



- (9) A is a tradesman in Guwahati, B carries on business in Delhi. B, by his agent in Guwahati, buys goods of A and requests A to deliver them to Assam Transport Company. A delivers the goods accordingly in Guwahati. A may sue B for the price of the goods at – **(1 Mark)**
- Delhi
  - Guwahati
  - Either in Guwahati, where the cause of action has arisen or in Delhi, where B carries on business.
  - At any Court, at the option of the plaintiff.
- (10) Which provision of the Code of Civil Procedure, 1908 mandates that “Every suit shall be instituted by presenting a plaint in duplicate to the Court or such officer as it appoints in this behalf”? **(1 Mark)**
- (11) Fill in the blank: **(1 Mark)**
- Explanation ..... to section 11 of Code of Civil Procedure, 1908 provides that the principle of *res judicata* is applicable to execution proceedings also.
- (12) Which of the following provisions of the Code of Civil Procedure, 1908 deals with a situation when the plaintiff is in doubt from whom redress is to be sought? **(1 Mark)**
- Order 1 Rule 7
  - Order 1 Rule 9
  - Order 2 Rule 2
  - None of the above.
- (13) The person verifying the pleading shall also furnish an affidavit in support of his pleading. This rule was – **(1 Mark)**
- originally there in the Code of Civil Procedure, 1908 .
  - brought into force by way of amendment w.e.f. 01.02.1977.
  - brought into force by way of amendment w.e.f. 01.07.2002.
- (14) Which provision of the Code of Civil Procedure, 1908 deals with return of plaint? **(1 Mark)**
- (15) Fill in the blank: **(1 Mark)**
- In *Anil Rai Vs. State of Bihar*, reported in (2001) 7 SCC 317, the Supreme Court held that where a judgment is not pronounced within ..... months from the date of reserving judgment any of the parties in the case may file an application in the High Court with prayer for early judgment.
- (16) In which of the following cases, the Supreme Court held that the outer limit for filing written statement prescribed under Order 8 Rule 1 is directory? **(1 Mark)**
- Kailash Vs. Nanhku.*
  - FCI Vs. Shree Shyamji Transport Company.*
  - Gurwant Singh Vs. Surjit Singh.*
  - None of the above.
- (17) Which provision of the Code of Civil Procedure, 1908 lays down the procedure where witness fails to comply with summons? **(1 Mark)**
- (18) Fill in the blank: **(1 Mark)**
- Where, on any day to which the hearing of the suit is adjourned, the parties or any of them fail to appear, the Court may proceed to dispose of the suit in one of the modes directed in that behalf by Order ..... or make such order as it thinks fit.
- [Explanation – Where the evidence or a substantial portion of the evidence of any party has already been recorded and such party fails to appear on any day to which the hearing of the suit is adjourned, the Court may, in its discretion, proceed with the case as if such party were present.]

- (19) Which provision of the Code of Civil Procedure, 1908 provides for submission of written argument in support of the case? *(1 Mark)*
- (20) Which of the following provisions of Code of Civil Procedure, 1908 deals with power of Court to inspect at any stage of the suit to inspect any property or thing concerning which any question may arise? *(1 Mark)*
- (a) Order XVIII Rule 5. (b) Order XVIII Rule 10.  
(c) Order XVIII Rule 13. (d) Order XVIII Rule 18.
- (21) Under what provision of the Code of Civil Procedure, 1908, an order under Rule 1, Rule 2, Rule 2A, Rule 4 or Rule 10 of Order XXXIX is appealable? *(1 Mark)*
- (22) A attacks Z under such circumstances of grave provocation that his killing of Z would be only culpable homicide not amounting to murder. B, having ill-will towards Z and intending to kill him, and not having been subject to the provocation, assists A in killing Z. *(2 Marks)*
- A and B are guilty of what offences?
- (23) A sees Z commit what appears to A to be a murder. A, in the exercise, to the best of his judgment, exerted in good faith, of the power which law gives to all persons apprehending murderers in the act, seizes Z, in order to bring Z before the proper authorities. Whether A has committed any offence, if it turns out that Z was acting in self defence? *(2 Marks)*
- If yes, state why and if not, state reasons.
- (24) A, in a great fire, pulls down houses in order to prevent the conflagration from spreading. He does this with the intention in good faith of saving human life or property. A will not be guilty of offence under what circumstance? *(2 Marks)*
- (25) A is in a house which is on fire, with Z, a child. People below hold out a blanket. A drops the child from the housetop, knowing it to be likely that the fall may kill the child, but not intending to kill the child, and intending, in good faith, the child's benefit. Here, even if the child is killed by the fall, A has committed no offence. State why. *(2 Marks)*
- (26) A is attacked by a mob who attempt to murder him. He cannot effectually exercise his right of private defence without firing on the mob, and he cannot fire without risk of harming young children who are mingled with the mob. Whether A commits any offence if by so firing he harms any of the children? *(2 Marks)*
- (27) A, intending to cause a theft to be committed, instigates B to take property belonging to Z out of Z's possession. A induces B to believe that the property belongs to A. B takes the property out of Z's possession, in good faith, believing it to be A's property. Whether any offences have been committed by A and B? *(2 Marks)*
- (28) A, knowing that Z is labouring under such a disease that a blow is likely to cause his death, strikes him with the intention of causing bodily injury. The blow might not have been sufficient in the ordinary course of nature to cause the death of a person in a sound state of health. A is guilty of what? *(1 Mark)*
- (29) Section 354-A IPC, section 354-B IPC, section 354-C IPC and section 354-D IPC were inserted by Act 13 of 2013. Fill up the gap in section 354-C IPC: *(1 Mark)*
- 354-A : Sexual harassment and punishment for sexual harassment.  
354-B : Assault or use of criminal force to woman.  
354-C :  
354-D : Stalking.

