defines a 'consumer' as any individual who buys goods or hires services for consideration for personal use, and not for resale or commercial purposes. This distinction ensures that consumer rights are protected in non-commercial transactions.

 Quick Tip

Consumers are entitled to protection against unfair practices in non-commercial transactions.

Question 30: Which of the following is not covered under the Consumer Protection Act, 2019?

- (A) Deficiency in service provided by a telecom operator
- (B) Defective goods sold in a retail store
- (C) Services availed for free
- (D) Misleading advertisements

Correct Answer: (C) Services availed for free.

Solution: The Consumer Protection Act, 2019 does not cover services availed for free, as the definition of a 'consumer' requires the purchase of goods or services for a consideration. The Act focuses on providing protection against unfair trade practices, defective goods, and deficient services.

 Quick Tip

Consumer rights apply to transactions involving consideration to ensure accountability.

Question 31: Under which section of the Consumer Protection Act, 2019, is the Central Consumer Protection Authority (CCPA) established?

- (A) Section 2
- (B) Section 5
- (C) Section 10
- (D) Section 16

Correct Answer: (C) Section 10.

Solution: The Central Consumer Protection Authority (CCPA) is established under Section 10 of the Consumer Protection Act, 2019. Its primary function is to regulate matters related to consumer rights violations, unfair trade practices, and misleading advertisements, thereby protecting consumer interests.

 Quick Tip

The CCPA acts as a regulatory body to protect consumer rights and prevent unfair practices.

Question 32: Under the Consumer Protection Act, 2019, which body has the power to take suo-motu actions in matters affecting consumer rights?

- (A) District Consumer Disputes Redressal Forum
- (B) State Consumer Disputes Redressal Commission
- (C) National Consumer Disputes Redressal Commission
- (D) Central Consumer Protection Authority (CCPA)

Correct Answer: (D) Central Consumer Protection Authority (CCPA).

Solution: The Central Consumer Protection Authority (CCPA) has the power to take suo-motu actions to protect consumer rights, investigate consumer complaints, and initiate enforcement actions against violators of consumer protection laws. This proactive role ensures swift intervention in cases affecting consumer welfare.

 Quick Tip

The CCPA's suo-motu powers enable quick responses to systemic consumer issues.

Question 33: The Gloucester Grammar School case relates to which of the following important maxims?

- (A) Damnum sine injuria
- (B) Injuria sine damno
- (C) Ubi jus ibi remedium
- (D) Volenti non fit injuria

Correct Answer: (A) Damnum sine injuria

Solution: This case illustrates the principle that not all harm is legally compensable unless accompanied by a legal injury.

 Quick Tip

Legal injury (injuria) is required for harm (damnum) to be actionable.

Question 34: Which provision of the Motor Vehicles Act, 1988 relates to no-fault liability?

- (A) Section 140
- (B) Section 151
- (C) Section 162
- (D) Section 128

Correct Answer: (A) Section 140

Solution: Section 140 of the Act provides for no-fault liability, allowing compensation without the need to prove fault, benefiting victims in motor accidents.

 Quick Tip

No-fault liability ensures swift compensation for accident victims.

Question 35: How many consumer rights are identified under the Consumer Protection Act, 2019?

- (A) 2
- (B) 4
- (C) 6
- (D) 8

Correct Answer: (C) 6

Solution: The Act outlines six core consumer rights, including the right to safety, information, choice, and redress, among others.

 Quick Tip

The Consumer Protection Act empowers consumers with essential rights for fair trade.

Question 36: Which body constituted under the Consumer Protection Act, 2019 is authorized to render advice on promotion and protection of consumers' rights?

- (A) Central Consumer Protection Authority
- (B) Central Consumer Protection Council
- (C) State Consumer Protection Authority
- (D) State Consumer Protection Council

Correct Answer: (B) Central Consumer Protection Council

Solution: The Central Consumer Protection Council provides guidance to the government regarding the promotion and protection of consumer rights.

 Quick Tip

The Council's role is advisory, focusing on consumer welfare.

Question 37: Which provision of the Constitution of India states that no tax can be levied or collected except by authority of law?

- (A) Article 246
- (B) Article 256
- (C) Article 260
- (D) Article 265

Correct Answer: (D) Article 265

Solution: Article 265 asserts that taxation can only occur by legal authority, protecting citizens from unauthorized taxes.

 Quick Tip

Article 265 ensures legality in taxation processes.

Question 38: What is the first previous year for a business or profession newly set up on 31st March, 2020 as per the Income Tax Act, 1961?

- (A) Start from 1st April, 2019 and end on 31st March, 2020
- (B) Start and end on 31st March, 2020

(C) Start from 1st April, 2020 and end on 31st December, 2020

(D) Start from 1st January, 2020 and end on 31st March, 2020

Correct Answer: (B) Start and end on 31st March, 2020

Solution: When a business or profession is established on the last day of a financial year, the first previous year ends on the same day, according to the Income Tax Act.

 Quick Tip

For businesses established on 31st March, the previous year concludes that same day.

Question 39: As per the Income Tax Act, 1961, how many days must a person stay in India to be considered a resident?

(A) 180 days

(B) 182 days

(C) 184 days

(D) 186 days

Correct Answer: (B) 182 days

Solution: A person must be physically present in India for at least 182 days during a financial year to qualify as a resident for tax purposes.

 Quick Tip

Residency is based on a minimum of 182 days' presence in India per year.

