

**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 Assam Judicial Service, 2020  
PAPER – I (English)**

Total Marks: 100  
Date: 21-01-2021

Duration: 03 Hours  
Time: 9:00 AM

Paper- I (English)

1. Write an essay on "Lessons learnt from the year 2020". [20 marks]
2. Write a précis on the following passage. [20 marks]

The arrow is the projection of an intention into space.

Once the arrow has been shot, there is nothing more the archer can do, except follow its path to the target. From that moment on, the tension required to shoot the arrow has no further reason to exist. Therefore, the archer keeps his eyes fixed on the flight of the arrow, but his heart rests, and he smiles.

If he has practised enough, if he has managed to develop his instinct, if he has maintained elegance and concentration throughout the whole process of shooting the arrow, he will, at that moment, feel the presence of the universe, and will see that his action was just and deserved.

Technique allows the hands to be ready, the breathing to be precise, and the eyes to be trained on the target. Instinct allows the moment of release to be perfect. Anyone passing nearby, and seeing the archer with his arms open, his eyes following the arrow, will think that nothing is happening. But his allies know that the mind of the person who made the shot has changed dimensions: it is now in touch with the whole universe. The mind continues to work, learning all the positive things about the shot, correcting possible errors, accepting its good qualities, and waiting to see how the target reacts when it is hit.

When the archer draws the bow-string, he can see the whole world in his bow. When he follows the flight of the arrow, that world grows closer to him, caresses him and gives him a perfect sense of duty fulfilled.

A warrior of light, once he has done his duty and transformed his intention into gesture, need fear nothing else: he has done what he should have done. He did not allow himself to be paralysed by fear. Even if the arrow failed to hit the target, he will have another opportunity, because he did not give in to cowardice.

3. Give the collective nouns for the following: [1 marks each]

- i. A ..... of owls.
- ii. A ..... of rioters.
- iii. A ..... of Lions.
- iv. A ..... of geese.
- v. A ..... of worshipers.

4. Give the names of homes of the respective animals: [1 marks each]

- i. Lion.
- ii. Dog.
- iii. Bee.
- iv. Horse.
- v. Rabbit.

5. Give the sounds of the respective animals: [1 marks each]

- i. Bees.
- ii. Cow.
- iii. Donkey.
- iv. Elephant.
- v. Hyena.

6. Name the young ones of the following animals: [1 marks each]

- i. Deer.
- ii. Goat.
- iii. Swan.
- iv. Horse.
- v. Sheep.

7. Give the singular/plural form: [1 marks each]

- i. Curriculum.
- ii. Deer.
- iii. Memorandum.
- iv. Thesis.
- v. Syllabus.

8. Give the correct prepositions: [1 marks each]

- i. He came to the class ..... several minutes.
- ii. The swallows flew ..... the tree.
- iii. The child drew the picture ..... a crayon.
- iv. The bus went ..... the tunnel.

v. The caterpillar turned ..... A butterfly.

9. Give the proper Antonyms of the following words:

[1 marks each]

- |                |               |
|----------------|---------------|
| i. Joy.        | vi. Comedy.   |
| ii. Knowledge. | vii. Drunk.   |
| iii. Admit.    | viii. Accept. |
| iv. Sharp.     | ix. Increase. |
| v. Above.      | x. Abundant.  |

10. Give the proper Synonyms of the following words:

[1 marks each]

- |               |               |
|---------------|---------------|
| i. Brave.     | vi. Gentle.   |
| ii. Thankful. | vii. Freedom. |
| iii. Yearly.  | viii. Lucky.  |
| iv. Split.    | ix. Former.   |
| v. Unmarried. | x. Infant.    |

11. Give the meaning of the following expressions:

[1 marks each]

- |                   |                       |
|-------------------|-----------------------|
| i. Granary.       | vi. Ornithologist.    |
| ii. Amnesia.      | vii. Ophthalmologist. |
| iii. Widower.     | viii. Apposite.       |
| iv. Amphibian.    | ix. Otiose.           |
| v. Dermatologist. | x. Diet Money.        |

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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 Assam Judicial Service, 2020  
PAPER – II (General Knowledge)**

Total Marks: 100  
Date: 21-01-2021

Duration: 03 Hours  
Time: 1:00 PM

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- 1) Which of the following National Park has been renamed as Rajiv Gandhi National Park:  
(a) Nameri National Park; (b) Manas National Park; (c) Orang National Park; (d) Dibru-Saikhowa National Park.
- 2) Kaziranga National Park was declared as a World Heritage Site by UNESCO in the year:-  
(a) 1980; (b) 1985; (c) 1990; (d) 1995.
- 3) Which is the largest District in Assam by area:  
(a) Karbi Anglong; (b) Kamrup (Metro); (c) Golaghat, (d) Dhubri.
- 4) The Asom Divas is celebrated on –  
(a) 10<sup>th</sup> December; (b) 2<sup>nd</sup> December; (c) 15<sup>th</sup> August; 26<sup>th</sup> January.
- 5) In which location, the Manas river joins the Brahmaputra river?  
(a) Dhubri; (b) Jogighopa; (c) Bilasipara; (d) Halakura.
- 6) Which town is also known as the Manchester of Assam?  
(a) Sualkuchi; (b) Hajo; (c) Barpeta; (d) Halakura.
- 7) In which year did *Assamese* get recognition as the State language of Assam?  
(a) 1947; (b) 1950; (c) 1985; (d) 1961.
- 8) Assam came under President's rule for the first time in the year-  
(a) 1985; (b) 1990; (c) 2001; (d) 1979.
- 9) In which year was the Gauhati High Court established?  
(a) 1947; (b) 1948; (c) 1950; (d) 1951.
- 10) Ali-aai-Ligang is an agri-based festival celebrated by the-  
(a) Bodo; (b) Mishing; (c) Rabha; (d) Garo.
- 11) The historic Assam accord was signed on-  
(a) 26<sup>th</sup> January, 1985; (b) 15<sup>th</sup> August, 1985; (c) 26<sup>th</sup> June, 1985; (d) 15<sup>th</sup> March, 1985.
- 12) Who compiled and published the first Assamese dictionary in 1867?  
(a) Oliver Cutter; (b) Miles Bronson; (c) Hiren Gohain; (d) Horen Biswas.
- 13) Which is the first Assamese newspaper?  
(a) Pratidin; (b) Dainik Asom; (c) Dainik Batori; (d) Jagnagan.
- 14) Who was the teacher of Srimanta Sankardev (15<sup>th</sup> Century Vashnavite Saint of Assam)?  
(a) Mahendra Kandali; (b) S.K. Bhuyan; (c) Khersuti; (d) Kusumber Bhuyan.
- 15) The Assamese person who has been awarded the Dada Saheb Phalke Award.  
(a) Dr. Bhupen Hazarika; (b) Parbati Prasad Barua; (c) Dr. Banikanta Kakoti; (d) Jyotiprasad Agarwala.
- 16) Assamese novelist Joyasree Goswami Mahanta has won the Sahitya Academy Awards 2019 for her novel –

