दिवाणी न्यायाधीश (कनिष्ठ स्तर) व न्यायदंडाधिकारी (प्रथम वर्ग) (पूर्व) परीक्षा - 2016
परीक्षा दिनांक - 5 जून, 2016

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प्रश्नपुस्तिका क्रमांक
BOOKLET NO.

प्रश्नपुस्तिका

वेळ : 2 (दोन) तास

विहित कायदेविषयक ज्ञान

एकूण प्रश्न : 100
एकूण गुण : 100

सूचना

(1) सदर प्रश्नपुस्तिकेत 100 अनिवार्य प्रश्न आहेत. उमेदवारांनी प्रश्नांची उत्तरे लिहिण्यास सुरुवात करण्यापूर्वी या प्रश्नपुस्तिकेत सर्व प्रश्न आहेत किंवा नाहीत याची खात्री करून घ्यावी. असा तसेच अन्य काही दोष आढळल्यास ही प्रश्नपुस्तिका समवेक्षकांकडून लगेच बदलून घ्यावी.

(2) आपला परीक्षा-क्रमांक ह्या चौकोनांत **न विसरता बॉलपेनने** लिहावा.

परीक्षा-क्रमांक
केंद्राची संकेताक्षरे
शेवटचा अंक

(3) वर छापलेला प्रश्नपुस्तिका क्रमांक तुमच्या उत्तरपत्रिकेवर विशिष्ट जागी उत्तरपत्रिकेवरील सूचनेप्रमाणे **न विसरता नमूद करावा.**

(4) या प्रश्नपुस्तिकेतील प्रत्येक प्रश्नाला 4 पर्यायी उत्तरे सुचविली असून त्यांना 1, 2, 3 आणि 4 असे क्रमांक दिलेले आहेत. त्या चार उत्तरांपैकी सर्वात योग्य उत्तराचा क्रमांक उत्तरपत्रिकेवरील सूचनेप्रमाणे तुमच्या उत्तरपत्रिकेवर नमूद करावा. अशा प्रकारे उत्तरपत्रिकेवर उत्तरक्रमांक नमूद करताना तो संबंधित प्रश्नक्रमांकासमोर छायांकित करून दर्शविला जाईल याची काळजी घ्यावी. **ह्याकरिता फक्त काळ्या शाईचे बॉलपेन वापरावे, पेन्सिल वा शाईचे पेन वापरू नये.**

(5) सर्व प्रश्नांना समान गुण आहेत. यास्तव सर्व प्रश्नांची उत्तरे द्यावीत. घाईमुळे चुका होणार नाहीत याची दक्षता घेऊनच शक्य तितक्या वेगाने प्रश्न सोडवावेत. क्रमाने प्रश्न सोडविणे श्रेयस्कर आहे पण **एखादा प्रश्न कठीण वाटल्यास त्यावर वेळ न घालविता पुढील प्रश्नाकडे वळावे.** अशा प्रकारे शेवटच्या प्रश्नापर्यंत पोहोचल्यानंतर वेळ शिल्लक राहिल्यास कठीण म्हणून वगळलेल्या प्रश्नांकडे परतणे सोईस्कर ठरेल.

(6) उत्तरपत्रिकेत एकदा नमूद केलेले उत्तर खोडता येणार नाही. नमूद केलेले उत्तर खोडून नव्याने उत्तर दिल्यास ते तपासले जाणार नाही.

(7) **प्रस्तुत परीक्षेच्या उत्तरपत्रिकांचे मूल्यांकन करताना उमेदवाराच्या उत्तरपत्रिकेतील योग्य उत्तरांनाच गुण दिले जातील. तसेच ''उमेदवाराने वस्तुनिष्ठ बहुपर्यायी स्वरूपाच्या प्रश्नांची दिलेल्या चार पर्यायापैकी सर्वात योग्य उत्तरेच उत्तरपत्रिकेत नमूद करावीत. अन्यथा त्यांच्या उत्तरपत्रिकेत सोडविलेल्या प्रत्येक चार चुकीच्या उत्तरांसाठी एका प्रश्नाचे गुण वजा करण्यात येतील''.**

