

## Question Booklet

DJ : PW/LC

Booklet Series

Booklet No.

A

Date: 28<sup>th</sup> November, 2015

Total Questions: 100

Time : 90 minutes.

Total Marks : 200

### INSTRUCTIONS

1. The booklet contains 100 questions. All questions carry equal marks.
2. Immediately after the commencement of the examination, you should check that this booklet does not have any unprinted or torn or missing pages or items, etc. If so please get it replaced by a complete Booklet. Question booklet will not be replaced after marking answers in answer-sheet.
3. Encode clearly the booklet series A,B,C or D, as the case may be, and indicate the series of question booklet, by completely shadowing the appropriate circle, **by black ink ball pen**, in the appropriate place in the answer-sheet. Any failure to shadow the appropriate circle will result in non evaluation of the answer-sheet.
4. If the candidate shadows the circle in the answer sheet which does not match the series of his/her question booklet, no marks will be allotted to such answer-sheet.
5. You shall enter your Roll number on the Booklet in the box provided alongside.
6. You have to mark your choices **Only** on the separate answer-sheet provided for the same. Please see instructions on last page of the answer-sheet.
7. Penalty for wrong answer:
 

There will be penalty for wrong answers marked by candidate.

  - (i) There are four alternatives for the answer to every question. For each question for which a wrong answer has been given by the candidate, **one fourth** of the marks assigned to that question (0.50) will be deducted as penalty.
  - (ii) If a candidate gives more than one answer, it will treated as a wrong answer, even if one of the given answers happens to be correct and there will be same penalty as above to that question.
  - (iii) If a question is left blank, i.e., no answer is given by the candidate, there will be no penalty for that question.

1. Ossification test is done to determine \_\_\_\_\_.
  - a. age.
  - b. sex.
  - c. blood group.
  - d. finger print.
2. Wherever Maharashtra Rent Control Act 1999 is applicable, what is the date of termination of tenancy?
  - a. Date of notice by Landlord.
  - b. Date of suit.
  - c. Date of decree.
  - d. Date on which breach is committed by tenant.
3. What can be the maximum duration of an order of anticipatory bail?
  - a. Until filing of charge sheet.
  - b. Until appearance of accused before Court.
  - c. Until conclusion of trial.
  - d. None of the above.
4. In a private complaint case, which is found to be false, the question of awarding compensation to the accused can be decided as follows:-
  - a. By immediately passing order of compensation in the same order of acquittal.
  - b. By immediately passing order to arrest and detain the complainant in default of payment of the fine/compensation, which may be awarded.
  - c. By giving direction to the accused to file suit for compensation, while passing order of acquittal.
  - d. By giving finding about falsity and after summary inquiry and deciding separately the issue of compensation.
5. Under the Bombay Court Fees Act, 1959, "Plaint" includes \_\_\_\_\_.
  - a. any written statement.
  - b. a written statement pleading a set-off only.
  - c. a written statement pleading a counter claim only.
  - d. a written statement pleading a set-off or counter claim.
6. Under the Bombay Stamp Act, 1958 "instrument" includes \_\_\_\_\_.
  - a. a bond.
  - b. a bill of exchange.
  - c. a promissory note.
  - d. a bill of lading.

7. The statements or facts by an accused in an application for plea bargaining\_\_\_\_\_.
- can be used in any other case against the accused.
  - can be used in any other case against the accused only with the permission of the Court.
  - cannot be used for any other purpose except for the purpose of plea bargaining.
  - can be used for any other purpose.
8. Any man who watches or captures the image of a woman engaging in a private act in circumstances where she would usually have the expectation of not being observed either by the perpetrator or by any other person at the behest of the perpetrator or disseminates such image is guilty of an offence of\_\_\_\_\_.
- Stalking.
  - Voyeurism.
  - Sexual Harassment.
  - Assault or use of criminal force to woman with intent to disrobe.
9. The imprisonment in default of fine\_\_\_\_\_.
- shall be in addition to a substantive sentence maximum awardable under Section 29 without any specific order.
  - shall be in addition to a substantive sentence only when a specific order to that effect is passed.
  - shall not be in addition to the substantive sentence awardable by the Magistrate.
  - shall be in addition to the substantive sentence awardable but subject to the upper limit for substantive sentence prescribed under Section 29.
10. The propositions are:-
- Delay in dispatch of the FIR is not a circumstance which can throw out the prosecution case in its entirety.
  - Delay in dispatch of the FIR is a circumstance which can throw out the prosecution case in its entirety.
  - The extra-ordinary delay in sending the FIR is a circumstance which provides a legitimate basis for suspecting that the FIR was recorded much later than the stated date and hour, affording sufficient time to the prosecution to introduce improvements.
- Which of the following is correct in respect of the aforesaid proposition?
- I is true, II & III are false.
  - I & III are true, II is false.
  - II & III are true, I is false.
  - III is true, I & II are false.