- (a) Chanakya; (b) Dronacharya; (c) Tothar Anguthi; (d) Asom Andolan.
- 17) Who wrote the book *Discovery of Assam* ?  
 (a) Satis Chandra Kakati; (b) Shyamal Saha; (c) Sanjoy Kalita; (d) M.P. Goswami.
- 18) The war of Saraighat was fought between the Ahom and Mughal in the year:  
 (a) 1771; (b) 1650; (c) 1671; (d) 1670.
- 19) The Ahom kingdom was established in the year:  
 (a) 1228; (b) 1250; (c) 1253; (d) 1220.
- 20) *Rang Ghar* was constructed during the reign of-  
 (a) Pramatta Singha; (b) Rudra Singha; (c) Raghu Dev; (d) Biswa Singha.
- 21) Assam region was separated from the Bengal Presidency in the year –  
 (a) 1906; (b) 1926; (c) 1874; (d) 1947.
- 22) The first rebellion against the British rule in Assam in 1828 was led by:  
 (a) Gomdhar Knowar; (b) Kanaklata Baruah; (c) Maniram Dewan; (d) Ashalata Baruah.
- 23) The first peasant Uprising against the British was known as:  
 (a) Battle of Saraighat; (b) Patharughat Rajmal; (c) Phulaguri; (d) None of the above.
- 24) The Treaty of Yandaboo was signed between East India Company and which one of the following?  
 (a) King of Koch; (b) King of Ahom; (c) King of Burma; (d) King of Bhutan.
- 25) Which one of the following places is the confluence of three highly revered pilgrimages for the Hindu, Muslim and Buddhists?  
 (a) Dhubri; (b) Sibsagar; (c) Surya Pahar; (d) Hajo.
- 26) Which district was separated from Assam and given to Pakistan in 1947?  
 (a) Dhaka; (b) Sylhet; (c) Bengal; (d) Khulna.
- 27) Which State was separated from Assam in 1963?  
 (a) Tripura; (b) Nagaland; (c) Mizoram; (d) Meghalaya.
- 28) In which place the first battle fought by Ahom king against the Mughals?  
 (a) Saraighat; (b) Itakhuli; (c) Hajo; (d) Kacharighat.
- 29) Who is the only Assamese President of Indian National Congress?  
 (a) Maniram Dewan; (b) Tarun Ram Phukan; (c) Deva Kanta Baruah; (d) Fakhruddin Ali Ahmed.
- 30) Mahatma Gandhi first visited in Assam in the year:  
 (a) 1918; (b) 1919; (c) 1920; (d) 1921.
- 31) In which of the following year the Guwahati University was founded?  
 (a) 1948; (b) 1947; (c) 1950; (d) 1949.
- 32) Who was the first female Judge of Gauhati High Court?  
 (a) Meera Sharma; (b) Kanaklata Baruah; (c) Anuradha Sarma; (d) Chandana Das.
- 33) The Assam Police Day is observed on:  
 (a) 1<sup>st</sup> October; (b) 2<sup>nd</sup> December; (c) 5<sup>th</sup> June; (d) 31<sup>st</sup> January.
- 34) At which place the Nameri Wildlife Sanctuary is located?  
 (a) Kamrupa; (b) Kokrajhar; (c) Nalbari; (d) Sonitpur.
- 35) In which year, National Games was held in Assam:  
 (a) 2002; (b) 2004; (c) 2005; (d) 2007.
- 36) Which city of Assam has the largest dry fish market of Asia:  
 (a) Tanga; (b) Jagiroad; (c) Dhubri; (d) Tinsukia.
- 37) Total number of Parliamentary constituency in Assam:  
 (a) 12; (b) 13; (c) 14; (d) 16.
- 38) In which hill top, the Kamakhya Temple is located:  
 (a) Nilachal Hill; (b) Umachal Hill; (c) Sandhyachal Hill; (d) Chitrachal Hill.
- 39) In which year, the capital of Assam shifted from Shillong to Dispur:

