

1. Equality before law is borrowed from
 (A) USA
 (B) UK
 (C) Canada
 (D) Australia

2. Who among the following has defined jurisprudence as 'the knowledge of things divine and human, the science of right and wrong'?

(A) Blackstone
 (B) Hobbes
 (C) Salmond
 (D) Ulpian

3. Which one of the following is **not** a salient feature of the Constitution of India?

(A) Written Supremacy of the Constitution
 (B) Quasi-federal Structure
 (C) Committed Judiciary
 (D) Distribution of Powers

4. Match **List—I** and **List—II** and select the **correct** answer by using the code given below :

List—I

List—II

- | | |
|--|--------------|
| (a) Theory of Volksgeist | (i) Bentham |
| (b) Theory of Social Interest | (ii) Ihering |
| (c) Theory of Utilitarian | (iii) Burke |
| (d) Gradual and Organic Process Theory | (iv) Savigny |

Code :

- | | | | |
|-----------|------|-------|-------|
| (a) | (b) | (c) | (d) |
| (A) (i) | (ii) | (iii) | (iv) |
| (B) (iv) | (ii) | (iii) | (i) |
| (C) (iv) | (ii) | (i) | (iii) |
| (D) (iii) | (i) | (iv) | (ii) |

5. The general rule is that a taxing statute should be construed _____, that is, a person should not be taxed unless the words of the statute unambiguously impose the tax on him.

(A) beneficially
 (B) leniently
 (C) harmoniously
 (D) strictly

6. In case there is a conflict between the Preamble and other provisions of the Constitution, which will prevail over the other?

(A) Preamble will prevail
 (B) Other provisions will prevail
 (C) Both will go side by side
 (D) Interpretation of the Supreme Court will prevail

7. Which of the following deals with plaint in interpleader suits in the code of civil procedure?

(A) Order 12, Rule 1
 (B) Order 17, Rule 10
 (C) Order 33, Rule 18
 (D) Order 35, Rule 1

8. Which of the following is a 'State' for the purpose of Article 12?

(A) National Council of Educational Research and Training
 (B) Institute of Constitutional and Parliamentary Studies
 (C) Indian Oil Corporation
 (D) High Court of Delhi

9. Which one of the following is external aid to interpretation?
- (A) Title
- (B) Illustrations
- (C) Proviso clause
- (D) Dictionary
10. In which of the following judgements of the Supreme Court, Triple Talaq was declared unconstitutional?
- (A) *Shayara Bano vs. Union of India*
- (B) *Gulshan Parveen vs. Union of India*
- (C) Both (A) and (B)
- (D) None of the above
11. A foreign judgement
- (A) can never be conclusive
- (B) can be conclusive as to any matter indirectly adjudicated upon between the same parties
- (C) can be conclusive as to any matter directly adjudicated upon between the same parties if it has not been pronounced by a court of competent jurisdiction
- (D) can be conclusive as to any matter directly adjudicated upon between the same parties if it has been pronounced by a court of competent jurisdiction
12. "The State Government cannot avoid their constitutional obligation to provide free legal services to the poor accused by pleading financial or administrative inability" is dealt in the case
- (A) *Khatris vs. State of Bihar*
- (B) *Hussainara Khatoon vs. State of Bihar*
- (C) *Prem Shankar Shukla vs. Delhi Administration*
- (D) *Maneka Gandhi vs. Union of India*
13. The right to equality prevents the State from
- (A) making any provisions for women and children
- (B) making 3% reservation for physically handicapped persons
- (C) making special provision for the advancement of socially and educationally backward classes of citizens
- (D) giving reservations in public employment to Scheduled Tribes irrespective of any consideration to efficiency of administration
14. Can a person who has not suffered special damage because of public nuisance or wrongful act affecting the public file a suit?
- (A) Absolutely not
- (B) Yes, provided the plaint is filed by two or more persons and leave of the court is obtained
- (C) Yes, because everyone is a member of the public and can espouse grievance and seek appropriate relief under Section 38 of the Specific Relief Act
- (D) Yes, only if the plaintiff seeks approval and is granted sanction by the Advocate General of the State