11. Propositions as regards the liability of the surety under the surety bond are:-
- I. The liability of the surety is mutually exclusive of the liability of the accused under his personal bond.
  - II. The liability of the surety is contingent on the liability of the accused under his personal bond.
  - III. Is limited to the amount of the surety bond.
- Now which of the following is correct?
- a. I & III are correct.
  - b. I & II are correct.
  - c. II & III are correct.
  - d. I, II & III, all are correct.
12. Proceedings under Section 258 of Cr.P.C. can be stopped\_\_\_\_\_.
- a. in a summons case instituted upon a complaint.
  - b. in a summons case instituted otherwise than upon a complaint.
  - c. in a warrant case instituted upon a complaint.
  - d. in a warrant case instituted otherwise than upon a complaint.
13. Under section 102 of I.P.C. the right to private defence of the body\_\_\_\_\_.
- a. commences as soon as a reasonable apprehension of danger to the body arises and continues as long as that apprehension continues.
  - b. commences as soon as a reasonable apprehension of danger to the body arises and continues even after that apprehension ceases.
  - c. commences only when the assault is actually done and continues during the period of assault.
  - d. commences only when the assault is actually done and continues after the assailant has left.
14. Under section 149 of I.P.C. if an offence is committed by a member of an unlawful assembly in furtherance of their common object\_\_\_\_\_.
- a. every person who at that time was a member of that assembly shall be guilty of that offence.
  - b. only the person committing the offence shall be guilty of that offence and all shall be guilty of unlawful assembly only.
  - c. only that person committing the offence shall be guilty and others shall not be guilty of any offence.
  - d. either (b) or (c).
15. Y, a small boy was guarding the field. Z and M outsiders trespassed and started harvesting, on protest by Y they beat him up and hearing his cries, X and P, Uncles of Y who were working in different directions, rushed in, one of them X, fired at the trespassers killing one of them and ran away. P was arrested and

charged under section 302 of the I.P.C. for murder read with section 34. Which of the following statements is correct?

- a. he is liable for murder because of the similar intention of both the brothers.
  - b. he is liable for murder because of the same intention of both the brothers.
  - c. he is liable for murder because he was present when his brother forced at the trespassers.
  - d. he is not liable because there was no common intention to kill.
16. Section 27 applies to \_\_\_\_\_.
- a. discovery of some fact which the police had not previously learnt from other sources and was first derived from the information given by the accused.
  - b. discovery of some fact which the police had previously learnt from other sources.
  - c. discovery of some fact which the police had previously learnt from other sources and the accused has also given information regarding the same.
  - d. all the above.
17. Confession of one accused is admissible against co-accused \_\_\_\_\_.
- a. if they are tried jointly for the same offences.
  - b. if they are tried jointly for different offences.
  - c. if they are tried for the same offences but not jointly.
  - d. if they are tried for different offences and not jointly.
18. Dhulabhai etc. v. State of Madhya Pradesh and another, AIR 1969 SC 78, lays down certain principles regarding the exclusion of jurisdiction of civil courts. Which of the following is not a principle laid down in this authority?
- a. where a statute gives a finality to the orders of the special tribunals, the civil courts jurisdiction must be held to be excluded if there is adequate remedy to do what the civil court would normally do in a suit.
  - b. where there is an express bar of jurisdiction of the court, an examination of the scheme of the particular Act to find out the adequacy or sufficiency of the remedies provided may be relevant but is not decisive to sustain the jurisdiction of the civil court.
  - c. questions as to the correctness of the assessment apart from its constitutionality are the decisions of the authorities and a civil suit lies even if the orders of the authorities are declared to be final.
  - d. none of the above.
19. Parties by their consent/agreement \_\_\_\_\_.
- a. can confer jurisdiction on a court, where there is none in law.