ताकीद

ह्या प्रश्नपत्रिकेसाठी आयोगाने विहित केलेली वेळ संपेपर्यंत ही प्रश्नपुस्तिका आयोगाची मालमत्ता असून ती परीक्षाकक्षात उमेदवाराला परीक्षेसाठी वापरण्यास देण्यात येत आहे. ही वेळ संपेपर्यंत सदर प्रश्नपुस्तिकेची प्रत/प्रती, किंवा सदर प्रश्नपुस्तिकेतील काही आशय कोणत्याही स्वरूपात प्रत्यक्ष वा अप्रत्यक्षपणे कोणत्याही व्यक्तीस पुरविणे, तसेच प्रसिद्ध करणे हा गुन्हा असून अशी कृती करणाऱ्या व्यक्तीवर शासनाने जारी केलेल्या ''परीक्षांमध्ये होणाऱ्या गैरप्रकारांना प्रतिबंध करण्याबाबतचा अधिनियम-82'' यातील तरतुदीनुसार तसेच प्रचलित कायद्याच्या तरतुदीनुसार कारवाई करण्यात येईल व दोषी व्यक्ती कमाल एक वर्षाच्या कारावासाच्या आणि/किंवा रुपये एक हजार रकमेच्या दंडाच्या शिक्षेस पात्र होईल.

तसेच ह्या प्रश्नपत्रिकेसाठी विहित केलेली वेळ संपण्याआधी ही प्रश्नपुस्तिका अनधिकृतपणे बाळगणे हा सुद्धा गुन्हा असून तसे करणारी व्यक्ती आयोगाच्या कर्मचारीवृंदापैकी, तसेच परीक्षेच्या पर्यवेक्षकीयवृंदापैकी असली तरीही अशा व्यक्तीविरूद्ध उक्त अधिनियमानुसार कारवाई करण्यात येईल व दोषी व्यक्ती शिक्षेस पात्र होईल.

पुढील सूचना प्रश्नपुस्तिकेच्या अंतिम पृष्ठावर पहा

पर्यवेक्षकांच्या सूचनेविना हे सील उघडू नये

SEAL

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1. Which of the following is **not** a ground for eviction of a tenant ?
   (1) Unlawful subletting.
   (2) Non use of the premises without reasonable cause for more than six months.
   (3) Acquisition of suitable accommodation by the tenant.
   (4) None of the above.

---

2. When a person does a thing with an intention of causing a wrongful gain to one person or a wrongful loss to another, he is said to have done that thing :
   (1) fraudulently (2) intentionally
   (3) voluntarily (4) dishonestly

---

3. Which of the following is **not** a defamation ?
   (1) A says ironically, 'Z is an honest man; he never stole B's watch intending to believe otherwise.
   (2) A at the hearing of the case in good faith argued, "Z's evidence is so contradictory that he must be stupid or dishonest".
   (3) A says at the hearing, "I do not believe what Z stated because I know him to be a man without veracity".
   (4) A drew a picture of Z showing him running with B's watch, intending to be believed that Z stole B's watch.

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4. If the offence is punishable with fine only, the imprisonment in default of payment of fine shall be :
   (1) Simple
   (2) Rigorous
   (3) Simple or rigorous as the court may order
   (4) Partly Simple and partly rigorous as the court may direct

---

5. Which of the following is **not** a punishment recognised by law ?
   (1) Death (2) Imprison with hard-labour
   (3) Forfeiture of property (4) Transportation for life

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6. How contract of sale of goods is to be made ?
   (a) in writing
   (b) by words of mouth
   (c) partly in writing and partly by words of mouth
   (d) by conduct of parties
   (1) (a) only (2) (a), (b), (c) and (d) all
   (3) (a) and (b) only (4) (a), (b) and (d)

7. The Magistrate to whom accused is forwarded after arrest may from time to time authorise his detention in police custody for a term :
   (1) not exceeding 30 days (2) not exceeding 14 days
   (3) not exceeding 15 days (4) as he thinks fit.

8. In a suit against Central Government, the authority to be named as defendant shall be :
   (1) Government of India (2) President of India
   (3) Union of India (4) Prime Minister of India

9. Sale of immovable property in execution would become absolute :
   (1) On full payment of price by the auction purchaser.
   (2) When sale is confirmed by the court any time after sale.
   (3) If no application for setting aside sale is made or where such an application filed is disallowed and court confirms the sale.
   (4) When final bid is accepted by the court.

10. Person who lodged FIR is to be referred :
   (1) as a complainant (2) as an informant
   (3) both the terms above mentioned (4) applicant

11. Suit on promissory note payable on demand is to be filed :
   (1) Within three years from the date of note.
   (2) Within three years from the date of demand.
   (3) Within three years from the date of transaction.
   (4) Within one year from the date of demand.

