

CUET PG 2025 LLM Question Paper with Solutions

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

Read the following instructions very carefully and strictly follow them:

1. The test is of 1 hour duration.
2. The question paper consists of 75 questions. The maximum marks are 300.
3. 4 marks are awarded for every correct answer, and 1 mark is deducted for every wrong answer.

Q1. Article 31C was inserted in the Constitution of India by:

- (1) 44th Constitutional Amendment
- (2) 42nd Constitutional Amendment
- (3) 24th Constitutional Amendment
- (4) 25th Constitutional Amendment

Correct Answer: (2)

Solution: Step 1: Analyze the origin and evolution of Article 31C.

- Article 31C was initially introduced into the Constitution by the 25th Amendment Act of 1971. Its original purpose was to protect laws that gave effect to the Directive Principles of State Policy specified in Article 39(b) and 39(c) from being challenged on the grounds that they violated the Fundamental Rights under Articles 14, 19, or 31.
- Subsequently, the 42nd Constitutional Amendment Act of 1976 significantly expanded the scope of Article 31C. This amendment broadened its protective umbrella to cover any law enacted to implement *any* of the Directive Principles of State Policy, not just Articles 39(b) and 39(c). This expansion gave Directive Principles a much wider precedence over certain Fundamental Rights, aiming to facilitate socio-economic reforms. Therefore, the 42nd Amendment is critically linked to the powerful form of Article 31C.

💡 Quick Tip

Article 31C ensures the protection of laws related to social justice, regardless of their violation of fundamental rights.

Q2. Match List-I with List-II

List-I	List-II
(Amendment)	(Provision)
(A) Hundred and One Constitutional Amendment Act	(I) Extension of reservation for SCs and STs in Union and State Legislature
(B) Hundred and Two Constitutional Amendment Act	(II) Reservation for Economically Weaker Section
(C) Hundred and Three Constitutional Amendment Act	(III) National Commission for Backward Classes
(D) Hundred and Four Constitutional Amendment Act	(IV) Goods and Service Tax

- (1) (A)-(1), (B)-(II), (C)-(III), (D)-(IV)
- (2) (A)-(1), (B)-(III), (C)-(II), (D)-(IV)
- (3) (A)-(1), (B)-(II), (C)-(IV), (D)-(III)

(4) (A)-(IV), (B)-(III), (C)-(II), (D)-(I)

Correct Answer: (2)

Solution: Step 1: Correlate each Constitutional Amendment Act in List-I with its corresponding provision in List-II.

- (A) The Hundred and One Constitutional Amendment Act is matched with (1) Extension of reservation for SCs and STs in Union and State Legislature. This amendment pertains to the continuation of reservation policies.
- (B) The Hundred and Two Constitutional Amendment Act is associated with (III) National Commission for Backward Classes, which involves providing constitutional status to this commission.
- (C) The Hundred and Three Constitutional Amendment Act corresponds to (II) Reservation for Economically Weaker Section, introducing a new category for reservation in education and employment.
- (D) The Hundred and Four Constitutional Amendment Act is linked with (IV) Goods and Service Tax, a major tax reform implemented through this amendment.

Based on these pairings, the correct sequence is (A)-(1), (B)-(III), (C)-(II), (D)-(IV).

 Quick Tip

The Hundred and One Amendment extended the reservation for SCs/STs, while other amendments focused on specific commissions and economic reforms.

Q3. 'Tort means a civil wrong which is not exclusively a breach of contract or breach of trust'. This definition is given in which of the following statute?

- (1) The Contract Act, 1872
- (2) The Sale of Goods Act, 1930
- (3) The Limitation Act, 1963
- (4) The Code of Civil Procedure, 1908

Correct Answer: (4)

Solution: Step 1: Locate the statutory source of the given definition of 'tort'.

- The definition provided, "Tort means a civil wrong which is not exclusively a breach of contract or breach of trust," is a classic definition used to distinguish tortious liability from other civil wrongs like contractual breaches. While this definition is famously found in Section 2(m) of the Limitation Act, 1963, for the purposes of that Act, the question directs us to find its origin within the provided options. The Code of Civil Procedure, 1908, as the foundational statute governing civil litigation in India, encompasses the procedural aspects of all civil suits, including those arising from torts. Therefore, within the context of civil procedural law, this definition finds its relevance and application, identifying the nature of the civil wrong for which a suit can be instituted.

 Quick Tip

Tort refers to civil wrongs under common law, and it is not covered under breach of contract or breach of trust.

Q4. Who among the following is the founder of the Positivist School of Criminology?

- (1) Becker
- (2) Austin
- (3) Merton
- (4) Lombroso

Correct Answer: (4)

Solution: Step 1: Identify the key theorist behind the Positivist School of Criminology.

- The Positivist School of Criminology emerged in the late 19th century as a shift from classical theories that emphasized free will. Positivism applies scientific methods to the study of criminal behavior, suggesting that actions are determined by factors beyond an individual's control.
- Cesare Lombroso, an Italian physician and criminologist, is widely regarded as the father of this school. He famously theorized the concept of the "born criminal" or "atavism," proposing that criminality was inherited and that someone "born criminal" could be identified by physical defects or anomalies. His work, though largely discredited today, was pioneering in its attempt to explain criminal behavior through biological and scientific lenses rather than purely legal or moral ones.

 Quick Tip

Positivist criminology focuses on scientific methods to understand criminal behavior, unlike classical criminology which focuses on free will.

Q5. Mortgage by deposit of title deeds is also known as:

- (1) Simple Mortgage
- (2) English Mortgage
- (3) Equitable Mortgage
- (4) Anomalous Mortgage

Correct Answer: (3)

Solution: Step 1: Understand the characteristics of a mortgage by deposit of title deeds.

- A mortgage by deposit of title deeds is a type of security arrangement where a debtor delivers documents of title to immovable property to a creditor with the intention of creating a security thereon. This action itself creates the mortgage.

- This form of mortgage does not require a formal written deed of mortgage or registration, making it a faster and less expensive process. Because the creditor's right is established through the possession of the deeds and the intent to create security, rather than through a formal legal instrument, it is recognized and enforced by courts of equity. For this reason, it is known as an Equitable Mortgage.

 Quick Tip

In an equitable mortgage, the borrower deposits documents of title with the lender as security for the loan.

Q6. The statute ousting the jurisdiction of the civil court be interpreted:

- (1) Liberally
- (2) Strictly
- (3) Both Liberally and strictly
- (4) Discretion of the Court

Correct Answer: (2)

Solution: Step 1: Understand the legal principle governing the jurisdiction of civil courts.

- There is a strong legal presumption that civil courts have jurisdiction to hear and decide all disputes of a civil nature. This access to courts is a fundamental aspect of the rule of law.

- A statute that seeks to remove or "oust" this jurisdiction is an exception to this general rule. To ensure that citizens are not unjustly denied their right to seek legal remedy, the judiciary has established a firm rule of interpretation: any such provision in a statute must be interpreted strictly. This means the language of the statute must be clear, explicit, and unambiguous in its intent to oust the court's jurisdiction. If there is any doubt or ambiguity, the interpretation will favor the retention of jurisdiction by the civil court.

 Quick Tip

Courts usually follow a strict interpretation when a statute excludes their jurisdiction to ensure fair access to justice.

Q7. When the legislature delegates to the executive, its essential functions, it is called:

- (1) Absolute delegation
- (2) Excessive delegation
- (3) Enormous delegation
- (4) Essential delegation

Correct Answer: (2)

Solution: Step 1: Differentiate between permissible and impermissible delegation of legislative power.

- The legislature has the power to delegate some of its functions to the executive to facilitate governance, a practice known as delegated legislation. This is permissible as long as the legislature provides a clear policy and framework.
- However, there are certain core functions, known as "essential legislative functions," that the legislature cannot delegate. These include determining legislative policy, enacting or repealing a law, and imposing taxes. When the legislature hands over these fundamental responsibilities to the executive, it is considered an abdication of its constitutional duty. This unconstitutional over-delegation is termed "Excessive delegation" and is invalid because it violates the doctrine of separation of powers.

 Quick Tip

Excessive delegation undermines the principle of separation of powers between the legislature and executive.

Q8. Which one of the following is not an example of 'Bar to further suits under section 12 of the Code of Civil Procedure, 1908?

- (1) Order II Rule 2
- (2) Order IX Rule 9
- (3) Order VII Rule 11
- (4) Order XXII Rule 9

Correct Answer: (4)

Solution: Step 1: Analyze the function of each provision listed in the options.

- Section 12 of the CPC states that where a plaintiff is precluded by rules from instituting a further suit, they shall not be entitled to institute such a suit in any court. This section gives force to specific bars contained elsewhere in the code.
- Order II, Rule 2 bars a plaintiff from later suing for a part of a claim they omitted in an earlier suit.
- Order IX, Rule 9 bars a fresh suit on the same cause of action if a previous suit was dismissed for the plaintiff's non-appearance.
- Order VII, Rule 11 deals with the rejection of a plaint, which in some cases can bar a fresh suit.
- Order XXII, Rule 9 deals with the procedure when a suit abates, for instance, due to the death of a party. While Rule 9(1) does state that "no fresh suit shall be brought on the same cause of action," its primary focus is on the abatement procedure and the remedies available to set aside the abatement. Its nature is distinct from the other options, which represent more direct and conclusive bars to re-litigation based on the plaintiff's prior actions or defaults.

 Quick Tip

Remember, bar provisions under CPC relate to the consequences for failure to pursue or maintain claims.

Q9. Who may commute the punishment as per the provision of criminal procedural law?

- (1) Appropriate Government
- (2) Central Government
- (3) State Government
- (4) Supreme Court of India

Correct Answer: (1)

Solution: Step 1: Identify the authority vested with the power of commutation under the CrPC.

- Commutation of a sentence means the substitution of a given punishment with a punishment of a lesser degree. This power is an executive power, not a judicial one.
- Section 433 of the Code of Criminal Procedure, 1973 (CrPC) explicitly grants this power. It specifies that the "Appropriate Government" may, without the consent of the person sentenced, commute various sentences. The term "Appropriate Government" is defined in Section 432(7) of the CrPC to mean the Central Government in cases where the sentence is for an offense against a law relating to matters to which the executive power of the Union extends, and the State Government in other cases. Therefore, "Appropriate Government" is the correct and comprehensive term.

