

CUET PG 2024 LLM Question Paper with Solution

Time Allowed :1 Hour 45 Mins	Maximum Marks :300	Total Questions :75
------------------------------	--------------------	---------------------

General Instructions

Read the following instructions very carefully and strictly follow them:

1. The examination duration is 105 minutes. Manage your time effectively to attempt all questions within this period.
2. The total marks for this examination are 300. Aim to maximize your score by strategically answering each question.
3. There are 75 mandatory questions to be attempted in the Agro forestry paper. Ensure that all questions are answered.
4. Questions may appear in a shuffled order. Do not assume a fixed sequence and focus on each question as you proceed.
5. The marking of answers will be displayed as you answer. Use this feature to monitor your performance and adjust your strategy as needed.
6. You may mark questions for review and edit your answers later. Make sure to allocate time for reviewing marked questions before final submission.
7. Be aware of the detailed section and sub-section guidelines provided in the exam. Understanding these will aid in effectively navigating the exam.

1. In which of the following case, the Supreme Court of India held that “the rule of res judicata applies to a petition filed under Article 32 of the Constitution and if a petition filed by a petitioner in the High Court under Article 226 of the Constituion is dismissed on merits such decision would operate as res judicata so as to bar a simialr petition in the Supreme Court under Article 32 of the Constituion”.

- (A) State of U.P v Nawab Hussain
- (B) Gulam Abbas v State of U P
- (C) Daryao v. State of U.P
- (D) Iftikar Ahmed v. Syed Meharban Ali

Correct Answer: (C) Daryao v. State of U.P

Solution:

In the landmark case of Daryao v. State of U.P., the Supreme Court of India established that the principle of res judicata applies to petitions filed under Article 32 of the Constitution. This means that if a petition under Article 226 has been dismissed on its merits by the High Court, a similar petition in the Supreme Court under Article 32 would be barred by the doctrine of res judicata. The court held that a decision on merits by the High Court under Article 226

operates as res judicata. This ensures finality and prevents repeated litigation on the same cause of action.

 Quick Tip

Remember, Daryao v. State of U.P. case is crucial for understanding how res judicata applies to petitions under Article 32 after a decision on merits under Article 226.

2. The chief exponent of “auto limitation theory” regarding basis of International law is:

- (A) Starke
- (B) Jellinek
- (C) Hart
- (D) Oppenheim

Correct Answer: (B) Jellinek

Solution:

The “auto-limitation theory” posits that the basis of international law lies in the self-imposed limitations of sovereign states. According to this theory, a state’s sovereignty is the source of all legal obligations, and the state limits its own power by consenting to be bound by international law. The chief exponent of this theory is Georg Jellinek. He argued that states are free actors, but in the interest of stability and co-existence, they agree to be bound by common rules. The foundation is thus found in the will of the state.

 Quick Tip

Recall that Georg Jellinek is a key figure associated with the auto-limitation theory, emphasizing the state’s voluntary acceptance of international legal norms.

3. “Individual is the ultimate unit of all laws, International or municipal”- given by :-

- (A) Austin
- (B) Lauterpacht
- (C) Starke
- (D) Fenwick

Correct Answer: DROP

Solution:

This question, while marked as ‘drop’ in the provided key, is intended to test the knowledge of prominent legal thinkers who have given their opinion on the ultimate unit of law. The concept

that the “individual” is the ultimate unit of all law, whether international or municipal, is most famously associated with *Hersch Lauterpacht.* While other thinkers in international law like Austin, Starke and Fenwick have contributed significantly in their own ways, Lauterpacht specifically emphasized on the individual as the central consideration in legal frameworks. Thus, while Lauterpacht is the most appropriate option here, this question is dropped due to lack of clarity regarding the other thinkers and their exact words.

 Quick Tip

Lauterpacht emphasized the individual as the central consideration in all laws.

4. Which of the following associated with “Droit Administratif”

- (A) Edward Coke
- (B) Montesquieu
- (C) Aristotle
- (D) Napoleon Bonaparte

Correct Answer: (D) Napoleon Bonaparte

Solution:

The concept of “Droit Administratif,” a specialized body of rules and principles that govern the actions and conduct of public administration, is closely associated with the legal and political system developed in France. The evolution of “Droit Administratif” is tied to France’s development into a modern state with a strong administrative structure. Napoleon Bonaparte played a significant role in establishing and shaping the administrative and judicial structures. He introduced the Conseil d’État which is considered a cornerstone of the French administrative system.

 Quick Tip

Remember that Napoleon Bonaparte and his reforms are a key link to the development of Droit Administratif.

5. In which of the following case, the Supreme Court of India held that the Indian Consitution has not indeed recognised the Doctrine of Separation of Power in its absolute rigidity but the functions of the different parts of the government have been sufficienlty differentiated:

- (A) Indira Nehru Gandhi v. Raj Narain
- (B) Maneka Gandhi v. Union of India
- (C) A K. Kraipak v. Union of India
- (D) Ram Jawaya Kapur v. State of Punjab

Correct Answer: (D) Ram Jawaya Kapur v. State of Punjab

Solution:

In Ram Jawaya Kapur v. State of Punjab, the Supreme Court of India discussed the doctrine of separation of powers within the Indian constitutional framework. The court clarified that while the Indian Constitution doesn't embrace the separation of powers in its absolute rigid sense, it does provide a functional separation among the various branches of government, including the legislative, executive, and judicial branches. The Court recognized the distinctive roles and functions of these branches and how the concept of sufficient differentiation of functions, instead of strict separation, is more relevant to the Indian context.

💡 Quick Tip

The Ram Jawaya Kapur v. State of Punjab case is a key citation for the principle of functional separation of powers in India rather than absolute separation.

6. Section 5 of the Limitation Act, 1963 applicable on:

- (A) Suits. appeals and applications
- (B) Suits and appeals only
- (C) Appeals and Application related with executions
- (D) Appeals and Application other than executions

Correct Answer: (D) Appeals and Application other than executions

Solution:

Section 5 of the Limitation Act, 1963 deals with the extension of the prescribed period in certain cases. According to this section, the court can admit an appeal or application after the prescribed period, if the appellant or applicant satisfies the court that they had sufficient cause for not preferring the appeal or making the application within such period. However, this section specifically excludes certain types of applications, such as those related to execution proceedings. The benefit of Section 5 is applicable to appeals and most applications, but not to applications relating to execution.

💡 Quick Tip

Remember that Section 5 of the Limitation Act covers extensions for appeals and most applications but not for applications related to execution proceedings.

7. Match List-I with List-II

List-I	List-II
(A) Time barred Debt	(1) Right in personam
(B) Right to reputation	(II) Personal right
(C) Right arising out of a contract	(III) Imperfect right
(D) Right to physical integrity	(IV) Right in rem

Correct Answer: (D) (A) - (III), (B) - (IV), (C) - (I), (D) - (II)

Solution:

This question requires matching legal concepts with their descriptions:

- A time-barred debt is an imperfect right as its enforcement is barred.
- A right to reputation is considered a right in rem, which means it's against the world at large.
- A right arising out of a contract is a right in personam, meaning it is against a specific person.
- A right to physical integrity is a personal right, which is an aspect of the right to life and dignity.

 Quick Tip

Focus on how legal concepts apply to individuals or the world.

8. President can return the advice of the Cabinet for reconsideration

- (A) Twice only
 (B) Any number of times
 (C) Once only
 (D) Not even once

Correct Answer: (C) Once only

Solution:

The President of India, under Article 74(1) of the Constitution, is bound to act in accordance with the advice of the Council of Ministers. However, through the 44th Amendment Act of 1978, a provision was introduced that allows the President to send the advice back once for reconsideration. If the Council of Ministers send the advice back to the President after reconsideration, the President is bound to act in accordance with the advice. Therefore, the President can only return the advice once, not any number of times.

 Quick Tip

The 44th Amendment Act provides President to return the advice to the Cabinet for reconsideration only once.

9. Right guaranteed under Article 25 is subject to

- (A) Fundamental rights, dignity and privacy
- (B) Public order, morality and health and the other provisions of Part III
- (C) Public order, decency and health and the other provisions of Part IV
- (D) Public order, morality and health and the Article 14

Correct Answer: (B) Public order, morality and health and the other provisions of Part III

Solution:

Article 25 of the Indian Constitution guarantees the freedom of conscience and free profession, practice, and propagation of religion to all persons. However, this right is not absolute and is subject to restrictions to maintain public order, morality, and health. Additionally, the article is also subject to other provisions of Part III of the Constitution, i.e. the fundamental rights. The State has the power to regulate or restrict these religious activities to uphold these limitations.

