

MANIPUR JUDICIAL SERVICE GRADE-III EXAMINATION 2014-15

LAW PAPER – I

Section A – 25 marks.
Section B – 25 marks.
Section C – 25 marks.
Section D – 25 marks.

Total marks : 100
Duration : 3 hours.

SECTION – A

(Each question carries 5 marks)

1. Write the PREAMBLE of the Constitution of India.
2. What is the difference in jurisdiction vested in High Court and Supreme Court of India under Article 32, 226 and 227 of the Constitution of India?
3. Who appoints the Governor of a State? What is his term of office? What are the qualifications required for being appointed as a Governor? Can a Governor be removed during his tenure? If so, under what circumstances – Refer to the last judgment of the Supreme Court of India in this regard.
4. Who can issue a proclamation of Emergency and for how long? What are the effects of proclamation of Emergency?
5. Write a short note on appointment and conditions of office of a Judge of a High Court.

SECTION – B

(Each question carries 5 marks)

1. What is a Suit of interpleader ? In such a suit what statements are to be made in the Plaint in addition to other statements necessary for the plaint?
2. When a suit is ready for hearing, who has the right to begin. Has the defendant in a suit a right to begin, if so, under what circumstances?
3. Where the decree holder for the possession of immovable property is resisted or obstructed by any person from obtaining possession of the property in the Execution Case, what is the procedure to be followed?
4. In which case the Court may issue commission to examine witness?
5. Under what circumstances the Court can appoint a receiver?

SECTION – C

(Each question carries 5 marks)

1. What is a "Sale"? How is a sale made?
2. What is a Mortgage by conditional sale?
3. Who can sue for redemption?
4. How leases are made?
5. Is gift a transfer. If so, what is the difference between a "Transfer" and a "Gift"?

SECTION – D

(Each question carries 5 marks)

1. Write a short note on "Contingent Contract".
2. Define "Consent", "Free Consent", "Coercion" and "Undue Influence".
3. What do you mean by "Contract of Guarantee", "Surety", "Principal Debtor" and "Creditor"?
4. What is ratification and what is its effect?
5. Define "Bailment", "Bailor" and "Bailee" in terms of the Indian Contract Act, 1872.

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LAW PAPER – II

Section A – 25 marks.

Section B – 25 marks.

Section C – 25 marks.

Section D – 25 marks.

Total marks : 100

Duration : 3 hours.

SECTION – A

(Each question carries 5 marks)

1. When culpable homicide is not murder – Write a short note.
2. In case of Robbery is there an element of theft or extortion. If yes, explain in which case theft is robbery and in which case extortion is robbery.
3. What is the difference between “Common Intention” and “Common Object”. Answer with reference to Section 34 and Section 149 of the Indian Penal Code.
4. Write a note on “Kidnapping” and “Abduction”. Is there any difference? If yes, what is the difference?
5. An accused gives one blow with a pair of scissors on the chest of the deceased without any intention to cause death. What offence the accused commits and why?

SECTION – B

(Each question carries 5 marks)

1. When information is given to an Officer-in-Charge of a Police Station of the Commission within limits of such station of a non-cognizable offence, what procedure is to be followed by such officer-in-charge of the police station.
2. When police may arrest without warrant? Write a note.
3. Is there any scope of further investigation once report after completion of investigation is forwarded to a Magistrate empowered to take cognizance. If yes, under what circumstances?
4. Can a person not being an accused be proceeded against by the Court in course of an inquiry or trial of an offence. If yes, under what circumstances.
5. When a Magistrate on receipt of a complaint of an offence of which he is authorised to take cognizance finds that the offence complained of is triable exclusively by the Court of Session, what procedure such Magistrate shall follow and under which provision of Code of Criminal Procedure?

SECTION – C

(Each question carries 5 marks)

1. Under Section 90 of the Indian Evidence Act, 1872, what is presumption as to documents which are thirty years old?
2. What is Estoppel? When the Rule of Estoppel cannot be invoked?
3. Write a short note on “Primary Evidence” and “Secondary Evidence”. In which case, Secondary Evidence relating to documents be given ?
4. Write a short note on “Public Documents” and “Private Documents” with examples.
5. Opinion as to hand writing, when relevant ? Write a short note.

SECTION – D

(Each question carries 5 marks)

1. Write a short note on applicability of “Malfeasance”, “Misfeasance” and “Non-feasance”.
2. What is the difference between “LIBEL” and “SLANDER” ?
3. In an action for malicious prosecution what the plaintiff is required to prove.
4. What is the distinction between a “Contract” and a “Tort” ? Write a short note.
5. What is the difference between “Fraud” and “Deceit”.