- b. can oust the jurisdiction of the court where there is one in law.
  - c. can oust the jurisdiction of one of the courts when there are two courts simultaneously having jurisdiction in law.
  - d. all the above.
20. Which of the following statements are correct?
- a. the executing court must take the decree as it stands.
  - b. the executing court cannot go into the question whether the decree has been obtained by fraud.
  - c. the executing court cannot question the legality, correctness or validity of the decree.
  - d. all the above.
21. A garnishee order is an order\_\_\_\_\_.
- a. prohibiting the judgment debtor's debtor from making any payment to the judgment debtor.
  - b. directing the judgment debtor's creditor to take the payment from the judgment debtor's debtor.
  - c. permitting the judgment debtor's debtor to make the payment to the judgment debtor.
  - d. either (a) or (b) or (c).
22. 'A' owes 'B', under a contract, a sum of money, the amount of which has not been ascertained. 'A', without ascertaining the amount, gives to 'B' and 'B', in satisfaction thereof accepts the sum of Rs. 2000/-.
- This is a discharge of\_\_\_\_\_.
- a. whole debt.
  - b. part debt.
  - c. earnest money.
  - d. previous debt.
23. 'X' executed a sale deed in favour of 'Y' on 1-1-2002. Subsequently on 10-1-2002, 'X' executed a sale deed in respect of the same property in favour of 'Z'. Thereafter the sale deed in favour of 'Z' executed on 10-1-2002 was registered on 20-1-2002. Whereas the sale deed in favour of 'Y' was registered on 30-1-2002.
- In the said case, by virtue of Section 47 of The Registration Act, 1908, \_\_\_\_\_.
- a. the sale deed executed in favour of 'Y' on 1-1-2002 and registered on 30-1-2002 shall have precedence and confer title on 'Y'.
  - b. the sale deed executed in favour of 'Z' on 10-1-2002 and registered on 20-1-2002 shall have precedence and confer title on 'Z'.
  - c. both the sale deeds shall be void.
  - d. the sale deeds in favour of 'Y' and 'Z' shall remain valid to the extent of 50% of the property.

24. Land used as pathway by villagers for going to river Ghat because there was no other way for going to river Ghat and that villagers were using river water for domestic and drinking purposes as there was no well or tank in village, it was proved as \_\_\_\_\_.
- customary easement.
  - easement by prescription.
  - easement by necessity.
  - continuous easement.
25. Necessity is available as defence \_\_\_\_\_.
- when harm is caused intentionally to prevent a greater evil.
  - when harm is caused intentionally to prevent a smaller evil.
  - when harm is caused intentionally to prevent no evil.
  - all of the above.
26. For the application of section 14(1) of Hindu Succession Act 1956, the female Hindu \_\_\_\_\_.
- must have the ownership of the property vested in her.
  - must in possession of the property.
  - either (a) or (b).
  - both (a) and (b).
27. 'Hiba' under the Mohammedan Law means \_\_\_\_\_.
- immediate and unqualified transfer of the corpus of the property without any return.
  - immediate and unqualified transfer of the profits of the property without the corpus and without any return.
  - immediate but qualified transfer of the corpus of the property for a consideration.
  - immediate and unqualified transfer of the corpus of the property for a return.
28. If in an instrument the amount undertaken or ordered to be paid is stated differently in figures and in words.
- the instrument is void due to uncertainty.
  - the amount stated in figure shall be the amount undertaken or ordered to be paid.
  - the amount stated in words shall be the amount undertaken or ordered to be paid.
  - none of the above.
29. Which among the following International conventions and Treaties were followed for the enactment of Protection of Women from Domestic Violence Act, 2005 in India?
- Vienna Accord, 1994.