Question 40: Income is defined under which provision of the Income Tax Act, 1961?

(A) Section 2(31)

(B) Section 2(24)

(C) Section 2(9)

(D) Section 3

Correct Answer: (B) Section 2(24)

Solution: Section 2(24) of the Income Tax Act specifies types of income, serving as a basis for taxation categories.

 Quick Tip

Section 2(24) covers all taxable income under the Act.

Question 41: Which of the following is not a fraud as per the Indian Contract Act, 1872?

- (A) A promise made without intention of performing it.
- (B) An active concealment of fact by one having knowledge of the fact.
- (C) Mere silence if not duty bound to speak.
- (D) Any act or omission law specifically declares to be fraudulent.

Correct Answer: (C) Mere silence if not duty bound to speak.

Solution: Silence does not amount to fraud unless there is a duty to disclose the information under the Indian Contract Act.

 Quick Tip

Fraud entails active misrepresentation unless disclosure is legally required.

Question 42: Which of the following statement is correct if A, intending to deceive B, falsely represents that five hundred maunds of indigo are made annually at A's factory?

- (A) Contract is void ab initio.
- (B) Contract is voidable at the option of A.
- (C) Contract is voidable at the option of B.
- (D) Contract is voidable at the option of A & B.

Correct Answer: (C) Contract is voidable at the option of B.

Solution: B has the option to void the contract due to A's misrepresentation, as per contract law principles.

 Quick Tip

Misrepresentation makes contracts voidable by the misled party.

Question 43: Which of the following injunction can be granted only by the decree made at hearing and upon the merit of the suit?

- (A) Temporary injunction
- (B) Perpetual injunction
- (C) Mandatory injunction
- (D) Prohibitory injunction

Correct Answer: (B) Perpetual injunction

Solution: Perpetual injunctions are granted through a final decree after a full trial on the merits of the case.

 Quick Tip

Perpetual injunctions are based on the merits of the entire case.

Question 44: A stipulation in a bond for payment of compound interest on failure to pay simple interest is not a penalty within the meaning of which provision of the Indian Contract Act, 1872?

- (A) Section 73
- (B) Section 74
- (C) Section 75
- (D) Section 76

Correct Answer: (B) Section 74

Solution: Section 74 specifies that additional interest due to non-payment does not qualify as a penalty.

 Quick Tip

Extra interest on default isn't considered a penalty under Section 74.

Question 45: What is the default interest payable under Section 63A of the Transfer of Property Act, 1882?

- (A) 6% per annum
- (B) 8% per annum
- (C) 9% per annum
- (D) No default rate prescribed.

Correct Answer: (C) 9% per annum

Solution: The Act prescribes a 9% per annum interest rate for defaults in specified property transactions.

 Quick Tip

Section 63A sets a default interest rate for delays.

Question 46: Which of the following is the time limit given under Section 17 of the Transfer of Property Act, 1882?

- (A) Life of the transferee
- (B) A period of 18 years from the date of transfer.
- (C) Either (A) or (B) whichever is longer
- (D) Neither (A) nor (B)

Correct Answer: (C) Either (A) or (B) whichever is longer

Solution: Section 17 of the Transfer of Property Act, 1882, specifies that the time limit for certain transfers depends on either the life of the transferee or a period of 18 years from the date of transfer, whichever is longer, ensuring protection for the transferee over an extended period.

 Quick Tip

The time limit under Section 17 is designed to extend beyond the life of the transferee if 18 years has not yet passed.

Question 47: Which of the following is not a negotiable instrument as per the Negotiable Instruments Act, 1881?

- (A) Promissory note
- (B) Hundi
- (C) Bill of exchange
- (D) Cheque

Correct Answer: (B) Hundi

Solution: The Negotiable Instruments Act, 1881, officially recognizes promissory notes, bills of exchange, and cheques as negotiable instruments. Hundi, although commonly used in practice, is not formally recognized as a negotiable instrument under this Act.

 Quick Tip

Only promissory notes, bills of exchange, and cheques are defined as negotiable instruments under the Act.

Question 48: In the light of Negotiable Instruments Act, 1881, at what rate interest will be charged if the rate of interest is not mentioned on the negotiable instruments?

- (A) 6% per annum
- (B) 10% per annum
- (C) 18% per annum
- (D) 20% per annum

Correct Answer: (C) 18% per annum

Solution: According to the Negotiable Instruments Act, 1881, if a negotiable instrument does not specify an interest rate, the default rate is set at 18% per annum.

 Quick Tip

When no interest rate is specified, negotiable instruments default to an 18% per annum rate.

Question 49: Within what period from the date of publication of the declaration, if no award is made, the entire proceedings for the acquisition of land shall lapse as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013?

- (A) 6 months
- (B) 12 months
- (C) 18 months
- (D) 24 months

Correct Answer: (B) 12 months

Solution: Under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the acquisition proceedings will lapse if no award is made within 12 months from the date of publication of the declaration.

 Quick Tip

The Act requires that land acquisition awards be issued within 12 months to avoid lapsing.

Question 50: What is the minimum percentage of affected families that need to give their prior consent for acquiring land for private companies as per the Right To Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013?

- (A) 75%
- (B) 80%
- (C) 90%
- (D) 100%

Correct Answer: (B) 80%

Solution: According to the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, for land acquisition for private companies, prior consent of at least 80% of the affected families is required.

 Quick Tip

The Act mandates an 80% consent requirement from affected families for private land acquisitions.

