

THE GAUHATI HIGH COURT AT GUWAHATI

(The High Court of Assam, Nagaland, Mizoram and Arunachal Pradesh)

Main Written Examination for direct recruitment in Grade-III of Arunachal Judicial Service, 2019

Paper-I

English

Date: 03.10.2019 (Thursday)

Time: 9 AM to 12 PM

Total: 100 Marks

Duration: 3 Hours

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1. Write an essay on any one of the subjects: **20 x 1 = 20**
- (a) Bar and Bench relationship.
- (b) Status of women in Arunachal Pradesh.
- (c) Media trial.
2. Out of the given alternatives, choose the one which best expresses the meaning of the given word: **1 x 10 = 10**
1. Lethal
- (a) Unlawful (b) Deadly (c) Sluggish (d) Smooth
2. Placate
- (a) Pity (b) Embroil (c) Appease (d) Amuse
3. Debilitate
- (a) Weaken (b) Attack (c) Surmount (d) Destroy
4. Abridge
- (a) Abort (b) Span (c) Shorten (d) Cross
5. Spite
- (a) Concern (b) Admiration (c) Malice (d) Indifference
6. Lethal

- | | | | | |
|----------------|------------------|-------------------|-----------------|------------------|
| | (a) Dreary | (b) Dreadful | (c) Deadly | (d) Strange |
| 7. Parochial | | | | |
| | (a) Reluctant | (b) Narrow-minded | (c) Troublesome | (d) Gloomy |
| 8. Reprisal | | | | |
| | (a) Appreciation | (b) Retaliation | (c) Assessment | (d) Compensation |
| 9. Applaud | | | | |
| | (a) Flatter | (b) Pray | (c) Praise | (d) Request |
| 10. Excruciate | | | | |
| | (a) Refine | (b) Torture | (c) Extract | (d) Imprison |

3. Choose the word opposite in meaning to the given word from out of the alternatives:

10 x 1 = 10

- | | | | | |
|------------------|----------------|----------------|------------------|---------------------|
| 1. Overt | | | | |
| | (a) Deep | (b) Shallow | (c) Secret | (d) Unwritten |
| 2. Juxtaposition | | | | |
| | (a) Difference | (b) Opposition | (c) Separation | (d) Appropriateness |
| 3. Abhorrence | | | | |
| | (a) Aversion | (b) Liking | (c) Appreciation | (d) Fear |
| 4. Acquitted | | | | |
| | (a) Entrusted | (b) Convicted | (c) Burdened | (d) Freed |
| 5. Belie | | | | |
| | (a) Argue | (b) Justify | (c) Admire | (d) Approve |
| 6. Comic | | | | |
| | (a) Painful | (b) Fearful | (c) Tragic | (d) Emotional |
| 7. Impound | | | | |
| | (a) Generate | (b) Strengthen | (c) Stimulate | (d) Release |

8. Spurious
 (a) False (b) Genuine (c) Simple (d) Systematic
9. Lissome
 (a) Ungainly (b) Huge (c) Pungent (d) Crude
10. Mitigate
 (a) Stagnate (b) Suffer (c) Aggravate (d) Instigate

4. Please find out which one of the words most appropriately replace the group of words given below: **10 x 1 = 10**

1. Every person is not allowed to enter the place where public, government or historical records are kept:
 (a) Scullery (b) Pantry (c) Archives (d) Coffor
2. This process is a long one as it involves too much official formality:
 (a) Diplomacy (b) Bureaucracy (c) Nepotism (d) Red-tapism
3. A man can be sentenced to death for killing another human being:
 (a) Fratricide (b) Regicide (c) Homicide (d) Genocide
4. Ravi impressed everyone with his persuasive and fluent speech:
 (a) Discourse (b) Expression (c) Eloquence (d) Lecture
5. Change of appearance to deceive or to hide the identity:
 (a) Disguise (b) Dissemble (c) Dupe (d) Display
6. The line where the land and the sky seem to meet:
 (a) Atmosphere (b) Milky way (c) Horizon (d) Distant land
7. Branch of medicine concerned with children and their illness:
 (a) Cardiology (b) Osteopathy (c) Paediatrics (d) Morphology