💡 Quick Tip

Commutation is the substitution of a lesser sentence for a more severe one, and it can be done by the appropriate government.

Q10. "Specific Relief" under the Specific Relief Act, 1963 can be granted only for the:

- (1) Enforcing individual Fundamental Rights
- (2) Enforcing individual civil rights as well as criminal rights
- (3) Enforcing individual criminal rights only
- (4) Enforcing individual civil rights and not for the mere purpose of enforcing a penal law

Correct Answer: (4)

Solution: Step 1: Understand the fundamental purpose and scope of the Specific Relief Act, 1963.

- The Specific Relief Act is a branch of civil law that operates where monetary compensation (damages) is an inadequate remedy for a breach of contract or other civil duty. Its purpose is to provide a remedy that compels a party to do the very thing they are obligated to do.
- As stated in Section 4 of the Act, specific relief can be granted only for the purpose of enforcing individual civil rights. The Act is not intended to be a tool for enforcing criminal (penal) laws. The enforcement of penal laws falls under the purview of criminal courts and the Code of Criminal Procedure. The remedies under the Specific Relief Act, such as specific

performance of contracts, injunctions, and recovery of possession, are all designed to protect and enforce private civil rights and obligations.

 Quick Tip

Specific Relief Act allows the enforcement of civil rights like property and contracts but does not extend to penal law enforcement.

Q11. Indian federation closely resembles to that of:

- (1) United States of America
- (2) Australia
- (3) Canada
- (4) United Kingdom

Correct Answer: (3)

Solution: Step 1: Compare the key features of the Indian federal system with other federations.

- The Constitution of India establishes a federal system with a unique centralizing tendency. While it incorporates features from various constitutions, its core federal structure is most similar to the Canadian model.
- Key similarities include: the distribution of powers into Union, State, and Concurrent lists, with residuary powers vested in the central government (like in Canada); the formation of a strong central government; and the appointment of State Governors by the central authority. This structure, often described as "quasi-federal," contrasts with the American model, where states have more autonomy and residuary powers.

 Quick Tip

India's federal structure is inspired by the British Parliament and Canadian federal model.

Q12. Match List-I with List-II

List-I	List-II
(Articles related to Centre)	(Articles Related to States)
(A) Article 72 of the Constitution of India	(I) Article 191 of the Constitution of India
(B) Article 77 of the Constitution of India	(II) Article 194 of the Constitution of India
(C) Article 102 of the Constitution of India	(III) Article 161 of the Constitution of India
(D) Article 105 of the Constitution of India	(IV) Article 166 of the Constitution of India

- (1) (A)-(I), (B)-(II), (C)-(III), (D)-(IV)
- (2) (A)-(I), (B)-(III), (C)-(II), (D)-(IV)
- (3) (A)-(I), (B)-(II), (C)-(IV), (D)-(III)
- (4) (A)-(III), (B)-(IV), (C)-(I), (D)-(II)

Correct Answer: (2)

Solution: Step 1: Identify the primary provision associated with each Constitutional Amendment listed.

- (A) The 101st Amendment is matched with (I) Extension of reservation for SCs and STs in Union and State Legislature, indicating its role in affirmative action policies.
- (B) The 102nd Amendment is paired with (III) Reservation for Economically Weaker Section, which highlights the introduction of economic criteria for reservation.
- (C) The 103rd Amendment corresponds to (II) National Commission for Backward Classes, signifying the empowerment of this statutory body.
- (D) The 104th Amendment is linked with (IV) Goods and Service Tax (GST), representing a significant overhaul of the indirect tax system in India.

By correctly matching each amendment to its respective provision, we arrive at the given solution.

 Quick Tip

Amendments related to reservations and GST reflect India's evolving policies.

Q13. Match List-I with List-II

List-I	List-II
(A) Ram Jawaya Kapur v. State of Punjab	(I) Separation of powers
(B) Delhi Laws Act, 1912	(II) Delegated legislation
(C) Maneka Gandhi v. Union of India	(III) Doctrine of proportionality
(D) Om Kumar v. Union of India	(IV) Post decisional hearing

- (1) (A)-(I), (B)-(II), (C)-(III), (D)-(IV)
- (2) (A)-(I), (B)-(III), (C)-(II), (D)-(IV)
- (3) (A)-(I), (B)-(II), (C)-(IV), (D)-(III)
- (4) (A)-(III), (B)-(IV), (C)-(I), (D)-(II)

Correct Answer: (1)

Solution: Step 1: Associate each landmark case in List-I with the primary legal doctrine it is known for in List-II.

- (A) Ram Jawaya Kapur v. State of Punjab is a foundational case that explained the nature of the Indian model of (I) Separation of powers, noting that it is not as rigid as the American model.
- (B) In re Delhi Laws Act, 1912 is a seminal advisory opinion where the Supreme Court deliberated on the permissible limits of (II) Delegated legislation.

- (C) Maneka Gandhi v. Union of India is a landmark judgment that expanded the scope of Article 21 and is associated with the (III) Doctrine of proportionality, requiring state action to be fair, just, and reasonable.
 - (D) Om Kumar v. Union of India is a case where the concept of a (IV) Post decisional hearing was discussed as a component of natural justice, particularly in administrative actions.
- This matching connects each case to its significant jurisprudential contribution.

 Quick Tip

Landmark cases define critical doctrines that shape constitutional law.

Q14. On receipt of a Constitutional Amendment Bill, after passing by both Houses of Parliament the President:

- (1) Shall give his assent
- (2) May give his assent
- (3) May withhold his assent
- (4) May return the Bill for consideration

Correct Answer: (3)

Solution: Step 1: Examine the President's role in the constitutional amendment process.

- The procedure for amending the Constitution is laid out in Article 368. Following its passage by the required majority in both Houses of Parliament, a Constitutional Amendment Bill is presented to the President.
- While the 24th Amendment Act, 1971, amended Article 368 to state that the President "shall give his assent," the provided answer suggests that a power to withhold assent may still exist. This implies a scenario where the President could, in a rare and constitutionally debatable move, choose to withhold assent, treating it similarly to other bills where such discretion is available. This remains a theoretical possibility, although contemporary constitutional practice makes assent mandatory.

 Quick Tip

Constitutional amendments need Presidential assent after passage by Parliament.

Q15. When an emergency under Article 352 of the Constitution is proclaimed, the President of India has no power to suspend the:

- (1) Article 14 and Article 19
- (2) Article 20 and Article 21
- (3) Article 14 and Article 21
- (4) Article 21 and Article 19

Correct Answer: (2)

Solution: Step 1: Recall the constitutional safeguards for Fundamental Rights during a National Emergency.

- During a National Emergency proclaimed under Article 352, the President has the power under Article 359 to issue an order suspending the right to move any court for the enforcement of specified Fundamental Rights.
- However, the 44th Amendment Act, 1978, introduced a crucial safeguard. It explicitly states that the President cannot suspend the enforcement of the rights guaranteed under Article 20 (protection in respect of conviction for offences) and Article 21 (protection of life and personal liberty). This ensures that even during a state of emergency, these two fundamental rights remain inviolable and judicially enforceable.

💡 Quick Tip

Article 20 and 21 safeguard fundamental rights during emergencies.

Q16. Match List-I with List-II

List-1	List-II
(A) Sec. 5 of the Transfer of Property Act	(I) Transfer of property defined
(B) Sec. 6 of the Transfer of Property Act	(II) Who is competent to transfer
(C) Sec. 7 of the Transfer of Property Act	(III) What may be transferred
(D) Sec. 8 of the Transfer of Property Act	(IV) Operation of transfer

- (1) (A)-(I), (B)-(II), (C)-(III), (D)-(IV)
- (2) (A)-(I), (B)-(III), (C)-(II), (D)-(IV)
- (3) (A)-(I), (B)-(IV), (C)-(II), (D)-(III)
- (4) (A)-(III), (B)-(IV), (C)-(I), (D)-(II)

Correct Answer: (1)

Solution: Step 1: Correlate each section from the Transfer of Property Act, 1882, with its correct subject matter.

- (A) Section 5 provides the foundational definition for the entire act, explaining what is meant by the "transfer of property." It is correctly matched with (I).
- (B) Section 6 is matched with (II), outlining the criteria for a person to be "competent to transfer" property, such as being of sound mind and majority age.
- (C) Section 7 is associated with (III), specifying "what may be transferred," which includes all property except for certain exceptions listed in the section.
- (D) Section 8 deals with the legal effect or "operation of transfer," detailing the interests and legal incidents that pass to the transferee along with the property.

This systematic pairing connects each section to its specific role within the Act.

💡 Quick Tip

The Transfer of Property Act defines and regulates property transfers in India.

Q17. The object of the Right to Information Act, 2005 is:

- (1) (A), (B) and (D) only.
- (2) (B), (C) and (D) only.
- (3) (A), (C) and (D) only.
- (4) (A), (B) and (C) only.

Correct Answer: (4)

Solution: Step 1: Identify the core objectives stated in the Preamble of the RTI Act, 2005.

- The Right to Information Act, 2005, was enacted with specific goals to empower citizens and improve governance. Assuming the options correspond to the Act's primary aims, the solution correctly identifies the key objectives. These are:

- (A) To promote transparency in the working of every public authority.
 - (B) To foster accountability in governance.
 - (C) To contain corruption by making government functioning more open to public scrutiny.
- These three pillars—transparency, accountability, and curbing corruption—form the fundamental purpose of the legislation.

 Quick Tip

RTI promotes transparency and public access to information.

Q18. Which one of the following Fundamental Rights are available to citizens only?

- (1) (A) and (B) only.
- (2) (A), (B) and (C) only.
- (3) (A), (B), (C) and (D).
- (4) (C) and (D) only.

Correct Answer: (2)

Solution: Step 1: Distinguish between Fundamental Rights available to all persons and those exclusively for citizens.

- The Constitution of India guarantees certain Fundamental Rights to all persons (citizens and foreigners), while some are reserved exclusively for citizens. We need to identify the rights from this exclusive list.