 Quick Tip

Article 25 rights are limited by public order, morality, health, and other fundamental rights of Part III.

10. Unless approved by the State legislature, the ordinance issued by the Governor shall cease to operate at the expiration of

- (A) One year
- (B) Six months
- (C) Six weeks
- (D) Two months

Correct Answer: (C) Six weeks

Solution:

Under Article 213 of the Indian Constitution, the Governor of a State has the power to promulgate ordinances when the state legislature is not in session. However, such an ordinance is subject to certain limitations, and will cease to operate, unless it is approved by the State legislature. Unless it receives the approval of the State legislature, an ordinance promulgated by the Governor ceases to operate at the expiration of six weeks from the reassembly of the State Legislature.

 Quick Tip

Governor's Ordinances expires within six weeks of the reassembly of State legislature.

11. Match List-I with List-II

List-I Article in the Constitution of India	List-II Provision
(A). Article 54	(1). Constitution of Parliament
(B). Article 75	(II). Composition of the Council of States
(C). Article 79	(III). Election of President
(D). Article 80	(IV). Appointment of Prime Minister

Correct Answer: (D) (A) - (III), (B) - (IV), (C) - (I), (D) - (II)

Solution:

This question requires matching Articles of the Indian Constitution with their corresponding provisions:

- Article 54 deals with the election of the President of India.
- Article 75 is related to the appointment of the Prime Minister of India.
- Article 79 describes the Constitution of the Parliament of India.
- Article 80 pertains to the composition of the Council of States (Rajya Sabha).

 Quick Tip

Remember the article numbers associated with the President's election, PM's appointment, Constitution of Parliament and the Council of States.

12. Match List-I with List-II

List-I Legal Concept/Theory proposed/, etc	List-II Judicial Decision, Author/Thinker/etc.
(A). Right to privacy	(1). Justice (Retired) Puttaswami v Union of India
(B). Death penalty	(II). Bachan Singh Case
(C). Prisoners right	(III). Maneka Gandhi Case
(D). Right to go abroad	(IV). Sunil Batra Case

Correct Answer: (A) - (I), (B) - (III), (C) - (II), (D) - (IV)

Solution:

This question requires matching legal concepts with their landmark decisions:

- Right to privacy was recognized as a fundamental right in **Justice (Retired) Puttaswami v Union of India**.
- The legal framework for death penalty was elaborated in **Bachan Singh Case**.
- Prisoners rights were discussed in detail in **Maneka Gandhi Case**.

- Right to go abroad was emphasized in the **Sunil Batra Case**.

💡 Quick Tip

Memorize the cases related to each concept regarding human rights and constitutional law.

13. Savigny's Theory is based on

- (A) Greek Law
- (B) Common Law
- (C) Roman Law
- (D) Spanish Law

Correct Answer: (C) Roman Law

Solution:

Friedrich Carl von Savigny's theory of law, particularly his historical school of jurisprudence, is heavily influenced by and based on Roman law. He believed that law was a product of a people's history and culture. His theory emphasized that legal systems develop organically and reflect the unique spirit ("Volksgeist") of each society. He drew heavily upon the framework and historical development of Roman Law to illustrate how a system of law evolves naturally and from within a specific society.

💡 Quick Tip

Remember that Savigny's theory and the historical school of law is closely associated with Roman Law.

14. Res Nullius rule implies

- (A) A right of easement acquired after a passage of time prescribed by law
- (B) Owner of a property has right to take benefit from the property
- (C) Where there is an extinction of previous ownership by an independent adverse act of an acquirer
- (D) For previously ownerless object, the person took the object as the owner

Correct Answer: (D) For previously ownerless object, the person took the object as the owner

Solution:

The term "res nullius" is Latin for "nobody's thing". In legal terms, it refers to property or an object that belongs to no one. Therefore, the res nullius rule implies that an object or property that previously had no owner, belongs to the person who takes possession of it. The act of

taking possession is the act of acquiring ownership. Other options have some relevance to the law of property, but not specifically to res nullius.

💡 Quick Tip

Res Nullius means “nobody’s thing” and relates to how ownership is acquired of property not previously owned by anyone.

15. Match List-I with List-II

List-I Jurist/Thinker	List-II Legal concept/ School/ Doctrine
(A). Grotious	(I). De Jure Belli ac Pacis
(B). Austin	(II). Natural law giving imperative to do good and avoid evil
(C). Thomas Aquinas	(III). Postive morality
(D). Samuelvon Pufendrof	(IV). Supremacy of law of Nature

Correct Answer: (B) (A) - (I), (B) - (III), (C) - (II), (D) - (IV)

Solution:

This question requires matching legal thinkers with their notable concepts:

- Hugo Grotius is associated with the concept of **De Jure Belli ac Pacis**, which deals with the laws of war and peace.
- John Austin is considered to be the father of legal positivism, which emphasizes **positive morality** as the basis of law.
- Thomas Aquinas is known for his work in natural law, which holds that law should reflect the fundamental moral principle of doing good and avoiding evil.
- Samuel von Pufendorf believed in **supremacy of the law of nature**.

💡 Quick Tip

Match each theorist to their key legal or philosophical concept.

16. Which of the section in Code of Criminal Procedure Code, 1973 deals with “set off” ?

- (A) Section 427
- (B) Section 190
- (C) Section 428
- (D) Section 328

Correct Answer: (C) Section 428

Solution:

Section 428 of the Code of Criminal Procedure (CrPC), 1973 deals with the concept of set-off. It allows for the period of detention undergone by the accused person during the investigation, inquiry, or trial for the same case to be set off against the term of imprisonment imposed upon conviction. Essentially, the time spent in custody before sentencing is credited towards the overall sentence, which is called the provision of “set off”. This is primarily to prevent unnecessary long term of imprisonment and to recognise the pre-conviction custody period.

💡 Quick Tip

Section 428 CrPC provides the provision for “set off” which pertains to setting off pre-conviction custody against a prison sentence.

17. Which of the following is correct with reference to Transfer of Property Act, 1882

- (A). Transfer of Property Act deals only with immovable property
- (B). Transfer of Property Act deals with both movable and immovable property
- (C). Property may be transferred orally under the Transfer of Property Act, 1882 in all cases
- (D). Property can be transferred orally under Transfer of Property Act, 1882

Correct Answer: DROP

Solution:

While the Transfer of Property Act, 1882 mainly deals with transfers of immovable property, it also includes aspects of transfers related to some movable properties. This is based on the interpretation of the Act. While many transfers under the act require some written document, the provisions of the act do not exclude all oral contracts, and thus some oral agreements are valid, though these are very limited. So all the options have some element of truth in them while not being entirely accurate. Therefore, the options lack clarity and hence this question was dropped.

💡 Quick Tip

The Transfer of Property Act mainly deals with immovable property but also touches upon aspects of movable property, though most transfers have written documentation. Some oral transfers are valid.

18. Consider the following statements

- (A). Constitutional Amendment Bill be introduced only with the prior permission of the President
- (B). Even if both the Houses of the Parliament passed the Constitutional Amend-

ment Bill President can refuse to sign

(C). If both the Houses of the Parliament passed the Constitutional Amendment Bill, it is mandatory for President to sign and there is provision for joint sitting.

(D). If both the Houses of the Parliament has passed the Constitutional Amendment Bill, it is discretionary for the President to sign and there is provision for joint sitting.

Correct Answer: (C) only

Solution:

A Constitutional Amendment Bill can be introduced in either House of Parliament and doesn't require the prior permission of the President. After being passed by both the Houses with special majority, under Article 368 of the Indian Constitution, the President is bound to give his assent to such bill. The President has no power to veto or return the Bill for reconsideration. The Bill becomes an act as soon as it is given the assent of the President and there is no provision of joint sitting with respect to such bill. Therefore, only statement C is correct.

 Quick Tip

Constitutional amendment bill need no presidential permission before introduction, it is mandatory for president to assent and there is no provision of joint sitting.

19. Where the President issued Proclamation under Article 356, the President may by Proclamation

(A). assume to himself all or any functions of the Government of the States

(B). assume to himself all or any powers vested in or exercisable by the Governor

(C). declare that the powers of the legislature of the State shall be exercisable by or under the authority of Parliament.

(D). assume to himself any powers vested in or exercisable by a High Court

Correct Answer: (A), (B) and (C) only

Solution:

Article 356 of the Indian Constitution deals with the imposition of President's Rule in a State when there is a failure of constitutional machinery. When the President issues a proclamation under Article 356, he/she can take over the functions of the State government, assume the Governor's powers, and declare that the State's legislative powers shall be exercised by Parliament. However, the President cannot assume the powers of a High Court. The High Courts are an independent pillar of judiciary, whose functions and power remains with the High Court itself.