8. A remedy for all diseases:
 (a) Couch syrup (b) Panacea (c) Medicine (d) Inhaler
9. That cannot be defeated:
 (a) Invincible (b) Invulnerable (c) Infallible (d) Indictable
10. Fear of closed spaces:
 (a) Claustrophobia (b) Aqua phobia (c) Botanophobia (d) Kleptomania
5. Pick out the most effective word from the given words to fill in the blank to make the sentence meaningfully complete. **10 x 1 = 10**
1. His companions prevailed upon him not to _____ to violence.
 (a) Refer (b) resort (c) prone (d) provoke (e) Pertain
2. He made a slight _____ of judgment for which he had to repent later
 (a) error (b) slip (c) mistake (d) blunder (e) inexactness
3. Success comes to those who are vigilant not to permit _____ from the chosen path.
 (a) diversion (b) deviation (c) obstruction (d) alienation (e) distraction
4. Everyone of us should endeavour to _____ the miseries of the poor
 (a) diffuse (b) mitigate (c) condemn (d) suppress (e) acknowledge
5. The children _____ crackers to celebrate the victory of their team
 (a) burst (b) fired (c) shot (d) broke (e) released
6. I want to have a _____ of flats on rental basis
 (a) block (b) pack (c) set (d) conclave (e) suite
7. Many a times newspapers _____ the news to make it sensational
 (a) disturb (b) devalue (c) distort (d) divulge (e) disfigure

8. Everyone knows that he is not _____ to hard work.
(a) trained (b) accustomed (c) willing (d) suitable (e) addicted
9. There are _____ views on the issue of giving bonus to the employees
(a) independent (b) divergent (c) modest (d) adverse (e) valuable
10. He very successfully _____ all the allegations levelled against him.
(a) extricated (b) eradicated (c) retaliated (d) rebutted (e) protected
6. Whom do you consider your role model? Write briefly on him. **20 x 1 = 20**
7. In each of the following questions, an incomplete statement followed by some fillers is given. Please select the best one which can complete the incomplete statement correctly and meaningfully. **2 x 10 = 20**
1. This book is quite similar _____
(a) than a story told by our teachers
(b) to the one I read last week
(c) of that film we saw at school
(d) with the 'Treasure Island'.
2. With great difficulty, _____
(a) he could not tolerate his nonsense
(b) he could lose his temper
(c) he could keep his cool
(d) he could get annoyed
(e) he could perform his usual functions easily.
3. If they share burden alternatively, they _____
(a) can't feel tiring

- (b) will get tired soon
 - (c) won't get tired
 - (d) will get fatigued
4. Seeing that the child was ill, the _____
- (a) windows of the room were closed
 - (b) doctor was sent for
 - (c) mother sent for the doctor
 - (d) bottle of medicine was found empty
5. Whichever way you approach the problem, _____
- (a) no one will not solve it
 - (b) it will not be solve
 - (c) it will not solve
 - (d) it will not be solved
6. He is so lazy that he _____
- (a) always extends help to others to complete their work
 - (b) dislikes to postpone the work that he undertakes to do
 - (c) can seldom complete his work on time
 - (d) cant delay the schedule of completing the work
 - (e) cant depend on others for getting his work done
7. _____ at all is doubtful
- (a) He will come
 - (b) His coming

- (c) Will he come
 - (d) If he will come
 - (e) Whether he will come
8. Wait here _____
- (a) while I come back
 - (b) unless I return back
 - (c) until I have come back
 - (d) till I come back
9. The doctor warns him that unless he gives up smoking _____
- (a) he will be able to recover
 - (b) he will not suffer
 - (c) his health will soon be recovered
 - (d) he will not recover
10. The income tax raid was too sudden _____
- (a) then the man escaped
 - (b) for the man to escape
 - (c) so that the man escaped
 - (d) for the man escaping.
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THE GAUHATI HIGH COURT AT GUWAHATI

(The High Court of Assam, Nagaland, Mizoram and Arunachal Pradesh)

Main Written Examination for direct recruitment in Grade-III of

Arunachal Pradesh Judicial Service, 2019

PAPER-II

GENERAL KNOWLEDGE

Date: 03.10.2019 (Thursday)