- b. Beijing Declaration, 1995.
- c. Convention of Elimination of All Forms of Discrimination Against Women, 1989.
- d. All the above.
30. "Physical abuse" under the Protection of Women from Domestic Violence Act, 2005 means any act or conduct which is of such a nature as to cause\_\_\_\_\_.
- a. bodily pain, harm or danger to life, limb or health.
- b. impair of health or development of aggrieved person.
- c. assault, criminal intimidation and criminal force.
- d. all the above.
31. What are statutes to combat cyber crime?
- a. Information Technology Act.      b. Indian Penal Code.
- c. Copyright Act.                      d. All of the above.
32. Which authority establishes "Juvenile Justice Board" under the Juvenile Justice (Care and Protection of Children) Act, 2000?
- a. State Government.                  b. Central Government.
- c. NGOs.                                  d. Social Activists.
33. I. 'A' intentionally gives 'Z' a sword cut or club wound sufficient to cause the death of a man in the ordinary course of nature. 'Z' dies in consequence 'A' is guilty of culpable homicide and not murder.
- II. 'Z' attempts to horsewhip 'A' not in such a manner as to cause grievous hurt to 'A'. 'A' draws out a pistol. 'Z' persists in the assault. 'A' believing in good faith that he can by no other means prevent himself from being horsewhipped, shoots 'Z' dead. 'A' has not committed murder, but only culpable homicide.
- State which is correct or incorrect?
- a. I is correct and II incorrect.      b. I & II both are correct.
- c. I & II both are incorrect.        d. I is incorrect and II is correct.
34. Philosophical doctrine of utilitarianism marked by the theory of 'pleasure and Pain' which is intended to be the means to attain the greatest happiness of the greatest number, is propounded by\_\_\_\_\_.
- a. Bentham.                                b. Aristotle.
- c. Holland.                                d. Roscoe Pound.
35. What is the general distinction between Civil wrongs and Crimes?
- a. Crime is a private wrong and Civil wrong is a public wrong.
- b. Both are private wrongs.



- c. Both are public wrongs.
  - d. Civil wrong is a private wrong and Crime is a public wrong.
36. The 'Wednesbury Principle' is referable to\_\_\_\_\_.
- a. Administrative Law.
  - b. Service Law.
  - c. Criminal Law.
  - d. Civil Law.
37. The dissenting view in the recent NJAC Judgment was taken by Hon'ble Shri\_\_\_\_\_.
- a. J.S. Khehar, J.
  - b. Chelameswar, J.
  - c. Goel, J.
  - d. Nariman, J.
38. The doctrine of 'rarest of rare' was laid down by the Supreme Court in the case of\_\_\_\_\_.
- a. Bachan Singh V/s State of Punjab AIR 1980 SC 898.
  - b. Machhi Singh V/s. State of Punjab AIR 1983 SC 957.
  - c. Khushal Rao V/s State of Bombay AIR 1958 SC 22.
  - d. Sharad Birdhichand Sarda V/s.State of Maharashtra AIR 1984 SC 1622.
39. What is epistolary jurisdiction?
- a. Exercise of suo moto powers by Court.
  - b. Entertaining of letter petitions by Court.
  - c. Allowing party in person to appear in Court.
  - d. Public Interest Litigation.
40. The statement of the child under The Protection of Children from Sexual Offences Act, 2012 is to be recorded by :-
- a. a woman Police Officer.
  - b. a Police Officer not below the rank of Sub Inspector.
  - c. A Police Officer not in uniform.
  - d. All the above.
41. Latin Maxim 'Audi Alteram Partem' is based on the principle\_\_\_\_\_.
- a. No man be condemned unheard.
  - b. No man shall be judge of his own cause.
  - c. No man shall meet his maker with a lie in his mouth.
  - d. none of the above.

