

Question Starts.

1. The CPC extends to:
 - a) The whole of India.
 - b) The whole of India, except Jammu & Kashmir.
 - c) The whole of India, except Jammu & Kashmir, Nagaland & its Tribal areas.
 - d) The whole of India, except Jammu & Kashmir, the North East & its Tribal areas.
2. Clerical and arithmetical mistakes in judgments, decrees or order arising from any accidental slip or omission may be corrected under the following section of CPC?
 - a) Section 152
 - b) Section 153
 - c) Section 153 A
 - d) Section 153 B
3. Which of the following statements regarding CPC is not correctly matched:
 - a) Limitation – Order VII, Rule 6
 - b) Relief – Order VII, Rules 7 to 8
 - c) Return of Plaintiff – Order VII, Rules 9 to 10
 - d) Rejection of Plaintiff – Order VII, Rule 11.
4. “Legal Representative” defined under the CPC includes:
 - a) A person who in law represents the estate of a deceased person.
 - b) A person who intermeddles with the estate of the deceased.
 - c) Only (a).
 - d) Both (a) and (b).
5. Which is not true of a “decree” under the CPC:
 - a) Is final when adjudication completely disposes of the suit.
 - b) May be partly preliminary.
 - c) May be partly final.
 - d) Is always preliminary because an appeal can lie against the decree.
6. Under Order VII Rule 1 of CPC, the number of adjournments that can be granted to a party is restricted to
 - a) Four
 - b) Seven
 - c) Three
 - d) Two
7. ‘Revision’ is provided under
 - a) Order XLVII Rule 1 of CPC
 - b) Order XLII Rule 1 of CPC
 - c) Section 112 of CPC
 - d) Section 115 of CPC
8. Review of a judgement can be 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) Neither (a) nor (b).
9. When a party is called upon by notice to admit fact(s) by the other party, under Order XII, Rule 4 of CPC, the party on whom the notice has been served has to admit the facts within
 - a) 6 days of the service of notice
 - b) 7 days of the service of notice
 - c) 8 days of the service of notice
 - d) 9 days of the service of notice
10. Civil Suit for administration of assets belonging to living debtor
 - a) Is not maintainable
 - b) Is maintainable
 - c) Is maintainable at the option of co-sharers
 - d) Is maintainable at the option of Court
11. The right to property or to an office is contested in a suit under CPC. Such suit is a suit of:
 - a) Constitutional nature
 - b) Civil nature
 - c) Criminal nature
 - d) Both Civil and criminal nature

12. *Res Judicata* under CPC connotes that:
- No court shall try any suit or issue in which the matter directly and substantially in issue has been directly and substantially decided in a former suit between the same parties.
 - "Former suit" denotes any prior suit in which the same issue has been directly and substantially decided irrespective of the parties.
 - The competence of the court is terminated irrespective of any provisions as to a right of appeal from the decision of such court.
 - Both (a) and (c).
13. Which among the following is true about "Stay of Suit" in CPC:
- The pendency of a suit in a foreign court does not preclude the courts in India from trying a suit founded on the same cause of action
 - No court shall proceed with a trial of any suit in which the matter in issue is always directly or substantially in issue in a previously instituted suit between the same parties.
 - Neither (a) nor (b).
 - Both (a) and (b).
14. The word "Pleader" under CPC means / includes:
- Any person entitled to appear and plead for another in court.
 - An advocate, a Vakil and an Attorney of the High Court
 - Only (a)
 - Both (a) and (b).
15. "Revenue Court" under CPC:
- Means a court having jurisdiction under any local law to entertain suits or other proceedings relating to the rent of land used for agricultural purposes.
 - Means a court having jurisdiction under any local law to entertain suits or other proceedings relating to revenue or profits of land used for agricultural purposes.
 - Does not include a civil court having original jurisdiction under CPC to try such suits or proceedings as being suits or proceedings of a civil nature.
 - Both (a) and (b).
16. After service of summons, a defendant is required to file a written statement in his defense within:
- 30 days
 - 60 days
 - 90 days
 - 180 days
17. A judgement passed by a court can be reviewed:
- By the court passing the judgement.
 - By the Court of District Judge
 - By the High Court
 - By the Supreme Court.
18. To compel the attendance of a person to whom summon is issued, the court can:
- Issue a warrant for his arrest.
 - Attach and sell his property.
 - Impose a fine, not exceeding rupees five thousand.
 - All of the above.
19. Under CPC the place in which any civil court is held for the purpose of trying any suit is deemed to be:
- An open court.
 - A closed court.
 - A judge's chamber.
 - None of the above.