- (a) 1950; (b) 1955; (c) 1971; (d) 1973.
- 40) Total number of National Parks in Assam  
(a) 3; (b) 4; (c) 5; (d) 7.
- 41) Total number of bridges over the river Brahmaputra:  
(a) 4; (b) 5; (c) 6; (d) 7.
- 42) Total number of Districts in Assam:  
(a) 25; (b) 26; (c) 27; (d) 33.
- 43) Who is the first barrister of Assam:  
(a) Holiram Deka; (b) Pranab Borooah; (c) Anundoram Borooah; (d) Parul Das.
- 44) The literacy rate of Assam according to 2011 census is:  
(a) 72.19%; (b) 72.58%; (c) 73.12%; (d) 73.98%.
- 45) About 91% of world population of a particular animal species found in Kaziranga National Park is which one of the following:  
(a) Asian hog deer; (b) Pygmy hog; (c) Asiatic wild buffalo; (d) Sangai deer.
- 46) In which of the following National Parks/ Wildlife Sanctuaries, the density of rhino population is the highest:  
(a) Manas; (b) Kaziranga; (c) Pobitora; (d) Nameri.
- 47) The highest concentration of forest in the State of Assam occurs in:  
(a) Karbi Anglong district; (b) Dima Hasao district; (c) Goalpara district; (d) Dhubri district.
- 48) In addition to Assamese, which other language from the State is included in the Eight Schedule of the Indian Constitution.  
(a) Mishing; (b) Rabha; (c) Tiwa; (d) Bodo.
- 49) First Governor of Independent Assam?  
(a) Gopinath Bordoloi; (b) Abdul Malik; (c) Sir Akbar Hydari; (d) Maidul Islam Bora.
- 50) Match List-1 with List-II and select the correct answer using the codes given below the list:
- | <u>List-I</u> | <u>List-II</u>  |
|---------------|---|
| (i) PMMY      | (1) Self employment scheme.                                   |
| (ii) PMRY     | (2) Scheme for funding non-corporate non-farm activity.       |
| (iii) PMGSY   | (3) Credit-link subsidy scheme for housing.                   |
| (iv) PMAY     | (4) Scheme for all-whether road connectivity for rural India. |
- 51) In India the voting age was reduced from 21 years to 18 years by:  
(a) 45<sup>th</sup> Amendment; (b) 61<sup>st</sup> Amendment; (c) 78<sup>th</sup> Amendment; (d) 23<sup>rd</sup> Amendment.
- 52) Who among the following recommends distribution of taxes between the Union and the State Government?  
(a) Prime Minister; (b) Reserve Bank of India; (c) Finance Minister; (d) Finance Commission.
- 53) Who among the following decides the Foreign Policy of India?  
(a) President; (b) Council of ministers; (c) Parliament; (d) Prime minister.
- 54) National Aquatic Animal of India?  
(a) Crocodile; (b) Blue Whale; (c) Dolphin; (d) Anaconda.
- 55) Which is the most costly city in the world?  
(a) Guwahati; (b) Tokyo; (c) London; (d) Mumbai.
- 56) Diamond and graphite are-  
(a) Metals; (b) Isomers; (c) Allotropes; (d) Homologous.
- 57) When our National Anthem was first sung and where?  
(a) 15<sup>th</sup> August, 1947 in Delhi; (b) 26<sup>th</sup> January, 1950 in Delhi; (c) 27<sup>th</sup> December, 1911 in Calcutta; (d) 29<sup>th</sup> December, 1911 in Calcutta.
- 58) Which city hosted the 2018 Secure India Conclave?

- (a) Guwahati; (b) New Delhi; (c) Mumbai; (d) Jaipur.
- 59) Vande Mataram, the nationalist song, was a part of:  
(a) Gita; (b) Anand Math; (c) Durgesh Nandini; (d) Saraswati Chandra.
- 60) *Dhing* Express is the nickname given to which Indian sprint runner:  
(a) Hima Das; (b) P.T. Usha; (c) Dutee Chand; (d) Karnam Malleswari.

**LEGAL APTITUDE TEST SECTION:**

- 61) Under section 96 CPC, no appeal can be filed -  
(a) against a compromise decree.  
(b) against a decree in any suit cognizable by the Courts of Small Causes, except on a question of law.  
(c) both (a) and (b).  
(d) only (a) is correct and (b) is incorrect.
- 62) Preliminary decree is one -  
(a) which determines the rights of the parties with regard to some or one of the matters in controversy in the suit but does not finally dispose of the suit.  
(b) which determines the rights of the parties with regard to some or one of the matters in controversy in the suit, which may have the effect of final disposal of the suit.  
(c) both (a) and (b).  
(d) neither (a) nor (b).
- 63) Constructive *res judicata* is contained in-  
(a) explanation III to section 11.  
(b) explanation IV to section 11.  
(c) explanation VI to section 11.  
(d) explanation VII to section 11.
- 64) Provisions of section 10 of CPC are-  
(a) directory.  
(b) mandatory.  
(c) non- mandatory.  
(d) discretionary.
- 65) A suit for damages for breach of contract can be filed at a place-  
(a) where the contract was made.  
(b) where the contract was to be performed or breach occurred.  
(c) anywhere in India.  
(d) both (a) and (b).
- 66) A suit is bad for non- joinder of a necessary party, as provided for -  
(a) under Order I, Rule 9 of CPC.  
(b) under Order I, Rule 10 of CPC.  
(c) under Order I Rule 10A of CPC.