15. Order II, Rule 2 of CPC **does not** apply to
- (A) application for execution
 - (B) writ petitions
 - (C) Both (A) and (B)
 - (D) None of the above
16. According to Order 2, Rule 3 of CPC, a plaintiff may unite in the same suit several _____ against the same defendant.
- (A) issues
 - (B) claims
 - (C) causes of actions
 - (D) debts
17. As far as armed forces are concerned, the Fundamental Rights granted under Articles 14 and 19 of the Constitution are
- (A) not available at all
 - (B) available to armed forces but not to other forces
 - (C) available only at the discretion of the Chief of Army Staff
 - (D) available only according to law made by the Parliament
18. When a writ is issued to an inferior court or tribunal on ground of 'exceeding the jurisdiction or acting contrary to the rules of natural justice', it is called a writ of
- (A) *Certiorari*
 - (B) *Mandamus*
 - (C) *Quo Warranto*
 - (D) *Habeas Corpus*
19. The provision to fill 'backlog vacancy' was inserted in Article 16 by which of the following Amendment Acts?
- (A) The 77th Amendment Act, 1995
 - (B) The 81st Amendment Act, 2000
 - (C) The 85th Amendment Act, 2000
 - (D) It was never inserted in Article 16
20. The principle of 'proportionality' in constitutional law is mainly used to test
- (A) validity of contracts
 - (B) reasonableness of restrictions on rights
 - (C) tax laws only
 - (D) election procedures
21. Who among the following holds his/her office at the pleasure of the President?
- (A) The Chairman of UPSC
 - (B) The Attorney General of India
 - (C) The Speaker of the Lok Sabha
 - (D) The Comptroller and Auditor General of India
22. Where a compromise was arrived between parties to a suit by playing fraud, misrepresentation or mistake and a decree was passed with the consent of the parties, then the affected party may select which one of the following alternatives for setting aside such decree, namely the recourse?
- (A) Through appeal
 - (B) Through revision
 - (C) Through review
 - (D) Through second suit

23. The doctrine of 'reading down' is used to

- (A) strike down entire laws always
- (B) expand executive powers
- (C) save a statute by limiting its interpretation
- (D) amend the Constitution

24. Section 25 of Indian Contract Act relates to

- (A) present consideration
- (B) past consideration
- (C) future consideration
- (D) absence of consideration

25. After completion of the trial, the judge pronounced the judgement but did not sign the decree and he is transferred, then

- (A) the decree prepared can be signed by the newly posted judge
- (B) the decree prepared is sent for the approval of the High Court
- (C) the decree is sent for signature to the court to which the trial court is subordinate
- (D) the new judge has to rehear the arguments in the suit

26. In first instance, the President can issue a proclamation of financial emergency for a period of

- (A) fifteen days
- (B) two months
- (C) one month
- (D) six months

27. Damages allowed under Section 73 of the Indian Contract Act are

- (A) liquidated damages
- (B) compensatory damages
- (C) penal damages
- (D) None of the above

28. While constructing a provision in penal statute, if there appears to be a reasonable doubt or ambiguity, it shall be resolved in favour of

- (A) the State Government
- (B) the Union
- (C) the person who would be liable to penalty
- (D) None of the above

29. The concept of Dialectical Materialism is a concept commonly associated with which of the following schools of thought?