20. Under Order XIV Rule 5 the court can at any time:
- Amend the issues before passing a decree.
 - Frame additional issues.
 - Strike out any issue that appears to be wrongly framed or introduced
 - Both (a), (b) and (c).
21. When a suit is instituted in the name of a wrong person as plaintiff, the court has power to:
- Order any other person to be substituted as a plaintiff.
 - Order any other person to be added as a plaintiff.
 - Reject the suit.
 - Both (a) and (b).
22. Which of the following statement is true about sections 122 and 125 of the CPC in respect of the word "rules":
- "Rules" means rules and forms contained in the First Schedule or sections 122 and 125 of the CPC
 - "Rules" means rules and forms contained only in sections 122 and 125 of the CPC
 - "Rules" include rules and forms contained in the CrPC
 - "Rules" include rules prescribed under the CPC and all other rules and regulations.
23. When it appears to the court that any joinder of defendants may embarrass or delay the suit, the court:
- May order separate trials
 - Is bound to order joint-trial
 - Has power to eject the suit in toto
 - All the above
24. Which is the most appropriate statement regarding execution of a decree under CPC?
- CPC does not provide for execution of a decree.
 - CPC provides that a decree can be executed by the court which passed it.
 - CPC provides that a decree can be executed either by the court which passed it or by the court to which it is sent for execution.
 - CPC provides that a decree can be executed by the court to which it is sent for execution.
25. When a party fails to present written statement called for by the court:
- The court shall pronounce judgement against him
 - The court shall make order in relation to the suit as it thinks fit.
 - The court shall draw up a decree on pronouncement of such judgement.
 - Any of (a), (b) or (c).
26. Before the enactment of the Transfer of Property Act, 1882, the Courts were forcing to decide property disputes according to their own notion and justice and fairplay,
- because judges were making own laws
 - because of absence of any specific statutory provisions on the property matters
 - because British Judges were confused with Indian property disputes
 - because judges were educated in British property law
27. The Transfer of Property Act, 1882, came into effect from:
- 17th February, 1882
 - 17th March, 1882
 - 1st June, 1882
 - 1st July, 1882

