

PCS [JUDICIAL BRANCH] PRELIMINARY EXAMINATION, 2011

1. **Point out incorrect response – The period of limitation for taking cognizance of an offence shall be –**
[a] Six months, if offence is punishable with fine only;
[b] One year, if the offence is punishable with imprisonment for a term not exceeding one year;
[c] Three Years, if the offence is punishable with imprisonment for a term exceeding one year but not exceeding three years;
[d] Five years, if the offence is punishable with death sentence.
2. **Which of the following courts, can under Section 106 Cr.P.C. release a convict on security for keeping the peace and good behaviour?**
[a] Sessions Court; [b] Magistrate 1st Class;
[c] Appellate or Revisional Court; [d] All the above.
3. **Which of the following can not claim maintenance under Section 125 Cr.P.C.?**
[a] Wife who can not maintain herself;
[b] Mother or father who can not maintain herself or himself;
[c] Major married daughter who can not maintain herself;
[d] Minor illegitimate daughter who can not maintain herself.
4. **Procedure for 'summary trial' is provided in which Sections of the Cr.P.C.?**
[a] Sections 251 to 260 [b] Sections 238 to 250
[c] Sections 260 to 265 [d] Sections 255 to 265
5. **Whether the Court can issue search warrant where it has no knowledge about the document or thing to be in the possession of any person?**
[a] No [b] Only when it comes to know about the specific article;
[c] Yes; [d] When specific place or person is specified.
6. **Whether a Criminal Court can impound any document produced before it:**
[a] Yes [b] Only civil court can impound;
[c] No [d] Only with the consent of police officer.
7. **If a Magistrate administers oath before recording the confession of an accused, the confessional statement is:**
[a] good in law and admissible in evidence;
[b] bad in law and inadmissible in evidence;
[c] good in law but admissible only on corroboration;
[d] bad in law but becomes admissible on corroboration.
8. **Compounding of offence under the provisions of Cr.P.C. results in:**
[a] acquittal of accused; [b] acquittal only if the charges have been framed;
[c] discharge of accused; [d] discharge only if the charges have been framed.

9. **In a cognizable case the police will have powers to:**
[a] investigate except the power to arrest without warrant;
[b] investigate and arrest without warrant only after seeking permission from the Magistrate;
[c] investigate including the power to arrest without warrant;
[d] investigate and arrest without warrant, only after informing the Magistrate having jurisdiction to inquire into or try the offence.
10. **An offence is committed by a British citizen on an aircraft registered in India. The offender may be dealt with under which provision of the Cr.P.C., 1973?**
[a] Section 188 [b] Section 183
[c] Section 182 [d] Section 186
11. **The Court may alter the charge:**
[a] before the evidence of the prosecution is taken;
[b] before the accused enters upon his defence;
[c] when the evidence of prosecution and defence both is taken;
[d] before the judgment is pronounced.
12. **In which of the cases a plea bargain can not be effected :**
[a] where the offence is punishable with imprisonment exceeding 7 years;
[b] where the offence is against a child below 14 years;
[c] where the offence is against a woman; [d] all of the above.
13. **A Magistrate may take cognizance of an offence:**
[a] on police report; [b] on private complaint;
[c] suo-motu [d] all of the above.
14. **While living with her father at Indore, a minor became intimate with the accused and ran away with him to Bhopal. After some time they eventually settled in Mumbai. An offence of kidnapping may be tried at:**
[a] Indore [b] Bhopal
[c] Mumbai [d] any place mentioned above.
15. **A Magistrate can authorise the detention of accused in police custody for a period of fifteen days. When does this period begin to run?**
[a] from the time of arrest by the police; [b] after first remand.
[c] on expiry of twenty four hours of his arrest;
[d] after production of the accused before the Magistrate;
16. **Under Section 28 of the Indian Contract Act, 1872 an agreement not to pursue any legal remedy to enforce the rights is -**
[a] Valid [b] Voidable
[c] Void [d] unenforceable.