42. Petition for divorce under the Special Marriage Act, 1954 is to be filed in the Court of \_\_\_\_\_.
- a. Civil Judge, Junior Division.      b. Civil Judge, Senior Division.  
c. District Court.      d. High Court.
43. 'Rules of procedure are handmaids of justice' means \_\_\_\_\_.
- a. procedural laws need not be adhered to.  
b. procedural laws must sub serve to and are in aid of justice.  
c. procedural laws are always directory.  
d. procedural laws are always mandatory.
44. I. Objection as to place of suing can be allowed at appellate stage though such objection was not taken in the Court of first instance.  
II. Objection as to place of suing can be allowed at revisional stage though such objection was not taken in the Court of first instance.
- a. I is true and II is false.      b. I is false and II is true.  
c. Both I and II are true.      d. Both I and II are false.
45. 'X' and 'Y' both public servants apply for another public service. They are at Serial No.1 and 2 respectively on the merit list and there is only one post. 'X' demands Rs. Five lakhs from 'Y' to give up his claim so that 'Y' can get the service. A trap is laid and 'X' is found accepting the amount. Whether 'X' is liable for any offence?
- a. 'X' would be liable under Prevention of Corruption Act.  
b. 'X' would be liable for extortion.  
c. 'X' would be liable under both the provisions.  
d. 'X' would not be liable under both the provisions.
46. 'Virsa Singh V/s. State of Punjab A.I.R. 1958 SC 465' is a landmark judgment on \_\_\_\_\_.
- a. anticipatory bail.      b. culpable homicide and murder.  
c. circumstantial evidence.      d. dying declaration.
47. Which amongst the following is a landmark judgment of the Supreme Court on circumstantial evidence?
- a. Hanumant Govind Nargundkar & anr. V/s.State of M.P AIR 1952 SC 343.  
b. Siddharam Satlingappa Mhetre V/s.State of Maharashtra and ors. (2011)1 SCC 694.  
c. Shri Gurbaksh Singh Sibbia and ors. V/s. State of Punjab (1980) 2 SCC 565.  
d. None of the above.

48. Which amongst the following is not a mode of transfer under the Transfer of Property Act, 1882?
- |              |            |
|--------------|------------|
| a. Mortgage. | b. Lease.  |
| c. Exchange. | d. Pledge. |
49. 'X' executes sale deed in respect of a property in favour of 'Y' for a consideration of Rs. One lakh. Out of the said amount Rs. Fifty thousand is paid and balance is to be paid within three months. What is the right of 'X' if the amount is not paid by 'Y'?
- |                                                                    |
|--------------------------------------------------------------------|
| a. He can revoke the sale deed.                                    |
| b. He shall be entitled to the balance amount along-with interest. |
| c. He can exercise either or both of the aforesaid action.         |
| d. None of the above.                                              |
50. Transferee of an immovable property can claim protection u/s. 53-A of Transfer of Property Act\_\_\_\_\_.
- |                                                                                            |
|--------------------------------------------------------------------------------------------|
| a. if possession is given to him in part performance by written agreement.                 |
| b. if possession is given to him in part performance under an oral agreement.              |
| c. if the agreement is registered although possession under part performance is not given. |
| d. All of the above.                                                                       |
51. Suit for possession under Section 6 of the Specific Relief Act, 1963 is to be filed within \_\_\_\_\_ of dispossession.
- |                |                  |
|----------------|------------------|
| a. six months  | b. one year      |
| c. three years | d. twelve years. |
52. Where no time is fixed for the performance of agreement, a suit for specific performance is to be filed within \_\_\_\_\_.
- |                                                     |
|-----------------------------------------------------|
| a. three years of the agreement.                    |
| b. three years of notice seeking performance.       |
| c. three years of notice of refusal of performance. |
| d. twelve years of the agreement.                   |
53. What is the remedy against the order of detention in the civil prison under Order XXXIX, Rule 2A of Code of Civil Procedure?
- |                                                      |
|------------------------------------------------------|
| a. Appeal under Clause (r) of Rule 1 of Order XLIII. |
| b. Appeal under Section 96 of C.P.C.                 |
| c. Writ Petition.                                    |
| d. Appeal under Clause (h) of Section 104 of C.P.C.  |