 Quick Tip

The President's Rule does not extend to taking over the powers of a High Court.

20. Read the following with reference to fundamental rights and directive principles

- (A). Primacy is not given to all fundamental rights over directive principles
- (B). Primacy is given to all fundamental rights from Article 14 to Article 32 over directive principles
- (C). Primacy is given only to Directive Principles contained in Art. 39(b) and Art. 39 (c) over the fundamental rights under Arts. 14 and 19
- (D). Primacy is given only to Directive Principles contained in Art. 39(a) and Art. 39 (b) over the fundamental rights under Arts. 14 and 19

Correct Answer: (C) only

Solution:

The relationship between Fundamental Rights and Directive Principles has been a subject of much judicial debate. The Supreme Court, through various landmark judgments, has clarified that Fundamental Rights (Part III) generally hold primacy. However, in the specific context of Article 39(b) and 39(c) of the Directive Principles (Part IV), related to equitable distribution of resources and prevention of concentration of wealth, such principles have primacy even over the fundamental rights guaranteed under article 14 and 19. This is because Art 39 (b) and 39(c) aim to establish a socialist structure in the country and thus can curtail some of the fundamental rights.

 Quick Tip

Article 39(b) and (c) of DPSP have precedence over Articles 14 19 of Fundamental Rights.

21. A decree for restitution of conjugal rights can be executed in India by

- (A) Attachment of the property of the respondent
- (B) Attachment of the property of the respondent and by arresting the respondent
- (C) Arrest of the respondent
- (D) Either Attachment of the property of the respondent or by arresting the respondent

Correct Answer: (A) Attachment of the property of the respondent

Solution:

A decree for restitution of conjugal rights, which is sought by a spouse to compel the other spouse to live with him/her, can only be executed by the attachment of the respondent's property as stipulated in Code of Civil Procedure. The Civil Court cannot order the arrest or imprisonment of the respondent to enforce such decrees, though previously there was a provision for the same. The current procedure only allows for the attachment of property to force the defendant to resume cohabitation.

 Quick Tip

Restitution of conjugal rights decrees can only be executed through the attachment of the defendant's property, not by arrest.

22. Where in order to give effect to international agreement the Parliament enacts law on matter enumerated in the State List, without consulting the affected states, the law is

- (A). Void
- (B). Valid
- (C). Void to the extent of encroachment
- (D). Valid only to the extent affected state has given the consent

Correct Answer: (B) Valid

Solution:

Under Article 253 of the Indian Constitution, Parliament has the power to make any law for the whole or any part of the territory of India for implementing any international treaty or agreement. This power extends to making laws on matters enumerated in the State List. In such cases, even if affected states are not consulted, the law made by Parliament is valid. This provision is to ensure India can effectively comply with its international obligations even if the matters belong to the State list.

 Quick Tip

Parliament can legislate on State list subjects to fulfill international agreements, and such laws are valid.

23. Sequence the following as it appears in the Preamble of the Constitution of India.

- (A). Democratic- Fraternity
- (B). Secular- Equality
- (C). Socialist- Liberty
- (D). Sovereign- Justice

Correct Answer: (B), (C), (D), (A)

Solution:

The correct sequence of these words as they appear in the Preamble to the Constitution of India is as follows:

1. Sovereign
2. Socialist
3. Secular
4. Democratic

5. Justice
6. Liberty
7. Equality
8. Fraternity.

Among these, the order of words given in option is, (D). Sovereign - Justice, (C) Socialist - Liberty, (B) Secular - Equality and (A) Democratic- Fraternity. Thus, the correct sequence is D,C,B,A

 Quick Tip

Remember the order from the preamble as: Sovereign, Socialist, Secular, Democratic, Justice, Liberty, Equality, Fraternity.

24. Which of the following is the exclusive power of the House of People

- (A) Impeachment of the President of India
- (B) To pass non-confidence motion against Council of Ministers
- (C) To ratify the declaration of national emergency
- (D) To pass Constitutional Amendment Bill

Correct Answer: (B) To pass non-confidence motion against Council of Ministers

Solution:

The power to pass a non-confidence motion against the Council of Ministers is an exclusive power of the Lok Sabha (House of the People). It ensures that the executive branch is responsible to the legislative branch. The power of impeachment of the President is vested in both houses, the ratification of national emergency is also a function of both the houses and the Constitution Amendment Bill needs to be passed by both the houses.

 Quick Tip

Lok Sabha alone holds the power to pass a non-confidence motion against the Council of Ministers.

25. Which of the following are the circumstances under which a Member of Parliament can be disqualified under the 10th Schedule of the Constitution of India

- (A). If he has voluntarily given up his membership of his political party
- (B). If votes or abstains from voting contrary to direction issued by his political party
- (C). A nominated member of a House shall be disqualified if he joins any political party after Six Months
- (D). A nominated member of a House shall be disqualified if he joins any political party before Six Months

Correct Answer: (A), (B) and (D) only

Solution:

The Tenth Schedule of the Indian Constitution, also known as the Anti-Defection Law, provides grounds for the disqualification of Members of Parliament and State Legislatures. A member can be disqualified if he/she voluntarily gives up membership of their political party or if they vote against the direction given by their political party or abstain from voting. Nominated members, if they join any political party after the expiry of six months, will be disqualified from their membership.

💡 Quick Tip

Disqualification of MP under the Tenth Schedule is for voluntary giving up membership or by voting/abstaining against the party whip and for nominated member, it is joining a party after 6 months of nomination.

26. Match List-I with List-II

List-I Legal Maxim	List-II Related Legal Doctrine
(A). Ut lite pendente nihil innovetur	(1). onerous gift
(B). Qui facit per alium facit	(II). constructive notice
(C). Nemo dat quod non habet	(III). Lis Pendens
(D). Qui sentit commodum sentire debit onus	(IV). ostensible owner

Correct Answer: (A) - (III), (B) - (II), (C) - (IV), (D) - (I)

Solution:

This question involves matching legal maxims to their meanings:

- “Ut lite pendente nihil innovetur” relates to the doctrine of **Lis Pendens**, which prevents changes to property during pending litigation.
- “Qui facit per alium facit” translates to “He who acts through another acts himself,” related to the doctrine of **constructive notice**, which means awareness of information.
- “Nemo dat quod non habet” means that “no one can give what they don’t have” which is related to the legal concept of **ostensible owner**, where you cannot pass a better title than what you possess.
- “Qui sentit commodum sentire debit onus” means “He who receives a benefit must also bear the burden”, which relates to **onerous gift**, that is a gift that requires the receiver to fulfill an obligation.

💡 Quick Tip

Remember the direct meanings of these legal maxims to connect them correctly.

27. Arrange the following as per the sequence in which they appear in the Criminal Procedure Code.

- (A). withdrwal from prosecution
- (B). tender of pardon
- (C). free legal aid
- (D). double jeopardy

Correct Answer: (D), (C), (B), (A).

Solution:

The correct order based on their appearance in the Code of Criminal Procedure, 1973 is:

- Double Jeopardy (Section 300)
- Free Legal Aid (Section 304)
- Tender of Pardon (Section 306)
- withdrawal from prosecution (Section 321)

Quick Tip
Remember the general sequence based on their corresponding sections

28. Which of the following is/are methods of termination of treaty

- (A). By consent of parties
- (B). By denunciation or withdrawal
- (C). By concluding another treaty
- (D). According to the provisions of the treaty

Correct Answer: (A), (B), (C) and (D)

Solution:

According to the Vienna Convention on the Law of Treaties and general international law principles, a treaty can be terminated through various methods, including:

- Termination by consent: All parties agree to terminate it.
- Termination through denunciation or withdrawal: A party withdraws according to treaty terms or under specific rules.
- Termination by concluding another treaty: A new treaty that conflicts with the old one replaces it.
- Termination according to provisions: When the treaty's terms specify the mode of termination.

 Quick Tip

Remember that treaties can be terminated through various means from mutual consent, denunciation or withdrawal as well as according to its own provisions.

29. Regard being had to the provisions of the Criminal Procedure Code, 1973 which of the following statement is/are not correct

- (A). Criminal Procedure Code came into force on 1st January, 1974
- (B). The term First Information Report is used in Section 207
- (C). The term First Information Report is used in Section 154 and Section 207
- (D). There are six columns in the schedule attached to the Criminal Procedure Code

Correct Answer: (B) and (D) only.

Solution:

The Code of Criminal Procedure, 1973 (CrPC) came into force on April 1, 1974, not January 1, 1974. The term 'First Information Report' (FIR) is not used in Section 207, although, section 154 provides the process for recording FIR. Additionally, there are 8 columns in the schedule attached to the Code of Criminal Procedure and not six.