Time: 1 PM to 4 PM

Total: 100 Marks

Duration: 3 Hours

I. Give the correct answer from the choices given below.

20 X 2 = 40

1. Which is the smallest North East state in India?
(a) Manipur (b) Nagaland
(c) Sikkim (d) Tripura
2. "The Hornbill Festival" is a celebration held every year from 1 - 10 December in which state of India?
(a) Sikkim (b) Manipur
(c) Nagaland (d) Mizoram
3. In which of the following states, the biggest river island in the world is situated?
(a) Uttar Pradesh (b) West Bengal
(c) Assam (d) Maharashtra
4. Which Indian state is popularly known as "God's Own Country"?
(a) Gujarat (b) Kerala
(c) Madhya Pradesh (d) Assam
5. _____ is popularly known as the 'Land of the Highlanders' and is one of the states of the North East India.
(a) Mizoram (b) Manipur
(c) Arunachal Pradesh (d) Nagaland
6. Birdie and Eagle are two terms related to which of the following sports?
(a) Polo (b) Golf
(c) Chess (d) Billiards
7. Who among the following is first Indian to win an individual gold medal at any Olympic Games?
(a) Abhinav Bindra (b) P.V. Sindhu
(c) Rajyavardhan Singh Rathore (d) Mary Com
8. Which of the following games were previously called 'British Empire Games' ?
(a) East Asian Games (b) Southeast Asian Games
(c) Olympic Games (d) Commonwealth Games
9. Which is the Arunachal Pradesh state Tree?
(a) Mango (b) Hollong
(c) Peepal (d) None of these

10. On which date and year Arunachal Pradesh became 24th State of the Indian Union?
 (a) 20 January, 1988 (b) 20 October, 1987
 (c) 20 February, 1987 (d) 26 January, 1986
11. Which one country does not share its border with Arunachal Pradesh?
 (a) China (b) Myanmar
 (c) Bhutan (d) Nepal
12. Which film has been nominated for Oscar 2019 as India's official entry?
 (a) Gully Boy (b) Raazi
 (c) Padmavat (d) Village Rockstars
13. What is the name of Chandrayaan 2 lander from which Indian Space Research Organisation (ISRO) lost its contact when it was 2.1Km away from the surface of the moon?
 (a) Vikram Lander (b) Phoenix Lander
 (c) Viking 2 Lander (d) Mars Polar Lander
14. _____ became the first Indian to win World Championships gold in badminton.
 (a) P V Sindhu (b) PullelaGopichand
 (c) SainaNehwal (d) SrikanthKidambi
15. The study of day-to-day variations in weather is called -
 (a) Climatology (b) Meteorology
 (c) Cyclogensis (d) Seisomology
16. The natural process of the earth atmosphere heating through the trapping of re-radiated infra-red radiation is known as -
 (a) Global warming (b) Green house effect
 (c) Solar heating (d) Thermal inversion
17. Which of the following pairs is incorrect?
 (a) Plague - Rats (b) Rabies - Dogs
 (c) Tapeworm - Pig (d) Poliomyelitis - Monkeys
18. What is the normal playing time of the full version of our National Anthem?
 (a) 1 minute (b) 1 minute 30 seconds
 (c) 52 seconds (d) 50 seconds
19. The inscription of India's National Emblem, "SatyaMevaJayte" is a quotation from
 (a) Gandhiji's writings (b) Nehru's Speeches
 (c) Mundak Upanishad (d) None of these.

20. The first IPS Women Officer was

- | | |
|----------------|------------------|
| (a) Kiran Bedi | (b) Anna Chandi |
| (c) Leila Seth | (d) P.K. Thresia |

II. Find the Odd One Out from the given alternatives?

2 X 5 = 10

- | | |
|-----------------------------|-------------------------|
| 21. (a) Jeevan Raksha Padak | (b) Param Vir Chakra |
| (c) Padma Bhushan | (d) Bharat Ratna |
| 22. (a) Google | (b) Firefox |
| (c) Internet Explorer | (d) Chrome |
| 23. (a) M H Ansari | (b) Abdul Kalam |
| (c) Pranab Mukherjee | (d) Dr. Rajendra Prasad |
| 24. (a) Dollar | (b) Peso |
| (c) Ounce | (d) Euro |
| 25. (a) Copper | (b) Iron |
| (c) Iodine | (d) Tin |