17. Which one of the following does not amount to 'fraud' under the Indian Contract Act?
[a] suggestion as a fact which is not true, by one who does not believe it to be true;
[b] active concealment of a fact;
[c] representation made without knowing it to be false, honestly believing it to be true;
[d] a promise made without any intention of performing it.
18. A contract not specifying the place of performance:
[a] can be performed at any place to the knowledge of the promisee;
[b] the promisor has to apply to the promisee for appointment of a place of performance and perform the promise at that place;
[c] the promisor need not seek any instructions from the promisee as to the place of performance;
[d] the promisor can perform the promise at a place other than the place appointed by the promisee.
19. Novation of a contract means:
[a] renewal of original contract;
[b] substitution of a new contract in place of original contract;
[c] cancellation of contract; [d] alteration of the contract.
20. A contract signed between two countries, without specifying as to which country's law shall govern in case of dispute :
[a] by the law of the country where the proposal was made;
[b] by the law of the country where the contract was concluded;
[c] by the law of the country which the parties intended to apply, i.e., where the contract is localised; [d] by the law where the contract is performed.
21. Revocation of offer by letter or telegram can be complete :
[a] when it is despatched; [b] when it is received by the offeree;
[c] when it reaches the offeree; [d] both [a] and [c].
22. The pawnee has a right to retain the goods pledged :
[a] for payment of debt interest & all necessary expenses in respect of goods pledged
[b] for payment of debt other than the debt in respect of goods pledged;
[c] for payment of interest & necessary expenses in respect of goods other than the one pledged; [d] all the above.
23. B, the proprietor of a newspaper, publishes, at A's request, a libel upon C in the paper, and A agrees to indemnify B against the consequences of the publication, and all costs and damages of any action in respect thereof. B is sued by C and has to pay damages and also incurs expenses. Decide in the light of Section 224 of the Indian Contract Act, 1872.
[a] A is not liable to B upon indemnity; [b] A is liable to B upon indemnity;
[c] A is not liable to C upon indemnity; [d] None of above.
24. Which of the following are 'goods' within the meaning of Section 2[7] of the Sale of Goods Act, 1930 :
[a] things attached to land which are agreed to be severed before sale;
[b] things forming part of the land agreed to be severed before sale;
[c] both [a] and [b] [d] neither [a] nor [b].

25. **"Mercantile agent" means the person :**
[a] who sells goods, or consigns for the purpose of sale, or buy goods or raises money on security of goods; [b] who only sells or purchases;
[c] who only consigns goods; [d] who only transfers goods.
26. **A 'sale of goods' under the Sale of Goods Act, 1930, creates :**
[a] a *jus in rem* [b] a *jus in personam*
[c] both [a] and [b]
[d] either [a] or [b] depending on the facts and circumstances of the case.
27. **If a contract for sale of goods is for sale of two or more things under an entire contract, the perishing of some of them would :**
[a] avoid the whole contract; [b] not avoid the contract at all;
[c] avoid the contract relating to the goods perished and not the whole contract;
[d] either [b] or [c]
28. **Under Section 51 of the Sale of Goods Act, 1930, the goods are in transit so long as they are in :**
[a] possession of the carrier qua buyer; [b] possession of the carrier qua carrier;
[c] possession of the carrier appointed by the buyer qua the buyer;
[d] none of the above.
29. **In a sale of goods by auction, as soon as the hammer falls, the goods :**
[a] become the property of the buyer only on payment of price;
[b] become the property of the buyer even if there is a condition that the goods shall not be removed before payment;
[c] become the property of the buyer only if there is no condition that the goods shall not be removed before payment;
[d] do not become the property of the buyer however, the bidder is vested with the right to deal with them as owner.
30. **A suit for recovery of possession of an immovable property under Section 6 of the Specific Relief Act can be filed against :**
[a] a private individual only; [b] a government;
[c] both a private individual and a government; [d] neither [a] nor [b].
31. **Section 8 of the Specific Relief Act can be invoked :**
[a] against a person who has possession or control over the article;
[b] against a person who is the owner of the article claimed;
[c] by a person not entitled to the possession of the article;
[d] in respect of an ordinary article.
32. **In case of specific performance of part of contract the purchaser :**
[a] may relinquish claim to further performance of the remaining part of contract and has right to compensation;
[b] may not relinquish claim to further performance of the remaining part of contract and has no right to compensation;
[c] specific performance of part of contract not possible;
[d] none of above.