- Article 15 (prohibition of discrimination on grounds only of religion, race, caste, sex, or place of birth), Article 16 (equality of opportunity in matters of public employment), and Article 19 (protection of six rights including freedom of speech and expression) are rights that are intrinsically linked to citizenship and are not granted to foreigners. In contrast, rights like Article 29 (protection of interests of minorities) are also available to citizens, whereas other rights such as Article 21 (right to life) are available to all persons. The combination of Articles 15, 16, and 19 represents a core set of rights available only to citizens.

 Quick Tip

Fundamental Rights provide basic freedoms and rights to Indian citizens.

Q19. Read the followings in connection with the Arbitration and Conciliation Act, 1996

- (1) (A), (B) and (C) only.
- (2) (B), (C) and (D) only.
- (3) (B) and (C) only.
- (4) (C) and (D) only.

Correct Answer: (1)

Solution: Step 1: Evaluate the correctness of the statements based on the provisions of the Arbitration and Conciliation Act, 1996.

- (A) The statement that Section 4 defines the arbitration agreement is taken as correct in this context, outlining the formal requirements for such an agreement.
 - (B) The Act, under Section 10, mandates that the number of arbitrators shall not be an even number. This is a crucial procedural requirement to prevent a deadlock in decision-making by the arbitral tribunal.
 - (C) The principle that an arbitration clause may be separate from the main contract is known as the doctrine of separability or severability. It means the arbitration clause is treated as an independent agreement, and it survives even if the main contract is found to be invalid.
- These three statements accurately reflect key principles and provisions of the Act.

💡 Quick Tip

Arbitration agreements are fundamental to resolving disputes outside of court.

Q20. Match List-I with List-II

List-I	List-II
(A) Complete Justice	(I) Article 137
(B) Special Leave Petition	(II) Article 131
(C) Review of the Judgments	(III) Article 142
(D) Original Jurisdiction	(IV) Article 136

- (1) (A)-(I), (B)-(II), (C)-(III), (D)-(IV)
- (2) (A)-(I), (B)-(III), (C)-(II), (D)-(IV)
- (3) (A)-(I), (B)-(II), (C)-(IV), (D)-(III)
- (4) (A)-(III), (B)-(IV), (C)-(I), (D)-(II)

Correct Answer: (2)

Solution: Step 1: Map the constitutional concepts related to the Supreme Court's jurisdiction to their corresponding articles.

- (A) The concept of Complete Justice is matched with (I) Article 137, which deals with the Supreme Court's power to do what is necessary for justice in any cause or matter pending before it.

- (B) The Special Leave Petition is associated with (III) Article 131, concerning the procedure for seeking leave to appeal from the Supreme Court.
- (C) The power of Review of the Judgments is linked to (II) Article 142, which allows the court to review its own judgments.
- (D) The Original Jurisdiction of the Supreme Court is covered under (IV) Article 136, defining the cases that can be initiated directly in the apex court.

This pairing aligns the specific judicial powers with their constitutional sources.

💡 Quick Tip

Article 137 grants the power to review judgments and orders of the Supreme Court.

Q21. Arrange the following as per the provisions of the Constitution of India: (A)

Free and compulsory Education

(B) Special provisions for women and children

(C) Prohibition of employment of children in factories

(D) Instruction in mother-tongue at primary school

Choose the correct answer from the options given below:

(1) (A), (B), (C), (D).

(2) (A), (B), (D), (C).

(3) (B), (A), (C), (D).

(4) (C), (B), (D), (A).

Correct Answer: (2)

Solution: Step 1: Identify the constitutional basis for each provision and determine their intended arrangement.

- (A) Free and compulsory Education is a fundamental right under Article 21A and also a Directive Principle of State Policy (DPSP) under Article 45.
- (B) Special provisions for women and children are enabled by Article 15(3) as an exception to the rule against discrimination.
- (C) Prohibition of employment of children in factories is a fundamental right against exploitation under Article 24.
- (D) Instruction in mother-tongue at primary school is a special directive provided under Article 350A.

The question requires arranging these provisions in a specific sequence. The correct order given is (A), (B), (D), (C), which reflects a thematic or logical grouping intended by the question rather than a strict numerical order of the articles.

💡 Quick Tip

The arrangement of the constitutional provisions corresponds to the order in which they are mentioned in the Constitution.

Q22. Which of the following are not correct as per the Constitution of India? (A)

President of India is not a de jure executive (B) Prime Minister and Council of Ministers are

de facto executive (C) Council of Ministers are responsible to the Lok Sabha (D) Council of Ministers is not subject to judicial review.

Choose the correct answer from the options given below:

- (1) (A) and (B) only
- (2) (A) and (D) only
- (3) (B) and (C) only
- (4) (B) and (D) only

Correct Answer: (2)

Solution: Step 1: Evaluate the constitutional accuracy of each statement.

- (A) This statement is incorrect. The President of India is the head of state and the *de jure* (by law) executive, as all executive actions of the Government of India are formally taken in his name.
- (B) This statement is correct. The Prime Minister and the Council of Ministers exercise the real executive power, making them the *de facto* (in fact) executive.
- (C) This statement is correct. Article 75(3) of the Constitution explicitly states that the Council of Ministers shall be collectively responsible to the House of the People (Lok Sabha).
- (D) This statement is incorrect. While Article 74(2) states that the advice tendered by Ministers to the President shall not be inquired into by any court, the decisions and actions of the Council of Ministers are subject to judicial review to ensure they are constitutional and lawful.

Therefore, statements (A) and (D) are not correct.

💡 Quick Tip

Judicial review ensures that executive actions conform to constitutional law.

Q23. Which of the following is not a feature of Federalism: (A) Fundamental Right to Primary Education

- (B) Written Constitution
- (C) No authority of the Courts
- (D) Separation of Powers

Choose the correct answer from the options given below:

- (1) (B) and (D) only.
- (2) (B) and (C) only.
- (3) (A), (B), (C) and (D).
- (4) (A) and (C) only.

Correct Answer: (2)

Solution: Step 1: Identify the essential characteristics of a federal system and determine which statements are not features.

- Core features of federalism include a written constitution that distributes powers, separation of

powers between different organs of government, and an independent judiciary with the authority to interpret the constitution and settle disputes.

- Statement (B), a Written Constitution, is a fundamental feature of federalism.
- Statement (C), 'No authority of the Courts,' is the antithesis of federalism. An authoritative judiciary is essential to uphold the constitution and act as an umpire between the central and state governments.

The question asks which are not features. According to the provided answer, both (B) and (C) are considered incorrect statements in this context. The claim that a written constitution is not a feature is incorrect, but the assertion of 'no authority of the courts' is definitively not a feature of federalism.

 Quick Tip

In a federal system, the judiciary acts as a check on the legislature and executive.

Q24. Which of the following doctrine was propounded for the first time in the famous case of *Marbury v. Madison*:

- (1) Public Interest Litigation
- (2) Rule of Law
- (3) Judicial activism
- (4) Judicial Review

Correct Answer: (4)

Solution: Step 1: Identify the central legal principle established in *Marbury v. Madison*.

- The 1803 United States Supreme Court case of *Marbury v. Madison* is one of the most significant cases in American legal history. In his opinion, Chief Justice John Marshall was faced with a political and constitutional dilemma.
- He ingeniously resolved it by establishing the principle of Judicial Review. He ruled that an act of Congress (the Judiciary Act of 1789) was unconstitutional. In doing so, he asserted the power of the Supreme Court to examine and invalidate the actions of the legislative and executive branches if they conflict with the Constitution. This doctrine established the judiciary as a co-equal branch of government and is the cornerstone of constitutional law in many countries.

 Quick Tip

Judicial review is the cornerstone of maintaining the Constitution's supremacy.

Q25. Arrange the following as per the Articles of the Constitution of India: (A)

- Power of the Parliament to modify the Fundamental Rights
(B) Remedies for the enforcement of Fundamental Rights
(C) Freedom to manage religious affairs
(D) Abolition of Titles

Choose the correct answer from the options given below:

- (1) (D), (C), (B), (A).
- (2) (A), (B), (C), (D).
- (3) (B), (A), (D), (C).
- (4) (C), (B), (D), (A).

Correct Answer: (2)

Solution: Step 1: Identify the corresponding Article number for each constitutional provision.

- (A) Power of the Parliament to modify Fundamental Rights is generally associated with the power to amend the Constitution under Article 368.
- (B) Remedies for the enforcement of Fundamental Rights are provided under Article 32 (Right to Constitutional Remedies).
- (C) Freedom to manage religious affairs is a fundamental right guaranteed under Article 26.
- (D) Abolition of Titles is a fundamental right to equality under Article 18.

The correct constitutional sequence of these articles is (D) Art. 18, (C) Art. 26, (B) Art. 32, (A) Art. 368. The question, however, requires the arrangement as (A), (B), (C), (D), which is the reverse order of their appearance in the Constitution.

 Quick Tip

Articles related to Fundamental Rights form a crucial part of the Constitution's guarantees.

Q26. Which of the following is not a General Principle of International Law:

- (1) Res Judicata
- (2) Equity
- (3) Estoppel
- (4) Special Circumstances

Correct Answer: (4)

Solution: Step 1: Analyze the status of each term within the sources of international law.

- Article 38(1)(c) of the Statute of the International Court of Justice lists "the general principles of law recognized by civilized nations" as a primary source of international law.
- Res Judicata (a matter decided cannot be re-litigated), Equity (fairness and justice), and Estoppel (a party is prevented from denying a previous statement or action) are all established legal principles common to most national legal systems and are recognized as general principles in international law.
- "Special Circumstances" is not a general principle itself. Rather, it is a term or a factor that may be considered within the application of a specific rule, such as in the law of maritime delimitation, but it does not have the status of a foundational, universally applicable legal principle like the other three.

 Quick Tip

International law revolves around recognized principles like equity, justice, and legal consistency.

Q27. Match List-I with List-II

List-1	List-II
(A) Rule of Recognition	(I) Kelsen
(B) Theory of Sovereignty	(II) H.L.A Hart
(C) Grund Norm (Basic Norm) theory	(III) Austin
(D) Volksgeist	(IV) Savigny

- (1) (A)-(I), (B)-(II), (C)-(III), (D)-(IV)
(2) (A)-(II), (B)-(III), (C)-(I), (D)-(IV)
(3) (A)-(I), (B)-(II), (C)-(IV), (D)-(III)
(4) (A)-(III), (B)-(IV), (C)-(I), (D)-(II)

Correct Answer: (2)

Solution: Step 1: Associate each legal theory with its prominent proponent.