- (d) under Order I, Rule 11 of CPC.
- 67) On the ground that an amendment may take the suit out of the jurisdiction of that Court—  
(a) is a ground for refusing that amendment.  
(b) may be a ground for refusing so much of the prayer for amendment, which would take the suit out of the jurisdiction of that Court.  
(c) is no ground for refusing that amendment.  
(d) may be a ground for refusing that amendment.
- 68) In a suit, the list of witnesses has to be filed by the parties —  
(a) before settlement of issues.  
(b) after settlement of issues.  
(c) at any time.  
(d) all the above.
- 69) A right to file counter-claim has been provided —  
(a) under Order VIII, Rule 6A of CPC.  
(b) under Order VIII, Rule 6B of CPC.  
(c) under Order VIII, Rule 6C of CPC.  
(d) under Order VIII, Rule 6D of CPC.
- 70) Under Order IC Rule 4 of CPC, a suit can be restored if dismissed —  
(a) under Order IX, Rule 2 of CPC.  
(b) under Order IX, Rule 3 of CPC.  
(c) under Order IX, Rule 8 of CPC.  
(d) only under (a) and (b).
- 71) Judgment on admission can be given—  
(a) under Order XII, Rule 8 of CPC.  
(b) under Order XII, Rule 6 of CPC.  
(c) under Order XII, Rule 2 of CPC.  
(a) under Order XX, Rule 1 of CPC.
- 72) Who shall produce the evidence first—  
(a) plaintiff.  
(b) defendant.  
(c) either plaintiff or defendant.  
(d) as directed by the Court.
- 73) Judgment and decree have been dealt in CPC —  
(a) under Order XIX.  
(b) under Order XX.  
(c) under Order XXA.  
(d) under Order XXI.

- 74) An executing Court-
- (a) can modify the terms of the decree.
  - (b) can vary the terms of the decree.
  - (c) can modify and vary the terms of the decree.
  - (d) can neither modify nor vary the terms of the decree.
- 75) Abetment in context of civil proceeding means-
- (a) suspension or termination of proceedings in an action for want of proper parties.
  - (b) the process of bringing on record the legal representatives of the party on death of a party to the suit.
  - (c) the process of seeking permission to file a fresh suit on the same cause of action on the death of either party.
  - (d) all the above.
- 76) Interlocutory injunction can be granted-
- (a) *ex parte*.
  - (b) only after service of notice to the other party.
  - (c) only after hearing both the parties.
  - (d) all the above.
- 77) Interlocutory injunction can be granted to a party establishing-
- (a) a *prima facie* case in his or her favour.
  - (b) balance of convenience in his or her favour.
  - (c) irreparable injury to him or her in the event of non- grant of injunction.
  - (d) all the above.
- 78) Reference means-
- (a) the orders given by the High Court to the Courts subordinate to the High Court.
  - (b) the opinion sought of the High Court by the Courts subordinate thereto on a question of law.
  - (c) the opinion sought of the High Court by the Courts subordinate thereto on a question of fact.
  - (d) the opinion sought of the Supreme Court by the High Court either on a question of law or fact.
- 79) Right to lodge a *caveat* has been provided under-
- (a) section 147 of CPC.
  - (b) section 148 of CPC.
  - (c) section 148A of CPC.
  - (d) section 151 of CPC.

- 80) Order XVII, Rule 1 of CPC restricts the number of adjournment to be granted to a party to-
- (a) five.
  - (b) four.
  - (c) three.
  - (d) two.
- 81) Principle: An agreement may be entered into orally or in writing, or by conduct.  
Facts: *A* went to the shop of *B* and picked a toothbrush and gave a cheque of Rs.20/- to *B* and left the shop.
- (a) Payment of toothbrush cannot be made through a cheque.
  - (b) *A* did not enter into an agreement with *B*.
  - (c) *A* should have carried a currency note of Rs.20/- to make the payment.
  - (d) There was an agreement between *A* and *B*.
- 82) Principle: Law never enforces an impossible promise.  
Facts: *A* made a promise to *B* to discover treasure by magic.
- (a) Law will not enforce the promise.
  - (b) Law will enforce the promise.
  - (c) Law will enforce the promise only at the option of *A*.
  - (d) Law will enforce the promise only at the option of *B*.
- 83) Principle: Consent is a good defence for civil action in tort. But consent must include both knowledge and risk and assumption of risk, i.e. readiness to bear harm.  
Facts: A lady passenger was aware that the driver of the cab, in which she opted to travel was intoxicated. The cab met with an accident and lady got injured.
- (a) Driver can take the plea that he was lightly intoxicated.
  - (b) Lady is not entitled to compensation as she had the knowledge of risk.
  - (c) Lady is entitled to compensation as she only knew about the risk and there was no assumption of risk.
  - (d) Lady can refuse to pay the fare as she had suffered injuries.
- 84) Principles: (1) A person is said to abet the doing of a thing when he instigates any other person to do that thing.  
(2) A mere acquiescence, however, does not amount to instigation.  
Facts: *A* says to *B* : I am going to kill *C*. And *B* replies: Do as you wish and take the consequences. Whereafter *A* kills *C*.
- (a) *B* has not abetted *A* to kill *C*.
  - (b) *B* has abetted *A* by conspiracy.
  - (c) *B* has abetted *A* to kill *C*.
  - (d) *B* is jointly liable with *A* for killing *C*.

85. Principles: (1) A servant is one who is employed to do some work for his employer (master). He is engaged under a contract of service. He works directly under the control and directions of his master.

(2) In general, the master is vicariously liable for those torts (wrongful acts) of his servant which are done by the servant in the course of his employment.

Facts: *M* appointed *D* for the purpose of driving his tourist vehicle. *M* also appointed *C* exclusively for the purpose of performing the work of a conductor for the tourist vehicle. During one trip, at the end of the journey, *C* while *D* was not on the driver's seat, and apparently for the purpose of turning the vehicle in the right direction for the next journey, drove it through the street at a high speed, and negligently injured *P*.