III. Write the full forms of the following abbreviations (any five)

2 X 5 = 10

26. (a) MBBS
(b) SIM
(c) UPSC
(d) DTP
(e) CSIR
(f) BPO
(g) BBC

IV. Choose the correct answer:-

$2\frac{1}{2} \times 8 = 20$

27. Vikram travels 160 Kms at 32 Km per hour and returns at 40 km per hour. The average speed is -

- | | |
|-----------------------|-----------------------|
| (a) 33.33 Km per hour | (b) 34.67 Km per hour |
| (c) 36 Km per hour | (d) 35.55 Km per hour |

28. The price of a chair is Rs. 500. It has been sold at two successive discounts of 10 % each. What is its selling price?

- | | |
|---------------|---------------|
| (a) Rs. 400/- | (b) Rs. 415/- |
| (c) Rs. 425/- | (d) Rs. 405/- |

29. A sum of Rs. 25,000/- amounts to Rs. 31,000/- in 4 years at the rate of simple interest. What is the rate of simple interest?

- | | |
|--------|--------|
| (a) 3% | (b) 4% |
| (c) 5% | (d) 6% |

30. A watch is listed for Rs. 230/- and is sold at a discount of 12%, then the sale price of the watch is -
- (a) Rs. 27.60 (b) Rs. 276.00
(c) Rs. 202.40 (d) Rs. 257.60
31. The number of pupils of a class is 55. The ratio of the number of male pupils to the number of Female pupils is 5:6. The number of Female pupils is -
- (a) 11 (b) 25
(c) 30 (d) 35
32. If 60% of the candidates in an examination are male and number of female candidates are 812, how many male candidates are there in the examination?
- (a) 1128 (b) 1218
(c) 1821 (d) 1281
33. Suresh, the son of Mahesh is married to Sia, whose sister Jia is married to Amar, the brother of Suresh. How is Jia related to Mahesh?
- (a) Daughter in law (b) Cousin
(c) Sister in law (d) Sister
34. If CENTURION is coded as 325791465, and RANK as 18510, what will the figure 78510 represent?
- (a) TANK (b) BANK
(c) TAKE (d) SANK

V. Write on any one of the following topics :-

1 X 20 = 20

35. (a) North-East Frontier Agency.
(b) Impact of technology on jobs.
(c) Article 370 of the Constitution of India.
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THE GAUHATI HIGH COURT AT GAUHATI

(THE HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Main Written examination for direct recruitment to Grade-III of Arunachal Pradesh Judicial Service, 2019

Date: 04.10.2019

Time: 9 AM to 12 PM

Total Marks: 100

Duration: 3 Hours

LAW PAPER-I

Code Of Civil Procedure

1. What are the conditions required to be satisfied before a Court orders compensatory costs for false or vexatious claims or defences in a suit or other proceeding? (3 Marks)
2. The Court which passed a decree may send the decree for execution to another Court of competent jurisdiction. What are the conditions need to be considered by the Court before the order transferring the decree for execution is passed? (3 Marks)
3. What are the various modes of settlement of dispute outside the Court? Provisions of which Act is applicable for referring dispute to LokAdalat? (1 + 1 = 2 Marks)
4. On which ground/grounds an ex parte decree against defendant(s) can be set aside? Whether a wife can file an application for setting an aside an ex parte decree for divorce obtained by her husband even though the husband expired before moving such an application? Who shall be the respondents in such an application? (1 + 1 + 1 = 3 Marks)
5. When can a Court issue commission for examination of witness in a case? Whether the Court can pass an order for issue of commission on its own? (1 + 1 = 2 Marks)
6. What are the different kinds of issues? When issues arise in a suit or proceeding? Whether issues can be framed before filing of the written statement? (1 + 1 + 1 = 3 Marks)
7. What is the procedure where one of several plaintiffs or defendants dies and right to sue survives? What is the procedure to be adopted by the Court when it appears to it that any party who died during the pendency of the suit has no legal representative? (1 + 2 = 3 Marks)
8. Where is the power of the High Court or the District Court to transfer any suit, appeal or other proceeding pending before it for trial or disposal to any Court subordinate to it? (2 Marks)
9. Answer any four of the following: (1x4= 4 Marks)
 - (a) The Code of Civil Procedure came into force on which day?
 - (b) What is an Order in the context of the Civil Procedure Code?