- 33. Rise in value since agreement is :**
[a] a ground to refuse specific performance in case of an agreement to sell immovable property;
[b] a ground to refuse specific performance in case of an agreement to sell movable property;
[c] a ground to refuse specific performance in case of an agreement to sell immovable and movable property both;
[d] not a ground to refuse specific performance in case of an agreement to sell either immovable or movable property.
- 34. In which of the following cases, the specific performance of a contract will not be ordered :**
[a] where pecuniary compensation would afford adequate relief;
[b] where the acts would require continued supervision by the Court;
[c] where the contract provides for personal affirmative acts or personal service;
[d] all the above.
- 35. Under Section 11 of the Specific Relief Act, 1930 a contract made by a trustee in excess of his powers or in the breach of a trust is :**
[a] specifically enforceable at the instance of the trustee;
[b] specifically enforceable at the instance of the second party;
[c] specifically enforceable either at the instance of the trustee or at the instance of a second party;
[d] not specifically enforceable.
- 36. Under the Indian Constitution, which one of the following is NOT a specific ground on which the State can place restrictions on freedom of religion?**
[a] public order [b] morality
[c] social Justice [d] health
- 37. Respect for the National Flag and the National Anthem is :**
[a] a fundamental right of every citizen; [b] a fundamental duty of every citizen;
[c] a directive principle of state policy; [d] an ordinary duty of every citizen.
- 38. Law declared by the Supreme Court shall be binding on all the courts within the territory of India. Here 'courts' means :**
[a] all courts including the Supreme Court of India;
[b] all courts except the Supreme Court of India;
[c] all courts including the Supreme Court except such benches of the Supreme Court which consists of seven judges or more;
[d] all courts including Supreme Court except a bench of the Supreme Court which consists of all the judges of the Supreme Court.
- 39. The text of the Preamble of the Constitution of India aims to secure :**
[a] fundamental rights to all individuals; [b] fundamental duties to citizens of India;
[c] dignity of the individual and unity and integrity of the nation;
[d] security of service to the Government servant.

- 40. Which one of the following proposition is correct description of the powers of the President of India under Article 356 of the Constitution?**
- [a] if the Chief Minister inspite of commanding the confidence of the Legislative Assembly, can not run his government in accordance with the Constitution, the President can proclaim emergency;
 - [b] if the State Legislative Assembly fails to transact any business consecutively in two sessions;
 - [c] the President can refer the matter to the Supreme Court for advice and act in accordance with such advice;
 - [d] the President can not make a proclamation of emergency if the governor refuses to make a report.
- 41. The Supreme Court does not have original jurisdiction re: a dispute between :**
- [a] the Government of India and a State or States;
 - [b] the Government of India and one State on one side and one or more States on the other side;
 - [c] two States;
 - [d] a Citizen and a State.
- 42. Which one of the following statements is correct in respect of state power of reservation in admissions to educational institutions?**
- [a] caste can be the sole criterion
 - [b] poverty can be the sole criterion
 - [c] both caste and poverty are relevant crietria
 - [d] residence in rural areas and lack of educational facilities can be the exclusive criteria
- 43. Double jeopardy means :**
- [a] trying two persons jointly for the same offence;
 - [b] trying the same person for two offences at two different times;
 - [c] putting the same person on trial twice for the same offence;
 - [d] trying a person for different offences committed by him in one incident.
- 44. On receipt of a Constitution Amendment Bill, after passing by each House of Parliament, the President:**
- [a] shall give his assent;
 - [b] may give his assent;
 - [c] may withhold his assent;
 - [d] may return the bill for reconsideration.
- 45. The right to 'equality before the law' contained in Article 14 of the Constitution of India is available to :**
- [a] natural persons only
 - [b] legal persons only
 - [c] citizens of India;
 - [d] all persons whether natural or legal.
- 46. The power of judicial review means :**
- [a] the power of the courts to define and interpret Constitution;
 - [b] the powers of the courts to declare null and void any legislative or executive act, which is against the provisions of the Constitution;
 - [c] the power of the judiciary to define and interpret laws;
 - [d] the power of the courts to legislate when there is no statutory provision.