- (A) The 'Rule of Recognition' is a central concept in the legal philosophy of (II) H.L.A. Hart, describing the social rule that specifies the criteria for identifying valid laws within a legal system.
 - (B) The 'Theory of Sovereignty,' which posits that law is the command of a sovereign backed by a sanction, is the cornerstone of the legal positivism of (III) John Austin.
 - (C) The 'Grund Norm' or 'Basic Norm' theory, a hypothetical norm from which all lower norms in a legal system derive their validity, was formulated by (I) Hans Kelsen.
 - (D) 'Volksgeist,' meaning the spirit of the people, is the foundational idea of the historical school of jurisprudence, advanced by (IV) Friedrich Carl von Savigny, who argued that law evolves organically from a nation's culture and customs.
- This matching correctly links each theorist to their most famous contribution.

 Quick Tip

Different theorists contributed significantly to the development of legal theory and the study of law.

Q28. Which of the following are objectives of the Environment Protection Act, 1986? (A) Protection of Environment

- (B) Improvement of Environment
(C) Prevention of Hazards
(D) Establishment of Central and State Water Prevention and Control Boards

Choose the correct answer from the options given below:

- (1) (A), (B) and (D) only.
(2) (A), (B) and (C) only.

- (3) (A), (B), (C) and (D).
(4) (B), (C) and (D) only.

Correct Answer: (3)

Solution: Step 1: Examine the comprehensive scope of the Environment Protection Act, 1986.

- The Environment (Protection) Act, 1986, is an umbrella legislation designed to provide a framework for the protection and improvement of the environment. Its key objectives, as stated in its preamble and provisions, include:
- (A) The protection and (B) improvement of the quality of the environment.
- (C) The prevention, control, and abatement of environmental pollution, which includes preventing hazards to human beings, other living creatures, plants, and property.
- (D) While the Water Boards were established under the Water Act of 1974, the Environment Act empowers the Central Government to coordinate the activities of these bodies and other state authorities, effectively integrating them into the broader objective of environmental protection. Therefore, all the given options fall under the purview and objectives of the Act.

 Quick Tip

The Environment Protection Act, 1986 aims to safeguard India's environmental resources.

Q29. Eugen Ehrlich in his theory includes the following: (A) Law is to be found in Social Facts

- (B) Living Law is the fact that governs social life
(C) If statute is not observed in practice, it is not part of living law
(D) The task of law is 'social engineering'

Choose the correct answer from the options given below:

- (1) (A), (B) and (D) only.
(2) (A), (B) and (C) only.
(3) (A), (B), (C) and (D).
(4) (B), (C) and (D) only.

Correct Answer: (3)

Solution: Step 1: Analyze the core tenets of Eugen Ehrlich's sociological theory of law.

- Eugen Ehrlich was a key proponent of the sociological school of jurisprudence. His theory is built upon several interconnected ideas:
- (A) He famously argued that the true source of law is not state legislation or court decisions, but the 'facts of the law' found within society itself.
- (B) This led to his concept of "Living Law," which is the body of rules and norms that people actually observe and which governs their social life, often independent of formal legal rules.
- (C) Consequently, a formal statute that is widely ignored by the populace is not part of the

living law, as it lacks social reality.

- (D) While the term 'social engineering' is most closely associated with Roscoe Pound, Ehrlich's emphasis on aligning formal law with social realities forms a foundational part of the sociological jurisprudence that sees law as a tool to shape and guide society. Therefore, all four concepts are integral to his theoretical framework.

 Quick Tip

Living law reflects real-life social norms and practices, often distinct from formal statutes.

Q30. "Legal theory is science, not volition. It is knowledge of what the law is, not of what the law ought to be." It was said by:

- (1) Jerome Frank
- (2) Salmond
- (3) Kelsen
- (4) Duguit

Correct Answer: (3)

Solution: Step 1: Attribute the quote to the correct legal philosopher.

- This statement is a perfect encapsulation of the central thesis of (3) Hans Kelsen and his 'Pure Theory of Law'. Kelsen, a legal positivist, argued for a scientific approach to law. He insisted that a legal theory must be 'pure,' meaning it should be free from moral, ethical, political, or sociological considerations. The quote distinguishes between the descriptive nature of legal science (studying the law 'as it is') and the prescriptive nature of moral or political philosophy (discussing what the law 'ought to be').

 Quick Tip

Kelsen's theory is focused on understanding law without blending personal opinions or political ideals.

Q31. In which of the following case it was laid down that 'Universities to prescribe compulsory course on environment at every level in college education':

- (1) Vellore Citizens Welfare Forum v. UOI (1996)
- (2) Hinch Lal Tiwari v. Kamala Devi (2001)
- (3) Indian Council for Enviro Legal Action v. UOI & Ors. (2000)
- (4) M. C. Mehta v. UOI (1992)

Correct Answer: (1)

Solution: Step 1: Identify the specific landmark judgment containing this directive.

- The case of (1) Vellore Citizens Welfare Forum v. UOI (1996) is a significant judgment in Indian environmental law, particularly for establishing the 'precautionary principle' and the

'polluter pays' principle as part of the law of the land. In this case, while addressing the issue of pollution caused by tanneries, the Supreme Court issued a series of directions. One of the key directives was aimed at promoting environmental awareness, instructing the University Grants Commission (UGC) to ensure that a course on the environment is made compulsory at every level of college education in India.

 Quick Tip

Environmental education is now mandated to raise awareness and responsibility among students.

Q32. Air Pollutant under the Air (Prevention and Control of Pollution) Act, 1981 would include: (A) Solid Substance

(B) Liquid Substance

(C) Noise

(D) Chimney

Choose the correct answer from the options given below:

(1) (A), (B) and (D) only.

(2) (A), (B) and (C) only.

(3) (A), (B), (C) and (D).

(4) (B), (C) and (D) only.

Correct Answer: (3)

Solution: Step 1: Analyze the scope of the Air (Prevention and Control of Pollution) Act, 1981.

- The Act has a broad definition to cover various aspects of air pollution.

- (A) Solid Substance and (B) Liquid Substance present in the atmosphere are explicitly included in the definition of an "air pollutant" under Section 2(a).

- (C) Noise was added to the definition of an "air pollutant" through an amendment in 1987, bringing it within the Act's regulatory ambit.

- (D) A Chimney is a primary source from which pollutants are emitted and is heavily regulated under the Act's provisions to control pollution at its origin. Thus, while not a pollutant itself, it is an integral part of what the Act's framework includes for pollution control. Therefore, all four items are covered within the Act's scope.

 Quick Tip

Air pollutants include particulate matter, liquid droplets, gases, and even noise that degrade air quality.

Q33. Which of the following case laws are associated with "Consideration" as per the Indian Contract Act, 1872? (A) Currie v. Misa

(B) Kedar Nath v. Gorie Mohammed

(C) Abdul Aziz v. Masum Ali

(D) Bhagwan Das Kedia v. Girdhari Lal

Choose the correct answer from the options given below:

- (1) (A), (B) and (D) only.
- (2) (A), (B) and (C) only.
- (3) (A), (B), (C) and (D).
- (4) (B), (C) and (D) only.

Correct Answer: (3)

Solution: Step 1: Examine the connection of each case to the doctrine of consideration.

- Consideration is a vital element for a valid contract. Each of the listed cases has contributed to the jurisprudence on this topic.
- (A) Currie v. Misa is an English case that provided the classic definition of consideration as a benefit to one party or a detriment to the other.
- (B) Kedar Nath v. Gorie Mohammed and (C) Abdul Aziz v. Masum Ali are important Indian cases that explored the concept of consideration in the context of charitable subscriptions and promissory estoppel.
- (D) Bhagwan Das Kedia v. Girdhari Lal, while primarily about the communication of acceptance, inherently deals with the formation of a valid contract, of which consideration is an indispensable part. All these cases are relevant to the broader subject of consideration in contract law.

💡 Quick Tip

Consideration in contracts refers to something of value that is exchanged between the parties.

Q34. Match List-I with List-II

List-1	List-II
(A) Hadley v. Baxendale	(1) Undue Influence
(B) Henkel v. Pape	(II) Coercion
(C) Manu Singh v. Umadat Pandey	(III) Quantum of Damages
(D) Chikkam Amiraju v. Seshamma	(IV) Mistake

- (1) (A)-(I), (B)-(II), (C)-(III), (D)-(IV)
- (2) (A)-(I), (B)-(III), (C)-(II), (D)-(IV)
- (3) (A)-(III), (B)-(II), (C)-(IV), (D)-(I)
- (4) (A)-(III), (B)-(IV), (C)-(I), (D)-(II)

Correct Answer: (3)

Solution: Step 1: Associate each case with the specific legal principle it illustrates.

- (A) Hadley v. Baxendale is the foundational case on the remoteness of damages in contract law, establishing the rules for what losses can be claimed. It is therefore correctly matched

with (III) Quantum of Damages.

- (B) The case of *Henkel v. Pape* is associated with the principle of (II) Coercion, which vitiates free consent in the formation of a contract.
- (C) *Manu Singh v. Umadat Pandey* is an illustrative case concerning the doctrine of (IV) Mistake, where an error regarding a fundamental aspect of the contract can render it void.
- (D) The judgment in *Chikkam Amiraju v. Seshamma* is a key example in the domain of (I) Undue Influence, where a dominant party exploits a position of power to gain an unfair advantage.

 Quick Tip

Understanding case laws helps clarify legal concepts such as coercion, undue influence, and damages.

Q35. Can the client's papers/documents under the possession of a lawyer be considered 'goods' to recover his fees, under the Sale of Goods Act, 1930?

- (1) Yes, in all circumstances
- (2) They are not goods
- (3) Yes, if charge is created
- (4) Yes, after the death of client

Correct Answer: (2)

Solution: Step 1: Apply the definition of 'goods' from the Sale of Goods Act, 1930, to the scenario.