- (c) What is a preliminary decree?
- (d) When objection as to the place of suing shall not be allowed by the Appellate or Revisional Court?
- (e) Who may appeal as an indigent person?
- (f) Who can apply for review of a decree or an order?
- (g) What do you understand by the term "Judgment"?

Constitution Of India

10. Answer any three of the following: (3 x 1 = 3 Marks)
 - (a) The authority to enact law to increase or diminish the area of a state lies with whom?
 - (b) Who are the citizens of India at the time of commencement of the Constitution?
 - (c) What does the term "the State" appearing in various provisions in Part-III of the Constitution of India means?
 - (d) Which article of the Constitution of India provides that no person accused of any offence shall be compelled to be a witness against himself?

11. What are the protections given to a person against arrest and detention? What are the exceptions to this provision? (1 + 1 = 2 Marks)

12. Write short notes on any two of the following: (2 x 2 = 4 Marks)
 - (a) Consolidated Fund of India.
 - (b) Money Bill.
 - (c) Directive Principles of State Policy.
 - (d) President of India.

13. What is the legislative power of the President? Is the President empowered to promulgate ordinance while the Parliament is not in session? What is the relevant provision on the legislative power of the President? (1 + 1 + 1 = 3 Marks)

14. What is the tenure of a Governor of a state? What are the qualifications necessary for a person to be appointed as a Governor? Whether a member of Parliament can be appointed as a Governor of a state? (1 + 1 + 1 = 3 Marks)

15. Explain the doctrine of pleasure envisaged under Article 310 of the Constitution of India. (2 Marks)

16. Does the Constitution of India provide special provisions for administration of tribal areas in the state of Assam? Which tribal area is lastly included in such provision and in which year? (1 + 1 = 2 Marks)

17. What are the different kind of writs High Court can issue? What are the rights enforced by issuing writs? (2 + 2 = 4 Marks)

18. Who is the appointing authority of the District Judge and the other officers of Judicial Service?
Who the appointing authority is required to consult for appointment of District Judge and
appointment of Judicial Officers other than District Judge? (1 + 1= 2 Marks)

Contract Act

19. What are the conditions necessary to be satisfied for an agreement to grow into a contract? (2 Marks)
20. What are the essentials of a legally enforceable contract? (2 Marks)
21. Who are competent to contract? What would be the effect of a contract entered by a minor?
(1 ½ + 1 1/2= 3 Marks)
22. When a person is said to be of sound mind for the purpose of contracting? (2 Marks)
23. What do you understand by "Free Consent"? Enumerate the factors which vitiate "Consent".
(2 + 2= 4 Marks)
24. If the transaction appears to be unconscionable then whose burden it is to prove that the
contract was not induced by undue influence? (1 Mark)
25. Define "Misrepresentation". (1 Mark)
26. What is the effect of refusal to accept offer of performance? What are the conditions required to
be fulfilled while making such offer? (1 ½ + 1 1/2= 3 Marks)
27. Define "contract of indemnity"? Illustrate with an example. (1 + 1= 2 Marks)
28. What are the consequences of breach of contract? (2 Marks)
29. Define any two of the following: (1 ½ x 1 ½= 3 Marks)
- (a) Bailment.
 - (b) Contract of guarantee.
 - (c) Agent.
 - (d) Pledge.