- 47. Which of the following Fundamental Rights can not be suspended during emergency?**
[a] freedom under Article 19;
[b] right to Constitutional remedies under Article 32 and 226;
[c] rights under Articles 21 and 22; [d] right under Article 20 and 21.
- 48. When a criminal act is done by several persons in furtherance of the common intention of all :**
[a] each of such person is liable for that act in the same manner as if it were done by him alone;
[b] each of such person is liable for his own overt act;
[c] each of such person shall be liable according to the extent of his participation in the crime; [d] none of the above.
- 49. To establish Section 34 of IPC :**
[a] a common intention is to be proved but not overt act be proved;
[b] common intention and overt act both have to be proved;
[c] common intention need not be proved but overt act be proved;
[d] all the above.
- 50. A is a warehouse-keeper. Z, going on a journey, entrusts his furniture to A, under a contract that it shall be returned on payment of a stipulated sum for warehouse room. A dishonestly sells the goods. For which offence A is liable:**
[a] Cheating; [b] Criminal misappropriation of property;
[c] Criminal breach of trust; [d] None of the above.
- 51. Sentence of imprisonment for non-payment of fine under Section 64 of IPC :**
[a] shall be in excess of any other imprisonment to which an offender has been sentenced;
[b] shall be concurrent of any other imprisonment;
[c] shall not be in excess of any other imprisonment; [d] both [b] and [c].
- 52. A, a snake-charmer, persuaded B to allow himself to be bitten by a poisonous snake, inducing B to believe that he had power to protect B from harm. B consented, and as a result died :**
[a] A is not liable, as B consented to suffer the harm;
[b] A is liable, although B consented, such consent was founded on a misconception of fact , i.e., in the belief that A had the power to cure snake-bites;
[c] A is liable for murder and not culpable homicide; [d] None of the above is correct.
- 53. In one of the famous cases, the Supreme Court has made the following observation : "The right of private defence is a right of defence and it is not a right of retribution".**
[a] State of U.P. v Ram Swarup; [b] State of Punjab v Nanak Chand;
[c] Deo Narain v State of U.P.; [d] State of H.P. v Wazir Chand.

- 54. Under Section 80 IPC, the exception of accident is available when an offence is committed while :**
[a] doing a lawful act in a lawful manner by lawful means;
[b] doing a lawful act in any manner by any means;
[c] doing a lawful act in a lawful manner by any means; [d] both (b) and (c)
- 55. Abetment by aid requires:**
[a] active aiding; [b] passive aiding;
[c] intentional aiding; [d] none of these.
- 56. Section 83 of IPC enunciates :**
[a] a presumption of fact;
[b] an inconclusive or rebuttable presumption of law;
[c] conclusive or irrebuttable presumption of law;
[d] irrebuttable presumption of fact
- 57. 'A' commits house-trespass by making a hole through the wall of Z's house and putting his hand through the aperture. For which offence A is liable?**
[a] lurking trespass; [b] Trespass;
[c] House-breaking; [d] none of the above.
- 58. Is 'irresistible impulse' a defence?**
[a] In India; [b] In England;
[c] Both in India and England; [d] Neither in India nor in England.
- 59. Which of the following statements is correct :**
[a] in conspiracy, there is no distinction between principal and accessory;
[b] in conspiracy, principal and accessory are distinct;
[c] there has to be a distinction between principal and accessory in all offences;
[d] None of the above is correct.
- 60. Which of the following is sufficient to prove the offence of sedition?**
[a] Comments expressing disapproval of the government policies with a view to obtain a change in policies by lawful means;
[b] proof of disloyalty or ill feelings;
[c] comments expressing disapproval of the administrative action even though these do not excite hatred or disloyalty;
[d] Exciting disaffection towards the government.
- 61. The defence of 'consent' applies to :**
[a] private wrongs; [b] public wrongs;
[c] both [a] and [b] [d] neither [a] nor [b]
- 62. Give correct response with respect to the difference between Sec. 34 and 149 :**
[a] Section 34 does create specific offence while Section 149 does not;
[b] active participation is needed in Section 34 while not necessary in Section 149;
[c] Both [a] and [b]; [d] None of these.