- (A) Marxism
- (B) Liberal Theory
- (C) Post-Modernism
- (D) Utilitarianism

30. *Jus cogens* means

- (A) norms
- (B) negotiable norms
- (C) non-derogable norms
- (D) legal norms

31. Which one of the following is a **correct** statement?

- (A) Primacy is not given to all the Directive Principles contained in Part IV of the Constitution over Fundamental Rights
- (B) Primacy is given to all the Fundamental Rights conferred by Articles 14-32 of the Constitution
- (C) Primacy is given to all the Fundamental Rights conferred by Part III of the Constitution over Directive Principles
- (D) Primacy is given only to Directive Principles in Clauses (b) and (c) of Article 39 over Fundamental Rights conferred by Articles 14 and 19 of the Constitution

32. When can the President use his discretion in appointing the Prime Minister?

- (A) When no political party enjoys a clear majority in the Lok Sabha
- (B) Only when the Lok Sabha has been dissolved
- (C) In all circumstances
- (D) In no circumstance

33. For non-compliance of Section 80 of the CPC

- (A) the suit is to be dismissed on very first day
- (B) the suit is to be admitted but summons have to be issued of a date after two months
- (C) the plaint is to be returned
- (D) costs have to be imposed

34. Which Amendment Act fixes the total number of ministers in the Council of Ministers at 15%?

- (A) 91st Amendment Act
- (B) 92nd Amendment Act
- (C) 93rd Amendment Act
- (D) 86th Amendment Act

35. For an 'inter-pleader suit', which of the following conditions is **not** necessary?

- (A) There must be some debt or the property in dispute
- (B) Two or more persons claiming the debt or the property
- (C) There must be suit pending wherein the rights of rival claimants for the debt or the property in dispute can be properly adjudicated
- (D) All of the above

36. Who said that, "Custom is to society what law is to the State. Each is the expression and realization to the measure of man's insight and ability of the principles of right and justice"?

- (A) Keeton
- (B) Halsbury
- (C) Salmond
- (D) Bentham

37. The case *RMD Chamarbaugwalla vs. Union of India* is important for interpretation relating to

- (A) strict liability
- (B) doctrine of severability
- (C) mischief rule
- (D) estoppel

38. John Austin is the exponent of which School of Jurisprudence?

- (A) Sociological School
- (B) Analytical School
- (C) Historical School
- (D) None of the above

39. "A Judge is sworn to determine, not according to his own private judgement, but according to the known laws and customs of the land, not delegated to pronounce a new law, but to maintain and explain the old one."

The above statement was given by

- (A) Bentham
- (B) Blackstone
- (C) Gray
- (D) Salmond

40. Who wrote the book *Law of the Constitution*?

- (A) Dicey
- (B) Salmond
- (C) Maitland
- (D) Gray

41. Hans Kelsen talked about

- (A) validity and rigidity of norms
- (B) validity and propriety of norms
- (C) validity and effectiveness of norms
- (D) validity and solidity of norms

42. According to Transfer of Property Act, instrument means

- (A) a non-testamentary instrument
- (B) a testamentary instrument
- (C) Both (A) and (B)
- (D) None of the above

43. The Transfer of Property Act **does not** contemplate

- (A) actual notice
- (B) implied notice
- (C) notice in transaction
- (D) imputed notice

44. Which one of the following is **not** immovable property?

- (A) Surface of land
- (B) Rivers on surface of land
- (C) Standing timbers
- (D) Things attached to earth

45. Which one of the following are the two main theories of legal right?

- (A) Interest Theory and Fiction Theory
- (B) Realist Theory and Will Theory
- (C) Bracket Theory and Interest Theory
- (D) Interest Theory and Will Theory

46. Possession through an agent or servant is an example of

- (A) corporeal possession
- (B) incorporeal possession
- (C) mediate possession
- (D) immediate possession