54. According to Sale of Goods Act, 1930 an unpaid seller has which rights where goods are passed to the buyer?
- a lien on the goods for the price while he is in possession of them;
  - in case of the insolvency of the buyer a right of stopping the goods in transit after he has parted with the possession of them;
  - a right of re-sale as limited by this Act.
  - All of the above.
55. For the purpose of Section 6 of the Hindu Succession (Amendment of 2005) Act, 1956 'Partition' means \_\_\_\_\_.
- any partition made by execution of a deed of partition duly registered.
  - partition effected by decree of a Court.
  - 'a' and 'b' above.
  - none of the above.
56. 'Cooling off' period prescribed under section 13B of Hindu Marriage Act, 1955 is \_\_\_\_\_.
- three months.
  - six months.
  - nine months .
  - twelve months.
57. I. Appointment of testamentary guardian by father shall have no effect, if father predeceases the mother.  
II. Such appointment however revives if the mother dies without appointing, by Will any person as guardian.
- I is correct but II is incorrect.
  - I is incorrect but II is correct.
  - Both I & II are correct.
  - Both I & II are incorrect.
58. I. Heirs of deceased are liable to maintain the dependents of the deceased out of the estate inherited by them from the deceased.  
II. The aforesaid liability shall exist although the dependent has received the property of the deceased by testamentary or intestamentary succession.
- Both I & II are correct.
  - Both I & II are incorrect.
  - I is correct, II is incorrect.
  - I is incorrect, II is correct.
59. As per the judgment of the Hon'ble Supreme Court in the case of Sarla Verma and others V/s. Delhi Transport Corporation (2009) 6 SCC 121, how much amount of income of deceased who is married is to be deducted for calculating compensation if the dependents are four?
- 1/3<sup>rd</sup>
  - 1/4<sup>th</sup>
  - 1/5<sup>th</sup>
  - 1/6<sup>th</sup>



- c. Ambiguous instrument.
  - d. Illegible instrument.
66. Director of a company is vicariously liable for the offence committed by the company\_\_\_\_\_.
- a. in cases where statute so provides.
  - b. where there are specific allegations against the director.
  - c. both 'a' and 'b'.
  - d. none of the above.
67. In the absence of agreement between the parties regarding appointment of arbitrator, the arbitrator is to be appointed by\_\_\_\_\_.
- a. The Chief Justice.
  - b. Person designated by the Chief Justice.
  - c. Institution designated by the Chief Justice.
  - d. All of the above.
68. \_\_\_\_\_ is the Principal Civil Court of original jurisdiction in Mumbai.
- a. City Civil Court
  - b. Small Causes Court
  - c. High Court
  - d. none of the above.
69. What does 'Venue' and 'Seat' of arbitration signify?
- a. Venue is merely geographical location where arbitration is to be conducted whereas seat is related to the laws of area governing arbitration.
  - b. They are both one and the same.
  - c. Selection of Venue decide the Laws governing arbitration.
  - d. None of the above.
70. Non compliance of Section 50 of The Narcotic Drugs and Psychotropic Substances Act, 1985 where search and seizure of contraband is from the suitcase with the accused. In such case\_\_\_\_\_.
- a. trial is vitiated.
  - b. accused would be entitled to acquittal.
  - c. compliance is not mandatory.
  - d. none of the above.
71. 'X' a partnership firm is registered with the Registrar of firms however name of plaintiff-partner is not shown in the register of firms and the suit is filed to enforce right arising from a contract and conferred by the Indian Partnership

Act, 1932, then such suit would be \_\_\_\_\_.