- (30) A sees a ring belonging to Z lying on a table in Z's house. Not venturing to misappropriate the ring immediately for fear of search and detection, A hides the ring in a place where it is highly improbable that it will ever be found by Z, with the intention of taking the ring from the hiding place and selling it when the loss is forgotten. Whether A, at the time of first moving the ring, committed any crime?  
(1 Mark)
- (31) A obtains property from Z by saying – "Your child is in the hands of my gang, and will be put to death unless you send us Rs.10,000/-." What crime A has committed?  
(1 Mark)
- (32) A takes property belonging to Z out of Z's possession in good faith, believing, at the time when he takes it, that the property belongs to himself. After discovering his mistake, A, dishonestly appropriates the property to his own use. A is guilty of an offence under section \_\_\_\_?  
(1 Mark)
- (33) When a death is called 'Dowry death' as per section 304-B IPC? (Exact definition not expected.)  
(3 Marks)
- (34) Application under provisions of which Order of the Code of Civil Procedure, 1908 is excluded in section 5 of the Limitation Act, 1963?  
(1 Mark)
- (35) Which provision of Limitation Act, 1963 provides for exclusion of time of proceeding bona fide in Court without jurisdiction while computing the period of limitation?  
(1 Mark)
- (36) In a suit for specific performance of contract, time from which period of limitation begins to run?  
(2 Marks)
- (37) What is the period of limitation in respect of a suit by a mortgagor to redeem or recover possession of immovable property mortgaged?  
(1 Mark)
- (38) What is the period of limitation under the Limitation Act, 1963 for a suit for compensation for malicious prosecution?  
(1 Mark)
- (39) What is the period of limitation under the Limitation Act, 1963 for a suit to cancel or set aside a decree or for rescission of a contract?  
(1 Mark)
- (40) A judgment was delivered by the Court of Munsiff on 02.05.2017. Certified copy was applied for on 09.05.2017. Date for notifying the requisite number of stamps and folios was fixed on 15.05.2017. Folios and stamps were made over on 22.05.2017. The certified copy was made ready on 30.05.2017. Certified copy was taken delivery on 10.07.2017. The appeal was filed on 17.07.2017.  
(2 Marks)
- (i) When the limitation expired for preferring an appeal against the said judgment?  
(ii) The appeal was barred by how many days.
- (41) For the purpose of section 14 of the Limitation Act, 1963, in excluding the time during which a former civil proceeding was pending, the day on which that proceeding was instituted and the day on which it ended shall both be  
(1 Mark)
- (a) Excluded  
(b) Counted  
(c) Either included or excluded at the discretion of Court  
(d) None of the above.
- (42) Which section of the Limitation Act, 1963 deals with effect of death on or before the accrual of the right to sue?  
(1 Mark)