Question 51: Imagine an IPL team sets up a company to sell its own range of clothes. What type of intellectual property can the team use to show that the clothes are made by them?

- (A) Patents
- (B) Geographical Indications
- (C) Trademarks
- (D) Registered designs

Correct Answer: (C) Trademarks

Solution: A trademark can be used to indicate the source or brand of products, allowing the IPL team to show that the clothes are made by them. Trademarks help in establishing brand identity and distinguishing goods from other sellers.

 Quick Tip

Trademarks identify the source of goods, making them suitable for branding clothing lines.

Question 52: How long do patents usually last for?

- (A) 10 years
- (B) 20 years
- (C) 25 years
- (D) 50 years

Correct Answer: (B) 20 years

Solution: In most jurisdictions, including India, a patent typically lasts for 20 years from the date of filing. This period provides exclusive rights to the patent holder, after which the invention becomes public domain.

 Quick Tip

Patents generally provide a 20-year protection period, granting exclusive rights to the inventor.

Question 53: The concept of freedom of trade and commerce mentioned in the Indian Constitution is motivated from the experience of the following country?

- (A) America
- (B) Australia
- (C) Ireland
- (D) United Kingdom

Correct Answer: (B) Australia

Solution: The concept of freedom of trade and commerce in the Indian Constitution draws inspiration from Australia's federal structure, which emphasizes unrestricted trade between states, thereby fostering economic unity.

 Quick Tip

Australia's example highlights a successful federal framework ensuring seamless inter-state trade.

Question 54: Which of the following writ is issued to enforce the performance of public duties by the authority?

- (A) Mandamus
- (B) Quo warranto
- (C) Certiorari
- (D) Prohibition

Correct Answer: (A) Mandamus

Solution: A writ of *Mandamus* is issued by a court to compel a public authority to perform a duty that it is legally obligated to carry out but has failed to do so. It is intended to prevent arbitrary neglect or refusal to perform such duties.

 Quick Tip

Mandamus ensures public authorities fulfill their legal responsibilities, promoting accountability.

Question 55: Which of the following Constitutional Amendment Act had made the provision for publishing Hindi Translation of the Constitution?

- (A) 52nd Amendment
- (B) 54th Amendment
- (C) 56th Amendment
- (D) 58th Amendment

Correct Answer: (D) 58th Amendment

Solution: The 58th Amendment to the Indian Constitution provided for the official

publication of an authoritative Hindi translation of the Constitution, ensuring that it is accessible to the Hindi-speaking populace.

 Quick Tip

The 58th Amendment played a crucial role in promoting linguistic accessibility of the Constitution for Hindi speakers.

Question 56: Which of the following is the landmark judgment on the Colourable legislation?

- (A) State of Bihar v Kameshwar Singh
- (B) M. Karunanidhi v Union of India
- (C) State of Karnataka v Union of India
- (D) Keshavan Madhava Menon v State of Bombay

Correct Answer: (A) State of Bihar v Kameshwar Singh

Solution: The doctrine of Colourable Legislation was critically analyzed in the *State of Bihar v. Kameshwar Singh* case. This landmark ruling examined whether legislative powers were misused to circumvent constitutional boundaries.

 Quick Tip

Colourable Legislation refers to a law that appears valid but is, in reality, beyond the powers of the enacting authority.

Question 57: Which of the following Constitutional Amendment Act was passed in light of the advisory opinion received in *Re Berubari* case?

- (A) The Constitution (Fourth Amendment) Act, 1955
- (B) The Constitution (Seventh Amendment) Act, 1956
- (C) The Constitution (Ninth Amendment) Act, 1960
- (D) The Constitution (Eleventh Amendment) Act, 1961

Correct Answer: (C) The Constitution (Ninth Amendment) Act, 1960

Solution: The *Ninth Amendment Act* of 1960 was enacted to facilitate the implementation of the Nehru-Noon Agreement concerning the exchange of certain enclaves between India and Pakistan, following the Supreme Court's advisory opinion in the *Re Berubari Union* case.

 Quick Tip

This amendment resolved territorial disputes and facilitated border adjustments with Pakistan.

Question 58: Which of the following provision of the Constitution of India is relevant for solving questions of repugnancy between a Central law and a State law?

- (A) Article 248
- (B) Article 252
- (C) Article 254
- (D) Article 256

Correct Answer: (C) Article 254

Solution: Article 254 of the Indian Constitution addresses conflicts between laws made by the Parliament and laws made by State Legislatures on matters listed in the Concurrent List. In the event of a conflict, the Central law prevails over the State law.

 Quick Tip

Article 254 ensures that Central laws take precedence over conflicting State laws in the Concurrent List.

Question 59: What transition period was provided in the Constitution of India for changing official language of Union from English to Hindi?

- (A) 5 years
- (B) 10 years
- (C) 15 years
- (D) 25 years

Correct Answer: (C) 15 years

Solution: The Constitution of India allowed a transition period of 15 years, from 1950 to 1965, for replacing English with Hindi as the official language of the Union, as specified in Article 343. This was meant to provide sufficient time for a smooth transition.

 Quick Tip

This 15-year transition aimed to balance the needs of diverse linguistic groups across the country.

Question 60: In which of the following case it was held that there could be no reservation on single post in the cadre?