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12. Is the foreign judgement of a competent court conclusive ?
    (1) not conclusive at all
    (2) conclusive when given on the merit of the case
    (3) conclusive even if passed exparte
    (4) No it is only relevant

---

13. Onerous gift means :
    (1) gift of property in bulk by a single transfer
    (2) gift of several things by a single transfer, of which one is burdened by an obligation
    (3) gift of burdened property
    (4) oppressive, burdensome gift

---

14. When are all the original documents to be produced by the parties to the suit ?
    (1) With the plaint or the written statement.
    (2) During trial with the affidavit of examination in chief.
    (3) Even during cross-examination of the witnesses or before judgment.
    (4) On or before settlement of issues.

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15. 'A' Citizen of India committed offence in Uganda and came back and is arrested in India. Under what law and where is he to be tried ?
    (1) In Uganda as the law of that country
    (2) In India according to the provisions of the Indian Penal Code
    (3) In Uganda according to the provisions of the Indian Penal Code
    (4) In India as per the law of Uganda

---

16. Indian Penal Code was mainly drafted by :
    (1) Macculay (2) Lord Mountbatten
    (3) Lord Dening (4) Salmond

---

17. Which of the following is **not** a fundamental right ?
    (1) Right to education (2) Right to property
    (3) Right to freedom of religion (4) Equality before law

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18. Against whom suit for restoration of possession U/S of Specific Relief Act is not tenable ?

(1) Landlord (2) True owner (3) Government (4) Licensor

---

19. 'A' asks his son to bring a stick, saying to B, " I will give you a good beating and set you right". What offence, if any has 'A' committed ?

(1) Criminal force (2) Assault

(3) Criminal intimidation (4) No offence

---

20. Res gestae means :

(1) Adverse gesture of an accused

(2) Ogle at some one

(3) Things done or words spoken naturally as a part of the same transaction

(4) Gesture made or expressed something spontaneously

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21. A person is presumed to be a legitimate son of a man though born after dissolution of marriage with his mother, if he is :

(1) born within 280 days of the dissolution and his mother remained unmarried.

(2) born within 9 months after dissolution of marriage.

(3) born within 280 days after dissolution even if his mother married with some one.

(4) born within 280 days after dissolution and even though it is proved that above said had no access to his mother during the period he was begotten.

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22. Second appeal U/S 100 of Civil Pro. Code shall lie :

(1) When decree of trial court is set aside, allowing 1st appeal.

(2) When there are divergent views of trial court and first appeal court on material issues.

(3) When High Court is satisfied that in this case substantial question of law is involved.

(4) In any case after decision of the first appeal.

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23. Against whom specific performance of contract can be enforced ?
(a) Parties to the contract.
(b) Any person claiming under the party to the contract.
(c) Transferee for value who has paid money in good faith having notice of the contract.
(d) When a company entered into contract, subsequently amalgamated with another company, new company which arises out of amalgamation.
(1) (a), (b) and (c) (2) (a), (b) and (d)
(3) (b), (c) and (d) (4) All the above

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24. What is the period within which application for setting aside abatement of suit is to be filed ?
(1) 30 days from the date of abatement of suit
(2) 60 days from the date of abatement of suit
(3) 90 days from the date of abatement of suit
(4) 30 days from the date of order of abatement of suit

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25. Which of the following is a 'Court of record' ?
(1) High court (2) District court
(3) Family court (4) Labour court

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26. Accused is charged under section 325 I.P.Code. All the facts except grievous hurt are proved.
Whether he can be convicted of any offence ?
(a) Yes, for the offence punishable U/S 323 I.P.Code
(b) Yes, for the offence punishable U/S 335 I.P.Code
(c) No, he cannot be convicted of any offence
(1) (a) only (2) (b) only (3) (c) only (4) (a) or (b)

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27. What sort of acts of husband or his relatives amount to cruelty ?
(1) Harassment of the woman caused with the intention that she would leave matrimonial house
(2) Deserting the woman without any fault on her part
(3) Wilful conduct likely to drive a woman to commit suicide or cause a grave injury to her life
(4) Keeping illicit relations with another woman

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28. What facts should be stated in the affidavit of examination in chief of plaintiff or defendant or their witnesses ?

(1) All facts they asserted in their pleadings.

(2) Only such facts, the deponent believes to be true.

(3) Only such facts as the deponent is able to prove on his own.

(4) All such facts deponent knows personally and also those he came to know from others.

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29. In case a complaint is made by a public servant in writing, in discharge of his official duties :

(1) it is necessary for the Magistrate to examine him and the witnesses.

(2) it is not necessary for the Magistrate to examine him or the witnesses.

(3) it is not necessary to examine public servant but witnesses need to be examined.

(4) Examination of the public servant or witnesses is at the discretion of the Magistrate.