- (b) Death or imprisonment for life  
(c) Imprisonment for a term which may extend to more than seven years whether with fine or without fine or with death sentence.
- (57) Which provision of the Code of Criminal Procedure, 1973 provides for right of arrested person to meet an advocate of his choice during interrogation, though not throughout interrogation?  
*(1 Mark)*
- (58) In the Code of Criminal Procedure, 1973, provision relating to examination of person accused of rape by medical practitioner is laid down in which section?  
*(1 Mark)*
- (59) On whose request identification of arrested persons can be ordered by the Court in terms of section 54-A of the Code of Criminal Procedure, 1973?  
*(1 Mark)*
- (60) Proclamation under section 82 of the Code of Criminal Procedure, 1973 must be published requiring a person to appear at a specified time by giving minimum of how many days from the date of publication of such proclamation?  
*(1 Mark)*
- (61) Calling upon by the Officer before making a search two or more independent and respectable inhabitants of the locality in which the place to be searched is situated is a mandate under which provision of Chapter - VII of Code of Criminal Procedure?  
*(1 Mark)*
- (62) The Investigating Officer under section 160 of the Code of Criminal Procedure, 1973 cannot require attendance of a male person, at a place other than his place of residence, who is  
*(1 Mark)*
- (a) above the age of 60 years                      (b) above the age of 62 years  
(c) above the age of 65 years                      (d) above the age of 70 years
- (63) A is accused of committing theft on four occasions in 2017, of which two are punishable under section 379 IPC and the other two under section 380 IPC. Whether A can be charged with and tried at one trial for all these offences? State with reasons.  
*(3 Marks)*
- (64) Which section of Code of Criminal Procedure, 1973 provides for alteration or addition of a charge?  
*(1 Mark)*
- (65) In the Code of Criminal Procedure, 1973, power of Court to convert summons-cases into warrant cases is available under which section?  
*(1 Mark)*
- (66) In which of the following cases did the Supreme Court hold that amendment to a complaint is permissible in law, notwithstanding the absence of an enabling provision in the Code of Criminal Procedure, 1973, if it relates to a simple infirmity?  
*(2 Marks)*
- (a) S.R. Sukumar Vs. S. Sunaad Raghuram.  
(b) Charu Khurana & Ors. Vs. Union of India & Ors.  
(c) Murlidhar Shivram Patekar Vs. State of Maharashtra.
- (67) In which of the following cases, the Supreme Court held that if the dismissal of the first complaint is not on merits but the dismissal is for the default of the complainant then there is no bar in filing a second complaint on the same facts.  
*(2 Marks)*
- (a) Pankajbhai Nagjibhai Patel Vs. State of Gujarat & Anr.  
(b) Jatinder Singh & Ors. Vs. Ranjit Kaur.  
(c) Lekh Raj Vs. Munnilal & Ors.
- (68) What is the effect of composition of an offence under section 320 of the Code of Criminal Procedure, 1973?  
*(1 Mark)*
- (69) In the Code of Criminal Procedure, 1973, provisions relating to Plea Bargaining are given in  
*(1 Mark)*

- (a) Chapter XX  
(c) Chapter XXIA

- (b) Chapter XXI  
(d) Chapter XXXVII

(70) Fill in the blank: (1 Mark)

A is accused of the murder of B by beating him. Whatever was said or done by A or B or by the bystanders at the beating, or so shortly before or after it as to form part of the transaction is a relevant fact under section \_\_\_\_\_ of the Indian Evidence Act, 1872.

(71) Fill in the blank:

The question is whether A committed a crime at Calcutta on a certain day. The fact that, on that day A was at Mumbai is relevant. State why? (2 Marks)

(72) Which provision of the Indian Evidence Act, 1872 provides that oral admissions as to contents of electronic records are not relevant, unless the genuineness of the electronic record produced is in question? (1 Mark)

(73) A and B are jointly tried for the murder of C. It is proved that A said – "B and I murdered C." Whether the Court may consider the effect of this confession as against B and if so, why? (2 Marks)

(74) Which provision of the Indian Evidence Act, 1872 deals with relevancy of opinion as to handwriting. (1 Mark)

(75) Which provision of the Indian Evidence Act, 1872 deals with proof of execution of documents required by law to be attested? (1 Mark)

Q 70

Q 71

(76) What are public documents is stated in which section of the Indian Evidence Act, 1872?

(1 Mark)

Q 72

(76) Presumption under section 90-A of the Indian Evidence Act, 1872 is available in respect of electronic records purporting or proved to be (1 Mark)

- (a) three years old  
(c) seven years old

- (b) five years old  
(d) ten years old

Q 73

(77) Under the Indian Evidence Act, 1872, presumption as to abetment of suicide by a married woman is contained in which section? (1 Mark)

(79) Under the Indian Evidence Act, 1872, Judge's power to put questions or order production is contained in which section? (1 Mark)

XXX

Q Announcement made regarding typing mistakes in the Q No. + according Q. No. 1 charged.