- (A) Chakradhar Paswan v State of Bihar
- (B) K.C. Vasanth Kumar v State of Karnataka

- (C) A.B.S.K. Sangh (Rly) v Union of India
(D) State of Kerala v N.M. Thomas

Correct Answer: (A) Chakradhar Paswan v State of Bihar

Solution: The Supreme Court in the case of *Chakradhar Paswan v State of Bihar* ruled that reservations cannot be applied to a single post within a cadre, as it would undermine the principles of equality and fairness in employment.

 Quick Tip

Reservations are typically designed for a broader set of posts, not individual positions, to maintain fairness.

Question 61: Sexual harassment of a working woman at her place of work may also be considered as the violation of which of the following provision of the Constitution of India?

- (A) Article 19(1)(b)
(B) Article 19(1)(d)
(C) Article 19(1)(e)
(D) Article 19(1)(g)

Correct Answer: (D) Article 19(1)(g)

Solution: Article 19(1)(g) guarantees the right to practice any profession or to carry out any occupation, trade, or business. Sexual harassment at the workplace violates this right, restricting women's ability to work in a safe environment.

 Quick Tip

The Constitution upholds the right to work in a safe environment, ensuring dignity and security in the workplace.

Question 62: Which of the following doctrine has been applied to resolve the conflict between Article 25(2)(b) and 26(b) of the Constitution of India?

- (A) Doctrine of Harmonious construction
(B) Doctrine of Casus Omissus
(C) Doctrine of Liberal interpretation
(D) Doctrine of Pith and substance

Correct Answer: (A) Doctrine of Harmonious construction

Solution: The Doctrine of Harmonious Construction is used to reconcile conflicts between different provisions of the Constitution by interpreting them in a manner that

allows them to coexist harmoniously. This doctrine was applied to balance religious freedom under Articles 25(2)(b) and 26(b).

 Quick Tip

This doctrine seeks to give effect to multiple constitutional provisions without creating contradictions.

Question 63: In which of the following situations Indian Penal Code, 1860 may not apply?

- i. An offence committed by Indians outside India.
 - ii. An offence committed by any person on any ship registered in India.
 - iii. Any person committing offence targeting computer resources located in any country.
- (A) Only i
(B) Only ii
(C) Only iii
(D) Only i & ii

Correct Answer: (C) Only iii

Solution: The Indian Penal Code, 1860 has provisions for its extraterritorial application, covering crimes committed by Indian citizens abroad or on Indian-registered ships. However, offences related to computer resources outside India generally fall under the jurisdiction of the Information Technology Act, rather than the IPC.

 Quick Tip

Cyber offences with international elements are often addressed by specific cyber laws rather than traditional criminal laws.

Question 64: How many types of punishment are currently existing under the Indian Penal Code, 1860?

- (A) 3
(B) 4
(C) 5
(D) 6

Correct Answer: (C) 5

Solution: The IPC prescribes five types of punishments: death penalty, life imprisonment, imprisonment (rigorous or simple), forfeiture of property, and fine. This classification aims to cover a wide range of offences and ensure proportional justice.

 Quick Tip

The diversity of punishments under IPC allows the judiciary to match the penalty with the gravity of the offence.

Question 65: A and Z agree to fence with each other for amusement. In the course of such fencing, while playing fairly, A hurts Z severely. Which of the following offence is committed by A?

- (A) Hurt
- (B) Attempt to murder
- (C) Grievous hurt
- (D) No offence

Correct Answer: (D) No offence

Solution: Since both A and Z mutually consented to an activity that inherently involved some risk, and the injury occurred without any malice, it does not constitute an offence. Mutual consent in lawful activities, unless there is deliberate intent to harm, typically mitigates liability.

 Quick Tip

Engaging in consensual activities with known risks often reduces legal culpability unless malintent is proven.

Question 66: In which of the following situations right of private defence can not extend to causing death?

- (A) In case when an assault is causing apprehension of murder.
- (B) In case when assault is reflecting intention of committing rape.
- (C) In case when assault is reflecting intention of causing simple hurt.
- (D) In case when assault is reflecting intention of gratifying unnatural lust.

Correct Answer: (C) In case when assault is reflecting intention of causing simple hurt

Solution: The right of private defence allows causing death only under extreme circumstances, such as threats of grievous harm, rape, or life-threatening assaults. If the threat posed involves only simple hurt, causing death would exceed the bounds of justified self-defence.

 Quick Tip

The extent of self-defence must be proportional to the perceived threat to justify legal protection.

Question 67: For which of the following Section of the Indian Penal Code, 1860 the word benefit does not include pecuniary benefits?

- (A) Section 89
- (B) Section 155
- (C) Section 156
- (D) Section 370

Correct Answer: (A) Section 89

Solution: Section 89 of the IPC covers acts done in good faith for the benefit of persons who are either minors or of unsound mind. The term "benefit" in this context pertains to the well-being and protection of such individuals and explicitly excludes financial gain.

 Quick Tip

"Benefit" here refers to actions genuinely intended for someone's welfare, not monetary gain.

Question 68: X intentionally pulls up a woman's veil without her consent intending to annoy her. As per the Indian Penal Code, 1860 which of the following offence has he committed?

- (A) Hurt
- (B) Criminal force
- (C) Assault
- (D) Grievous hurt

Correct Answer: (B) Criminal force

Solution: When X pulls up the woman's veil with intent to cause annoyance without her consent, it constitutes the offence of criminal force. This involves the unlawful application of force meant to provoke, intimidate, or upset the victim.

 Quick Tip

Criminal force emphasizes using force unlawfully to annoy or harm another person.