47. A transfer of property by ostensible owner for consideration
- (A) shall be void
 - (B) shall be valid
 - (C) shall not be voidable provided the transferee acted in good faith
 - (D) shall be voidable
48. The transfer of 'spes successionis' under the Transfer of Property Act is
- (A) void *ab initio*
 - (B) voidable
 - (C) perfectly valid
 - (D) valid only if approved by the court
49. Duguit has built up his doctrine on the basis of division of labour and social cohesion. It is known as the Doctrine of
- (A) Grundnorm
 - (B) Social Solidarity
 - (C) Positivism
 - (D) Social Plan Theory
50. Which one of the following jurists was hostile to the nature law school?
- (A) Emmanuel Kant
 - (B) John Rawls
 - (C) Jeremy Bentham
 - (D) Stammeler
51. The principle of *lis pendens* pertains to
- (A) public utility
 - (B) auction sale
 - (C) bona fide purchase
 - (D) fraudulent transfer
52. In case of a transfer hit by the doctrine of *lis pendens*, the question of good faith which is essential to be established before an equitable relief can be granted in favour of a subsequent vendee under Sections 41 or 51 of the Transfer of Property Act, 1882 is
- (A) relevant
 - (B) partly relevant
 - (C) totally irrelevant
 - (D) partly irrelevant
53. Mortgagor binds himself to repay the mortgage money on certain date and transfer mortgage property absolutely to mortgagee with a condition that upon repayment of mortgage money, the mortgage will re-transfer it to mortgagor. This type of mortgage is known as
- (A) English mortgage
 - (B) mortgage by deposit of title deed
 - (C) usufructuary mortgage
 - (D) simple mortgage
54. An acceptance may be evoked at any time before the communication of its acceptance is complete
- (A) as against the proposer
 - (B) as against the acceptor
 - (C) as against the person revoking
 - (D) None of the above

55. *Ut Res Magis Valeat Quam Pereat* is also known as

- (A) rule of harmonious construction
- (B) rule of reasonable construction
- (C) rule of *ejusdem generis*
- (D) All of the above

56. The Right of Redemption can be exercised by

- (A) paying the mortgage money to the mortgage outside the court
- (B) depositing the amount due on the mortgage in the court
- (C) regular suit for redemption
- (D) Any one of the above ways

57. The doctrine of Subrogation enables

- (A) third person to stand in the shoes of a creditor
- (B) creditor to sue the debtor
- (C) debtor to postpone the payment
- (D) All of the above

58. A lease of agricultural land is terminable, on the part of either lessor or lessee, by

- (A) one month's notice expiring with the end of a year of the tenancy
- (B) one month's notice
- (C) six months' notice
- (D) six months' notice expiring with the end of a year of the tenancy

59. "Gift compromising of the future property is valid." This statement is

- (A) right
- (B) wrong
- (C) Gift property may be provided in future to validate it
- (D) Future gift will be valid if donee accepted it

60. Which of the following is a leading case on the point of communication of offer?

- (A) *Carlill vs. Carbolic Smoke Ball Co.*
- (B) *Balfour vs. Balfour*
- (C) *Taylor vs. Portington*
- (D) *Lalman Shukla vs. Gauri Dutt*

61. In the case of *Mohori Bibee vs. Dharmodas Ghose*, the law that an agreement by minor is void was settled by the Privy Council on the basis of Section 11 and other related provisions of the Indian Contract Act, 1872. Which principle of interpretation was applied by the Privy Council in this case?

- (A) Literal rule
- (B) Golden rule
- (C) Mischief rule
- (D) Rule of purposive construction

62. "An acceptance is complete as soon as the letter of acceptance is posted whether it reaches the offerer or not."

Which one of the following with regard to the above statement is **correct**?

- (A) According to Indian Law, the rule is valid
- (B) According to English law, the rule is valid
- (C) Both Indian Law and English Law follow the same rule
- (D) None of the above

63. As per the mirror image rule

- (A) the offer and the counter offer must match each other
- (B) the acceptance should be unconditional and thus should correspond to the offer
- (C) the acceptance of the offer should be conditional
- (D) None of the above

64. When the promisor offers to perform his obligation to the promisee, it is called

- (A) novation
- (B) tender of performance
- (C) offer of performance
- (D) Both (B) and (C)

65. An agreement to remain unmarried under Section 26 of the Indian Contract Act is

- (A) valid
- (B) void
- (C) voidable
- (D) unenforceable

66. The Doctrine of Undue Influences was evolved by the

- (A) Privy Council
- (B) Court of Equity in England
- (C) Supreme Court of India
- (D) Supreme Court of USA

67. By threat of suicide, A induced his wife and son to execute a contract. What is it according to the Indian Contract Act?