Transfer Of Property Act

30. Write short notes on any three of the following: (2 x 3= 6 Marks)
(a) Actionable Claim.
(b) Rule against perpetuity.
(c) Sale.
(d) Mortgage by deposit of title deeds.
31. What is a lease? Distinguish between lease from license. (2 + 2= 4 Marks)
32. What do you mean by doctrine of merger? Explain. (2 Marks)
33. What do you understand by the term "Gift"? What are the essentials of a valid gift of movable property? (1 ½ + 1 ½= 3 Marks)
34. Who are the persons competent to transfer? When a transfer operates? (1 ½ + 1 1/2= 3 Marks)
35. What do you understand by "transfer of property"? Whether a company can transfer property? (1 + 1= 2 Marks)
36. What is redemption? Who can exercise the right to redeem? (1 + 1= 2 Marks)
37. What is vested interest? Distinguish between vested and contingent contract. (1 + 2= 3 Marks)
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THE GAUHATI HIGH COURT AT GUWAHATI

(The High Court Of Assam, Nagaland, Mizoram and Arunachal Pradesh)

Main written examination for direct recruitment to Grade-III of Arunachal Pradesh, 2019

LAW PAPER-IV

Date: 04.10.2019 (Friday)

Time: 1 PM to 4 PM

Total Marks: 100

Duration: 3 Hours

INDIAN PENAL CODE

1. A intentionally causes Z's death, partly by illegally omitting to give Z food, and partly by beating Z. What offence is committed by A? Give reasons with relevant provisions of law. **(2 Marks)**
2. 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. Whether A and B will be liable for the same offence or different offence? Give reasons with relevant provisions of law. **(2 Marks)**
3. What are the various kinds of punishment provided in the Indian Penal Code? What is/are the difference between simple and rigorous imprisonment? **(2 Marks)**
4. A is sentenced to fine of Rupees Four Hundred and four months imprisonment in default of payment. After completion of one month in jail, an amount of rupees two hundred is paid. What order should you pass? **(2 Marks)**
5. When the right of private defence is not available against an act? To what extent the right of private defence may be exercised? **(2 Marks)**
6. In order to get the benefit of general exception u/s. 84 IPC, the accused has to prove his legal insanity and not mere medical insanity. Explain. **(2 Marks)**

7. Choose the right option:

(1 x 5= 5 Marks)

- (i) A, a police officer, whose duty is to prevent robbery, abets the commission of robbery, though robbery be not committed. A will be liable for:-
 - (a) Same punishment had the robbery been committed.
 - (b) One half of the longest term of imprisonment provided for the offence, and also fine.
 - (c) One fourth of the longest term of imprisonment provided for the offence and also fine.

- (ii) A informs a Magistrate that Z, a police officer, subordinate to such Magistrate has been guilty of neglect of duty or misconduct knowing such information as to be false, and knowing it to be likely that the information with the Magistrate to dismiss Z. A has committed an offence under section:-
 - (a) 182 IPC.
 - (b) 192 IPC.
 - (c) 193 IPC.

- (iii) A holds Z down and fraudulently takes Z's money and jewels from Z's clothes without Z's consent. What offence is committed by A:-
 - (a) Extortion.
 - (b) Theft.
 - (c) Robbery.

- (iv) The offence of Criminal Force is defined in Section:-
 - (a) 349
 - (b) 350
 - (c) 352

- (v) A makes an attempt to steal some jewels by breaking open a box and finds after so opening that there is no jewel in it:-
 - (a) A has committed theft.
 - (b) A has not committed the offence of mischief.
 - (c) A has committed the offence of attempt to commit theft.

8. What are the ingredients of criminal conspiracy? Is criminal conspiracy an independent offence? Z, a common friend of A and B came to the residence of A and B in the morning and told that he would stay for the night as he has some work on the next day. A and B agreed to kill Z by mixing poison with the meal at dinner. However because of some urgency Z did not stay and returned back by afternoon flight on the same day. Are A and B liable for any offence? Give reasons for your answers. **(4 Marks)**

9. When culpable homicide is not murder? **(4 Marks)**

CODE OF CRIMINAL PROCEDURE

10. Define (any two): **(1 X 2= 2 Marks)**
(a) Victim.
(b) Inquiry.
(c) Offence.

11. Choose the correct option: **(1 X 6= 6 Marks)**
(i) If a Magistrate not being empowered by law take cognizance of an offence under clause (a) or clause (b) of sub-section 190:-
(a) It is an irregularity which does not vitiate the proceeding.
(b) It is an irregularity which vitiates the proceeding.
(c) None of the above.