Question 69: What punishment is prescribed under the Indian Penal Code, 1860 for a person who maims any minor in order that such minor may be used for the purposes of begging?

- (A) Imprisonment for 5 years and fine

- (B) Imprisonment for 7 years and fine
- (C) Imprisonment for 10 years and fine
- (D) Imprisonment for life and fine

Correct Answer: (D) Imprisonment for life and fine

Solution: Under Section 363A of the IPC, maiming a minor for purposes like begging is treated with the utmost seriousness, carrying a penalty of life imprisonment along with a fine. This reflects the gravity of exploiting vulnerable individuals.

 Quick Tip

Exploitation of minors for begging invokes the highest penalties under law to deter such heinous acts.

Question 70: X threatens to publish a defamatory libel concerning Y unless Y gives him money. Which of the following punishment may be given to X for the act committed by him as per the Indian Penal Code, 1860?

- (A) Imprisonment up to 2 years, or with fine or with both.
- (B) Imprisonment up to 3 years, or with fine or with both.
- (C) Imprisonment up to 5 years, or with fine or with both.
- (D) Imprisonment up to 7 years, or with fine or with both.

Correct Answer: (B) Imprisonment up to 3 years, or with fine or with both.

Solution: Threatening someone for money by means of defamation constitutes criminal intimidation and extortion under the IPC, carrying a penalty of up to three years of imprisonment, a fine, or both.

 Quick Tip

Acts of coercion and defamation used for extortion face strict penalties to curb misuse of power.

Question 71: Which of the following sentence is an Assistant Sessions Judge authorised to pass as per the Code of Criminal Procedure, 1973?

- (A) Sentence of death.
- (B) Sentence of imprisonment for life.
- (C) Sentence of imprisonment for a term not exceeding ten years.
- (D) Sentence of imprisonment for a term exceeding ten years.

Correct Answer: (C) Sentence of imprisonment for a term not exceeding ten years.

Solution: An Assistant Sessions Judge is authorized to impose a maximum sentence of imprisonment up to ten years under the CrPC. This limitation aligns with the hierarchical

structure of the judiciary.

 Quick Tip

Judicial authority is tiered, with higher courts empowered for more severe sentences.

Question 72: A person arrested by a private person for committing a non-bailable and cognizable offence shall be re-arrested by a police officer if such person comes under which of the following provision of the Code of Criminal Procedure, 1973?

- (A) Section 41
- (B) Section 41A
- (C) Section 42
- (D) Section 43

Correct Answer: (A) Section 41

Solution: As per Section 41 of the CrPC, when a private individual arrests a person for a cognizable and non-bailable offence, it is the duty of the police to re-arrest and take appropriate custody of the individual as per the law.

 Quick Tip

The CrPC grants specific powers to police for re-arrest following lawful private arrests in serious cases.

Question 73: Under which of the following situation wife is not entitled for maintenance under Section 125 of the Code of Criminal Procedure, 1973?

- (A) Husband presumes that wife is living in adultery.
- (B) Voluntarily wife refuses to live with husband.
- (C) Wife living separately as husband keeps a mistress.
- (D) Wife is forcefully removed from the house.

Correct Answer: (B) Voluntarily wife refuses to live with husband

Solution: If a wife voluntarily separates from her husband without sufficient cause or reason, she is not entitled to maintenance under Section 125 of the CrPC. However, justified reasons such as mistreatment would still warrant support.

 Quick Tip

Maintenance laws prioritize genuine need and reasonable separation causes.

Question 74: Which of the following procedure is dealt under Section 164-A of the Code of Criminal Procedure, 1973?

- (A) Medical examination of the victim of rape.
- (B) Attendance of witness by police officer.
- (C) Recording of confession statement.
- (D) Recording of first information report by police officer.

Correct Answer: (A) Medical examination of the victim of rape

Solution: Section 164-A of the CrPC mandates prompt medical examination of rape victims to ensure timely collection of evidence and provide necessary care, safeguarding both justice and victim welfare.

 Quick Tip

Timely medical checks are vital for both evidence preservation and victim care.

Question 75: Which of the following is incorrect with respect to diary of proceedings in investigation as per the Code of Criminal Procedure, 1973?

- (A) The statements of witnesses recorded during investigation shall be inserted in the diary.
- (B) The diary shall be duly paginated.
- (C) The diary may be used as evidence.
- (D) Can be used by the police officers to refresh memory.

Correct Answer: (C) The diary may be used as evidence.

Solution: Investigation diaries are meant for the internal use of police officers to assist in investigations. While they can refresh memory or be checked for corroboration, they are not admissible as primary evidence in court.

 Quick Tip

Investigation diaries serve as reference tools, not primary evidence in trials.

Question 76: In which of the following cases manner of committing offence is not required to be mentioned in the charge as per the Code of Criminal Procedure, 1973?

- (A) A is accused of the theft of a certain article at a certain time and place.
- (B) A is accused of cheating B at a given time and place.
- (C) A is accused of disobeying a direction of the law with intent to save B from punishment.

(D) A is accused of giving false evidence at a given time and place.

Correct Answer: (A) A is accused of the theft of a certain article at a certain time and place.

Solution: For the offence of theft, it suffices to specify the essential details such as the article, time, and place, without delving into the manner of theft. However, more complex charges like cheating may require additional specifics.

 Quick Tip

The nature of an offence often dictates the level of detail required in a charge.

Question 77: Which of the following offences may be tried summarily as per the Code of Criminal Procedure, 1973?