- (a) *M* could be made liable for the act of *C* at his (*C*'s) act of driving the vehicle was within the scope of employment.
- (b) *M* is not liable as he was not present at the time of accident.
- (c) *M* could not be made liable for the act of *C* at his (*C*'s) act of driving the vehicle was not in the course of his employment.
- (d) *M* could be made liable for the act of *C*, as *C* was employed under a contract of service.

86) Principle: *alibi* means a plea by an accused that he –

- (a) was facing trial.
- (b) was present elsewhere.
- (c) underwent preventive detention.
- (d) remained in judicial custody.

87) Under the Constitution of India restriction on freedom of religion cannot be pressed on the ground of –

- (a) Public order.
- (b) Social justice.
- (c) Morality.
- (d) Health.

88) If an authority is holding information about another in a *fiduciary capacity*, the information under the Right to Information Act, 2005 may not be obtainable. Fiduciary relationship is based on -

- (a) Authority.
- (b) Law.
- (c) Trust.
- (d) Contract.

89) Which one of the following is not a Directive Principle of State Policy under Part-IV of the Constitution of India?

- (a) Promotion of adult education.
- (b) Promotion of International peace and security.
- (c) Organization of village panchayats.

(d) Provision for just and humane conditions of work and maternity relief.

90) *Audi alteram partem* means

- (a) Not connected to facts.
- (b) Giving opportunity of hearing to the other side.
- (c) Following the substantive law.
- (d) A transferee cannot transfer.

91) Principle: Intentional application of force to another person is actionable in law.

Facts: *P* and *D* are unknown to each other. When *P* is about to sit on a chair, *D* intentionally pulls it away as a result of which *P* falls on the floor and is injured.

- (a) *D* is not liable as *P* is not seriously injured.
- (b) *D* is liable as he intentionally caused injury to *P*.
- (c) *D* is not liable as such jokes are common in the society.
- (d) *D* is not liable as injury is not directly caused.

92) Principle: (1) Wagering agreement are void.

(2) Collateral agreement to wagering contracts are valid.

Facts: XYZ Bank lends Rs.40,000/- to *S* in order to enable him to award as prize money to *R* who is the winner of horse race. Late *S* refused to pay the prize stating that horse racing is wagering agreement. Can XYZ Bank recover money from *S*.

- (a) Yes it is only a collateral agreement to horse racing and therefore the bank can recover money from *S*.
- (b) Horse racing is illegal and therefore XYZ Bank cannot recover anything from *S*.
- (c) No, as it is wagering agreement.
- (d) Bank can recover money from *S* so that payment of prize money can be made to *R*.

93) Principle: When a person lawfully does anything for another person, or delivers anything to him, not intending to do so or to provide gratuitously, and such other person takes the benefit of that; the later is bound to compensate the former for something done or thing provided, or to restore the thing so delivered.

Facts: Trader *A* delivers certain eatables at *B*'s house by mistake. *B* consumes the eatables without asking anything. Which of the following options is correct?

- (a) *B* is bound to pay *A* for the eatables.
- (b) *B* can be made liable to pay for the eatables, only if *A* establishes as an express contract between *A* and *B*.
- (c) *B* is not bound to pay *A* for the eatables.
- (d) It is the discretion of *B* to make payment to *A* for the eatables.

94) Principle: Consent is a good defence in a civil action for tort but the act should be the same for which consent was given.

Facts: *B* was formally invited by *A* to his house. *B* after sitting for sometime in drawing room, moved to the bedroom of the house. *A* sued *B* for trespass.

- (a) *B* has interfered with the privacy of *A*.
- (b) *B* has committed no trespass as he entered the house with *A*'s consent.
- (c) *B* has offended *A* by moving to bedroom.
- (d) *B* has committed trespass as there was no consent of *A* for entry in the bedroom.

95) Principle: Whoever takes away any moveable thing from the land of any person without that person's consent, he is said to have committed theft.

Facts: During his visit to the house of *C*, *A* asked the son of *C* to accompany *A* to the forest. Neither *A* nor *B* informed *C* in this regard. *B* accompanied *A* to the forest.

- (a) *A* has committed theft as soon as he entered the house of *C*.
- (b) *A* has not committed theft.
- (c) *A* has committed theft.
- (d) *A* has not committed theft till *B* did not accompany him.

96) Principle: The communication of a proposal is complete when it comes to the knowledge of the person to whom it is made.

Facts: *A* sends a letter making a proposal to *B* to purchase the house of *B*.

- (a) The communication of proposal is complete when *B* reads the letter.
- (b) The communication of proposal is complete when *A* sends the letter.
- (c) The communication of proposal is complete when *B*'s wife received it.
- (d) The communication of proposal is complete when *B*'s wife hands over the letter to *B*.

97) Principle: Law does not penalize for wrongs which are of trivial nature.

Facts: In the course of a discussion, *A* threw a file of papers at the table which touched the hands of *B*.

- (a) *A* is liable for his act, as the file touched *B*'s hand.
- (b) *A* is liable for his act, as it assaulted *B*.
- (c) *A* is liable for insulting *B*.
- (d) *A* is not liable for his act, as it was of trivial nature.

98) Principle: Copyright law protects only work. *Work* means cinematographic film but does not include performance by an actor in a cinematographic film.

Facts: *A* an actress acted in a movie.

- (a) The acting of *A* can be protected under copyright law as professional work.
- (b) The acting of *A* cannot be protected under copyright law.
- (c) The acting of *A* can be protected under copyright law only as an artistic work.
- (d) The acting of *A* can be protected as film producer's work.

99) Principle: Import means bringing come consignment into India from a foreign country.

Facts: A consignment from Sri Lanka entered the territorial waters of India. However, this consignment never crossed the Indian Customs barrier not did it enter into the stream of commerce in India.