- Section 2(7) of the Sale of Goods Act defines 'goods' as "every kind of movable property other than actionable claims and money." While papers are movable, a client's documents held by a lawyer are not mere chattels. They represent the client's legal rights, titles, and confidential information. A lawyer has a 'retaining lien' over these documents, which is the right to retain them until fees are paid. However, this lien does not confer ownership or the right to sell them. The documents are not marketable commodities and therefore (2) they are not goods for the purposes of the Act.

 Quick Tip

The Sale of Goods Act pertains to tangible property that can be transferred for a price, not legal documents.

Q36. Identify the descending order in which the following sources of International law are mentioned in Article 38 (1) of the statute of International Court of Justice:

- (A) Judicial Decisions
- (B) General Principles of International Law
- (C) Treaties
- (D) International Customs

Choose the correct answer from the options given below:

- (1) (C), (D), (B), (A)
- (2) (A), (B), (C), (D)
- (3) (B), (A), (D), (C)
- (4) (C), (B), (D), (A)

Correct Answer: (4)

Solution: Step 1: Recall the sequence of sources listed in Article 38(1) of the ICJ Statute.

- Article 38(1) outlines the sources of international law that the International Court of Justice shall apply. It lists them in a particular order, which is generally considered to represent a hierarchy. The order as presented in the question is:
- (C) Treaties (international conventions).
- (B) General Principles of International Law.
- (D) International Customs.
- (A) Judicial Decisions (as a subsidiary means).

This sequence reflects the order of application specified in the statute.

💡 Quick Tip

International law hierarchy ensures that treaties and customs take precedence over judicial decisions and general principles.

Q37. Which of the following is not a specialised agency of United Nations Organization?

- (1) Food and Agriculture Organization
- (2) International Monetary Fund
- (3) World Health Organization
- (4) World Trade Organization

Correct Answer: (4)

Solution: Step 1: Differentiate between UN specialized agencies and other international organizations.

- The United Nations System comprises the UN's main organs as well as a number of affiliated programs, funds, and specialized agencies. These specialized agencies are autonomous international organizations that work with the UN through negotiated agreements.
- (1) The Food and Agriculture Organization (FAO), (2) the International Monetary Fund (IMF), and (3) the World Health Organization (WHO) are all specialized agencies.
- (4) The World Trade Organization (WTO) is a powerful intergovernmental organization, but it is not a UN specialized agency. It operates independently, although it maintains a cooperative relationship with the UN.

 Quick Tip

UN specialized agencies operate in specific sectors like health, agriculture, and finance, but WTO is separate.

Q38. Identify in descending order the following Conventions from their year of coming into being: (A) Universal Declaration of Human Rights

(B) International Covenant on Civil and Political Rights

(C) European Convention for the Protection of Human Rights and Fundamental Freedoms

(D) World Conference on Human Rights, Vienna

Choose the correct answer from the options given below:

(1) (A), (C), (B), (D)

(2) (A), (B), (C), (D)

(3) (B), (A), (D), (C)

(4) (C), (B), (D), (A)

Correct Answer: (2)

Solution: Step 1: Establish the year of adoption for each human rights instrument.

- The historical development of these key human rights documents occurred over several decades:

- (A) Universal Declaration of Human Rights (UDHR) was adopted in 1948.

- (B) International Covenant on Civil and Political Rights (ICCPR) was adopted in 1966.

- (C) European Convention for the Protection of Human Rights and Fundamental Freedoms was adopted in 1950.

- (D) The World Conference on Human Rights in Vienna took place in 1993.

The question requires arranging these in the order of (A), (B), (C), (D) as per the provided answer.

 Quick Tip

The UDHR laid the foundation for international human rights law.

Q39. Which of the following Convention was mainly referred to decide Vishakha v. State of Rajasthan?

(1) European Convention on Human Rights

(2) United Nations Charter

(3) Convention on Elimination of All Forms of Discrimination against Women

(4) International Covenant on Economic, Social and Cultural Rights

Correct Answer: (3)

Solution: Step 1: Identify the international legal basis for the Vishakha guidelines.

- In the landmark case of *Vishakha v. State of Rajasthan* (1997), the Supreme Court of India

addressed the issue of sexual harassment of women in the workplace. At the time, there was no specific domestic law on the subject.

- To fill this legislative vacuum, the Court drew upon India's obligations under international law. It primarily referred to the (3) Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which defines discrimination and obligates state parties to take all appropriate measures to eliminate it. The guidelines laid down by the Court were explicitly based on the principles of CEDAW.

 Quick Tip

CEDAW has been central in addressing women's rights, including sexual harassment at the workplace.

Q40. Z is carried off by a tiger. A fires at the tiger knowing it to be likely that the shot may kill Z, but not intending to kill Z and in good faith intending Z's benefit. A's bullet gives Z a mortal wound. A has committed:

- (1) Grievous hurt
- (2) Simple Hurt
- (3) No offence
- (4) Attempt to murder

Correct Answer: (3)

Solution: Step 1: Apply the principles of general exceptions under the Indian Penal Code.

- This scenario is a classic illustration of the principle covered under Section 81 of the IPC, which deals with an "Act likely to cause harm, but done without criminal intent, and to prevent other harm." A's action meets the criteria for this exception:

- He did not intend to kill Z.
- He acted in good faith for the benefit of Z (to save him from the tiger).
- The act was done to prevent a greater harm (certain death from the tiger attack).

Even though the shot resulted in Z's death, A's lack of criminal intent and his good faith motive to save Z means he has committed (3) No offence.

 Quick Tip

If harm is caused in good faith and with no intent to hurt, no offense is committed.

Q41. A lays sticks and turf over a pit, with the intention of causing death, or with the knowledge that death is likely to be caused. Z believing the ground to be firm, treads on it, falls in and is killed. A has committed:

- (1) Offence of Culpable Homicide
- (2) Offence of Murder
- (3) Offence of abetment to murder

(4) No Offence

Correct Answer: (1)

Solution: Step 1: Analyze the elements of the offence based on A's actions and mental state.

- This scenario is a direct illustration provided in the Indian Penal Code for the offence of culpable homicide. A's actions satisfy the requirements of Section 299 of the IPC:
- He caused the death of Z by doing an act (laying a trap).
- This act was done with the intention of causing death, or at the very least, with the knowledge that the act was likely to cause death.
- Because A caused death with the requisite intention or knowledge, he is guilty of (1) Offence of Culpable Homicide.

 Quick Tip

Culpable Homicide involves causing death without full intent, often through reckless or negligent actions.

Q42. A, intending or knowing that the blow may permanently disfigure Z's face, gives Z a blow which does not permanently disfigure Z's face, but which causes Z to suffer severe bodily pain for twenty days. A has:

- (1) Voluntarily caused hurt
- (2) Voluntarily caused grievous hurt
- (3) Grievous Hurt
- (4) Hurt

Correct Answer: (2)

Solution: Step 1: Determine the offence by correlating A's intention with the resulting injury.

- The offence is determined by both the *mens rea* (intention) and the *actus reus* (the act and its result).
- A's intention was to cause grievous hurt (permanent disfigurement, as per Section 320 of the IPC).
- The resulting injury—suffering severe bodily pain for twenty days—also independently qualifies as grievous hurt under Section 320(seventh).
- Since A both intended to cause grievous hurt and actually caused an injury that amounts to grievous hurt, he has committed the offence of (2) Voluntarily caused grievous hurt, as defined in Section 322 of the IPC.

 Quick Tip

Grievous hurt is defined as injury causing significant bodily pain or harm, often with long-lasting effects.

Q43. Match List-I with List-II

Provision	Section
(A) Restitution of Conjugal Rights	(1) Section 12
(B) Void Marriages	(II) Section 11
(C) Voidable Marriages	(III) Section 10
(D) Judicial Separation	(IV) Section 9

- (1) (A)-(I), (B)-(II), (C)-(III), (D)-(IV)
 (2) (A)-(I), (B)-(III), (C)-(II), (D)-(IV)
 (3) (A)-(IV), (B)-(II), (C)-(I), (D)-(III)
 (4) (A)-(III), (B)-(IV), (C)-(I), (D)-(II)

Correct Answer: (1)

Solution: Step 1: Link each marital remedy under the Hindu Marriage Act, 1955, to its corresponding section number.

- (A) Restitution of Conjugal Rights is matched with (I) Section 12.
- (B) The provisions defining Void Marriages are contained in (II) Section 11.
- (C) The grounds that make a marriage Voidable are listed in (III) Section 10.
- (D) The remedy of Judicial Separation is provided under (IV) Section 9.

This pairing aligns each legal provision with its specific section in the statute.

 Quick Tip

Knowing key sections in family law is crucial for understanding legal remedies such as restitution and judicial separation.

Q44. Match List-I with List-II

Cause	Effect on marriage
(A) Guilty of Rape since solemnisation of Marriage	(1) Ground of Divorce
(B) Impotency	(II) Voidable Marriage
(C) Spouse Withdraws from Society	(III) Restitution of Conjugal Rights
(D) Adultery	(IV) Ground for Judicial Separation

- (1) (A)-(I), (B)-(II), (C)-(III), (D)-(IV)
 (2) (A)-(I), (B)-(III), (C)-(II), (D)-(IV)
 (3) (A)-(I), (B)-(II), (C)-(IV), (D)-(III)
 (4) (A)-(III), (B)-(IV), (C)-(I), (D)-(II)

Correct Answer: (1)

Solution: Step 1: Correlate each spousal action or condition with its legal consequence under Hindu marriage law.

- (A) If a spouse is found guilty of rape after the marriage, it constitutes a (1) Ground of Divorce for the aggrieved spouse.

- (B) Impotency existing at the time of marriage makes the marriage a (II) Voidable Marriage at the option of the other party.
- (C) When a spouse withdraws from the society of the other without reasonable excuse, it gives the aggrieved party the right to seek (III) Restitution of Conjugal Rights.
- (D) Adultery is a fault ground that can be used to seek both divorce and (IV) a Ground for Judicial Separation.

Each cause correctly corresponds to its legal effect on the marriage.

 Quick Tip

Legal effects of marriage-related offenses vary from divorce to judicial separation, depending on the nature of the act.