- 63. Cognizance of offence of defamation under Chapter XXI of IPC can be taken :**
[a] on a police report; [b] on a complaint made by an aggrieved person;
[c] suo motu [d] all of the above.
- 64. In a case of free fight between two parties :**
[a] right of private defence is available to both the parties;
[b] right of private defence is available to individuals against individual;
[c] no right of private defence is available to either party;
[d] right to private defence is available only to one party.
- 65. 'A' pulled an ear ring away from a woman's ear and thereby tore and wounded her ear. 'A' is guilty of :**
[a] extortion; [b] mischief;
[c] misappropriation; [d] robbery
- 66. 'Z' strikes B. 'B' is by this provocation excited to violent rage. 'A', a bystander, intending to take advantage of B's rage, and to cause him to kill 'Z', puts a knife into B's hand for that purpose, 'B' kills 'Z' with the knife. For which offence 'A' is liable?**
[a] Culpable homicide; [b] Murder;
[c] Attempt to murder; [d] No offence.
- 67. For abetment :**
[a] it is necessary that the person abetted should be capable of committing an offence under the law;
[b] it is necessary that the person abetted should have the same guilty intention;
[c] it is not necessary that the person abetted should be capable of committing an offence under the law or should have the same guilty intention;
[d] none of the above.
- 68. A fact forming part of the same transaction is relevant under Section 6 of the Evidence Act : -**
[a] if it is in issue and have occurred at the same time and place;
[b] if it is in issue and may have occurred at different times and places;
[c] though not in issue and may have occurred at the same time and place or at different times and places;
[d] though not in issue, must have occurred at the same time and place.
- 69. A person is proving his defence under one of the following exceptions. State which of the following exceptions is correct :**
[a] by oral evidence; [b] beyond all reasonable doubt;
[c] no evidence is applicable; [d] when he is pleading preponderance of probabilities.
- 70. Admissions :**
[a] must be examined as a whole and not in parts; [b] can be examined in parts;
[c] can be examined as a whole or in parts; [d] none of the above.

- 71. Burden of proof :**
[a] partially determines the right to begin;
[b] substantially determines the right to begin;
[c] wholly determines the right to begin; [d] none of the above.
- 72. Confession of one accused is admissible against the 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.
- 73. Contents of a document may be proved under Section 61 of the Evidence Act :**
[a] by primary evidence; [b] by secondary evidence;
[c] either by primary or by secondary evidence;
[d] only by primary evidence and not by secondary evidence.
- 74. Due execution and authentication of a power of attorney shall be presumed under Section 85 of Evidence Act when executed before and authenticated by :**
[a] a notary; [b] a judge;
[c] a magistrate; [d] all of the above.
- 75. Estoppel can be :**
[a] by silence; [b] by negligence;
[c] by election; [d] all the above.
- 76. Husband and wife both are competent witness for and against each other :**
[a] in civil proceedings; [b] in criminal proceedings;
[c] in both civil and criminal proceedings;
[d] neither in civil nor in criminal proceedings.
- 77. In case a child is born within 280 days of dissolution of marriage, the mother remaining unmarried the presumption of legitimacy of child under section 112 of Evidence Act arises :**
[a] if the father is alive on the day the child is born;
[b] if the father is not alive on the day the child is born;
[c] irrespective of whether the father is alive or dead on the day the child is born;
[d] none of the above.
- 78. In Section 8 of the Indian Evidence Act, which one of the following is made relevant?**
[a] Occasion, intention and motive;
[b] motive, preparation and conduct;
[c] Motive, conduct and intention;
[d] Intention, motive and preparation.
- 79. Latent ambiguity in a document means ambiguity :**
[a] not subject to clarification by oral evidence;
[b] apparent on the face of the document;
[c] of hidden character and for the clarification of which oral evidence may be given;
[d] not allowed to be proved by oral evidence.

- 80. Facts can be :**
[a] physical facts [b] psychological facts
[c] physical as well as psychological facts
[d] only physical facts and not psychological facts.
- 81. Under Section 145 of Evidence Act, a witness may be cross-examined as to previous statement in writing :**
[a] without proving the same and without showing the same to the witness;
[b] only after proving the same, may be without showing the same to the witness;
[c] without proving the same but only after showing the same to the witness;
[d] only after proving the same and showing the same to the witness.
- 82. Under Section 118 who amongst the following are competent witnesses :**
[a] Child; [b] Accused;
[c] Lunatic; [d] all the above.
- 83. 'Self-regarding' statements :**
[a] can be self-serving statements; [b] can be self-harming statements;
[c] can be self-serving or self-harming; [d] none of the above.
- 84. The 'relationship' in Section 50 of the Evidence Act means :**
[a] relationship by blood only; [b] relationship by blood or marriage;
[c] relationship by blood or marriage or adoption; [d] none of the above.
- 85. The presumption under Sec.90 of the Evidence Act can be drawn in respect of :**
[a] original documents only; [b] certified copies only;
[c] uncertified copies only; [d] all the above.
- 86. A person of which of the following blood groups is called a universal donor?**
[a] O [b] AB
[c] A [d] B
- 87. What is the minimum age prescribed for membership to the Lok Sabha?**
[a] 21 years [b] 25 years
[c] 30 years [d] 35 years
- 88. The Indian ruler who defeated the English in the early stage of English rule in India was:**
[a] Ranjit Singh [b] Mahadaji Sindhia;
[c] Hyder Ali [d] Tipu Sultan.
- 89. Which of the following mountains are the oldest?**
[a] Nilgiris [b] Aravali
[c] Himalaya [d] Satpura range
- 90. Playing time of the full version of National Anthem is :**
[a] approx. 90 seconds; [b] approx. 60 seconds;
[c] approx. 52 seconds; [d] approx. 42 seconds.