- (A) Offence under Section 454 of the IPC.
- (B) Offence under Section 504 of the IPC.
- (C) Offence punishable with imprisonment for a term not exceeding two years.
- (D) Offence punishable with life imprisonment.

Correct Answer: (C) Offence punishable with imprisonment for a term not exceeding two years.

Solution: Summary trials are designed to expedite the judicial process for relatively minor offences by simplifying procedures. As such, offences carrying a maximum punishment of up to two years can be tried summarily, ensuring quicker resolution while maintaining justice. The aim is to reduce procedural delays without compromising fairness.

 Quick Tip

Summary trials focus on minor cases to streamline justice and reduce court backlog.

Question 78: Which of the following Section of the Code of Criminal Procedure, 1973 provides for reference to High Court?

- (A) Section 275
- (B) Section 325
- (C) Section 383
- (D) Section 395

Correct Answer: (D) Section 395

Solution: Section 395 of the CrPC empowers subordinate courts to refer questions of law to the High Court when such questions arise during the course of a case and require higher

judicial interpretation. This provision ensures uniformity and coherence in interpreting complex legal matters.

 Quick Tip

Referring legal questions to the High Court promotes consistent application of law across different cases.

Question 79: A person accused of the following offence may not be granted bail under Section 438 of the Code of Criminal Procedure, 1973:

- i. Accused of offence under Section 376AB of the IPC.
 - ii. Accused of offence under Section 376DA of the IPC.
 - iii. Accused of offence under Section 376DB of the IPC.
- (A) i & ii
(B) ii & iii
(C) iii & i
(D) i, ii & iii

Correct Answer: (D) i, ii & iii

Solution: Section 438 of the CrPC, which deals with anticipatory bail, does not apply to serious sexual offences specified under Sections 376AB, 376DA, and 376DB of the IPC due to their grave nature. These sections relate to heinous crimes involving sexual assault, thereby warranting stricter provisions and limiting anticipatory bail.

 Quick Tip

Anticipatory bail is restricted for heinous crimes to uphold justice and protect victims.

Question 80: Which of the following act if done by any Magistrate, even in good faith without being empowered, shall vitiate the proceedings as per the Code of Criminal Procedure, 1973?

- (A) Tender a pardon under Section 306 of CrPC.
(B) Recall a case and try it under Section 410 of the CrPC.
(C) Attaches property under Section 83 of the CrPC.
(D) Hold an inquest under Section 176 of the CrPC.

Correct Answer: (C) Attaches property under Section 83 of the CrPC.

Solution: For property attachment under Section 83 of the CrPC, a Magistrate must have the proper authority. Any action taken without due empowerment, even in good faith, can vitiate the proceedings, reflecting the need for strict adherence to procedural authority.

 Quick Tip

Adhering to procedural authority ensures legitimacy and prevents misuse of power.

Question 81: Which of the following is material for deciding the jurisdiction of the Civil Court in the light of the Code of Civil Procedure, 1908?

- (A) Averments made in the plaint
- (B) Averments made in the written statement
- (C) Both (A) & (B)
- (D) Neither (A) nor (B)

Correct Answer: (A) Averments made in the plaint

Solution: Jurisdiction of a Civil Court is determined based on the averments in the plaint, as it outlines the cause of action and the relief sought. The written statement, being the defendant's response, does not influence the initial determination of jurisdiction.

 Quick Tip

The plaint sets the stage for a case, defining jurisdiction based on claims and relief sought.

Question 82: Which of the following cannot be considered as the suit of civil nature for Section 9 of the Code of Civil Procedure, 1908?

- (A) Suit for recovery of voluntary payments or offerings.
- (B) Suit for rights of franchise.
- (C) Suit for specific reliefs.
- (D) Suit relating to rights of worship.

Correct Answer: (A) Suit for recovery of voluntary payments or offerings.

Solution: Under Section 9 of the CPC, suits of civil nature involve the enforcement of private rights. Suits for recovery of voluntary payments or offerings lack enforceable legal rights and thus do not qualify as civil suits.

 Quick Tip

Civil suits are based on enforceable legal rights, not voluntary or gratuitous actions.

Question 83: Which of the following provision of the Code of Civil Procedure,

1908 makes the doctrine of res judicata applicable in representative suits?

- (A) Section 11, Explanation V
- (B) Section 11, Explanation VI
- (C) Section 11, Explanation VII
- (D) Section 11, Explanation VIII

Correct Answer: (B) Section 11, Explanation VI

Solution: Section 11, Explanation VI of the CPC extends the doctrine of res judicata to representative suits, binding all parties represented by the suit to the decision. This ensures consistency and finality in representative litigation.

 Quick Tip

Res judicata in representative suits prevents repetitive litigation on the same matter.

Question 84: In which of the following situations a court will not issue summons for personal appearance to the defendant?

- (A) If defendant resides within the local limit of the court's jurisdiction.
- (B) If defendant resides within 40 miles from the court.
- (C) If defendant resides 250 miles away from the court in an area having public conveyance available.
- (D) Woman to whom Section 132 of the Civil Procedure Code, 1908 does not apply.

Correct Answer: (C) If defendant resides 250 miles away from the court in an area having public conveyance available.

Solution: Courts may choose not to issue personal appearance summons if the defendant resides far from the court, especially if public conveyance is available, to avoid undue hardship and inconvenience.

 Quick Tip

Summons procedures consider practical accessibility and convenience for defendants.