- a. maintainable.
  - b. not maintainable.
  - c. maintainable with prior leave of the Court.
  - d. maintainable with the permission of Registrar of firms.
72. There is presumption of existence of contract entitling an agent to enforce or bind him in respect of contracts entered by him on behalf of principal:-
- a. where the contract is made by an agent for the sale or purchase of goods for a merchant resident abroad;
  - b. where the agent does not disclose the name of his principal;
  - c. where the principal, though disclosed, cannot be sued.
  - d. All of the above.
73. Cheque issued by one Dheerajlal, who is the Managing Director of Dheerajlal Exports Ltd., in his personal capacity is dishonoured, liability u/s. 138 of Negotiable Instruments Act would be of\_\_\_\_\_.
- a. Dheerajlal.
  - b. Dheerajlal Exports Ltd.
  - c. Both 'a' and 'b'.
  - d. All Directors of Dheerajlal Exports Ltd.
74. Fracture of Larynx, trachea and hyoid bone generally occur in\_\_\_\_\_.
- a. hanging.
  - b. strangulation.
  - c. drowning.
  - d. burning.
75. Phenomenon of 'Rigor mortis' is crucial for determination of\_\_\_\_\_.
- a. age of deceased.
  - b. time of death.
  - c. time of assault.
  - d. none of the above.
76. Decree of eviction u/s. 15 of the Maharashtra Rent Control Act, 1999 cannot be passed unless\_\_\_\_\_.
- a. a period of 90 days has expired after the landlord having served a notice in writing demanding standard rent and permitted increases due from the tenant.
  - b. Tenant fails to pay the standard rent and permitted increases alongwith simple interest @15% within 90 days of service of suit summons.
  - c. After making deposit as per (b) above fails to pay or tender in Court the said amount regularly until decision of suit alongwith cost directed by Court.
  - d. All of the above.

77. Where the premises are let out for residential purpose and the tenant dies, who amongst the following can be termed as tenant under Section 7(15)(d) of the Maharashtra Rent Control Act, 1999.
- Member of tenants family whether or not residing with him.
  - Member of tenants family residing with the tenant.
  - 'a' and 'b' both.
  - None of the above.
78. Decree for eviction on the ground of bonafide requirement may not be passed even after the bonafide requirement is proved by the landlord if \_\_\_\_\_.
- it is shown that greater hardship would be caused to the tenant by grant of decree than what would be caused to Landlord by its' refusal.
  - Landlord is a rich person.
  - Landlord has several other premises.
  - it is shown that greater hardship would be caused to the family of tenant than to the family of the Landlord.
79. Where offence under the Food Adulteration Act, 1954 is committed by a company and a person under section 17(2) of the said Act is nominated, who amongst the following would be liable \_\_\_\_\_.
- The Managing Director of the Company.
  - The Chairman of the Company.
  - The person nominated.
  - All of the above.
80. 'Golden Rule' as a principle of statutory interpretation means \_\_\_\_\_.
- literal construction.
  - liberal construction.
  - construction with regard to subject & object of statute.
  - construction with regard to intention of legislature.
81. Amendment to section 6 of Hindu Succession Act is held by the Supreme Court in the recent judgment of Prakash v/s. Phulvati as \_\_\_\_\_.
- retrospective.
  - prospective.
  - retroactive.
  - none of the above.
82. Investigation of offences under The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is to be conducted by \_\_\_\_\_.
- Deputy Superintendent of Police.
  - Police Inspector.
  - Police Sub Inspector.
  - All the above.



83. Application seeking reference under section 18 of the Land Acquisition Act, 1894 where the applicant was present or represented at the time of making of award by the Collector has to be filed within \_\_\_\_\_.
- 4 weeks of the Collectors Award.
  - 6 weeks of the Collectors Award.
  - 8 weeks of the Collectors Award.
  - No limitation is prescribed.
84. Solatium under Section 23(2) of the Land Acquisition Act, 1894 is to be awarded at the rate of \_\_\_\_\_ over the market value.
- 15%
  - 30%
  - 50%
  - None of the above
85. Appeal against decree passed by the Family Court is to be heard by \_\_\_\_\_.
- Single Judge of High Court.
  - Division Bench of High Court.
  - District Court.
  - Principal District Judge.
86. Decision of the Charity Commissioner as to whether a trust exists and whether such trust is a public trust can be assailed before \_\_\_\_\_.
- High Court.
  - District Court.
  - Civil Judge (Senior Division).
  - None of the above.
87. At what stage an accused before 18 years of age can claim benefit of The Juvenile Justice (Care and Protection of Children) Act, 2000.
- During the trial.
  - Before the Appellate Court.
  - After the matter is finally decided.
  - All of the above.
88. Where in a Civil Appeal the appellant and his advocate are absent \_\_\_\_\_.
- Court may dismiss the appeal on merits.
  - Court may dismiss the matter for default.
  - Court may adjourn the matter for future date.
- I & II are correct.
  - II & III are correct.
  - I & III are correct.
  - I to III are correct.
89. Where an immovable property of a judgment debtor is attached in execution, the statutory remedy of the person seeking to lay claim over the said property or object to attachment is \_\_\_\_\_.
- to challenge the said order by filing appeal.
  - file objections before the Court passing the order.
  - file Writ Petition before Hon'ble High Court.
  - None of the above.