28. Under the Transfer of Property Act, 1882, an instrument means:
- Testamentary instrument
 - Non-testamentary instrument
 - Both testamentary instrument and non-testamentary instrument
 - None of the above.
29. "Registered" under the Transfer of Property Act, 1882, pertains to:
- registration of property
 - registration of documents
 - registration of parties
 - registration of transfer
30. According to the provisions of the Transfer of Property Act, 1882, all interest in property restricted in its enjoyment to the owner personally cannot be transferred by him:
- the statement is false
 - the statement is true
 - the statement does not exist
 - none of the above
31. A mere right to sue under the provisions of the TP Act, 1882, can be transferred. The statement is:
- True.
 - False.
 - Partly true.
 - No such provision is made in the Act.
32. Under the Transfer of Property Act, 1882, "attached to earth" means:
- rooted in the earth, as in the case of trees and shrubs;
 - imbedded in the earth as in the case of walls and buildings; or
 - Attached to what is so imbedded for the permanent beneficial enjoyment of that to which it is attached.
- only (i) and (ii) are correct
 - only (ii) and (iii) are correct
 - only (i) and (iii) are correct
 - all (i), (ii) and (iii) are correct.
33. Under the Transfer of Property Act, 1882, the term "attested" means:
- Attested by two or more witnesses
 - Attested by one witness only
 - Attested by two witnesses only
 - No condition prevails.
34. The chapters and sections of the Transfer of Property Act, 1882, which relate to contracts shall be part of:
- The Indian Registration Act, 1908.
 - The Sales of Goods Act, 1930
 - The Indian Contract Act, 1872
 - The Transfer of Property Act, 1882, as amended
35. Under Transfer of Property Act, 1882, where a writing is not expressly required by:
- a transfer of property is subject to only writing
 - no provision of oral transfer is made
 - a transfer of property may be made without writing in every case
 - none of the above
36. Rule against accumulation is given under which section of the Transfer of Property Act, 1882?
- Section 31
 - Section 27
 - Section 21
 - Section 17
37. Under the provision of the Transfer of Property Act, 1882, the unborn person acquires vested interest on transfer for his benefit
- Upon his birth
 - 7 days after his birth
 - Just 2 days after his birth
 - No such provision is made in the Act .

38. A transfers property to B for life and after his death to C and D, equally to be divided between them, or to the survivors of them. C dies during life of B. D survives B. At B's death the property
- shall pass to any person
 - shall pass to D
 - shall pass to person who is specifically named in transfer
 - none of the above.
39. In the Transfer of Property Act, 1882, sections 33 to 37 apply to both immovable and movable property whereas sections 38 to 53 apply to:
- movable property only
 - immovable property
 - both movable and immovable property
 - none of the above
40. A lessee cannot appeal under section 51 of the Transfer of Property Act, 1882. The statement is:
- True
 - False
 - Partly true
 - None of the above
41. If there are several purchasers, the seller is not concerned with the proportion to be paid by each, but he has a charge on the whole property:
- For the unpaid purchase money.
 - For the paid up money only.
 - Only (b) is correct.
 - None of the above.
42. A gives Rs 500 to B on condition that he shall marry A's daughter C. At the date of the transfer C was dead. The transfer is
- Void
 - Valid
 - Voidable
 - Invalid
43. Under section 6 of the Transfer of Property Act, 1882, a right to future maintenance:
- Can be transferred.
 - Cannot be transferred.
 - No such provision is made in the Act
 - None of the above.
44. Living person as defined under the Transfer of Property Act, 1882, includes:
- Company, association or body of individuals
 - Individual human beings only.
 - Only important companies or associations
 - Only individual human beings, which the Act expressly empowers to transfer.
45. The provisions of some sections of the Transfer of Property Act, 1882, shall not apply in case of a transfer of property for the benefit of the public in the advancement of religion, knowledge, commerce, health, safety or any other object beneficial to mankind, as per the provisions of section 18. These sections are:
- 14, 16 and 17
 - 14, 15, 16 and 17
 - 14, 15 and 18
 - 14, 16 and 18
46. The section 41 of the Transfer of Property Act, 1882, is the statutory application of the law of *estoppel*. The statement is:
- True
 - False
 - Partly true
 - None of the above
47. The terms "good faith" in section 51 of the Transfer of Property Act, 1882 is used in the light of:
- The Sales of Goods Act, 1930
 - The General Clauses Act, 1897
 - The Indian Contract Act, 1872
 - None of the above