- (a) The consignment will only be imported into India when it enters into the stream of commerce in India.
- (b) The consignment was not imported into India.
- (c) The consignment was imported into India.
- (d) The consignment will only be imported into India when it crosses the Indian customs barrier.

100) Principle: A person is said to have committed assault when an apprehension is caused in the mind of a person that he is about to get physical force against his body.

Facts: *A* abuses *B* while he was sitting in a moving train, by aggressively shaking his fist when *B* was standing on a railway platform at a distance.

- (a) *A* has caused apprehension of assault in the mind of *B*.
- (b) *A* has committed assault against *B*.
- (c) *A* has not caused assault against *B*.
- (d) *A* has caused fear of assault in the mind of *B*.

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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 Assam Judicial Service, 2020  
PAPER – III (Law Paper-I)**

Total Marks: 100  
Date: 22-01-2021

Duration: 03 Hours  
Time: 9:00 AM

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**GROUP – A : Constitution of India**

**Answer any following 5(five) questions:-**

- Q.1. What remedies does the Constitution of India provide for enforcing the Fundamental Rights and the limitation thereof? 5 Marks
- Q.2. "Article 14 of the Constitution of India permits reasonable classification but prohibits class legislation". Comment. 5 Marks
- Q.3. Write a note in brief on:-  
(a) Protection against self incrimination  
(b) Double jeopardy. 2½+2½=5 Marks
- Q.4. What rights are available to religions and linguistic minorities under the Constitution of India? 5 Marks
- Q.5. Write Short notes on:-  
(a) Supplementary grant.  
(b) Exceptional grants. 2½+2½=5 Marks
- Q.6. Discuss in brief the methods of administrative control of the State by the Union. 5 Marks
- Q.7. Describe the constitution and functions of the Finance Commission. 5 Marks
- Q.8. What constitutional safeguards are available to Government servants against arbitrary dismissal from service. 5 Marks

**GROUP – B: Indian Contract Act**

**Answer any following 5(five) questions:-**

- Q.9. Distinguish between:-  
(a) 'Proposal' and 'Promise'. 2½ Marks  
(b) 'Void agreement' and 'Voidable Contract'. 2½ Marks
- Q.10. (a) Mention the various modes of revoking a proposal. 4 Marks  
(b) When 'proposals' and 'acceptances' may be revoked? 1 Mark

- Q.11. (a) An agreement without consideration is void. Mention the exceptions. 3 Marks
- (b) Examine the legality of the consideration and object:-
- (i) A postal authority invited tenders for license for carrying mails. A bus owner abstained from tendering on the promise of another bus owner, to pay him some money. 1 Mark
- (ii) Two landowners in the same neighbourhood, in order to avoid competition, agreed that a market for sale of cattle shall not be held on the same day on lands of both of them. 1 Mark
- Q.12. (a) Explain in brief the doctrine of "frustration of contract". Whether the promisor is liable to compensate the promisee in all such cases? 2+1=3 Marks
- (b) What are the consequences of rescission of voidable contract? 2 Marks
- Q.13. (a) Define:-
- (i) Contract of guarantee. 1 Mark
- (ii) Bailment. 1 Mark
- (b) Mention three conditions for discharge of surety in a contract of guarantee. 3 Marks
- Q.14. (a) Mention the right of person as to acts done for him without his authority and the effect thereof. 3 Marks
- (b) Whether the right of person on whose behalf such act/acts were done if applied accepting such unauthorized act can injure third person. Explain in a nutshell. 2 Marks
- Q.15. (a) How an agency can be terminated? 2 Marks
- (b) How an agency can be terminated where an agent has an interest in the subject matter? Give an illustration showing an agency wherein the agent has an interest. 3 Marks
- Q.16. (a) What are the rights of parties to a contract made by agent not disclosed? 3 Marks
- (b) Whether an agent cannot personally enforce contracts on behalf of principal? 1 Mark
- (c) What is the effect on agreement of fraud by agent? 1 Mark

**GROUP – C: Transfer of property Act**

**Answer any following 5 (five) questions:-**

- Q.17. Define (a) Vested and (b) Contingent interest? 2½+2½=5 Marks

Q.18. (a) Whether a third person is entitled to the benefit of an obligation arising out of contract and annexed to the ownership of immovable property but not amounting to an interest therein? If yes, state the condition.

(b) Under what condition a transfer by an ostensible owner is not voidable.

(c) Whether transfer by an unauthorized person who subsequently acquires interest in the property transferred is valid? Explain.

2+1+2=5 Marks

Q.19. Write a note on transfer of property pending suit relating thereto.

5 Marks

Q.20. Define all the mortgages of immovable property in brief recognized by the Transfer of Property Act.?

5 Marks

Q.21. State the rights of lessor's transferee and three grounds for determining of lease of immovable property.

2+3=5 Marks

Q.22. Define a mortgage and distinguish it from a sale of immovable property? What are the essentials of a mortgage?

2+3=5 Marks

Q.23. Explain the doctrine of "clog on redemption" with instances of clogs.

5 Marks

Q.24. Define 'actionable claim' with illustration. What is the mode of transfer of actionable claim?

2½+2½=5 Marks

### **GROUP – D: The Code of Civil Procedure, 1908**

#### **Answer any following 5 (five) questions:-**

Q.25. State the power of the Civil Court under the Code of Civil Procedure the nature of orders authorized to pass in order to prevent the ends of justice.

5 Marks

Q.26. State the form of appeals stipulated in the Code of Civil Procedure and the powers of appellate Court.

5 Marks

Q.27. State the powers of court to enforce execution of decree.

5 Marks

Q.28. What are the nature of costs, the discretion of being imposed given to the Court and the circumstances?