Question 85: In which of the following situation plaintiff is precluded from bringing a fresh suit as per the Code of Civil Procedure, 1908?

- (A) Dismissal of suit where summons not served in consequence of plaintiff's failure to pay costs.
- (B) Dismissal of suit because neither party appeared.
- (C) Dismissal of suit because plaintiff did not appear.
- (D) Dismissal of suit because plaintiff did not apply for fresh summons within given time

limit once it returned unserved.

Correct Answer: (C) Dismissal of suit because plaintiff did not appear.

Solution: If a plaintiff fails to appear in court, the suit is dismissed, generally barring any fresh suits on the same cause of action unless a restoration application is allowed by the court.

 Quick Tip

Non-appearance of a plaintiff can lead to dismissal, restricting their rights to re-litigate.

Question 86: How many times at max. may an adjournment be granted to a party during hearing of the suit as per the Code of Civil Procedure, 1908?

- (A) Two times
- (B) Three times
- (C) Four times
- (D) No limit prescribed

Correct Answer: (B) Three times

Solution: The Code of Civil Procedure limits adjournments to a maximum of three for each party to expedite the resolution of cases and prevent unnecessary delays. This restriction aims to streamline the legal process and reduce backlogs in court.

 Quick Tip

Limiting adjournments helps maintain judicial efficiency and ensures timely resolution of disputes.

Question 87: Which of the following Amendment Act made the provision in the Code of Civil Procedure, 1908 to produce a witness without a summons?

- (A) The Code of Civil Procedure (Amendment) Act, 1976
- (B) The Code of Civil Procedure (Amendment) Act, 1999
- (C) The Code of Civil Procedure (Amendment) Act, 2002
- (D) Such provision does not exist.

Correct Answer: (B) The Code of Civil Procedure (Amendment) Act, 1999

Solution: The 1999 Amendment to the Code of Civil Procedure introduced provisions to simplify witness production. It allows parties to produce witnesses without the need for a formal summons in certain circumstances, thus speeding up court proceedings and reducing procedural complexity.

 Quick Tip

Reducing procedural barriers for witness production fosters a more efficient judicial process.

Question 88: Which of the following is not included in the word costs as provided under the Code of Civil Procedure, 1908?

- (A) The expenses of the witnesses incurred.
- (B) Legal fees and expenses incurred.
- (C) Fooding and lodging expenses incurred.
- (D) Any other expenses incurred in connection with the proceedings.

Correct Answer: (C) Fooding and lodging expenses incurred.

Solution: The term "costs" under the Code of Civil Procedure generally refers to expenses directly linked to litigation, such as witness expenses and legal fees. Personal expenses like fooding and lodging are not considered unless expressly awarded by the court.

 Quick Tip

Litigation costs focus on essential legal and case-related expenses, not incidental personal costs.

Question 89: What period is prescribed under the Code of Civil Procedure, 1908 for defendant to enter an appearance for filing address for service of notice on him in case of a suit where summary procedure is to be applied?

- (A) Seven days from the date of receiving of summons.
- (B) Ten days from the date of receiving of summons.
- (C) Fifteen days from the date of receiving of summons.
- (D) Thirty days from the date of receiving of summons.

Correct Answer: (B) Ten days from the date of receiving of summons.

Solution: In cases governed by summary procedure, the defendant is required to enter an appearance within ten days of receiving the summons. This provision ensures a prompt response to expedite the trial process under Order XXXVII of the CPC.

 Quick Tip

Summary procedures are designed for swift adjudication and mandate quick responses from defendants.

Question 90: Under which of the following provisions of the Code of Civil Procedure, 1908 the appellate court may remit an issue for trial to lower court?

- (A) Order XLI Rule 23
- (B) Order XLI Rule 23-A
- (C) Order XLI Rule 24
- (D) Order XLI Rule 25

Correct Answer: (D) Order XLI Rule 25

Solution: Order XLI Rule 25 of the CPC allows an appellate court to remit an issue for trial to the lower court if it deems further examination necessary for a just and fair decision. This provision ensures comprehensive adjudication of complex issues.

 Quick Tip

Remitting issues to lower courts allows for a thorough examination of facts, promoting fair outcomes.

Question 91: A is accused of the murder of B by beating him. Which of the following will not be considered as relevant fact forming part of the same transaction as per the Indian Evidence Act, 1872?

- (A) Whatever said by A or B at the time of beating.
- (B) Whatever done by A or B at the time of beating.
- (C) Whatever said by by-standers at the time of beating.
- (D) Whatever said by A or B a day before the day of beating.

Correct Answer: (D) Whatever said by A or B a day before the day of beating.

Solution: For a fact to be considered part of the same transaction under the Indian Evidence Act, it must have a close temporal and contextual connection with the main event. Statements made by A or B a day before the beating lack the requisite proximity and are not deemed relevant.

 Quick Tip

Relevance in evidence requires a direct link in time and context to the main incident.

Question 92: Which of the following provisions of the Indian Evidence Act, 1872 says that the confession to a police officer shall not be proved against him?

- (A) Section 24
- (B) Section 25

- (C) Section 26
(D) Section 27

Correct Answer: (B) Section 25

Solution: Section 25 of the Indian Evidence Act prohibits the use of confessions made to police officers as evidence against the accused. This safeguard exists to prevent coercion or abuse during interrogations and ensure that confessions are voluntary and made in a judicial setting.