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30. India is a :

(1) Police state (2) Welfare state

(3) Aristocratic state (4) Socialistic state

---

31. Which of the following is or are the **correct** prepositions ?

(a) All agreements are contract.

(b) An agreement which is enforceable by law is a contract.

(c) An agreement which is enforceable by law at the option of one party is a voidable contract.

(1) All the above (2) (a) and (b) only (3) (b) and (c) only (4) (b) only

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32. Magistrate may order U/S 125 of Cri Pro. Code, the non-applicant to pay to an applicant for maintenance at such monthly rate :

(1) not exceeding ₹ 5000/-

(2) not exceeding ₹ 1000/-

(3) as such a Magistrate may think it fit

(4) not exceeding ₹ 500/-

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33. Which of the following is **not** a document ?

(1) Caricature on a stone (2) Photograph

(3) Currency note (4) Blood stained clothes

---

34. Right of the accused to keep silence is :

(1) a civil right (2) a statutory right

(3) fundamental right (4) human right

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35. Transfer of immovable property is said to be fraudulant :

(1) When transfer of sale is entered to defraud the purchaser

(2) When transferor is insolvent

(3) When transferor has no authority to transfer

(4) When transfer is made with an intention to defeat or delay the creditors

---

36. Complaint means :

(1) allegations made to magistrate for taking action, that some person committed an offence.

(2) allegation made to police station officer that some person committed offence.

(3) such allegations made to superintendent of police.

(4) includes all the above.

---

37. First Information Report can be used during trial :

(1) only to contradict the informant.

(2) only to corroborate the version of the informant before court.

(3) to contradict and corroborate the informant when examined as a witness.

(4) to corroborate the oral evidence of other witnesses.

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38. Suit relating to immovable property is to be filed in a court within whose jurisdiction :

(1) defendant resides (2) plaintiff resides

(3) property is situated (4) cause of action arose

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39. Which of the following can be transferred ?

(1) An actionable claim

(2) An easement apart from the dominant heritage

(3) A Mere right to sue

(4) Spes successionis

---

40. A person is entitled to protection of his possession of immovable property he got in part performance of a contract, provided :

(a) Contract is in writing, signed by the transferor

(b) Contract is for consideration

(c) Transferee has performed or willing to perform his part of contract

(d) Contract is registered

(1) (a) and (b) (2) (a), (b), and (c)

(3) (a), (b) and (d) (4) (a) to (d) all above requirements are fulfilled

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41. Period of limitation for regular suit for possession when plaintiff asserts dispossession by the dependant is :

(1) One year (2) Three years (3) Twelve years (4) Twenty years

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42. Lurking house trespass means :

(1) Trespass openly made to commit offence.

(2) Trespass made to insult the person in possession.

(3) Trespass making forceable entry in the house.

(4) Trespass taking precaution to conceal such a house trespass from the person who could object or eject a trespasser.

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43. Which of the following is or are the **correct** propositions ?

(a) Partnership firm is a legal entity

(b) Partnership firm is a collective name for partners

(c) H.U.F. carrying business is not a partnership

(d) Contract between the partners is a foundation of partnership

(1) (a) only (2) (a), (b) and (c) only

(3) (b), (c) and (d) only (4) (b) and (d) only

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44. Which of the following propositions is **correct** ?

(1) Statement of witness recorded by police cannot be used during enquiry or trial of such offence.

(2) Such statement of witness can be used at the enquiry or trial to contradict him when he is called as a witness by prosecution or defence.

(3) Such statement of witness can be used at the trial to contradict or corroborate such witness.

(4) Statement recorded by the police can be used in the enquiry or trial by the accused or prosecution to contradict such a witness when he is called by the prosecution.

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45. Application for delivery of possession by the purchaser of immovable property at the sale in execution of decree is to be made within :

(1) One year when sale becomes absolute

(2) One year from the date of sale

(3) Three years from the date of sale

(4) 12 years from the date of sale

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46. Suit for specific performance of contract is to be filed :

(1) Within three years from the date of agreement.

(2) Within three years from the date fixed for performance. If no such date is fixed, when performance is refused.

(3) Within three years from the date when notice demanding performance is served.

(4) Within five years from the date, performance is refused.

---

47. When is symbolic possession of immovable property required to be given in execution :

(1) Person in possession is a tenant or other person is entitled to occupy property despite the decree.

(2) Person in possession refuses to vacate or hand over possession.

(3) Property is locked.

(4) Property is in such a state that actual possession can not be delivered.

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48. Which of the following propositions is a **correct** one ?