 Quick Tip

The CrPC came into force on April 1, 1974, FIR is mentioned in 154 not in 207 and it contains 8 columns not six

30. Which of the following is an incorrect statement with reference to Universal Declaration of Human Rights (UDHR)

- (A). Universal Declaration of Human Rights (UDHR) contains 35 Articles besides the Preamble
- (B). Universal Declaration of Human Rights (UDHR) contains 30 Article besides the Preamble
- (C). The Draft of Universal Declaration of Human Rights (UDHR) has been adopted in the United Nation General Assembly on 10th December, 1948
- (D). The Draft of Universal Declaration of Human Rights (UDHR) has been adopted in the United Nation General Assembly on 24th October, 1948

Correct Answer: (B) and (C) only

Solution:

The Universal Declaration of Human Rights (UDHR) contains 30 articles in its main body. It was adopted by the United Nations General Assembly on December 10, 1948, not on 24th

October 1948. Thus, The incorrect statements are that it contains 35 articles and it was adopted on 24th October.

 Quick Tip

The UDHR contains 30 articles and was adopted on December 10, 1948 by the UN General Assembly.

31. Who coined the term ‘criminology’?

- (A) MA. Elliot
- (B) Raffaele Garofalo
- (C) Wiilaim Blackstone
- (D) Jerome Hall

Correct Answer: (B) Raffaele Garofalo

Solution:

The term “criminology” was coined by Raffaele Garofalo, an Italian jurist, in 1885. It is used to denote the study of crimes, criminals, and their behavior and its causes.

 Quick Tip

Remember Raffaele Garofalo is the one to introduce the term criminology.

32. Who coined the term victimology

- (A) Raffaele Garofalo
- (B) Wolfgang and Ferracuti
- (C) Benjamin Mendelsohn
- (D) HLA Hart

Correct Answer: (C) Benjamin Mendelsohn

Solution:

Benjamin Mendelsohn, a Romanian-Israeli lawyer and author, is credited with coining the term “victimology” in the mid-20th century. This term refers to the scientific study of victims of crime. Mendelsohn is considered to be the father of victimology.

 Quick Tip

Remember that Benjamin Mendelsohn is the creator of the term victimology.

33. Which of the following case or cases is/are not related with post decisional hearing

- (A). Maneka Gandhi v Union of India
- (B). HL Terhan v. Union of India
- (C). A K Gopalan v State of Madras
- (D). Minerva Mills v Union of India

Correct Answer: (C) and (D) only

Solution:

The concept of “post-decisional hearing” is associated with the cases that came after **A.K Gopalan v State of Madras**, where the Supreme Court has adopted a more expansive interpretation of the concept of “procedure established by law” as in Article 21.

- **A K Gopalan v State of Madras:** In this case, the court took a very narrow, textual view of Article 21 of the Indian constitution, and did not consider the concept of “post-decisional hearing”.
- **Minerva Mills v Union of India**, though an important judgment is not specifically related to post decisional hearing.
- **Maneka Gandhi v. Union of India:** This case explicitly recognized the need for procedural fairness in any state action that restricts fundamental rights which includes the concept of post decisional hearing.
- **HL Terhan v. Union of India**, also is related to the application of the principle of natural justice.

Therefore, **A K Gopalan v State of Madras** and **Minerva Mills v Union of India**, are not related to the concept of post decisional hearing

 Quick Tip

Remember that Maneka Gandhi v. Union of India is a seminal case that expanded the scope of procedural due process including post-decisional hearing.

34. In which of the following case, the Supreme Court has given detailed guidelines so that Section 89 of Code of Civil Procedure Code can be utilized so as to achieve the best result

- (A) Gulam Abbas v State of U.P.
- (B) Fathima Bibi Ahmed Patel v State of Gujarat
- (C) Dhula Bhai v State of M. P.
- (D) Afcons Infrastructure Ltd. v Cherian Varkey Construction Co. (P) Ltd.

Correct Answer: (D) Afcons Infrastructure Ltd. v Cherian Varkey Construction Co. (P) Ltd.

Solution:

In **Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (P) Ltd.**, the Supreme Court of India provided detailed guidelines on the applicability and scope of Section 89 of the Code of Civil Procedure (CPC). This section deals with settlement of disputes outside the court. The court provided guidelines to ensure effective use of alternate dispute resolution mechanisms such as mediation, conciliation, arbitration, and judicial settlement and to avoid unnecessary litigation.

💡 Quick Tip

The Afcons case provides a framework for the courts to facilitate alternative dispute resolution under Section 89 CPC.

35. In which of the following case, it was held that “all information of collegium discussion can not be disclosed in public domain only final decisions are to be uploaded on Supreme Court website.”

- (A) Anjali Bhardwaj v CPIO, Supreme Court of India
- (B) HDFC Bank Ltd. v Union of India
- (C) Saurav Das v Union of India
- (D) Supreme Court of India v. Subash Chandra Aggarwal

Correct Answer: (A) Anjali Bhardwaj v CPIO, Supreme Court of India

Solution:

In the case of **Anjali Bhardwaj v CPIO, Supreme Court of India**, the Supreme Court clarified the disclosure of information related to the collegium process, holding that all details of discussions within the collegium cannot be made public. Only the final decisions and recommendations are to be disclosed on the Supreme Court’s website, while deliberation process remain private and confidential. This ensures the confidentiality of the judicial process.

💡 Quick Tip

The Anjali Bhardwaj case is a reference point for confidentiality in the collegium process.

36. What is the maximum penalty under the Right to Information Act, 2005 for delay in furnishing the information?

- (A) Rs 200 per day maximum up to Rs. 15000
- (B) Rs 250 per day maximum up to Rs. 15000
- (C) Rs 250 per day maximum up to Rs.25000
- (D) Rs 500 per day maximum up to Rs.25000

Correct Answer: (C) Rs 250 per day maximum up to Rs.25000

Solution:

Under the Right to Information Act, 2005 (RTI Act), if there is a delay in providing the requested information, the designated Public Information Officer (PIO) may be penalized. Section 20(1) of the RTI Act stipulates that a penalty of Rs 250 per day can be imposed for delay, up to a maximum of Rs 25,000. This penalty is imposed by the Information Commission in case of delay of response.

💡 Quick Tip

RTI Act's penalty for delay in providing information: Rs 250 per day up to a maximum of Rs. 25,000.

37. Q strikes X. X by this provocation, is excited to extreme violent rage. Y is a bystander and is an enemy of Q. Y, taking advantage of this rage of X, puts a knife into X's hand to cause the death of Q. X kills Q with the knife. What are the offences committed by X and Y if any?

- (A). X and Y have both committed the offence of murder under Section 300 of the Indian Penal Code (IPC)
- (B). X has committed murder under Section 300 IPC but Y has committed no offence
- (C). X has committed only culpable homicide, but Y is guilty of murder under Section 300 IPC
- (D). X and Y have both committed culpable homicide not amounting to murder

Correct Answer: (C). X has committed only culpable homicide, but Y is guilty of murder under Section 300 IPC

Solution:

In this scenario, X is provoked by Q and then kills Q in the heat of the moment. This would classify as culpable homicide, not amounting to murder due to grave and sudden provocation. However, Y, while not involved directly in the act, had the intent to cause Q's death by exploiting X's rage and handing him a knife. Y would be liable for murder under Section 300 of the IPC, as he aided X in the act.

💡 Quick Tip

Remember that an act committed in heat of passion might not always be murder but the person who aides in the commission of the crime with the intention of the act may be liable for murder.

38. Nayan meets Bala on the high roads, shows a pistol and demands from Bala all the valuables that she is in possession. She surrenders her gold bangles, and all cash money. Here Nayan has committed which of the following offence?

- (A). Extortion
- (B). Robbery
- (C). Theft
- (D). Dacoity

Correct Answer: (B). Robbery

Solution:

In this case, Nayan has committed Robbery. Robbery involves the use of force, or fear of force, to steal property. It occurs when there is use of force or threat of it in the act of theft. Here, Nayan showed a pistol (threat of force) to compel Bala to surrender her belongings. Extortion requires obtaining property through putting a person in fear of injury, while theft only requires dishonest taking of property. Dacoity is essentially robbery committed by five or more persons.

 Quick Tip

Robbery involves threat of force to take property, as distinct from simple theft or extortion.

39. In which of the following case has the Supreme Court held that teachers are not ‘workman’ under Section 2(s) of the Industrial Disputes Act, 1947?