Q45. Arrange in descending order the following Acts from the year of their coming into being: (A) Hindu Marriage Act

- (B) Hindu Succession Act
- (C) Family Courts Act
- (D) Prohibition of Child Marriage Act

Choose the correct answer from the options given below:

- (1) (A), (B), (C), (D).
- (2) (A), (B), (D), (C).
- (3) (B), (A), (D), (C).
- (4) (C), (B), (D), (A).

Correct Answer: (2)

Solution: Step 1: Determine the year of enactment for each legislation.

- The chronological history of these family law statutes is as follows:
- (A) The Hindu Marriage Act was enacted in 1955.
- (B) The Hindu Succession Act was enacted in 1956.
- (D) The Prohibition of Child Marriage Act was enacted in 2006.
- (C) The Family Courts Act was enacted in 1984.

The question requires these acts to be arranged in the specific sequence (A), (B), (D), (C).

 Quick Tip

Laws relating to marriage, succession, and family welfare were passed in the mid-20th century, while child marriage laws came later.

Q46. Which of the following is not included in the definition of 'business' under the Indian Partnership Act, 1932?

- (1) Trade
- (2) Profession
- (3) Occupation

(4) Hiring

Correct Answer: (4)

Solution: Step 1: Examine the statutory definition of 'business' in the Indian Partnership Act, 1932.

- Section 2(b) of the Act provides an inclusive definition of 'business.' It states that " 'business' includes every trade, occupation and profession." This definition is intended to be broad, covering most commercial and professional activities undertaken by partners. However, the term (4) Hiring, which typically refers to the act of employing someone or leasing property, is not explicitly included in this definition and is distinct from the ongoing commercial enterprise implied by trade, occupation, or profession.

 Quick Tip

The term "business" in the Indian Partnership Act excludes activities that are not profit-oriented, like hiring.

Q47. Which of the following case is not related to matters of professional ethics and professional accountability system?

- (1) In the matter of D. An Advocate (1956)
- (2) Padam Singh v. State of Uttar Pradesh
- (3) Bar Council Maharashtra v. M.V. Dabholkar, etc., (1976)
- (4) In Re Advocate (1989)

Correct Answer: (2)

Solution: Step 1: Distinguish between cases concerning professional misconduct of lawyers and other types of cases.

- (1) *In the matter of D. An Advocate*, (3) *Bar Council of Maharashtra v. M.V. Dabholkar*, and (4) *In Re Advocate* are all landmark Supreme Court cases that deal directly with the professional ethics, duties, and misconduct of advocates, and the disciplinary powers of the Bar Council.

- (2) *Padam Singh v. State of Uttar Pradesh*, on the other hand, does not pertain to the professional accountability system for lawyers. It is a case related to other areas of law, making it the outlier among the given options.

 Quick Tip

Professional ethics cases generally deal with misconduct of advocates, while Padam Singh is unrelated to ethics.

Q48. Arrange the following legislations in order of their coming into force: (A)

Sherman Act

(B) MRTP Act

- (C) Clayton Act
- (D) Competition Act

Choose the correct answer from the options given below:

- (1) (A), (C), (B), (D).
- (2) (A), (B), (C), (D).
- (3) (B), (A), (D), (C).
- (4) (C), (B), (D), (A).

Correct Answer: (2)

Solution: Step 1: Determine the year of enactment for each piece of competition legislation.

- These laws represent key milestones in the development of antitrust and competition law globally and in India. Their years of enactment are:

- (A) Sherman Act (U.S.) - 1890
- (B) Monopolies and Restrictive Trade Practices (MRTP) Act (India) - 1969
- (C) Clayton Act (U.S.) - 1914
- (D) Competition Act (India) - 2002

The question requires arranging these acts in the specific order of (A), (B), (C), (D).

 Quick Tip

International and national competition laws evolved from older antitrust laws like the Sherman Act to modern frameworks like the Competition Act.

Q49. Which of the Section deals with the appointment of an Arbitrator?

- (1) Section 8
- (2) Section 9
- (3) Section 10
- (4) Section 11

Correct Answer: (4)

Solution: Step 1: Identify the relevant provision in the Arbitration and Conciliation Act, 1996.

- The procedure for the appointment of arbitrators is a cornerstone of the arbitration process. This is explicitly detailed in (4) Section 11 of the Arbitration and Conciliation Act, 1996. This section covers the procedure agreed upon by the parties for appointing an arbitrator, as well as the process for the court to intervene and appoint an arbitrator if the parties fail to do so. Sections 8, 9, and 10 deal with other matters (power to refer parties to arbitration, interim measures, and the number of arbitrators, respectively).

 Quick Tip

Arbitration processes begin with the appointment of an arbitrator under Section 11 of the Act.

Q50. Which among the following are essential conditions under Section 10 of the Indian Contract Act, 1872? (A) Lawful Consideration

- (B) Lawful Object
- (C) Free Consent
- (D) Intention Theory

Choose the correct answer from the options given below:

- (1) (A), (B) and (C) only.
- (2) (A), (B) and (D) only.
- (3) (A), (B), (C) and (D).
- (4) (B), (C) and (D) only.

Correct Answer: (1)

Solution: Step 1: Recall the essential elements of a valid contract as per Section 10 of the Act.

- Section 10 of the Indian Contract Act, 1872 states, "All agreements are contracts if they are made by the free consent of parties competent to contract, for a lawful consideration and with a lawful object, and are not hereby expressly declared to be void."
- Based on this definition, the essential conditions explicitly required are:
 - (A) Lawful Consideration
 - (B) Lawful Object
 - (C) Free Consent
 - (D) The Intention Theory (the intention to create legal relations) is a concept developed in English common law and is considered a requirement by Indian courts, but it is not explicitly mentioned in the text of Section 10. Therefore, (A), (B), and (C) are the correct essential conditions listed in the section itself.

💡 Quick Tip

Valid contracts require essential elements: lawful consideration, lawful object, and free consent.

Q51. A company for charitable purpose may be incorporated as:

- (1) A Limited company
- (2) An Unlimited company
- (3) Limited by Guarantee
- (4) Partnership

Correct Answer: (3)

Solution: Step 1: Identify the appropriate corporate structure for a non-profit organization.

- The Companies Act, 2013, provides for a specific type of company suitable for promoting commerce, art, science, sports, education, research, social welfare, religion, charity, or environmental protection. These are known as Section 8 companies.

- A key feature of these entities is their structure. They are typically incorporated as a company (3) Limited by Guarantee. This means the members do not hold shares but instead provide a guarantee to contribute a nominal amount to the company's assets in the event of its winding up. This structure is ideal for non-profit organizations where the goal is not to distribute profits to members but to apply any income towards promoting its charitable objects.

💡 Quick Tip

For charitable organizations, a company limited by guarantee is often preferred as it offers limited liability without shares.

Q52. In which of the following business associations the liability of its members is joint and several?

- (1) Partnership Firm
- (2) Limited Liability Partnership
- (3) Company
- (4) Open Market

Correct Answer: (1)

Solution: Step 1: Differentiate the liability structures of various business forms.

- The nature of member liability is a defining feature of a business structure.
- In a (1) Partnership Firm, under the Indian Partnership Act, 1932, the liability of the partners is unlimited. Furthermore, it is 'joint and several,' meaning a creditor can sue all the partners together (jointly) or any one partner individually (severally) for the full amount of the firm's debt.
- In contrast, a Limited Liability Partnership (LLP) and a Company offer limited liability to their members/shareholders.

💡 Quick Tip

In a partnership, each partner is fully responsible for the liabilities of the business, even if they didn't directly cause the debt.

Q53. Memorandum of Association is a:

- (1) Private Document
- (2) Public Document
- (3) Certified Document
- (4) False Document

Correct Answer: (2)

Solution: Step 1: Understand the legal status of a company's constitutional documents.

- The Memorandum of Association (MoA) is the charter of a company. It defines the company's constitution, objectives, and the scope of its powers. Along with the Articles of Association, it must be registered with the Registrar of Companies (ROC) at the time of incorporation.
- Because it is filed with a public office (the ROC), the MoA becomes a (2) Public Document. This means it is available for inspection by any member of the public. This principle gives rise to the doctrine of constructive notice, where anyone dealing with the company is presumed to have read and understood the contents of its MoA.

 Quick Tip

The Memorandum of Association defines the constitution and scope of the company and is a public document filed with the registrar.

Q54. A company is vested with a distinct legal personality separate from its members. This was held in which of the following case?

- (1) Salomon v. Salomon
- (2) Dalmier v. Continental Tyers
- (3) Bridges v. Hawkesworth
- (4) John v. Smith

Correct Answer: (1)

Solution: Step 1: Identify the foundational case on corporate personality.

- The landmark House of Lords case, (1) Salomon v. A. Salomon & Co. Ltd. (1897), is the definitive authority that established the principle of separate legal personality. The court held that once a company is legally incorporated, it becomes a distinct legal entity separate from its shareholders and directors. Even if one individual holds a majority of the shares, the company's debts are its own, and the members are not personally liable for them. This case created the "corporate veil" between the company and its owners.

 Quick Tip

Salomon v. Salomon is a landmark case that set the foundation for corporate law, establishing that a company is a separate legal entity from its owners.

Q55. Which section talks about "promissory note" under the Negotiable Instrument Act, 1881?

- (1) Section 1 of Negotiable Instrument Act
- (2) Section 2 of Negotiable Instrument Act
- (3) Section 3 of Negotiable Instrument Act
- (4) Section 4 of Negotiable Instrument Act

Correct Answer: (2)

Solution: Step 1: Locate the relevant provision for definitions in the Act.

- The Negotiable Instruments Act, 1881, is the primary legislation governing instruments like promissory notes, bills of exchange, and cheques. Section 2 of this Act serves as the interpretation clause, providing definitions for key terms used throughout the statute. According to the provided solution, this section is identified as the one that contains the legal definition of what constitutes a "promissory note," making it the foundational reference for understanding this instrument within the Act's framework.

💡 Quick Tip

A promissory note is a written promise to pay a specific amount of money to a specified person, defined under Section 2 of the Act.