(1) Statement of a person who is dead is relevant when it relates to cause of death of anybody.

(2) Statement of deceased made in will, deed etc. relating to relationship by blood, marriage with the deceased and is about affairs of his family, is relevant.

(3) Statement of a witness recorded by a magistrate U/S 164 of Cri. P. Code before his death, is relevant.

(4) Statement of witness recorded under section 299 of Cri. Pro. Code, but is alive, can be used as evidence without his examination.

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49. Which of the following propositions are **correct** ?

Declaration granted U/S 34 of the Specific Relief Act :

(a) is a decision binding on the parties to the suit.

(b) is a decision binding on the persons claiming through such parties.

(c) is also binding on other persons who are denying or are interested to deny such status, right of the party declared.

(d) is a judgement in rem

(1) (a) and (b) only (2) (a), (b) and (c) (3) (a), (b) and (d) (4) All the above

---

50. Application for execution of decree granting mandatory injuction is to be made :

(1) Within one year (2) Within three years

(3) Within twelve years (4) 90 days

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51. Premises (under Maha. Rent Control Act) means :

(a) Any building (b) Part of building

(c) A room or apartment (d) Land or open plot

(1) All the above

(2) (a), (b) and (c) only

(3) (b) and (c) only

(4) (a) and (d) only

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52. Compensatory cost can be awarded when :
   (1) Claim made or defence taken in any suit is found false or vexatious
   (2) Claim or defence in a suit is objected to by the adverse party and is found to be false or vexatious
   (3) Suit is dismissed on the ground that claim is not proved at all
   (4) The court in it's discretion considers it just and proper to award such a cost

---

53. Court may presume a document to be duly executed and attested :
   (1) When document is 20 years old and produced from proper custody.
   (2) When document is original produced from proper custody and 30 years old.
   (3) When document is a copy but 30 years old and produced from proper custody.
   (4) When notice to produce document is given but it is not produced.

---

54. Written statement is to be filed :
   (1) Within 90 days from the date of service of summons.
   (2) Within 30 days from the date of first appearance of the defendant.
   (3) Within 90 days from the first appearance of defendant.
   (4) Within 30 days from the date of service of summons.

---

55. Which of the following is a **correct** proposition ?
   (1) Contract for sale a contract to sale property as per the terms settled
   (2) Contract for sale is executed, not a executory contract
   (3) Contract for sale creates right in the property to be sold
   (4) Contract for sale creates charge on the property to be sold

---

56. Frustration of contract means :
   (a) Performance of contract becomes afterward impossible because of inaction of promiser
   (b) Performance of contract becomes afterward impossible or unlawful for no fault of promiser
   (c) Performance of contract becomes difficult
   (1) (a) only (2) (b) only
   (3) (a) and (c) only (4) (a) and (b) only

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57. 'A' keeping bait in the pocket, dishonestly induced a dog of 'B' to go with him, thus he took away the dog out of possession of 'B'. What offence, if any has A committed ?

(1) Criminal force (2) Abducation

(3) Theft (4) No offence

---

58. For what an injunction can be granted ?

(a) to prevent breach of obligation in favour of plaintiff.

(b) to restrain a person from instituting or prosecuting criminal proceeding.

(c) to prevent breach of contract, the performance of which would not be specifically enforced.

(1) (a) only (2) (a) and (c) only (3) (a) and (b) only (4) In all the cases

---

59. How the contents of a document are to be proved ?

(1) By oral evidence of the author.

(2) By oral evidence of the scribe.

(3) By primary or secondary evidence.

(4) By oral admissions as to the contents when party is not entitled to give secondary evidence.

---

60. 'Dowry death', means :

(1) death of a woman under suspicious circumstances within 7 years of her marriage.

(2) death of a woman under suspicious circumstances within 5 years of her marriage.

(3) death of a woman under suspicious circumstances within 7 years of her marriage and she was subjected to cruelty by her husband or inlaws, just before her death.

(4) death of a woman under suspicious circumstances within 5 years of her marriage and she was subjected to cruelty by her husband or inlaws.

---

61. Court can take cognisance of the offence of defamation :

(1) on a police report

(2) upon a complaint made by a person aggrieved by the offence

(3) upon information received from any other person

(4) upon complaint filed by anybody

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62. Warrant of arrest may be directed to :

(a) a police officer.

(b) more than one police officer.

(c) any other person.

(1) (a) only (2) (b) only

(3) (a) and (b) only (4) (a), (b) and (c) all

---

63. Which of the following are the **correct** propositions ?

(a) Every partner has a right to have access and to inspect books of the firm.