- (A) An unlawful contract
- (B) A voidable contract
- (C) A void contract
- (D) It is not contract at all

68. Which of the following is **not** a bar to the right to rescind the contract in cases of misrepresentation?

- (A) Lapse of time
- (B) Restitutio in integrum impossible
- (C) Indemnity
- (D) Third party acquires rights

69. When a contract is caused by fraud, the contract is

- (A) void *ab initio*
- (B) voidable from inception
- (C) voidable by subsequent events
- (D) valid

70. A promise to pay time barred debt is

- (A) not enforceable
- (B) enforceable at the discretion of debtor
- (C) enforceable
- (D) None of the above

71. The principle of *res judicata* is also applicable between co-defendants. Which one of the following is **not** an essential condition to bind the co-defendants?

- (A) The co-defendants must have filed joint written statement
- (B) There must be a conflict of interest between the defendants concerned
- (C) It must be necessary to decide this conflict in order to give the plaintiff the relief he claims
- (D) The question between the defendants must have been finally decided

72. A suit bought by a person to recover possession from a stranger of Math property claiming it as heir of the deceased Mahant. The suit is dismissed on his failure to produce the succession certificate. A files subsequent suit as manager of the Math. Is the suit barred?

- (A) The second suit will be barred by *res judicata*
- (B) The second suit will not be barred by *res judicata*
- (C) The second suit is barred by *res sub judice*
- (D) None of the above

73. In which of the following orders there is a provision of temporary injunction?

- (A) XXXII
- (B) XXXIX
- (C) XL
- (D) XXXVII

74. Affidavits to be filed in a court

- (A) can be authenticated by a Minister of State
- (B) cannot be authenticated except by the Judge presiding
- (C) can be authenticated by a Judge, a Magistrate or a Notary
- (D) can be authenticated by an Advocate

75. A contract of life insurance is a

- (A) contingent contract
- (B) wagering contract
- (C) contract of indemnity
- (D) contract of guarantee

76. A sixteen-year-old boy travelling alone in a railway train gets down at a station and asks a vendor the rate of Samosas. The vendor offers ₹ 20 a plate, the boy takes a plate. After eating Samosas he refuses to pay on ground that a minor's contract is not binding. Decide the validity of contract.

- (A) Not binding
- (B) Binding
- (C) Binding only if the guardian of the boy authorized him to buy Samosas
- (D) Binding only if the boy has money

77. The principle of *force majeure* emanates from which provision of the Indian Contract Act, 1872?

- (A) Section 52
- (B) Section 54
- (C) Section 56
- (D) Section 58

78. "If the parties to a contract agree to substitute a new contract for it, or to rescind or alter it, the original contract need not be performed." The statement relates to
- (A) substitute for a contractual party
 - (B) the effect of novation, rescission and alteration of contract
 - (C) unilateral alteration of a contract
 - (D) a substitute contract without consideration
79. A contract is **not** discharged by
- (A) breach
 - (B) frustration
 - (C) novation
 - (D) commercial hardship
80. Which of the following is a statute?
- (A) A circular issued by a private club regulating entry
 - (B) A set of rules made for a game of UNO
 - (C) A bye-law made by the Municipality for segregation of waste
 - (D) A pamphlet instructing the use of a herbal hair dye
81. The effect of ratification under the law of agency is
- (A) prospective
 - (B) retrospective
 - (C) prospective or retrospective depending on the facts and circumstances of the case
 - (D) prospective or retrospective depending on the agreement between the parties
82. The Judiciary when interpreting a criminal statute generally applies which of the following rules of interpretation?
- (A) Forgiveness rule
 - (B) Rule of literal interpretation
 - (C) Beneficial interpretation
 - (D) Golden rule of interpretation
83. 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
84. Transfer of Property Act governs transfers
- (A) between living persons only
 - (B) between living persons and transfers by the order of a court
 - (C) between living persons and transfer by operation of law
 - (D) All of the above
85. As per Section 9 of Transfer of Property Act, 1882, oral transfers are
- (A) valid
 - (B) voidable
 - (C) conditionally valid
 - (D) illegal