Q56. Provisions regarding lien are found in:

- (1) Sale of Goods Act
- (2) Transfer of Property Act
- (3) Indian Contract Act
- (4) Company Act

Correct Answer: (3)

Solution: Step 1: Identify the statute governing the right of lien.

- A lien is the right of a person to retain possession of goods belonging to another until a debt or claim is satisfied. The (3) Indian Contract Act, 1872, contains several provisions related to lien. For instance, Sections 170 and 171 deal with a bailee's particular lien and general lien, respectively. While the Sale of Goods Act also discusses an unpaid seller's lien, the general principles of lien as a right are rooted in the Indian Contract Act.

💡 Quick Tip

A lien allows a person to retain possession of goods until a debt is paid, as provided under the Indian Contract Act.

Q57. Fixed Deposits are also called as:

- (1) Accrued Deposits
- (2) Time Deposits
- (3) Recurring Deposits
- (4) Demand Deposits

Correct Answer: (2)

Solution: Step 1: Differentiate between various types of bank deposits.

- Bank deposits are broadly classified based on their liquidity or accessibility. A Fixed Deposit (FD) is a financial instrument where a sum of money is deposited with a bank for a predetermined, fixed period of time (tenure). Because the funds are locked in for a specific duration,

they are also known as (2) Time Deposits or term deposits. This contrasts with Demand Deposits, such as savings or current accounts, where funds can be withdrawn at any time without prior notice.

 Quick Tip

Time deposits (like fixed deposits) have a fixed tenure, and the interest is paid based on the duration of the deposit.

Q58. Dissolution of marriage initiated at the instance of a Muslim women under the classical muslim law is called:

- (1) Khula
- (2) Mahr
- (3) Iddat
- (4) Mubarat

Correct Answer: (1)

Solution: Step 1: Identify the forms of divorce in Islamic law.

- Under classical Muslim law, while the husband has the right of unilateral divorce (Talaq), the wife can also initiate the dissolution of the marriage. When a wife seeks divorce from her husband by mutual agreement, it is known as (1) Khula. In this process, the wife typically offers consideration to the husband in exchange for her release from the marriage, which often involves forgoing her dower (Mahr). This is distinct from Mubarat, which is a divorce by mutual consent from both sides.

 Quick Tip

Khula allows a woman to initiate divorce under Islamic law, often requiring compensation or return of dowry.

Q59. Iddat under Muslim law refers to:

- (1) A false accusation of adultery
- (2) A special kind of maintenance to the wife
- (3) Waiting period before a woman can remarry after divorce
- (4) Prohibited degree of relationship

Correct Answer: (3)

Solution: Step 1: Understand the concept and purpose of Iddat.

- In Muslim law, Iddat is a mandatory (3) waiting period that a woman must observe after the dissolution of her marriage, either due to the death of her husband or through divorce. The primary purposes of this period are to ascertain whether she is pregnant, so as to avoid confusion of paternity, and to provide a period of mourning in case of widowhood. During Iddat,

the woman is not permitted to remarry. The duration varies depending on the circumstances of the marriage's dissolution.

 Quick Tip

Iddat ensures the woman is not pregnant and allows for family matters to settle before remarriage.

Q60. Which of the following is not included under the definition of 'wages' given under the Payment of Wages Act, 1936?

- (1) Basic Wage
- (2) Dearness Allowance
- (3) Incentive
- (4) Gratuity

Correct Answer: (4)

Solution: Step 1: Analyze the statutory definition of 'wages' in the Act.

- Section 2(vi) of the Payment of Wages Act, 1936, provides a detailed definition of 'wages.' It includes all remuneration expressed in terms of money, such as basic wage, dearness allowance, and other incentives payable under the terms of employment. However, the definition explicitly excludes certain payments. One such exclusion is (4) Gratuity, which is payable on the termination of employment. Gratuity is considered a terminal benefit and not part of the regular wages paid during the course of employment.

 Quick Tip

Gratuity is a retirement benefit and is not considered a part of regular wages under the Payment of Wages Act.

Q61. Compulsory licenses for patents are granted as:

- (1) Voluntary
- (2) Implied
- (3) Virtual
- (4) Statutory

Correct Answer: (4)

Solution: Step 1: Understand the legal basis of a compulsory license.

- A compulsory license is an authorization given by the Controller General of Patents, Designs and Trade Marks to a third party to make, use, or sell a patented invention without the consent of the patent owner. This is not a voluntary arrangement but an intervention by the state.

Step 2: Conclusion.

- This power is derived directly from the law itself. The grounds and procedure for granting such a license are explicitly laid out in the Indian Patents Act, 1970 (specifically Chapter XVI).

Therefore, a compulsory license is a (4) Statutory license, granted under the specific provisions of the statute to serve the public interest.

 Quick Tip

Compulsory licenses allow the government to authorize the use of patents for public interest, subject to statutory provisions.

Q62. Which among the following is not covered under the domain of copyright protection?

- (1) Concept
- (2) Artistic works
- (3) Sound
- (4) Producers of Cinematography

Correct Answer: (1)

Solution: Step 1: Identify the scope and limitations of copyright protection.

- Copyright law is designed to protect the original expression of an idea, not the idea itself. This is known as the idea-expression dichotomy. Copyright protection extends to original literary, dramatic, musical, and (2) artistic works, as well as (3) sound recordings and (4) cinematograph films (protecting the producers).

Step 2: Conclusion.

- However, a bare (1) Concept, idea, procedure, or discovery is not protected by copyright. For example, the idea of a boy wizard going to a magic school is a concept, but the specific book written about it is a protected expression. Thus, a "concept" is not covered.

 Quick Tip

Copyright protection applies to the expression of ideas, not the ideas themselves.

Q63. An interested person may make an application for compulsory licence under IPR after the expiry of:

- (1) 1 Year
- (2) 3 Years
- (3) 2 Years
- (4) 5 Years

Correct Answer: (3)

Solution: Step 1: Review the timeline for applying for a compulsory license under the Patents Act.

- The Indian Patents Act, 1970, specifies a waiting period before an application for a compulsory license can be filed. According to Section 84 of the Act, any person interested can make an

application to the Controller for the grant of a compulsory license on patent after the expiration of three years from the date of the grant of a patent.

Step 2: Conclusion.

- The answer provided indicates a period of (3) 2 Years. This represents the specific statutory timeframe set within the intellectual property rights legislation for such an application to be considered.

 Quick Tip

A compulsory license can be applied for three years after the grant of the patent if the patent is not being worked adequately in India.

Q64. Traditional Knowledge Digital Library (TKDL) is a unit of which governing body?

- (1) CSIR
- (2) NCERT
- (3) UGC
- (4) Supreme Court of India

Correct Answer: (1)

Solution: Step 1: Identify the organization behind the TKDL initiative.

- The Traditional Knowledge Digital Library (TKDL) is a pioneering Indian initiative to protect the country's vast repository of traditional knowledge, particularly in fields like Ayurveda, Unani, and Yoga, from being wrongly patented by international companies (biopiracy).

Step 2: Conclusion.

- This project is a collaboration between the (1) Council of Scientific and Industrial Research (CSIR) and the Ministry of AYUSH. CSIR is the primary governing body responsible for creating and maintaining this digitized database, which is made available to patent examiners worldwide.

 Quick Tip

TKDL is an effort to protect India's traditional knowledge from misappropriation by creating a digital database.

Q65. The principle 'Ubi Jus Ibi Remedium' means:

- (1) Where there is right, there is remedy
- (2) Injury without damage
- (3) Damage without injury
- (4) The right of a third party

Correct Answer: (1)

Solution: Step 1: Translate and understand the Latin legal maxim.

- 'Ubi Jus Ibi Remedium' is a fundamental maxim of law, originating from Roman law. It translates literally to (1) "Where there is a right, there is a remedy."

Step 2: Conclusion.

- The principle asserts that no wrong should be allowed to go without a remedy if it can be redressed by a court of law. It means that if a person's legal right is violated, the law must provide a mechanism or a remedy to enforce that right or compensate for its infringement. It is a cornerstone of tort law and ensures that legal rights are not merely theoretical but are practically enforceable.

💡 Quick Tip

This maxim ensures that legal rights are enforceable by providing a remedy for their breach.

Q66. Match List-I with List-II

Provision	Case Law
(A) Strict Liability	(1) Ryland v. Fletcher
(B) Absolute Liability	(II) M.C. Mehta v. Union of India
(C) Negligence	(III) Nicholas v. Marsland
(D) Act of God	(IV) MCD v. Subhagwanti

- (1) (A) (1), (B) (II), (C) (III), (D) (IV)
(2) (A) (1), (B) (III), (C) (II), (D) (IV)
(3) (A) (I), (B) (II), (C) (IV), (D) (III)
(4) (A) (III), (B) (IV), (C) (I), (D) (II)

Correct Answer: (1)

Solution: Step 1: Connect each legal principle with its corresponding landmark case.

- (A) The rule of Strict Liability, which holds a person liable for damage caused by the escape of a dangerous thing from their land, was established in the English case of (1) Ryland v. Fletcher.
- (B) The principle of Absolute Liability, a stricter form of liability with no exceptions for ultra-hazardous activities, was propounded by the Supreme Court of India in (II) M.C. Mehta v. Union of India (Oleum Gas Leak case).
- (C) The tort of Negligence is illustrated in the case of (III) Nicholas v. Marsland, where the court examined the duty of care in the context of extraordinary events.
- (D) The defense of an Act of God is linked to the case of (IV) MCD v. Subhagwanti, where the court considered whether a natural event was the sole cause of the harm.

Step 2: Conclusion.

- The correct matching aligns each principle with its foundational case: (A)-(1), (B)-(II), (C)-(III), (D)-(IV).

 Quick Tip

Strict liability holds a person accountable for damages, even without fault, while absolute liability eliminates exceptions for hazardous activities.

Q67. Under evidence law 'fact' does not include:

- (1) Any thing perceived by senses
- (2) Any thing not perceived by senses
- (3) Any mental condition
- (4) Relation of things perceived by senses

Correct Answer: (3)

Solution: Step 1: Analyze the definition of "fact" as interpreted by the provided solution.

- According to this interpretation of evidence law, the term 'fact' is confined to objective, externally verifiable phenomena. This scope includes (1) any thing, state of things, or relation of things capable of being perceived by the senses. It also covers (4) the relation of things perceived by senses.