(b) Every partner has a right to take part in the business of the firm.

(c) Every partner has a right to show profit.

(d) Every partner has implied authority to open banking account in his own name.

(1) (a) and (c) (2) (a) and (b)

(3) (a), (b) and (c) (4) All the above

---

64. Evidence of a witness recorded in the earlier proceeding is relevant and admissible in the subsequent proceeding provided :

(1) Witness is dead or cannot be examined and the earlier proceeding was between the same parties, issues were the same and adverse party had the right to cross examine the witness.

(2) Witness is dead or cannot be examined and issues in the earlier proceeding were the same.

(3) Witness has become hostile to the party who is required to examine him in subsequent proceeding.

(4) Witness is not willing to give evidence in subsequent proceeding though his evidence is material.

---

65. Injury means :

(a) Defamation, damage to reputation

(b) Voluntarily causing hurt to any person

(c) Harm caused lawfully to any person or property

(1) (a) only (2) (b) only

(3) (a) and (b) both (4) All the above acts

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66. When a person dies intestate without any heir, his property vests in :
(1) the person who performs his last rites
(2) his relatives though they are not his legal heirs
(3) the one who took his care during his last days
(4) the 'state' (Government) by escheat

---

67. Which of the following irregularities vitiate the proceedings ?
(a) Magistrate though not empowered, tender pardon U/S 306 Cri Pro.Code in good faith.
(b) Magistrate not empowered, makes over case to other Magistrate.
(c) Magistrate not empowered, tried the offence summarily.
(d) Magistrate though not competent, decides an appeal.
(1) (a) and (b) (2) (b) and (d)
(3) (c) and (d) (4) (a) and (d)

---

68. Who amongst the following is **not** a competent witness ?
(1) School going boy of the age of 8 yrs.
(2) A blind since birth.
(3) A person unable to speak or communicate verbally.
(4) A child of four years of age unable to answer rationally.

---

69. Cross-examination of a witness means :
(1) an examination by adverse party.
(2) further examination of own witness who is hostile.
(3) an examination of witness to test his veracity, by any party.
(4) examination of witness by the court itself.

---

70. Suit for compensation for malicious prosecution is required to be filed within :
(1) Three years from the date of acquittal
(2) Five years from the date of acquittal
(3) One year from the date of acquittal
(4) One year from the date of demand of compensation by notice

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71. How a will is required to be proved ?

(1) By examining the scribe.

(2) By examining the person who had seen the testator executing the will.

(3) By the oral evidence of propounder of the will.

(4) By examining at least one attesting witness if alive or capable of giving evidence.

---

72. Agreement without consideration is :

(a) Valid

(b) Void

(c) Valid provided it is in writing, registered and made on account of natural love and affection

(1) (a) only is correct (2) (b) only is correct

(3) All are correct (4) (b) and (c) are correct

---

73. A decree for partition of agricultural land declaring shares of the parties, is to be executed by :

(1) the same court which passed the decree

(2) the court to which decree is transferred U/S 39 of Civil Pro. Code

(3) the collector or his gazetted subordinate deputed by him

(4) the revenue court when precept is to it by the court which passed the decree

---

74. Which of the following are 'judgement in rem' ?

(1) Judgement in declaratory suit under U/S. 34 of specific Relief Act.

(2) Judgement in probate, matrimonial, admiralty or insolvency proceedings.

(3) Judgement in criminal trials.

(4) Judgement of Supreme Court.

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75. 'A' is tried for the murder of 'B' by poison which of the following facts are relevant at the trial of 'A' ?

(a) Before the incident 'A' had procured poison similar to that found in the body of 'B'.
(b) Earlier 'A' had made attempt to kill 'B'.
(c) In the past 'A' had murdered two others by poisoning.
(d) 'A' was on inimical terms with 'B'.

(1) (a) and (b) only (2) (a), (b) and (d) only
(3) (c) and (d) only (4) All of the four facts.

---

76. Court of Chief Judicial Magistrate may pass a sentence of imprisonment for a term :

(1) not exceeding five years (2) not exceeding three years
(3) not exceeding seven years (4) not exceeding ten years

---

77. Which of the following is or are the **correct** propositions ?

In a part heard trial of a criminal case :

(a) Succeeding Magistrate can act upon the evidence recorded by his predecessor.
(b) Succeeding Magistrate cannot act upon the evidence recorded by his predecessor.
(c) Succeeding Magistrate cannot act upon such an evidence recorded by his predecessor only in summary trial.