5 Marks

Q.29. Define (any two):-

2½+2½=5 Marks

(a) Decree

(b) Legal representatives.

(c) Mesne profits.

Q.30. State the scope of 'Review' and 'Revision' under the Code of Civil Procedure.

2½+2½=5 Marks

Q.31. Write a note on the "application for restitution" and specify the courts included in the expression "court which passed the decree or order"

2½+2½=5 Marks

Q.32. What are the forums recognized by the Code of Civil Procedure for settlement of disputes outside the Court and manner of reference under the relevant law?

5 Marks

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**THE GAUHATI HIGH COURT AT GUWAHATI**

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

Main written examination for direct recruitment to Grade-III of Assam Judicial Service, 202\_\_

Date : **22.01.2021**

Time : **1:00 PM**

Duration : 3 (Three) hours

Total Marks : 100

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**PAPER – IV (LAW PAPER-II)**

**GROUP – A : INDIAN PENAL CODE**

1. Fill in the blanks in the following illustrations with the appropriate offence defined in the Indian Penal Code. **Marks 1 X 5 = 5**
- (a) 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. Here A, at the time of first moving the ring, commits \_\_\_\_\_.
- (b) A, by putting Z in fear of grievous hurt, dishonestly induces Z to sign or affix his seal to a blank paper and deliver it to A. Z signs and delivers the paper to A. Here, as the paper so signed may be converted into a valuable security, A has committed \_\_\_\_\_.
- (c) A begins to unloose the muzzle of a ferocious dog, intending or knowing it to be likely that he may thereby cause Z to believe that he is about to cause the dog to attack Z. A has committed an \_\_\_\_\_ upon Z.
- (d) A causes cattle to enter upon a field belonging to Z, intending to cause and knowing that he is likely to cause damage to Z's crop. A has committed \_\_\_\_\_.
- (e) Z dictates his will to A. A intentionally writes down a different legatee from the legatee named by Z, and by representing to Z that he has prepared the will according to his instructions, induces Z to sign the will. A has committed \_\_\_\_\_.
2. Answer the following questions :- **Marks 2 X 3 = 6**
- (a) What are the various punishments to which the offenders are liable under the provisions of the Indian Penal Code ?
- (b) What are the different stages of the commission of a crime ?
- (c) In what way is the offence of dacoity different from robbery and theft ?

3. Write the difference between the following by referring to the relevant provisions of the Indian Penal Code – **Marks 3 X 3 = 9**

- (a) Wrongful restraint and wrongful confinement.
- (b) Theft and extortion.
- (c) Common intention and common object;

4. In the Indian Penal Code, culpable homicide is genus and murder is specie. Thus, every murder is a culpable homicide, but every culpable homicide is not murder. Discuss.

**Marks 5**

#### **GROUP – B : CRIMINAL PROCEDURE CODE**

5. Distinguish between : - **Marks 2 X 3 = 6**

- (a) Reference and Revision.
- (b) Warrant case and Summons case.
- (c) Acquittal and discharge.

6. Explain the difference between Investigation, Inquiry and Trial. **Marks 6**

7. What is compoundable offence? What is the legal effect of valid composition? Briefly state the salient differences between composition and withdrawal. **Marks 7**

8. X, an accused is arrested by Y, a police officer, without a warrant. After such arrest, X was kept in the custody of police for 28 years without the order of a Magistrate for interrogation in a crime which has got wide publicity in the media. Is the detention of the accused legal? Give reasons citing the relevant provisions, if any, under the Code of Criminal Procedure, 1973. **Marks 7**

#### **GROUP – C : INDIAN EVIDENCE ACT**

9. Choose the correct answer from the given options. **Marks 1 X 5 = 5**

- (i) Generally dying declarations are admissible as evidence under –
  - [A] Section 20 of the Indian Evidence Act, 1872.
  - [B] Section 25 of the Indian Evidence Act, 1872.
  - [C] Section 32 of the Indian Evidence Act, 1872.

[D] Section 35 of the Indian Evidence Act, 1872.

(ii) A person summoned to produce a document –

[A] Does not become a witness in the case unless he is called as a witness.

[B] Automatically becomes a witness in the case.

[C] Automatically becomes an hostile witness in the case.

[D] Can be cross-examined without being called as a witness.

(iii) Presumptions under the law of evidence are -

[A] Presumptions of fact.

[B] Presumptions of law.

[C] Both [A] and [B].

[D] Only [B] and not [A].

(iv) Confession of an accused is admissible against the other co-accused under -

[A] Section 28 of the Indian Evidence Act, 1872.

[B] Section 29 of the Indian Evidence Act, 1872.

[C] Section 30 of the Indian Evidence Act, 1872.

[D] Section 31 of the Indian Evidence Act, 1872.

(v) A disputed handwriting can be proved –

[A] by calling an expert.

[B] by examining a person acquainted with handwriting of the writer of the questioned document.

[C] by comparison of the two -- admitted and disputed handwritings.

[D] All the above.

10. Write short notes (any three) : -

**Marks 4 X 3 = 12**

(a) Res gestae.

(b) Test identification parade.

(c) Corpus delicti.

(d) Evidence of approver.

(e) Onus probandi.

11. What are the rules regarding "leading question", "examination-in-chief" and "cross-examination"? When leading questions may be asked? What questions are lawful in cross-examination?