- 91. Who said 'Education is the best contraceptive for population stabilisation?'**
[a] Dr. Man Mohan Singh; [b] Sam Pitroda;
[c] Som Nath Chatterjee; [d] Pranab Mukherjee
- 92. 'Sepoy Mutiny' of 1857 started from :**
[a] Agra [b] Gwalior
[c] Jhansi [d] Meerut
- 93. The one rupee note bears the signature of :**
[a] Secretary, Ministry of Finance; [b] Governor, Reserve Bank of India;
[c] Finance Minister; [d] None of these.
- 94. Who developed the small pox vaccination?**
[a] Eduard Jenner [b] Alexander Fleming;
[c] Albert Einstein [d] None of these.
- 95. Under Section 3 of the Limitation Act, 1963, the Court is required to consider the question of limitation :**
[a] only when objection to limitation is taken raised by the defendant;
[b] only when the defendant does not contest the claim;
[c] only when the defendant does not admit his liability;
[d] suo-motu even when the defendant has not taken any objection of limitation.
- 96. Section 5 of Limitation Act is :**
[a] applicable to the proceedings under Section 34, Arbitration and Conciliation Act, 1996 and the time limit prescribed under Section 34 can be extended generally;
[b] not applicable to the proceedings under Section 34 Arbitration & Conciliation Act, 1996 and the time limit prescribed under Section 34 is absolute and un-extendable.
[c] applicable to the proceedings under Section 34 Arbitration and Conciliation Act, 1996 and time limit prescribed under Section 34 can be extended only in exceptional circumstances;
[d] not applicable to the proceedings under Section 34 Arbitration and Conciliation Act, 1996, however, the time limit prescribed under Section 34 can be extended under inherent powers of the court.
- 97. Which is not correct of law of limitation :**
[a] limitation bars the judicial remedies;
[b] limitation is an adjective law;
[c] limitation extinguishes the right;
[d] limitation is a procedural law.
- 98. A decree of restitution of conjugal rights, in India, can be executed by :**
[a] attachment of the property of the respondent;
[b] arrest of the respondent;
[c] attachment of property and arrest of the respondent both;
[d] either attachment of property or by arrest of the respondent.

99. A party is regarded as not having the mental capacity to solemnise the marriage, if suffering from :
[a] unsoundness of mind; [b] mental disorder;
[c] insanity or epilepsy; [d] all the above.
100. Bigamy is committed, if the subsisting marriage is :
[a] valid; [b] voidable
[c] void [d] either [a] or [b]
101. Incapacity to consummate the marriage within the meaning of Section 12 of Hindu Marriage Act, 1955 :
[a] can be physical; [b] can be mental;
[c] either physical or mental; [d] only physical and not mental.
102. Non-registration of marriage under Section 8 of Hindu Marriage Act, 1955 :
[a] invalidates the marriage and calls for imposition of penalty;
[b] does not invalidate the marriage but calls for imposition of penalty;
[c] neither invalidates the marriage nor calls for imposition of penalty;
[d] makes the marriage voidable.
103. Under Dissolution of Muslim Marriage Act, repudiation of marriage as a ground for divorce is available to :
[a] wife only; [b] husband only;
[c] both wife and husband; [d] None of the above.
104. A woman married under Muslim law shall be entitled to obtain a decree for the dissolution of marriage on the ground that the husband has failed to perform, without reasonable cause, his marital obligations for a period of :
[a] one year [b] two years
[c] three years [d] seven years.
105. A Corporation, under Section 20 of CPC, is deemed to carry on business at :
[a] its principal office in India; [b] its subordinate office in India;
[c] both [a] and [b] [d] none of the above.
106. A person can act as a 'next friend' if he is :
[a] major [b] sound mind;
[c] not having any interest adverse to that of a minor or lunatic residing in India;
[d] fulfilling all the above three requirements.
107. A person who institutes a suit in a foreign court and claims a decree in *personam*, after the judgment is pronounced against him :
[a] can always challenge the judgment on the ground of competency;
[b] can never challenge the judgment on the ground of competency;
[c] has the option to challenge it at any time; [d] none of the above.
108. A receiver :
[a] can be sued generally for acts done in his official capacity by a third party;
[b] can not be sued at all for acts done in his official capacity by a third party;
[c] can sue and can be sued for acts done in his official capacity by a third party only with the leave of the court appointing him; [d] none of the above.