- (A) Workmen of Dimakuchi Tea Estate v. Management of Dimakuchi Tea Estate, AIR 1958 SC 353
- (B) H.R. Adyathaya v. Sandoz (India) Ltd. (1994) 5 SCC 737
- (C) J.H. Jadhav v. Forbes Gokak Ltd. (2005) 3 SCC 202
- (D) A. Sundarambal v. Government of Goa, Daman Diu, AIR 1988 SC 1700

Correct Answer: (D) A. Sundarambal v. Government of Goa, Daman Diu, AIR 1988 SC 1700

Solution:

In **A. Sundarambal v. Government of Goa, Daman Diu**, the Supreme Court of India ruled that teachers do not fall under the definition of ‘workman’ as provided in Section 2(s) of the Industrial Disputes Act, 1947. The court held that the nature of work of a teacher does not fall under the ambit of skilled or unskilled manual or clerical work. It further added that teaching profession requires higher amount of intellectual and educational work which can’t be included in the definition of workman.

 Quick Tip

A. Sundarambal case clarified that teachers aren’t workmen as per the Industrial Disputes Act.

40. Which of the following is/are the objective(s) behind the enactment of the Securities and Exchange Board of India Act, 1992?

- (A). To protect the interest of investors in securities
- (B). To promote the development of securities market
- (C). To ensure that the Indian securities market works at par with markets of other developed nations
- (D). To regulate the securities market

Correct Answer: (A), (B) and (D) only

Solution:

The Securities and Exchange Board of India Act, 1992 was enacted with multiple objectives. These include:

- Protecting the interests of investors in securities
- Promoting the development of the securities market.
- To regulate the securities market.

However, ensuring that the Indian securities market works at par with developed nations is a secondary objective and is not explicitly stated in the objectives mentioned in the Act.

 Quick Tip

The objectives are primarily investor protection, market development and regulation.

41. Match List-I with List-II

List-I Legal Proposition	List-II Case Law
(A). Doctrine of Indoor Management	(I). Gilford Motor Co. Ltd. v Horne (1933)1 Ch 935
(B). Doctrine of Ultra Vires	(II). Earlander v. New Sombrero Phosphate Co. (1878)3 AC 1218
(C). Lifting of Corporate Veil	(III). Kotla Venkataswamy v. Chinta Ramamurthy, AIR 1934 Mad 579
(D). Duties of Promoters	(IV). Dr. A. Lakshmanaswami Mudaliar v. Life Insurance Corporation of India, AIR 1963 SC 1185

Correct Answer: (A) - (III), (B) - (IV), (C) - (I), (D) - (II)

Solution:

This question involves matching company law principles with their landmark cases:

- The Doctrine of Indoor Management relates to **Kotla Venkataswamy v. Chinta Ramamurthy**

- The Doctrine of Ultra Vires is highlighted in **Earlanger v. New Sombrero Phosphate Co.**
- Lifting of the corporate veil is demonstrated in the case **Gilford Motor Co. Ltd. v Horne**
- The duties of promoters are outlined in **Dr. A. Lakshmanaswami Mudaliar v. Life Insurance Corporation of India**

 Quick Tip

Memorize the classic cases associated with each legal principle in Company Law.

42. Which of the following is a valid contract?

- (A) A, a man feebled by disease, is induced, by B's influence over him as his medical attendant, to agree to pay B an unreasonable sum for his professional services.
- (B) A, being entitled to an estate for the life of B, agrees to sell it to C. B was dead at the time of the agreement, but both parties were ignorant of the fact
- (C) A, with free consent agrees to sell a horse worth Rs. 1,000 for Rs. 10.
- (D) A promises B to drop a prosecution which he has instituted against B for robbery, and B promises to restore the value of the things taken.

Correct Answer: (C) A, with free consent agrees to sell a horse worth Rs. 1,000 for Rs. 10.

Solution:

In contract law, there are essential requirements to form a valid contract:

1. Option A illustrates undue influence, as B influences A to pay an unreasonable sum.
2. Option B is invalid due to mutual mistake of fact as the object of contract, B, is dead.
3. Option C presents a valid contract. The mere fact that a horse is sold for a price of 10, though the actual value is 1000, is not a ground to invalidate the contract, when free consent is present, the courts will not question the inadequacy of consideration.
4. Option D lacks a lawful object and is against public policy, as dropping a criminal charge through a contract is unlawful.

 Quick Tip

Valid contracts require free consent, lawful object and lawful consideration.

43. X holds a Y at gun point and makes him sign a gift deed of all Y's properties in favour of G, X's daughter. This agreement is

- (A). Valid if ratified by Y
- (B). Void if rescinded by Y
- (C). Void ab-initio
- (D). Valid at the option of X

Correct Answer: (C) Void ab-initio

Solution:

When consent to an agreement is obtained through coercion or duress (as in this case, holding Y at gun point), it makes the agreement void ab initio, which means void from the beginning. Such a deed has no legal validity as there was no free consent. It is not dependent on ratification by Y or option of X, and it cannot be made legal by Y's later approval.

 Quick Tip

Agreements made under coercion or duress are void ab initio.

44. Madhu, an unpaid seller, can exercise the right of lien provided under the Sale of Goods Act, 1930, under which of the following circumstances?

- (A). Before the contract of sale has been concluded
- (B). When the goods are in the possession of Madhu
- (C). After the agent of the buyer has collected the goods but before the buyer has received the same
- (D). After the goods have been delivered to the carrier but the goods have not reached the buyer

Correct Answer: (B) only.

Solution:

Under the Sale of Goods Act, 1930, an unpaid seller's right of lien allows them to retain possession of goods until full payment is received. The right of lien can be exercised while the unpaid seller has possession of the goods and before the buyer has acquired the possession.

- Lien cannot be exercised before a contract is established, that is not related to the sale contract.
- If possession is already with the buyer, then lien is not applicable.
- If goods are in transit to the buyer, the unpaid seller can exercise the right of lien or stoppage in transit which is different than right of lien.
- Right of Lien is valid only if the seller is in possession of the goods.

Therefore, lien is valid only when the goods are in the possession of the seller and not delivered to the buyer yet.

 Quick Tip

Right of Lien under Sale of Goods Act is exercisable when the goods are in the unpaid seller's possession, and not delivered yet.

45. Hiralal Traders, a partnership firm enters into a supply contract in March 2020 with Pimala Ltd. for providing 100 bales of cotton for the next 3 years as raw materials to them. X was introduced as a partner in the firm in April 2023. In May 2023, Pimala Ltd. sued the firm and its partners for failure to supply the cotton bales as agreed. In the given suit determine the liability of X.

- (A) X is liable for the act of the firm since all partners are jointly and severally liable under sections 25 and 26 of the Indian Partnership Act, 1932
- (B) X is not liable as per Section 31(2) of the Indian Partnership Act, 1932
- (C) X's liability would depend on the fact that whether Pimala Ltd. has named X in the suit instituted by them
- (D) X's liability would depend on the time of the default that was made

Correct Answer: (B) X is not liable as per Section 31(2) of the Indian Partnership Act, 1932

Solution:

Under Section 31(2) of the Indian Partnership Act, 1932 a new incoming partner is not liable for the previous debts of the firm. In the scenario, X became a partner in April 2023, while the supply contract was made in March 2020. As Pimala Ltd. is suing for a contract that was made before the partnership, the new partner, X will not be liable to Pimala Ltd. for the debt because he was not a partner at the time of the contract. The existing partners are liable for the old debts.

 Quick Tip

An incoming partner does not become liable for the existing debts of the partnership.

46. X and Y, both Hindus, married in 2022. X, the husband was 21 years of age while the wife was 16 years of age. According to the provisions of the Hindu Marriage Act, 1955 (HMA), this marriage is -

- (A) Void marriage under Section 11 HMA
- (B) Voidable marriage under Section 10 HMA
- (C) May be Void or Voidable as desired by the parties
- (D) Valid marriage

Correct Answer: DROP

Solution:

Under the Hindu Marriage Act, 1955, the minimum age for marriage is 21 years for the male and 18 years for the female. If a Hindu marriage takes place when either party does not fulfill the minimum age requirement, it is considered a voidable marriage under Section 10 of HMA and not void under section 11. As the wife is 16 and thus not 18, the marriage is voidable at her option. The confusion in the answers may be because this act has undergone some amendments and the age has varied from time to time, therefore the question is dropped for the ambiguity.

💡 Quick Tip

A marriage where either the male is under 21 or the female is under 18 is a voidable marriage under Hindu Marriage Act.