 Quick Tip

This provision upholds the integrity of confessions by eliminating potential police coercion.

Question 93: Under which of the following provision of the Indian Evidence Act, 1872 dying declaration may be admitted as evidence?

- (A) Section 25
(B) Section 29
(C) Section 32
(D) Section 37

Correct Answer: (C) Section 32

Solution: Section 32 of the Indian Evidence Act allows for the admission of dying declarations as evidence. Such statements are considered trustworthy as they are made by a person who is at the point of death and is unlikely to lie.

 Quick Tip

Dying declarations are admitted based on their presumed reliability due to the solemnity of imminent death.

Question 94: Which of the following is correct according to the Indian Evidence Act, 1872 pertaining to proof of contents of the documents?

- (A) Contents of the documents shall be proved by primary evidence.
(B) Contents of the documents may be proved by secondary evidence.
(C) Contents of the documents shall be proved by both primary and secondary evidence.
(D) Contents of documents may be proved either by primary or by secondary evidence.

Correct Answer: (D) Contents of documents may be proved either by primary or by secondary evidence.

Solution: The Indian Evidence Act allows for proving document contents either through primary evidence (the original document) or secondary evidence (e.g., copies) under spe-

cific conditions, such as loss or unavailability of the original.

 Quick Tip

Primary evidence is preferred, but secondary evidence is admissible when justified by circumstances.

Question 95: Which of the following is a correct statement as per the Indian Evidence Act, 1872?

- (A) Leading questions may be asked in examination-in-chief.
- (B) Leading questions may be asked in cross-examination.
- (C) Leading questions may be asked in re-examination.
- (D) Leading questions cannot be asked in cross-examination.

Correct Answer: (B) Leading questions may be asked in cross-examination.

Solution: Under the Indian Evidence Act, leading questions, which suggest the answer or contain the desired answer within them, are permitted during cross-examination. This allows the opposing party to challenge or discredit the testimony of the witness.

 Quick Tip

Cross-examination uses leading questions to test the credibility and consistency of witnesses.

Question 96: In which of the following case did the Supreme Court of India clarify the admissibility of electronic record as evidence?

- (A) Anvar P.V. v P.K. Basheer
- (B) State of Haryana v Jai Singh
- (C) State of Maharashtra v Natwarlal Damodardas Soni
- (D) State of Punjab v Jagir Singh

Correct Answer: (A) Anvar P.V. v P.K. Basheer

Solution: In *Anvar P. V. v P. K. Basheer*, the Supreme Court laid down the conditions for the admissibility of electronic records as evidence, emphasizing compliance with Section 65B of the Indian Evidence Act. This ruling ensures that electronic documents are authenticated in accordance with statutory procedures.

 Quick Tip

The *Anvar P. V.* judgment set clear rules for authenticating electronic evidence, ensuring its reliability.

Question 97: Which of the following is incorrect statement in the light of Indian Evidence Act, 1872?

- (A) Confession always goes against a person making it.
- (B) Admissions are conclusive as to the matters admitted.
- (C) Admissions may operate as an estoppel.
- (D) Confession is a statement, written or oral, which is a direct admission of guilt.

Correct Answer: (B) Admissions are conclusive as to the matters admitted.

Solution: Under the Indian Evidence Act, admissions are not conclusive proof and can be rebutted unless they serve as an estoppel under certain circumstances. Unlike confessions, admissions are not always binding and may be subject to further scrutiny.

 Quick Tip

Admissions provide initial evidence but do not guarantee conclusiveness, unlike binding confessions.

Question 98: Which of the following Section of the Indian Evidence Act, 1872 is an exception to the hearsay rule?

- (A) Section 32(1)
- (B) Section 32(2)
- (C) Section 32(3)
- (D) Section 32(5)

Correct Answer: (A) Section 32(1)

Solution: Section 32(1) of the Indian Evidence Act permits certain statements made by a person who is dead or cannot be found, such as dying declarations, to be admissible in court as an exception to the hearsay rule. Such statements carry a presumption of reliability due to their unique context.

 Quick Tip

The hearsay rule excludes second-hand testimony, but exceptions like dying declarations exist to ensure justice.

Question 99: Which of the following is not a recognized alternate dispute resolution mechanism under the Code of Civil Procedure, 1908?

- (A) Arbitration
- (B) Conciliation
- (C) Lok Adalat

(D) Negotiation

Correct Answer: (D) Negotiation

Solution: The Code of Civil Procedure formally recognizes alternative dispute resolution (ADR) mechanisms like arbitration, conciliation, and Lok Adalats. However, negotiation, while a useful and informal dispute resolution tool, is not formally recognized under the CPC as an ADR process.

 Quick Tip

Formal ADR processes aim to provide structured, alternative routes to resolving disputes outside of court.

Question 100: Which of the following is incorrect statement with respect to Lok Adalat?

- (A) No court fee is required in Lok Adalat.
- (B) Lok Adalat can deal with all civil & criminal matters.
- (C) Award of Lok Adalat is a deemed decree.
- (D) No appeal against the award of Lok Adalat is allowed.

Correct Answer: (B) Lok Adalat can deal with all civil & criminal matters.

Solution: Lok Adalats primarily handle civil, matrimonial, and compoundable criminal matters. They cannot adjudicate non-compoundable criminal offences. This limitation ensures that more serious criminal matters are dealt with through regular judicial processes.

 Quick Tip

Lok Adalats focus on amicable settlement and swift justice but avoid serious criminal cases.