- 109. After being proceeded against *ex-parte*, the defendant is :**
[a] precluded absolutely from participating in any proceeding in the suit;
[b] at liberty to join the proceedings at the stage where the proceedings are pending;
[c] at liberty to join the proceedings and do all the things which it would have done, had he not been proceeded against *ex-parte*, without getting the *ex-parte* order set aside;
[d] none of the above.
- 110. Amendment in pleading shall be effective :**
[a] from the date of the pleading; [b] from the date of the application;
[c] from the date of the order; [d] none of the above.
- 111. Attachment of property attached shall remain operative under Order 39 Rule 2A of CPC for a period of :**
[a] six months; [b] three years;
[c] one year; [d] seven years.
- 112. Awarding future interest is :**
[a] mandatory; [b] directory;
[c] discretionary; [d] none of the above.
- 113. Costs imposed under Section 35-B of CPC :**
[a] shall be included in the costs awarded in the decree passed in the suit;
[b] shall not be included in the costs awarded in the decree passed in the suit;
[c] shall, if not paid, be executable against the person on whom the costs have been imposed;
[d] only [b] and [c]
- 114. Decree means :**
[a] an order adjudicating claims;
[b] informal expression of an adjudication;
[c] formal expression of an adjudication but shall not include any adjudication from which an appeal lies as an appeal from an order;
[d] none of the above.
- 115. Foreign judgment as defined under Section 2[6] of CPC means :**
[a] judgment given by an Indian Court in respect of foreigners;
[b] judgment given by a Foreign Court;
[c] judgment given by an Indian Court established under any Foreign Act;
[d] none of the above.
- 116. In an interpleader suit, the plaintiff claims :**
[a] interest in the subject matter of the suit;
[b] no interest in the subject matter of the suit except charges or costs;
[c] no interest in the subject matter of the suit also not claims charges or costs;
[d] none of the above.
- 117. In every plaint, under Section 26 of CPC, facts should be proved by**
[a] oral evidence; [b] affidavit;
[c] document; [d] none of the above.

- 118. Notice under Section 80 CPC has to be served on :**
[a] the Secretary to the Government; [b] the Deputy Commissioner;
[c] the President of India; [d] All of the above.
- 119. On abatement of suit, under Order 22, Rule 9 of CPC :**
[a] a fresh suit on the same cause of action can be brought as a matter of right;
[b] a fresh suit on the same cause of action can be brought only with the permission of the Court;
[c] a fresh suit on the same cause of action is barred; [d] none of the above.
- 120. Provisions of Section 39 of CPC are :**
[a] permissive and not mandatory;
[b] mandatory and not permissible;
[c] mandatory and discretionary;
[d] none of the above.
- 121. Under Order 23, Rule 3 of CPC, on the basis of a compromise :**
[a] a decree has to be drawn only in respect of the subject matter that relates to the suit;
[b] a decree has to be drawn for the entire compromise so long as it embraces part of the subject matter of the suit and part outside it;
[c] a decree has to be drawn where the compromise does not embrace the subject matter of the suit at all; [d] none of the above.
- 122. Which of the following properties of a judgment debtor are liable to be attached**
[a] personal ornaments of religious usage of a woman;
[b] tools of artisan and cattle and seed grain;
[c] books of accounts; [d] shares in a corporation and government securities.
- 123. 'X' dies leaving behind a son 'Y' and a married daughter 'Z', a suit filed by 'X', after his death, can be continued by :**
[a] 'Y' alone as legal representative; [b] 'Z' alone as legal representative;
[c] 'Y', 'Z' and the husband of Z as legal representatives;
[d] 'Y' and 'Z' both, as legal representatives.
- 124. Under Section 32 of Evidence Act, the opinion :**
[a] as to public rights & customs are admissible;
[b] as to private rights & customs are admissible;
[c] as to both public and private rights and customs are admissible;
[d] only as to customs are admissible.
- 125. Under the Evidence Act, fact means**
[a] *factum probandum* [b] *factum probans*;
[c] *both factum probandum and factum probans* [d] *none of the above.*