86. Rule against perpetuity is applicable to
- (A) movable property only
 - (B) immovable property only
 - (C) both movable and immovable properties
 - (D) transfer for benefit of public
87. Which of the following Sections of the Code of Civil Procedure, 1908 defines 'jurisdiction'?
- (A) Section 2(9)
 - (B) Section 9
 - (C) Section 15
 - (D) Not defined
88. X is living in Pune and Y, his brother in Mumbai. X wants to file a suit for partition of their joint property situated in Delhi and Bangalore.
- In this regard, which of the following is **correct**?
- (A) The suit may be instituted in Delhi only
 - (B) The suit may be instituted in Bangalore only
 - (C) The suit may be instituted either in Delhi or Bangalore
 - (D) None of the above
89. Even an indigent person too has been provided right to appeal by the Code of Civil Procedure, 1908 in
- (A) Order 34
 - (B) Order 24
 - (C) Order 43
 - (D) Order 44

90. Which of the following is a **correct** statement?
- (A) A woman can be arrested for execution of money decree
 - (B) A woman can be arrested and released on bail in execution of money decree
 - (C) A woman cannot be arrested for execution of money decree
 - (D) Money decree cannot be executed against woman
91. A money decree may be executed by
- (A) attachment and sale of any property of the judgement debtor
 - (B) arrest and detention in prison of the judgement debtor for indefinite period
 - (C) Both (A) and (B)
 - (D) Neither (A) nor (B)
92. In a suit against the State Government, who may sign the plaint on behalf of the Government?
- (A) The Governor of the State
 - (B) The Chief Minister of the State
 - (C) The Chief Secretary of the State
 - (D) A person who by a general or special order is appointed on this behalf by the Government
93. Doctrine of Mischief Rule was given under
- (A) *Foss vs. Harbottle*
 - (B) *Heydon's Case*
 - (C) *Thomson vs. Clanmorris*
 - (D) *Foster vs. Diphwys Casson*

94. Which of the following is **not** a general rule of interpretation?

- (A) A statute must be read as a whole
- (B) Same word to have the same meaning
- (C) A construction to avoid absurdity is permissible
- (D) Technical words to have the ordinary meaning

95. *Obiter Dicta* has no binding authority but it helps to

- (A) rationalize legal sanctions
- (B) encourage providing solution to future litigations
- (C) It allows greater prestige to the judge
- (D) It makes the acceptability of precedents more flexible

96. Who among the following is **not** the exponent of the fiction theory of corporate personality?

- (A) Salmond
- (B) Blackstone
- (C) Holland
- (D) Maitland

97. **Assertion (A)** : *Ejusdem Generis* applies only when specific words form a class.

Reason (R) : General words always include everything beyond the specific words.

- (A) **A** and **R** are true and **R** explains **A**
- (B) **A** and **R** are true but **R** does not explain **A**
- (C) **A** is true but **R** is false
- (D) **A** is false but **R** is true

98. **Assertion (A)** : The doctrine of *Casus Omissus* allows courts to fill gaps in a statute.

Reason (R) : Courts may supply missing words if the omission is clearly accidental.

- (A) **A** and **R** are true and **R** explains **A**
- (B) **A** and **R** are true but **R** does not explain **A**
- (C) **A** is true but **R** is false
- (D) **A** is false but **R** is true

99. Which one of the following is **not** an essential element of sale?

- (A) Parties
- (B) Subject matter
- (C) Transfer of conveyance
- (D) Payment of price in cash

100. A judgement can be reviewed on the ground of

- (A) discovery of new and important evidence, not within the knowledge of the party concerned
- (B) mistake of error of fact or law on the face of the record
- (C) Both (A) and (B)
- (D) None of the above