48. The doctrine of part performance for sale of immovable property is envisaged under which section of the Transfer of Property Act, 1882?
- Section 43
 - Section 43A
 - Section 53
 - Section 53A
49. Under the provision of the Transfer of Property Act, 1882, which among the following is not a mortgagor's right?
- Right to inspection and production of documents
 - Right to reasonable waste
 - Only (a) is correct
 - Both (a) and (b) are correct
50. When a mortgagor dies, his heir is liable to pay the public charges viz. Government revenue and municipal taxes. The statement is:
- True within the meaning of section 65 of the TP Act, 1882
 - False within the meaning of section 65 of the TP Act, 1882
 - Partly true within the meaning of section 65 of the TP Act, 1882
 - None of the above
51. When a person expresses his opinion to do a thing for getting his approval is called:
- An offer
 - Acceptance of an offer
 - Communication of an offer
 - Communication of acceptance
52. If one party gives offer to another party, then such another party becomes:
- Promiser
 - Promisee
 - Offerer
 - Offerree
53. Which statement is correct?
- Proposal + acceptance = promise
 - Promise + consideration = agreement
 - Agreement + enforceability = contract
 - All of the above
54. Under the provision of Indian Contract Act, 1872, love and affection is an exception to the general rule?
- Past consideration is no consideration
 - A contract without consideration is void
 - Both are correct
 - None of the above
55. Which of the following(s) is/are 'void agreement(s)' according to Indian Contract Act, 1872?
- An agreement in restraint of marriage
 - An agreement in restraint of trade
 - Both (a) and (b) are correct
 - Neither (a) nor (b) is correct
56. A owes money to B under a contract. It is agreed between A, B and C that B shall thenceforth accept C as his debtor instead of A. The consequence of the above agreements is that:
- The old debt of A to B is still conditional.
 - A new debt from C to B has been contracted.
 - C has to pay A the money received from B.
 - B has the option to pay the debt to A.

57. A agrees to buy from B a certain horse. Later it turns out that the horse is dead at the time of bargain. But neither A nor B was aware of the fact that the horse was dead. Such agreement is:
- Void
 - Voidable
 - Partly void
 - Partly voidable
58. A "consideration" under the Indian Contract Act, 1872, may be:
- Present
 - Past
 - Future
 - One among (a), (b) and (c).
59. An agreement not enforceable by law is:
- Valid
 - Voidable
 - Quasi-contract
 - Void
60. In a valid contract, what comes first:
- Proposal
 - Promise
 - Acceptance
 - Enforceability
61. Mistake of fact:
- Makes a contract voidable
 - Does not make a contract voidable
 - Makes a contract void
 - None of the above
62. X offers to sell his house for Rs. 10,00,000 to anyone who is willing to pay the price. Y finds the offer price reasonable and conveys his acceptance to Z, a very close friend of X, stating that the message should be conveyed immediately so that other prospective buyers may not accept the offer before him. Is there a binding acceptance by X?
- No, because Y did not convey the message immediately.
 - No, because the message was not conveyed to A himself.
 - Yes, because the message was conveyed to a very close friend.
 - Yes, because Y has conveyed his acceptance.
63. Communication of offer or proposal becomes complete when:
- It comes to the knowledge of any third party
 - The offer or the proposal has been sent ordinarily
 - It comes to the knowledge of the offerree or to the person to whom the offer or the proposal is made
 - None of the above.
64. Generally a proposal may be revoked at any time before communication:
- Of its acceptance
 - Of its proposal
 - Of its approval by a third party
 - Both (a) and (b)