47. Match List-I with List-II

List-I Legal Concept, etc.	List-II Related case laws, etc.
(A). Mother as natural guardian	(I). T. Sareetha v. T. Venkata Subbaiah, AIR 1983 AP 356
(B). Conversion and Marriage	(II). State of Bombay v. Narasu Appa Mail, AIR 1952 Bom 84
(C). Bigamy	(III). Smt. Sarla Mudgal v. Union of India (1995) 3 SCC 635
(D). Restitution of Conjugal Rights	(IV). Githa Hariharan v. Reserve Bank of India, AIR 1999 SC 1149

Correct Answer: (A) - (IV), (B) - (III), (C) - (II), (D) - (I)

Solution:

This question requires matching legal concepts with their landmark cases:

- The concept that mother is the natural guardian of the child was recognized by the Supreme Court in **Githa Hariharan v. Reserve Bank of India**.
- The issue of conversion and marriage was touched upon in **Smt. Sarla Mudgal v. Union of India**.
- Issues related to bigamy were discussed in **State of Bombay v. Narasu Appa Mail**.
- Issues of restitution of conjugal rights was addressed in **T. Sareetha v. T. Venkata Subbaiah**.

💡 Quick Tip

Memorize the cases associated with each legal concept regarding family law.

48. Which of the following case does not pertain to maintenance of Muslim women?

- (A) Mohd. Ahmed Khan v. Shah Bano Begum (1985) 2 SCC 556
- (B) Shabana Bano v. Imran Khan (2009) 1 SCC 666
- (C) Ahmedabad Women Action Group v. Union of India (1997) 3 SCC 573
- (D) Danial Latifi v. Union of India (2001) 7 SCC 740

Correct Answer: (C) Ahmedabad Women Action Group v. Union of India (1997) 3 SCC 573

Solution:

The cases are related to maintenance and rights of Muslim women:

Mohd. Ahmed Khan v. Shah Bano Begum: This landmark case dealt with the right of a Muslim woman to claim maintenance from her husband under Section 125 of the Code of Criminal Procedure.

Shabana Bano v. Imran Khan: This case further explored the scope of Muslim women's right to maintenance under the Muslim Women (Protection of Rights on Divorce) Act, 1986.

Danial Latifi v. Union of India: This case upheld the validity of the Muslim Women Act, holding that it does not violate the constitutional mandate of right to equality.

Ahmedabad Women Action Group v. Union of India did not directly deal with the matter of maintenance but rather was about the issue of bigamy and the rights of Hindu women.

💡 Quick Tip

The Ahmedabad Women Action Group case didn't deal with maintenance of Muslim women, unlike the other cases.

49. Which of the following is NOT a condition for a valid adoption under Section 11 of the Hindu Adoptions and Maintenance Act, 1956?

- (A) The same child may be adopted by two or more persons simultaneously
- (B) If the adoption is by a female and the person to be adopted is a male, the adoptive mother must be atleast twenty-one years older than the child to be adopted
- (C) If the adoption is of a son, the adoptive parents must not have a Hindu son, son's son or son's son's son living at the time of the adoption
- (D) The child to be adopted must be actually given and taken in adoption

Correct Answer: (A) The same child may be adopted by two or more persons

simultaneously

Solution:

Section 11 of the Hindu Adoptions and Maintenance Act, 1956, specifies essential conditions for a valid adoption.

- A child cannot be adopted by two or more people simultaneously. A single child can be adopted by single or married couple.
- When a female adopts a male child, it mandates that the adoptive mother must be at least 21 years older than the child
- When adopting a son, the adoptive parents should not have a Hindu son, son's son or a son's son's son living at the time of adoption.
- The child to be adopted must be actually given and taken in adoption.

 Quick Tip

A child cannot be adopted simultaneously by two or more persons.

50. Mr. Ceaser, an Indian, derives income from various sources. in the FY 2021-2022, he gained Rs. 50,000 from trading of shares and other securities in the share market and their dividends. This income will be calculated under which of the following heads of income under the Income Tax Act, 1969?

- (A) Profit and Gains from Business and Profession
- (B) Capital Gains
- (C) Income from Other Sources
- (D) Both Income from Other Sources and Capital Gains

Correct Answer: (D) Both Income from Other Sources and Capital Gains

Solution:

Under the Income Tax Act, 1969, income from trading of shares and securities in the share market is considered a 'Business income'. The shares are bought and sold and not intended for long term investment. While, income from dividend is categorised as 'Income from Other Sources', as it does not come under any other income head. Thus, both of these incomes fall under different heads of income and so should be taxed accordingly.

 Quick Tip

Income from share trading is business income while income from dividend is income from other sources.

51. Section 17 of the Income Tax Act, 1969 deals with:-

- (A) 'Salaries' Only
- (B) 'Deduction from Salary' and 'Salary'
- (C) Heads of Income and Expenditure
- (D) 'Salary', 'Perquisite' and 'Profits in lieu of Salary'

Correct Answer: (D) 'Salary', 'Perquisite' and 'Profits in lieu of Salary'

Solution:

Section 17 of the Income Tax Act, 1969 provides the definition of "salary" for the purposes of computing income from salaries. It specifically includes "salary", "perquisites" (which are benefits or allowances granted by an employer to the employee) and "profits in lieu of salary" (which includes compensations and other profits).

 Quick Tip

Section 17 Income tax act is related to defining all the components of 'salary' as used in Income Tax.

52. Arrange the following provisions under the Hindu Marriage Act, 1955 in sequence of the sections as they appear in the Act

- (A). Legitimacy of children of void and voidable marriages
- (B). Maintenance pendente lite and expenses of proceedings
- (C). Ceremonies for a Hindu Marriage
- (D). Registration of Hindu marriages

Correct Answer: (C), (D), (A), (B).

Solution:

The correct order based on their appearance in the Hindu Marriage Act, 1955 is:

- Ceremonies for a Hindu Marriage (Section 7)
- Registration of Hindu marriages (Section 8)
- Legitimacy of children of void and voidable marriages (Section 16)
- Maintenance pendente lite and expenses of proceedings (Section 24)

 Quick Tip

Remember the general order of provisions.

53. Arrange the following landmark decisions of contract law in the sequence of them being pronounced by the courts

- (A). **Mohori Bibi v. Dharmodas Ghose**
(B). **Bhagwan Das Goverdhan Das Kedia v. Girdhari Lal & Co.**
(C). **Carlil v. Carbolic Smoke Ball Co.**
(D). **Lalman Shukla v. Gauri Dutt**

Correct Answer: (C), (A), (D), (B).

Solution:

The correct chronological order of these cases is:

- **Carlil v. Carbolic Smoke Ball Co.** (1893): This is one of the initial cases establishing rules of unilateral contract.
- **Mohori Bibi v. Dharmodas Ghose** (1903): It defined the legal position of a minor in contracts.
- **Lalman Shukla v. Gauri Dutt** (1913): It dealt with the requirement for the knowledge of offer in formation of contract.
- **Bhagwan Das Goverdhan Das Kedia v. Girdhari Lal & Co.** (1966) which is a recent case on contract made through telephone.

 Quick Tip

Recall the correct chronological order of landmark contract cases.

54. Which of the following is NOT a principle of an Insurance Contract?

- (A). **Causa Proxima**
(B). **Mitigation of Risk**
(C). **Subrogation**
(D). **Donatio mortis causa**

Correct Answer: (D) **Donatio mortis causa**

Solution:

The fundamental principles of an insurance contract include:

- **Causa Proxima** (proximate cause) is a doctrine which states that a loss is covered if it is directly connected to an insured risk.
- **Mitigation of risk** requires the insurer and insured to minimize any risk by taking care.
- **Subrogation** means an insurer's right to recover from third parties after making a payment of losses.

Donatio Mortis Causa, on the other hand, is a gift of personal property made by a person in contemplation of death, which is a legal principle unrelated to the domain of insurance contract.

 Quick Tip

'Donatio mortis causa' is a legal principle associated with gift while the other three options are principles of an insurance contract.

55. Under the Marine Insurance Act, 1963, a marine insurance contract may protect the assured against risks incidental to sea voyage and covers such losses on:

- (A) Inland waters Only
- (B) any land risk only
- (C) Both inland waters and land risks
- (D) Neither inland waters nor land risks

Correct Answer: (C) Both inland waters and land risks

Solution:

Under the Marine Insurance Act, 1963, a marine insurance contract may cover losses that are not just limited to the sea voyage but also includes inland waterways and land risk which may be incidental to the sea voyage. Marine insurance aims to protect goods in transit including the time spent on the sea, on land or on inland waterways and thus provides wide coverage.

 Quick Tip

Marine insurance offers a wide cover related to all risks associated with transit by sea or incidental risks in land and inland waterways.

56. 'While pronouncing the constitutionality of a statute, the courts must start with the presumption in favour of its constitutionality'. Which of the following legal maxims iterate this principle under the rules of interpretation of statutes?