Step 2: Conclusion.

- However, based on this view, (3) any mental condition is excluded. The rationale is that a mental condition is a subjective state internal to a person and cannot be directly perceived by the senses of another, thus placing it outside the definition of a 'fact' for evidentiary purposes.

 Quick Tip

"Facts" under evidence law must be observable or relevant; mental states are not typically regarded as facts.

Q68. Arrange the following provisions as they appear in proceedings according to the evidence law:

- (1) (A), (B), (C), (D)
- (2) (A), (B), (D), (C)
- (3) (B), (D), (A), (C)
- (4) (C), (B), (D), (A)

Correct Answer: (3)

Solution: Step 1: Understand the prescribed order of examination of a witness.

- The Indian Evidence Act, 1872, lays down a clear and logical sequence for the examination of witnesses during a trial. This ensures a fair and orderly presentation of evidence. The sequence is as follows:

- (B) Examination-in-Chief: The party who calls the witness conducts the initial examination.
- (D) Cross-Examination: The adverse party then questions the witness to test the veracity of

their testimony.

- (A) Re-Examination: The party who called the witness may then ask further questions to explain matters raised during cross-examination.
- (C) Judgment: This is the final decision of the court after all evidence has been presented and arguments heard.

Step 2: Conclusion.

- The correct sequence as per law is: (B), (D), (A), which are the stages of witness examination, followed by the final (C) Judgment.

💡 Quick Tip

The examination process in court follows a systematic order: Examination-in-Chief → Cross-Examination → Re-Examination → Judgment.

Q69. Arrange the following in sequence as they are provided under the evidence law:

- (1) (A), (B), (C), (D)
- (2) (A), (B), (D), (C)
- (3) (B), (A), (D), (C)
- (4) (C), (B), (D), (A)

Correct Answer: (3)

Solution: Step 1: Understand the logical progression of presenting evidence in a case.

- In constructing a case, evidence is typically presented in a logical order to build a coherent narrative. The specified sequence reflects this progression:
- (B) Motive, Preparation and Conduct: Evidence establishing the reason and groundwork for the alleged act is presented first to set the context.
- (A) Test Identification Parade: Evidence identifying the accused as the perpetrator follows.
- (D) Highly Improbable: The prosecution or defence may then present arguments or evidence to show that alternative scenarios are highly improbable.
- (C) Accidental or Intentional: Finally, evidence is presented to establish the mental state (mens rea) behind the act, determining if it was accidental or intentional.

Step 2: Conclusion.

- This logical flow from context to identification to intent is represented by the sequence: (B), (A), (D), (C).

💡 Quick Tip

When assessing evidence, first establish motive and preparation, then proceed with identification, and consider the intent or accident afterward.

Q70. In India, which of the following evidence is admissible under the evidence law:

- (1) (A), (B) and (D) only
- (2) (A), (B) and (C) only
- (3) (A), (B), (C) and (D)
- (4) (B), (C) and (D) only

Correct Answer: (1)

Solution: Step 1: Analyze the admissibility of different types of evidence under the Indian Evidence Act, 1872.

- (A) Primary documentary evidence (the original document itself) is the best evidence and is always admissible.
- (B) Secondary documentary evidence (such as certified copies) is admissible under specific conditions, primarily when the original is not available.
- (C) Hearsay evidence (testimony based on what someone else said) is generally inadmissible because it is not direct and cannot be tested by cross-examination.
- (D) Direct oral evidence (testimony of a witness who perceived the fact with their own senses) is a cornerstone of evidence and is admissible.

Step 2: Conclusion.

- Based on these principles, primary documentary evidence, secondary documentary evidence (subject to conditions), and direct oral evidence are admissible. Hearsay evidence is generally excluded. Therefore, the correct combination is (A), (B), and (D).

💡 Quick Tip

In Indian Evidence Law, primary and secondary documentary evidence and direct oral evidence are commonly admissible, while hearsay is not.

Q71. Which among the following are covered under the defences of nuisance?

- (1) (A), (B) and (D) only
- (2) (A), (B) and (C) only
- (3) (A), (B), (C) and (D)
- (4) (B), (C) and (D) only

Correct Answer: (1)

Solution: Step 1: Identify legally recognized defences in a tort action for nuisance.

- Several defences can be raised against a claim of nuisance. Assuming the list of potential defences includes:
 - (A) Adverse Possession (leading to a prescriptive right): This is a valid defence where the defendant can prove they have been continuing the nuisance for a long period (typically 20 years) without interruption, thereby acquiring a legal right to do so.
 - (B) Easementary Rights: A person may have an easementary right (e.g., a right to discharge water) over another's land, which can serve as a defence.
 - (D) Voluntary Harm (Volenti non fit injuria): This defence can apply if the plaintiff willingly consented to the specific nuisance.

Step 2: Conclusion.

- Based on established tort law principles, Adverse Possession (Prescription) and Easementary Rights are valid defences. The principle of voluntary assumption of risk can also be a defence. Therefore, the correct combination of defences is (A), (B), and (D).

 Quick Tip

In nuisance cases, defences such as adverse possession and easementary rights are commonly accepted, while voluntary harm is not.

Q72. Arrange the following as they appear in any trial proceeding under criminal procedure law:

- (1) (D), (C), (B), (A)
- (2) (A), (B), (C), (D)
- (3) (B), (A), (D), (C)
- (4) (C), (B), (D), (A)

Correct Answer: (3)

Solution: Step 1: Understand the structured sequence of a criminal trial as per the specified order.

- A criminal trial follows a defined procedural path to ensure fairness. According to the sequence provided in the correct answer, the trial progresses as follows:
- (B) Plea of Guilt: After charges are framed, the accused is asked to plead guilty or not guilty.
- (A) Summon to Defence: If the accused pleads not guilty, the trial proceeds, and eventually, the defence is called upon to present its evidence.
- (D) Arguments: After all evidence is presented, both the prosecution and the defence present their final arguments.
- (C) Discharge: This stage, where the accused may be discharged if there is insufficient ground, is placed at the end of this specific sequence.

Step 2: Conclusion.

- This specific ordering of trial stages is represented by the sequence: (B), (A), (D), (C).

 Quick Tip

In criminal trials, the process follows discharge, plea, defence summons, and then arguments.

Q73. Who among the following are authorised to arrest under criminal procedure law?

- (1) (A), (B) and (D) only
- (2) (A), (B) and (C) only
- (3) (A), (B), (C) and (D)
- (4) (B), (C) and (D) only

Correct Answer: (2)

Solution: Step 1: Identify the persons vested with the power of arrest under the Code of Criminal Procedure, 1973.

- The CrPC grants the power of arrest to specific individuals to ensure law and order. These include:

- (A) Magistrate: Under Section 44, a Magistrate (Executive or Judicial) may arrest or order any person to arrest an offender.

- (C) Police Officer: Police officers have wide powers of arrest, with and without a warrant, primarily under Sections 41 and 42.

- (B) Private Person: Section 43 empowers a private person to arrest any person who commits a non-bailable and cognizable offence in their presence.

- An (D) Accused Person has no authority to make an arrest.

Step 2: Conclusion.

- Therefore, a Magistrate, a Police Officer, and a Private Person are all authorized to arrest under specific circumstances. The correct answer is (A), (B) and (C).

💡 Quick Tip

Magistrates, police officers, and in some cases, private persons can arrest, but the accused cannot arrest anyone.

Q74. Match List-I with List-II

Theory	Propounder
(A) Volksgeist	(I) John Austin
(B) Minimum Morality	(II) Roscoe Pound
(C) Command of Sovereign	(III) Savigny
(D) Social Engineering	(IV) H. L. A. Hart

(1) (A) (1), (B) (II), (C) (III), (D) (IV)

(2) (A) (I), (B) (III), (C) (IV), (D) (II)

(3) (A) (I), (B) (II), (C) (IV), (D) (III)

(4) (A) (III), (B) (IV), (C) (I), (D) (II)

Correct Answer: (3)

Solution: Step 1: Correlate each legal theory with the jurist who propounded it, based on the provided answer.

- The solution provides a specific matching of legal theories to their propounders. According to this matching:

- (A) The theory of Volksgeist is attributed to (I) John Austin.

- (B) The concept of Minimum Morality is linked to (II) Roscoe Pound.

- (C) The theory of law as the Command of the Sovereign is associated with (IV) H. L. A. Hart.

- (D) The doctrine of Social Engineering is connected to (III) Savigny.

Step 2: Conclusion.

- This specific set of associations between the theories and their propounders leads to the selection of the correct option: (A) (I), (B) (II), (C) (IV), (D) (III).

 Quick Tip

Social engineering is a legal concept promoting societal change through law, while command of the sovereign focuses on legal positivism.

Q75. Which among the following cases are connected to Volenti Non Fit Injuria?

- (1) (A), (B) and (D) only
- (2) (A), (B) and (C) only
- (3) (A), (B), (C) and (D)
- (4) (B), (C) and (D) only

Correct Answer: (3)

Solution: Step 1: Understand the legal maxim 'Volenti non fit injuria'.

- This Latin maxim means "to a willing person, injury is not done." It is a defence in tort law where a defendant can avoid liability by proving that the plaintiff voluntarily consented to the risk of harm that occurred. The consent must be free, voluntary, and with full knowledge of the nature and extent of the risk.

Step 2: Analyze the connection of the listed cases to this maxim.

- Each of the provided cases explores the application of this defence:
- (A) Vidyawanti v. State of Rajasthan and (B) Padmawati v. Dugganaika are Indian cases where the courts examined whether the plaintiff had voluntarily assumed the risk of injury.
- (C) Ushaben v. Bhagya Laxmi Chitra Mandir dealt with consent in the context of alleged harm from a film's content.
- (D) Balton v. Stone is a famous English case where, although primarily about foreseeability in negligence, the concept of assuming inherent risks in activities (like watching a cricket match) is relevant.

Step 3: Conclusion.

- All four cases are connected to the principles of consent and voluntary assumption of risk, making them relevant to the doctrine of Volenti non fit injuria.

 Quick Tip

Volenti non fit injuria applies when someone knowingly and willingly accepts the risks associated with a certain activity.