65. A offers to sell his car to B for Rs. 1,00,000. Robert accepts all the terms and conditions for sale and Rs. 100 as advance for sale. A laughs and believing that B will pay the rest later on accepts the money. There is:
- No contract, because Rs. 100 is too small advance for buying a car worth Rs. 1,00,000.
 - No contract, because A takes it as a kind of joke.
 - Contract, because B paid a consideration of Rs. 100.
 - Contract, because B promises to pay the remaining amount later.
66. A offers to sell her book to B for Rs. 100. B says that she is willing to pay only Rs. 80. Priya says nothing. There is:
- A contract for sale at Rs.80.
 - A contract for sale at Rs. 100 since A says nothing to the change in the term of offer.
 - No contract for sale since B did not pay Rs.80 immediately.
 - No contract for sale since B has changed the term of offer.
67. The object of an agreement or consideration is lawful when:
- It is not forbidden by law
 - It does not defeat the provision of law
 - It does not involve injury to any person or any property
 - All the above
68. A person finds goods belonging to X and takes the goods to his own home, than the person has:
- Not to return the goods to X
 - To give any amount as compensation to X at his own discretion
 - To keep half and pay compensation for half the goods to X
 - To return the goods to X
69. Tomba says, "Chaoba, if you are willing to pay Rs. 500 for my gold watch now, I will give it immediately". Chaoba replied, "If you say so, I will give you Rs. 500 now". Tomba says, "Okay". There is:
- An agreement for sale since Tomba says okay.
 - No agreement for sale since Tomba did not pay Rs. 500 immediately.
 - No agreement for sale since Rs. 500 is too small for the gold watch.
 - No agreement for sale since Tomba believes that Chaoba does not have Rs. 500 at that time.
70. Henry, aged 17 years, and Sally, aged 17 years, agree to marry each other. The agreement is:
- Valid, since both agree to the marriage.
 - Voidable, at the option of Henry.
 - Voidable, at the option of Sally.
 - Void, being unlawful.
71. Ibohal made a written contract with Boyai whereby Boyai has to paint the house of Ibohal for which he will get Rs. 20,000. Shortly after signing the contract, Boyai told Ibohal, "after the job is done, give the money to my daughter Sana. Since she is marrying soon, I want to give her a surprise gift". Sana is aware of the statement and later she marries. Soon thereafter Boyai asks Ibohal to pay him the amount instead of paying his daughter, since her husband is a drunkard. Against whom can Sana enforce her agreement to pay her Rs. 20,000:
- Ibohal
 - Boyai
 - Both Ibohal and Boyai
 - Neither Ibohal nor Boyai

72. An agreement is a:
- Promise with consideration
 - Promise only
 - Proposal only
 - Offer only
73. An agreement enforceable by law is a:
- Reciprocal promise
 - Mere agreement
 - Contract
 - Quasi contract
74. X contracts with Y that if X practices as an advocate in Manipur, he will pay Y Rs. 10,000. X practices as an advocate in Manipur. Y is entitled to such compensation:
- An amount a little more than Rs. 10,000
 - An amount a little less than Rs. 10,000
 - Rs. 10,000 or as the court thinks reasonable
 - None of the above
75. X and Y jointly owe Rs. 500 to Z. X alone pays the amount to Z, and Y not knowing the fact pays Rs. 500 again to Z. Then Z is:
- Bound to repay the amount to Y
 - Not bound to repay the amount to Y, because it is his fault
 - Bound to repay half the amount to Y
 - None of the above.
76. The delay under the provision of Limitation Act, 1963, can be condoned on
- an oral application
 - a verbal application
 - a written application
 - either (a) or (b) or (c)
77. Limitation for filing an appeal commences from
- the date of signing of the decree
 - the date of judgement
 - the date of application for copy of the judgement
 - the date of availability of copy of the judgement
78. The provisions of section 3 of the Limitation Act 1963 are:
- Mandatory
 - Directory
 - Discretionary
 - Optional
79. Time which has begun to run can be excluded in case of:
- Minority
 - Insanity
 - Idiocy
 - None of the above
80. In computing the period of limitation for appeal, review or revision, the time requisite for obtaining a copy of the decree or order appealed shall be:
- Included
 - Excluded
 - Partly included
 - Partly excluded
81. For a suit filed by or on behalf of Central Government or any State Government, the period of limitation is
- one year
 - three years
 - twelve years
 - thirty years.
82. A judgement was passed on 10.07.2016, and the decree prepared on 25.07.2016. An application for certified copy was made on 11.07.2016 and the certified copy was ready on 01.08.2016, and delivery of certified copy was taken on 05.08.2016, under section 12 of the Limitation Act, the period to be excluded is
- 10.07.2016 to 01.08.2016
 - 10.07.2016 to 05.08.2016
 - 11.07.2016 to 01.08.2016
 - 11.07.2016 to 05.08.2016.