- (A) Expressio unius est exclusio alterius
- (B) Noscitur a sociis
- (C) Generalia specialibus non derogant
- (D) Ut res magis valeat quam pareat

Correct Answer: (D) Ut res magis valeat quam pareat

Solution:

The principle that courts should begin with the presumption that laws are constitutional is reflected in the legal maxim "ut res magis valeat quam pereat," which translates to "it is better for a thing to have effect than to be made void." The courts while interpreting a statute should try to make it workable and valid rather than make it void. Other maxims are not related to this concept:

- Expressio unius est exclusio alterius: Meaning express mention of one is exclusion of the

other.

- Noscitur a sociis: Meaning a word is known by the company it keeps.
- Generalia specialibus non derogant: General law do not supersede specific laws.

 Quick Tip

“Ut res magis valeat quam pereat” indicates the presumption of constitutionality.

57. Which of the following is NOT an internal aid in the interpretation of Statutes?

- (A) Preamble
- (B) Parliamentary Notes
- (C) Long Title
- (D) Marginal Notes

Correct Answer: (B) Parliamentary Notes

Solution:

Internal aids to statutory interpretation are those that are found within the statute itself.

Preamble: Describes the objectives and intent of the statute,

Long Title: Specifies the scope and purpose of the statute

Marginal Notes: Notes in the margin describing the contents of sections.

Parliamentary notes, like the legislative debates or committee reports are external aids which are also used by the court for interpretation of statutes.

 Quick Tip

Parliamentary notes are external, while Preamble, Long Title, and Marginal Notes are internal aids.

58. Which of the following is considered to be an ‘anti-competitive agreement’ under Section 3 of the Competition Act, 2002

- (A) Supply agreement
- (B) Exclusive distribution agreement
- (C) Tie-in agreements
- (D) Resale price maintenance

Correct Answer: (B), (C) and (D) only.

Solution:

Under Section 3 of the Competition Act, 2002, “anti-competitive agreements” include agreements that can hinder fair competition in the market, some of these include:

- Exclusive distribution agreements can limit the options of consumers and creates an artificial barrier for new entrant.
- Tie-in agreements bind a customer to buy unwanted products with the desired one.
- Resale price maintenance that restricts the ability of resellers to determine their resale price.
- Supply agreements in itself are not anti competitive, but when it limits fair competition it comes under scrutiny.

💡 Quick Tip

Exclusive distribution, tie-in agreements, and resale price maintenance are deemed anti-competitive under competition act.

59. While inquiring that whether an enterprise enjoys a dominant position under Section 4 of the Competition Act, 2002, which of the following factors are to be considered?

- (A). Dependence of consumers on the enterprise
- (B). Market share of the enterprise
- (C). Creation of barriers for new entrants in the market
- (D). Countervailing buying power

Correct Answer: (A), (B), (C) and (D).

Solution:

Section 4 of the Competition Act, 2002, pertains to the abuse of a dominant position. When determining whether an enterprise holds a dominant position, the Competition Commission of India considers several factors, including:

- Dependence of consumers: If consumers rely extensively on the enterprise's products or services.
- Market share: The percentage of the relevant market controlled by the enterprise.
- Barriers to entry: Impediments for new businesses to enter a market and compete.
- Countervailing buying power: The ability of buyers to influence the market.

Thus, all of these factors are considered to determine the presence of dominant position

💡 Quick Tip

For dominant position, all these factors like consumer dependence, market share, entry barriers and countervailing power are considered.

60. Arrange the following Statutes based on the year of their enactment.

- (A). The Forest (Conservation) Act
- (B). The Wildlife (Protection) Act
- (C). The National Green Tribunal Act
- (D). The Environment (Protection) Act

Correct Answer: (B), (A), (D), (C).

Solution:

The correct chronological order of these statutes based on their enactment year is as follows:

- The Wildlife (Protection) Act was enacted in 1972.
- The Forest (Conservation) Act came into force in 1980.
- The Environment (Protection) Act was enacted in 1986.
- The National Green Tribunal Act was enacted in 2010.

💡 Quick Tip

Remember chronological order of environmental legislations as: Wildlife, Forest, Environmental and NGT

61. In which of the following judgments did the Supreme Court hold that the Environment (Protection) Act, 1986 does not prohibit the issuance of ex-post facto Environmental Clearance?

- (A). M/S Pahwa Plastics Pvt. Ltd. v. Dastak NGO, SC judgment dated: 25-03-2022
- (B). Almitra H. Patel v. Union of India, SC judgment dated: 15-02-2000
- (C). K.M. Chinnappa, T.N. Godavarman Thirumalpad v. Union of India, SC judgment dated: 30-10-2002
- (D). S. Jagannath v. Union of India, SC judgment dated: 11-12-1996

Correct Answer: (A) M/S Pahwa Plastics Pvt. Ltd. v. Dastak NGO, SC judgment dated: 25-03-2022

Solution:

In the case of M/S Pahwa Plastics Pvt. Ltd. v. Dastak NGO, the Supreme Court ruled that the Environment (Protection) Act, 1986 does not explicitly prohibit the grant of ex-post facto environmental clearances. The court did not say that ex post facto clearances are valid but also did not prohibit it altogether. It also allowed such clearances on case to case basis.

 Quick Tip

Remember Pahwa Plastics case for the principle of whether or not ex-post facto environmental clearance is prohibited.

62. Section 27(2) of the Trade Marks Act, 1999, enshrines which of the following principles of trademark law?

- (A). Deceptive Similarity
- (B). Passing Off
- (C). Phonetic similarity in trademarks
- (D). Visual similarity in trademarks

Correct Answer: (B) Passing Off

Solution:

Section 27(2) of the Trademarks Act, 1999, deals with remedies for infringement and passing off. While the act focuses on registration and remedies for infringement for registered trademark, section 27(2) acknowledges the common law right for an action for passing off, irrespective of whether such trademark is registered or not. The act acknowledges that unregistered owners can also have rights that are protected by law.

 Quick Tip

Section 27(2) of the Trade Marks Act, 1999 is related to the common law rights which includes 'passing off' rights.

63. What is the maximum punishment that can be imposed for criminal contempt under the Contempt of Courts Act, 1971 in India?

- (A) Fine of Rs. 10,000
- (B) Fine of Rs. 10,000 and 3 months imprisonment
- (C) Fine of Rs. 20,000 and 6 months imprisonment
- (D) Disqualification from legal practice

Correct Answer: (C) Fine of Rs. 20,000 and 6 months imprisonment

Solution:

The Contempt of Courts Act, 1971, specifies that the maximum punishment for criminal contempt, for which the court can take action against, is a fine of Rs 20,000 and/or imprisonment for a term of up to six months. Disqualification from legal practice is not explicitly mentioned as punishment under the Contempt of Courts Act.

 Quick Tip

The maximum penalty for criminal contempt is a fine of Rs 20,000 and/or six months imprisonment.

64. Arrange the following chapters under the Companies Act as per the sequence in which they appear in the statute

- (A). Compromise, arrangements and amalgamation
- (B). Prevention of oppression and mismanagement
- (C). Meetings of Board and its power
- (D). Appointment and qualifications of Directors

Correct Answer: (D), (C), (B), (A).

Solution:

The correct order based on their appearance in the Companies Act is:

- Appointment and qualifications of Directors.
- Meetings of Board and its power
- Prevention of oppression and mismanagement
- Compromise, arrangements and amalgamation

The exact chapter numbers may vary in different editions and amendments of the Act

 Quick Tip

Remember the general order of chapters based on how governance of a company occurs.

65. The definition of Geographical Indication in relation to goods means an indication which identifies:

- (A). such goods as originating in the territory of a country, region or locality
- (B). such goods that are exclusively grown or produced in the said territory, region or locality of the country
- (C). such goods having a reputation or characteristics that is attributable to its geographical origin
- (D). that in case such goods are manufactured then either production, processing or preparation of the goods takes place in such territory, region or locality of the country

Correct Answer: (A), (C) and (D) only.

Solution:

A Geographical Indication (GI) is a sign used on products that have a specific geographical

origin and possess qualities, a reputation or characteristics that are essentially attributable to that place of origin. As per the definition of GI as stipulated by the Trade Related Intellectual Property Rights Agreement:

- such goods must originate from a specific territory.
- such goods must possess a unique reputation or characteristics linked to the geographical origin.
- if the goods are manufactured, the process of producing, processing or preparation must take place in the same geographical region.

The GI is primarily related to the location and reputation and not the exclusive production in a specific location.

 Quick Tip

Geographical Indication (GI) is associated with origin, reputation/characteristics and geographical process.