90. Effect of death of sole plaintiff between the conclusion of the hearing and pronouncing of the judgment is that:-
- the suit would be abated.
  - Legal representatives will have to be brought on record before judgment.
  - There will be no effect.
  - None of the above.
91. If one of the several plaintiffs has to abandon a suit or part of a claim\_\_\_\_\_.
- he can do so on his own accord.
  - he has to obtain the consent of other plaintiffs.
  - he has to obtain consent of at least half of the plaintiffs.
  - none of the above.
92. In order to discover or to obtain proper proof of relevant facts Judge may ask any questions about any fact\_\_\_\_\_.
- relevant.
  - irrelevant.
  - both.
  - none.
93. An application for grant of succession certificate may be entertained by a Court within whose jurisdiction\_\_\_\_\_.
- the deceased ordinarily resided.
  - where no fixed place of residence of deceased, at a place where any part of property may be found.
  - Both 'a' and 'b'.
  - where applicant resided.
94. An anti suit injunction is \_\_\_\_\_.
- an order preventing opposite party from commencing or continuing proceeding in another jurisdiction.
  - an order preventing opposite party from commencing or continuing proceeding in same jurisdiction.
  - an order preventing another inferior Court from passing any order in favour of opposite party.
  - none of the above.
95. Order of conviction and sentence of one year passed by Judicial Magistrate, First Class is maintained by the Court of Session and the accused files an application for suspension of sentence and/or bail to approach High Court, the Court of Session\_\_\_\_\_.

- a. may suspend the sentence and grant bail.
  - b. shall suspend the sentence and grant bail.
  - c. shall not entertain the application.
  - d. either of the above at the discretion of the Court.
96. Order passed under Section 156(3) of Criminal Procedure Code is \_\_\_\_\_.
- a. Appealable. b. Revisable.
  - c. amenable only to writ jurisdiction. d. none of the above.
97. Oweelty is \_\_\_\_\_.
- a. an amount paid by one owner to another to equalise partition of property.
  - b. an amount paid by transferee to the transferor for delayed payment of consideration.
  - c. an amount paid by tenant to Landlord for occupying the premises beyond agreed term.
  - d. an amount of damages to be recovered from a tortfeasor.
- 98 Match the following:
- (A) A.D.M. Jabalpur v. Shukla.
  - (B) M.S.M. Sharma v. S.K. Sinha.
  - (C) R.C. Cooper v. Union of India
  - (D) R.K. Garg v. Union of India
1. Bearer Bonds case
  2. Habeas Corpus case
  3. Bank Nationalisation case
  4. Searchlight case
- a. A-2, B-1, C-4, D-3 b. A-4, B-4, C-1, D-3
  - c. A-2, B-4, C-1, D-3 d. A-2, B-4, C-3, D-1
99. Match the following:  
List I
- (A) Basic structure of the Constitution cannot be amended.
  - (B) A law made by the legislature to deprive a person of his personal liberty must be just, fair and reasonable.
  - (C) Advisory opinion of the Supreme Court is also binding on all Courts.
  - (D) Presidential satisfaction under Article 356 is judicially reviewable.

List II

1. In reference to Special Courts Bill, 1978.
2. Keshvananda Bharti v. State of Kerla.
3. S.R. Bommai v. Union of India.
4. Maneka Gandhi v. Union of India.

Codes:

	A	B	C	D
a.	2	4	1	3
b.	2	4	3	1
c.	1	2	3	4
d.	1	2	4	3

100. The object of section 14(2) of Hindu Succession Act, 1956 is to \_\_\_\_\_.
- a. interfere in the contracts, grants, etc., by virtue of which a woman's right was restricted.
  - b. remove the disability on women imposed by law.
  - c. both 'a' and 'b'.
  - d. only 'a' and not 'b'.

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