83. An appreciation for special leave to appeal to the Supreme Court can be filed within
- 30 days to 180 days depending upon the subject-matter
 - 30 days to 90 days depending upon the subject-matter
 - 60 days to 180 days depending upon the subject-matter
 - 60 days to 90 days depending upon the subject-matter.
84. Period of limitation for enforcement of a decree of mandatory injunction is
- 1 year
 - 2 years
 - 3 years
 - 12 years
85. Period of limitation for suits relating to immovable property is
- 3 years to 12 years
 - 12 years
 - 3 years to 30 years
 - 30 years
86. 'Time requisite' under section 12(2) of Limitation Act means
- minimum time
 - maximum time
 - actual time taken
 - absolutely taken time.
87. An application for condonation of delay under section 5 Limitation Act
- has to be considered by the court on merits, however the order may not be passed with reasons
 - has to be considered by the court on merits, however it is discretionary for the to pass order with or without reasons
 - has to be considered by the court on merits and order has to be passed with reasons
 - has to be considered by the court on merits, however the order need not be passed with reasons.
88. Section 22 of the Limitation Act, 1963, refers to the case of:
- Successive breach of contract
 - Continuing breach of contract
 - Both (a) and (b)
 - Neither (a) nor (b).
89. Time excluded has to be considered on the basis of
- Information available from the copy judgement/decree placed on record
 - Information as to copies obtained by the parties for court purposes
 - Information as to copies obtained by the parties for others purposes
 - Information as to copies not placed on record but made available to the court.
90. Under Section 12(2) of the Limitation Act, 1963, the time taken / lapsed between the date of judgement and the date of decree has to be:
- Excluded without any application for certified copy having been made during the period
 - Excluded only when an application for certified copy having been made during the period
 - Excluded in both (a) and (b)
 - Excluded in neither (a) nor (b).
91. For condonation of delay under section 5 of the Limitation Act 1963:
- Length of delay is the main criterion
 - Length of delay has no relevance, but acceptability of the explanation is the only criterion,
 - Length of delay certainly matters apart from the acceptability of the explanation
 - Either (a) or (c)

92. The period of limitation in any suit for which no period of limitation is prescribed in the Schedule is:
 a) One year
 b) Two years
 c) Three years
 d) Four years
93. Period of limitation for a review of the judgement is
 a) 180 days
 b) 90 days
 c) 60 days
 d) 30 days
94. An acknowledgement
 a) Extinguishes the original cause of action
 b) Creates a new cause of action
 c) Merely confirm a liability
 d) All of the above.
95. All instruments for the purpose of the Limitation Act, 1963, shall be deemed to be with reference to:
 a) Gregorian Calendar
 b) Swiss Calendar
 c) English Calendar
 d) Roman Calendar
96. A suit for arrears of maintenance can be filed within
 a) One year
 b) Two years
 c) One to three years
 d) Three years.
97. Period of limitation for suits relating to trusts and trust property is
 a) 1 year
 b) 1 year to 3 years
 c) 3 years to 12 years
 d) 12 years to 30 years
98. Which is not correct of law of limitation
 a) Limitation bars the judicial remedies
 b) Limitation is negative in its operation
 c) Limitation is procedural law
 d) Limitation bars the extra judicial remedies
99. The period spent in prosecuting the case in the Consumer Forum can be:
 a) Included
 b) Excluded
 c) Partly included
 d) Partly excluded
100. Under section 17 of the Limitation Act 1963, the limitation starts running from:
 a) The date of the mistake
 b) The date of discovery of the mistake
 c) Either (a) or (b), depending on the facts and circumstances of the case
 d) Either (a) or (b), as per the direction of the Court.

Question Ends.