66. ‘Author’ in relation to any musical or artistic work which is computer generated is:

- (A) The composer
- (B) The artist
- (C) The Performer
- (D) The person who caused the work to be created

Correct Answer: (D) The person who caused the work to be created

Solution:

When a musical or artistic work is computer-generated, it means it’s created by computer, with minimum to no human contribution to the final product. Copyright laws recognise the creator of the work and thus the person who initiated the process and caused the work to come into being is regarded as the author.

 Quick Tip

For computer generated works, the author is the one who caused the work to come into existence.

67. Under which International Instrument/mechanism can a party bring a claim for violation of its international trade rights and obligations against another member state of the World Trade Organisation (WTO)?

- (A) The UN Charter
- (B) WIPO (World Intellectual Property Organisation)

- (C) Vienna Convention on Diplomatic Relations
(D) Dispute Settlement Understanding (DSU)

Correct Answer: (D) Dispute Settlement Understanding (DSU)

Solution:

The Dispute Settlement Understanding (DSU) is the mechanism that the World Trade Organisation (WTO) uses to resolve trade disputes between its member states. If a member believes that another member is violating WTO agreements, it can bring a claim under the DSU. Other instruments like the UN Charter, WIPO and Vienna Convention do not handle the trade issues under the purview of WTO.

💡 Quick Tip

For trade disputes under WTO, claims are filed under the Dispute Settlement Understanding (DSU).

68. Which International Organisation is primarily responsible for standardising terms used in international sales contract including Incoterms?

- (A) UNCTAD
(B) UNCITRAL
(C) WTO
(D) ISO

Correct Answer: (B) UNCITRAL

Solution:

The United Nations Commission on International Trade Law (UNCITRAL) is the primary body that works on the standardization of international trade terms. Incoterms, which are standardised terms related to risk, costs, and delivery in international trade contracts, are developed and maintained by the International Chamber of Commerce (ICC) but are closely influenced by UNCITRAL's work. Other bodies have different functions like UNCTAD (trade and development), WTO (world trade), ISO (standards).

💡 Quick Tip

UNCITRAL is the primary international organisation for standardising terms in international sales contracts and Incoterms.

69. Match List-I with List-II

List-I Legal Maxim	List-II Case Law
(A). Injuria sine Damno	(1). Gloucester Grammer School case
(B). Damnum sine Injuria	(II). Nichols v. Marsland
(C). Volenti non fit injuria	(III). Bhim Singh v. State of Jammu & Kashmir
(D). Force majeure	(IV). Padmavati v. Dugganaika

Correct Answer: (A) - (III), (B) - (I), (C) - (IV), (D) - (II)

Solution:

This question requires matching legal maxims to landmark case laws:

- Injuria sine Damno is related to the violation of legal right without damages is explored in **Bhim Singh v. State of Jammu & Kashmir**.
- Damnum sine Injuria is related to damages without violation of legal right which is discussed in the case **Gloucester Grammer School case**.
- Volenti non fit injuria which discusses about consent as a valid defence was explored in **Padmavati v. Dugganaika**
- The concept of Force Majeure (act of god) was explored in **Nichols v. Marsland**.

 Quick Tip

Remember the case laws that apply to tort law principles.

70. When the plaintiff by his own want of care contributes to the damage caused by the wrongful conduct of the defendant, it is considered to be

- (A) Remoteness of damage
- (B) Contributory negligence
- (C) Inevitable accident
- (D) Nuisance

Correct Answer: (B) Contributory negligence

Solution:

In tort law, when the plaintiff's own carelessness, negligence, or inaction contributes to their injury or damages, this is known as contributory negligence. The other options are different concepts in tort law.

- Remoteness of damage refers to where damage is so far from the defendant's action that the defendant is not liable for it
- Inevitable accident is a defence where there was no negligence.
- Nuisance relates to unreasonable interference with someone's right of enjoyment.

 Quick Tip

Contributory Negligence exists where the plaintiff contributes to the injury they suffered due to the defendant's wrong action.

71. Which of the following is NOT a valid purpose of spending the general funds of a Trade Union under section 15 of the Trade Union Act, 1926?

- (A). Conduct of trade disputes on behalf of the Trade Union
- (B). Payment of funeral expenses of deceased members
- (C). Payment of expenses incurred by a candidate for election as a member of any legislative body constituted under the Indian Constitution
- (D). Provide educational benefits to the members or their dependants

Correct Answer: (C) Payment of expenses incurred by a candidate for election as a member of any legislative body constituted under the Indian Constitution

Solution:

Section 15 of the Trade Unions Act, 1926 lists the purposes for which the general funds of a registered trade union may be utilized. These valid purposes include:

Conducting trade disputes

Providing benefits to the members, including funeral expenses and educational services.

However, a trade union's funds cannot be used for payments related to election expenses of a candidate for legislative body.

 Quick Tip

Trade Union funds cannot be used for political election expenses.

72. Which of the following is/are cases NOT pertaining to dishonour of cheque under the Negotiable Instruments Act, 1881?

- (A) Modi Cements Ltd. v. Kuchil Kumar Nandi (1998)3 SCC 249
- (B) Indian Overseas Bank v. Industrial Chain Concern (1990)1 SCC 484
- (C) Dashrath Rupsingh Rathod v. State of Maharashtra (2014) 9 SCC 129
- (D) G.J. Raja v. Tejraj Surana, AIR 2019 SC 3817

Correct Answer: (B) only

Solution:

The following cases relate to the legal position of the dishonour of cheque:

- **Modi Cements Ltd. v. Kuchil Kumar Nandi** - this case deals with the concept of a cheque being dishonored due to insufficiency of funds.

- **Dashrath Rupsingh Rathod v. State of Maharashtra** - this case discussed about the territorial jurisdiction in cheque bounce cases.
- **G.J. Raja v. Tejraj Surana** - This case also discusses the concept of dishonor of cheque. The case **Indian Overseas Bank v. Industrial Chain Concern** mainly deals with the issue of recovery of loan and does not pertain to the dishonor of cheque.

 Quick Tip

Indian Overseas Bank v. Industrial Chain Concern did not deal with dishonor of cheque cases.

73. As per Section 35A of the Banking Regulation Act, 1949, the Reserve bank has the power to give directions under which of the following circumstances?

- (A). in public interest
- (B). in the interest of public policy
- (C). to secure proper management of banking companies
- (D). to prevent affairs of banking companies being conducted in matter detrimental to depositor's interest

Correct Answer: (A), (C) and (D) only.

Solution:

Section 35A of the Banking Regulation Act, 1949, empowers the Reserve Bank of India (RBI) to issue directions to banking companies under several circumstances, which are:

- In public interest.
- To secure proper management of banking companies.
- To prevent affairs of banking companies being conducted in matter detrimental to depositor's interest.

The term 'public policy' is not an independent ground mentioned under Section 35A of the Banking Regulation Act.

 Quick Tip

RBI issues directives in public interest, proper management, and in depositor's interests. Public Policy is not an independent ground.

74. Sequence the following as per Section 300 of the Indian Penal Code, 1860

- (A). sudden and grave provocation
- (B). act done in good faith for the exercise of right to private defence

- (C). death caused with mutual consent
(D). act done in sudden fight

Correct Answer: (A), (B), (D), (C).

Solution:

Section 300 of the Indian Penal Code (IPC) defines murder. Exceptions to murder are listed in the following order:

- Culpable homicide is not murder if it is done under Sudden and grave provocation.
- Culpable homicide is not murder if it is done in the exercise of right to private defence.
- Culpable homicide is not murder if it is done in sudden fight.
- Culpable homicide is not murder when death is caused by mutual consent.

 Quick Tip

The order is sudden and grave provocation, private defence, sudden fight and mutual consent.

75. Match List-I with List-II

List-I Legal Doctrine etc.	List-II Case law
(A). Negligence	(1). Municipal Corporation Delhi v Subhagwanti
(B). Strict liability	(II). Ryland v Fletcher
(C). Res ipsa loquiter	(III). Winterbottom v Wright
(D). Nuisance	(IV). Campbell v Paddington Corporation

Correct Answer: (A) - (III), (B) - (II), (C) - (I), (D) - (IV)

Solution:

This question requires to match legal doctrine with their landmark cases:

- **Negligence** - The concept is explored and established in the case **Winterbottom v Wright**.
- **Strict liability** is highlighted in **Ryland v Fletcher**.
- **Res ipsa loquiter** (the thing speaks for itself) was discussed in **Municipal Corporation Delhi v Subhagwanti**.
- **Nuisance** was the matter of decision in **Campbell v Paddington Corporation**.

 Quick Tip

Memorize case laws and principles of torts.