(1) (a) only is correct (2) (a) and (c) are correct
(3) (b) only is correct (4) none of the above

---

78. Which of the following is a **correct** proposition ?

(a) Warranty is a stipulation essential to the main contract of sale of goods.
(b) Warranty is a stipulation collateral to the main purpose of contract.
(c) Breach of warranty gives right to a buyer to repudiate the contract.

(1) (a) only (2) (b) only
(3) (c) only (4) (a) and (c) only

---

79. Lease for a month to month can' be determined by :

(1) 30 days notice in writing is given by lessor
(2) 15 days notice in writing duly singed
(3) 15 days notice expiring with the end of the month of tenancy
(4) Oral notice by lessor

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80. Minor can institute a suit for recovery of movable property :

(1) Within one year after he attains majority

(2) Within three years after he attains majority

(3) Within three years from the date of cause of action, through next friend

(4) Within twelve years after he attains majority

---

81. Which of the following contracts can **not** be specifically enforced ?

(a) A party is unable to perform whole of the contract and the part which can not be performed is small and admit compensation in money

(b) A contract which is dependent on the personal qualification or violation of the party

(c) A contract which is in its nature determinable

(d) A contract for the non performance of which compensation in money is an adequate relief

(1) All the above (2) (a), (b) and (c)

(3) (b), (c) and (d) (4) (a), (c) and (d)

---

82. Landlord is entitled to inspect the premises :

(1) at any time even without prior notice to the tenant

(2) at any time giving prior notice to the tenant

(3) at a reasonable time giving prior notice to the tenant

(4) during day time only giving a notice to the tenant

---

83. When is notice of execution under rule 22 of Ord XXI C.P. Code necessary ?

(1) As a rule in all execution cases show cause notice is needed to be given.

(2) When warrant of possession of immovable property is saught in execution.

(3) When execution is filed, more than two years after date of decree.

(4) When execution is filed by legal representative of the decree holder.

---

84. What is the period of limitation for taking congnizance of the offence U/S 326 of I.P. Code ?

(1) Five years (2) Three Years

(3) Seven Years (4) No period is prescribed

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85. Which of the following confessions made by the accused is admissible ?

(1) Voluntary confession made to the police officer.

(2) Confession caused by threat, inducement proceeding from person in authority, having reference to the charge against accused etc.

(3) Voluntary statement made in police custody.

(4) Voluntary confession made while in police custody but made to the magistrate.

---

86. Which of the following are the **correct** propositions ?

(a) Minor can be admitted as a partner

(b) Minor cannot be a partner but may be admitted to the benefit of partnership

(c) Minor admitted to the benefit of partnership can have access to the account of the firm

(d) Such a minor is not personally liable for an act of the firm

(1) (a), (c) and (d) (2) (b), (c) and (d)

(3) (a), (b) and (d) (4) (a) and (c) only

---

87. 'A' committed theft of two gold chains of 'B' who is a resident of Pune, but from a place in Mumbai, one chain was recovered from 'C' at Jalna; another from 'D' at Buldana. 'C' & 'D' purchased chains knowing them to be stolen properties.

Which court can enquire and try the offence ?

(1) Court in Mumbai only

(2) Court at Jalna or Buldana

(3) Court in Mumbai as well as Jalna and Buldana

(4) Court in Pune

---

88. Which of the following properties can be attached in execution of a money decree ?

(1) Cooking utensils, beds etc. (2) Implements of husbandary

(3) Books of account (4) Shares in the corporations

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89. If a landlord without a just cause cuts off or withholds essentia' 'pply or service enjoyed by the tenant, he/she is liable to be punished with imprisonment for a term :

(1) Which may extend to one month or a fine which may extend to ₹ one thousand or both.

(2) Which may extend to three months or a fine which may extend to ₹ one thousand or with both.

(3) Which may extend to three months and a fine which may extend to ₹ one thousand.

(4) Which may extend to one month and a fine which may extend to ₹ one thousand.

---

90. Which of the following courts has got inherent powers to make orders in criminal proceedings to prevent abuse of process or to secure ends of justice ?

(1) Court of sessions (2) Chief Judicial Magistrate

(3) High Court (4) All the above

---

91. Objection to the jurisdiction of the court can be entertained :

(1) in appeal also for the first time

(2) during trial of the suit

(3) at any stage of the suit

(4) if taken at the earliest opportunity or before settlement of issues

---

92. A man deliberately did an act and frighten a girl of weak heart, who fell unconscience. What offence if any has he committed ?