(ii) A is charged with cheating B and the manner in which he cheated B is not set out in the charge. There were many transactions between A and B and A had no means of knowing to which of them the charge referred, and offered no defence:
(a) No error in the charge.
(b) There is material error in the charge.
(c) Error is no material.

(iii) The offence u/s. 376 IPC shall be tried as far as practicable by a Court presided over by a woman:
(a) Yes.
(b) No.

(c) None of the above.

(iv) Power of arrest by Magistrate is provided in Section:

(a) 44 CrPc.

(b) 47 CrPc.

(c) 82 CrPc.

(v) Period of limitation for filing an application for recovery of maintenance allowance due u/s. 125 Crpc is:

(a) One Year.

(b) Three years.

(c) No limitation.

(vi) A Judicial Magistrate of 1st Class upon conviction of a person u/s. 380, 457 and 435 of IPC imposed sentence of imprisonment for 2 years u/s. 380 IPC, 2 years 6 months u/s. 475 IPC and for 3 years u/s. 435 IPC. Are the sentences were to run consecutively:

(a) Sentence is beyond the jurisdiction of the Magistrate.

(b) Sentence is within the jurisdiction of the Magistrate.

12. Discuss briefly the procedure to be followed at the time of taking cognizance, when the accused is found to be residing at a place beyond his territorial jurisdiction. **(2 Marks)**

13. Discuss regarding place of trial of offence committed by letter etc. and where an act is an offence by reason of relation to other offence. **(2 Marks)**

14. Briefly discuss the procedure to be followed when there is a complaint case and police investigation in respect of the same offence. **(2 Marks)**

15. When Court may alter charge? What is the procedure to be followed when charge is altered? What is the effect of error of charge? **(2 Marks)**

16. Discuss the procedure for disposal of property at the conclusion of trial and custody and disposal during pendency of trial, with relevant provisions of law.

(4 Marks)

17. Discuss the procedure for trial of a warrant case (instituted on police report) by Magistrate. **(5 Marks)**

EVIDENCE

18. Write short notes (any two): **(2 ½ X 2 = 5 Marks)**

- (i) Hostile Witness.
- (ii) Promissory Estoppel.
- (iii) Onus of proof and burden of proof.

19. Distinguish between presumption of law and presumption of facts. **(2 Marks)**

20. General rule is that admissions are to be proved against a person who makes them or his representative-in-interest; but they cannot be proved by the person, who makes them or by his representative-in-interest. What are the exceptions?

(2 Marks)

21. Is confession of a co-accused relevant? A is on trial for murder of C. There is evidence to show that C was murdered by A and B and that B made a confession- "A and I murdered C". Whether the confession made by B can be taken into consideration against A? Answer with relevant provisions of law. **(3 Marks)**

22. Discuss the mode of proof of execution of a document required by law to be attested and the document not required by law to be attested. Name one document which the law requires to be attested. **(3 Marks)**

23. When leading question can be asked? Can a party ask leading question to his own witness during examination-in-chief? If yes, under what circumstances? Answer with relevant provisions of law. **(3 Marks)**

24. Relevancy and admissibility are not co-extensive terms. Explain. **(3 Marks)**

25. What is secondary evidence? When secondary evidence relating to a document can be given? Whether notice u/s. 66, evidence is required when the document to be proved itself is not a notice? **(4 Marks)**

TORT

26. Write short notes (any two): **(3 X 2= 6 Marks)**

- (i) Composite negligence with illustration.
- (ii) The maxim "Ex Turpi Causa Non Oritur Actio".
- (iii) Absolute and qualified privilege.

27. Answer any two: **(5 X 2= 10 Marks)**

- (i) Discuss the doctrine of alternative danger referring case law.
- (ii) What is "Innuendo"? Explain the rule of innuendo.
- (iii) Privity of contract is irrelevant in an action for tortious liability. Discuss referring to case laws.

28. Distinguish between (any three): **(3 X 3= 9 Marks)**

- (i) Contributory Negligence and Volenti Non Fit Injuria.
 - (ii) General and Special Damages.
 - (iii) Liquidated and Unliquidated Damages.
 - (iv) Fair Comment and justification as defence in defamation suit.
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