**Marks 7**

**GROUP – D : LAW OF TORTS**

12. Write explanatory notes on any two of the following : - **Marks 5 X 2 = 10**
- (a) Doctrine of *Res Ipsa Loquitur*;
  - (b) Defence of *Vis Major*;
  - (c) Ingredients of the tort of Nuisance;
13. Distinguish between (any two) :- **Marks 2.5 X 2 = 5**
- (a) Tort and Crime;
  - (b) *Damnum sine injuria* and *Injuria sine damno*;
  - (c) Tortious Liability and Contractual Liability;
14. Critically examine the vicarious liability of the State for the tortuous acts of its employees. **Marks 5**
15. "Strict liability admits defences, but no defences can be claimed under the rule of absolute liability". Comment. **Marks 5**

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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 Assam Judicial Service, 2020**

**PAPER – V**

Total Marks: 50  
Date: 23-01-2021

Duration: 02 Hours  
Time: 9:00 AM

1. তলৰ যিকোনো এটা বিষয়ৰ ওপৰত ৫০ টা শব্দৰ ভিতৰত চমুটোকা লিখক- ৩  
ক) বৰগীত                      খ) স্বৰ্গদেউ চুকাফা
2. তলৰ শব্দকেইটাৰ অৰ্থ লিখক ৫  
ক) উদ্ভৃঙ্গগিৰি                      খ) নঙলামুখ                      গ) চেৰুক  
ঘ) দুৰ্দীন                      ঙ) সোপান
3. এটা শব্দত লিখক- ১/২X ৬= ৩  
ক) ধান পোৱা ঘৰ  
খ) মাকৰ ভায়েক  
গ) একেশ্বৰৰ শিষ্য  
ঘ) বিহুৰ আগদিনা  
ঙ) ঘৰৰ চালৰ পানী পৰা ঠাই  
চ) দেশৰ হকে যিয়ে আত্মবলিদান দিছে
4. তলৰ শব্দকেইটাৰ বিপৰীত শব্দ লিখক। ১/২X ৬= ৩  
ক) বৈধ,                      খ) প্ৰত্যক্ষ,                      গ) ইহলোক,  
ঘ) সাক্ষৰ,                      ঙ) পুত্ৰ,                      চ) গৰিষ্ঠ।
5. তলৰ বাক্য কেইটা শুদ্ধকৈ লিখক। ৫  
ক) শিশুৰ প্ৰতি আতিশয্যতা অমানবীয় কাৰ্য্য।  
খ) তাৰ সোবোপালিৰ বাবেই স্বৰখন ধ্বংস হ'ল।  
গ) মই বে'লত দিল্লীলৈ গৈছিলো।  
ঘ) নিউটন এজন মহান বৈজ্ঞানিক আছিল।  
ঙ) মানুহজনক বহিব দি তেওঁ গ'লগৈ।
6. তলৰ যিকোনো এটাৰ ভাব সম্প্ৰসাৰণ কৰক (৫০ টা শব্দৰ ভিতৰত) ৫  
ক) অল্প বিদ্যা ভয়ংকৰী।  
খ) সময় অমূল্য ধন।
7. আপোনাৰ চুবুৰীয়া দুখীয়া মহিলা এগৰাকীৰ ঘৰ থকা মাটিখিনিৰ ওপৰত স্বত্ব বিচাৰি এজন প্ৰভাৱশালী ব্যক্তিয়ে এটা দেৱানী গোচৰ তৰিছে। যিহেতু আৰ্থিক দুৰবস্থাৰ বাবে মহিলা গৰাকীয়ে নিজৰ পক্ষ বাখিবৰ বাবে অধিবক্তা নিয়োগ কৰিব পৰা নাই; সেয়েহে মহিলা গৰাকীক সহায় কৰাৰ বাবে আপোনাৰ জিলাৰ “জিলা ন্যায়িক সেৱা প্ৰাধিকাৰী” ৰ অধ্যক্ষলৈ এখন দৰ্খাস্ত লিখক। ৫
8. তলত দিয়া শব্দবোৰৰ অসমীয়া প্ৰতিশব্দ/প্ৰতিভাষা লিখক। ১/২X ৬= ৩  
A) Registrar General,  
B) Chief Judicial Magistrate,

- C) Administration,
- D) Approver,
- E) Confiscation and
- F) Bail Bond.

9. তলৰ বাক্যকেইটা ইংৰাজীলৈ অনুবাদ কৰক।

১ X ৫ = ৫

- ক) “চন্দ্রকান্ত অভিধান” খন হ'ল অসমীয়া ভাষাৰ তৃতীয়খন অভিধান।
- খ) এইখন “হেমকোষ” তকে ৩২ বছৰ পাছত ওলাইছে।
- গ) ইয়াৰ সংকলনৰ কাম ১৯২৪ চনৰ চেপ্তেম্বৰ মাহত আৰম্ভ হৈ ১৯৩৩ চনৰ ফেব্ৰুৱাৰী মাহত অন্ত হৈছে।
- ঘ) এই অভিধানত “হেমকোষ”ত থকাৰ বাদেও বহুত নতুন আৰু পুৰনি শব্দ সোমাইছে।
- ঙ) “হেমকোষ” আৰু “চন্দ্রকান্ত অভিধান” অসমীয়া ভাষাৰ অমূল্য সম্পদ।

10. তলৰ অনুচ্ছেদটো অসমীয়ালৈ অনুবাদ কৰক।

৫

The evil of dowry system and bride burning is a blot upon the Indian civilization and deserves the severest condemnation. Foreigners ridicule our callousness and inhuman cruelty towards women and fail to understand how we can call ourselves civilized when such a ferocious practice prevails in the Indian society.

11. তলৰ যিকোনো এটা বিষয়ৰ ওপৰত ১৫০ টা শব্দৰ ভিতৰত এখন বচনা লিখক। ৮

- ক) অসমীয়া সাহিত্যত বসবাজ লক্ষ্মীনাথ বেজবৰুৱাৰ অৱদান।
- খ) অসমৰ কুটীৰ শিল্প।

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