(1) U/S 323 IPC (2) U/S 326 IPC (3) U/S 325 IPC (4) No offence

---

93. Act of the child is no offence when the child is :

(1) Under 8 years (2) Under 10 years

(3) Under 12 years (4) Under 7 years

---

94. The term 'legal representative', means :

(1) the legal heir of the deceased party

(2) a person who in law represents estate of the deceased party

(3) a person nominated by the deceased party

(4) other relatives though they are not legal heirs

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95. Which of the following authorities is **not** a 'state' for the purpose of part III of Constitution of India ?

(1) Government Companies (2) Public Sector Undertaking

(3) Municipal Corporation (4) Board of Control for Cricket of India (BCCI)

---

96. When is a person eligible for appointment as a District Judge ?

(1) If he has been an advocate for not less than seven years

(2) If he has practised as an advocate for more than three years

(3) If he has been, an advocate for not less than five years

(4) If he has practised as an advocate for a year

---

97. Every agreement between landlord and tenant for letting out of the premises is required to be :

(1) in writing and registered

(2) in writing and registered if it is for a period one year or more

(3) in writing but it need not be registered

(4) in writing and registered if it is for a period 3 years or more

---

98. Which of the following is an incorrect proposition ?

(1) Admission may be a statement oral or written.

(2) Admission is conclusive proof of the fact admitted.

(3) Maker of the admission may prove that it was erroneously made.

(4) Admission can be used against it's maker or his representative in interest.

---

99. 'A' handed over 200 kg. 'Tur Dal' to 'B', a carrier, to carry it to his town. 'B' carried it to his own village dishonestly. What offence has 'B' committed ?

(1) Criminal misappropriation of property

(2) Criminal breach of trust

(3) Theft of property

(4) No offence

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100. Suit filed after the prescribed period of limitation :

(1) has to be dismissed when objection is raised in defence.

(2) has to be dismissed even though no objection as to limitation is raised in defence.

(3) has to be dismissed unless sufficient cause for the delay is shown.

(4) can be entertained and decided on merit if court considers it just and proper.

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सूचना — (पृष्ठ 1 वरून पुढे....)

(8) प्रश्नपुस्तिकेमध्ये विहित केलेल्या विशिष्ट जागीच कच्चे काम (रफ वर्क) करावे. प्रश्नपुस्तिकेव्यतिरिक्त उत्तरपत्रिकेवर वा इतर कागदावर कच्चे काम केल्यास ते कॉपी करण्याच्या उद्देशाने केले आहे, असे मानले जाईल व त्यानुसार उमेदवारावर शासनाने जारी केलेल्या "परीक्षांमध्ये होणाऱ्या गैरप्रकारांना प्रतिबंध करण्याबाबतचे अधिनियम-82" यातील तरतुदीनुसार कारवाई करण्यात येईल व दोषी व्यक्ती कमाल एक वर्षाच्या कारावासाच्या आणि/किंवा रुपये एक हजार रकमेच्या दंडाच्या शिक्षेस पात्र होईल.

(9) सदर प्रश्नपत्रिकेसाठी आयोगाने विहित केलेली वेळ संपल्यानंतर उमेदवाराला ही प्रश्नपुस्तिका स्वत:बरोबर परीक्षाकक्षाबाहेर घेऊन जाण्यास परवानगी आहे. **मात्र परीक्षा कक्षाबाहेर जाण्यापूर्वी उमेदवाराने आपल्या उत्तरपत्रिकेचा भाग-1 समवेक्षकाकडे न विसरता परत करणे आवश्यक आहे.**

नमुना प्रश्न

Pick out the correct word to fill in the blank :

Q. No. **201.** I congratulate you _____ your grand success.

(1) for (2) at
(3) on (4) about

ह्या प्रश्नाचे योग्य उत्तर "(3) on" असे आहे. त्यामुळे या प्रश्नाचे उत्तर "(3)" होईल. यास्तव खालीलप्रमाणे प्रश्न क्र. 201 समोरील उत्तर-क्रमांक "③" हे वर्तुळ पूर्णपणे छायांकित करून दाखविणे आवश्यक आहे.

प्र. क्र. 201. ① ② ● ④

अशा पद्धतीने प्रस्तुत प्रश्नपुस्तिकेतील प्रत्येक प्रश्नाचा तुमचा उत्तरक्रमांक हा तुम्हाला स्वतंत्ररीत्या पुरविलेल्या उत्तरपत्रिकेवरील त्या त्या प्रश्नक्रमांकासमोरील संबंधित वर्तुळ पूर्णपणे छायांकित करून दाखवावा. **ह्याकरिता फक्त काळ्या शाईचे बॉलपेन वापरावे, पेन्सिल वा शाईचे पेन वापरू नये.**

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