

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, 2021.

Total Marks: 100
Date: 28.05.2022 (Saturday)

Duration: 3 hours
Time: 9 am to 12 noon

[PAPER-I(ENGLISH)]

1. **Write an essay on "Power corrupts, absolute power corrupts absolutely".** (20 marks)
2. **Write a précis on the following passage.** (20 marks)

The movement of progressive societies has been uniform in one respect. Through all its course, it has been distinguished by the gradual dissolution of family dependency and growth of individual obligation in its place. The individual is steadily substituted for the family, as the unit of which civil laws take account. The advance has been accomplished at varying rates of celerity, and there are societies not absolutely stationary in which the collapse of the ancient organisation can only be perceived by careful study of the phenomena they present. But, whatever its pace, the change has not been subject to reaction or recoil, and apparent retardations will be found to have been occasioned through the absorption of archaic ideas and customs from some entirely forgotten source. Nor is it difficult to see what is the tie between man and man, which replaces by degrees those forms of reciprocity in rights and duties which have their origin in the family. It is contract. Starting, as from one terminus of history, from a condition of society in which all the relations of persons are summed up in the relations of family, we seem to have steadily moved towards a phase of social order in which all these relations arise from the free agreement of individuals. In Western Europe, the progress achieved in this direction has been considerable. Thus, the status of the slave has disappeared – it has been superseded by the contractual relation of the servant to his master. The status of the female under tutelage if the tutelage be understood of persons other than her husband, has also ceased to exist; from her coming of age to her marriage all the relations she may form are relations of contract. So, too, the status of the son under power has no true place in law of modern European societies. If any civil obligation binds together the parent and the child of full age, it is one to which only contract gives its legal validity. The apparent exceptions are exceptions of that stamp, which illustrate the rule. The child before years of discretion, the orphan under guardianship, the adjudged lunatic have all capacities and incapacities regulated by the law of persons. But why? The reason is differently expressed in the conventional language of different systems, but in substance it is stated to the same effect by all. The great majority of jurists are constant to the principle that the classes of persons just mentioned are subject to extrinsic control on the single ground that they do not possess the faculty of forming a judgment on their own interests; in other words, that they are wanting in the first essential of an engagement by contract.

The word 'status' may be usefully employed to construct a formula expressing the law of progress thus indicated, which, whatever be its value, seems to me to be sufficiently ascertained. All the forms of status taken notice in the law of persons were derived from, and to some extent are still coloured by, the powers and privileges anciently residing in the family. If then we employ status, agreeably with the usage of the best writers, to signify these personal conditions only, and avoid applying the term to such conditions as are the immediate or remote result of agreement, we may say that the movement of the progressive societies has hitherto been a movement from status to contract.

3. **Substitute the following phrases with one word.**

(10 marks)

- (i) Animals which live on both land and water.
- (ii) One who deceives by pretending to be someone else.
- (iii) The life story of a person written by self.
- (iv) A structure erected in remembrance of a person or event.
- (v) One who is present everywhere.
- (vi) A post for which no salary is paid.
- (vii) A written declaration of a political party.
- (viii) One who is appointed by parties to settle disputes.
- (ix) A State which is impartial to all religions.
- (x) Government of the people, by the people and for the people.

4. **Fill in the blanks with the correct words.**

(10 marks)

- (i) The little girl's _____ delighted everyone (antics/antiques)
- (ii) Even democratic governments appoint _____ in times of war (censors/censers)
- (iii) We have two _____ factories in our State (ordinance/ordnance)
- (iv) He says that he _____ such people (condemns/contempts)
- (v) I was shocked to see the _____ of damage caused by the storm (extant/extent)
- (vi) If I _____ a bird, I would fly (were/am)
- (vii) He _____ me to see a doctor (advised/advise)
- (viii) There _____ two world wars (have been/were)
- (ix) There _____ no untoward incident so far (has been/is)
- (x) The patient is _____ better today (rather/fairly)

5. **Rewrite the following using the correct article.**

(5 marks)

- (i) There is an University in this town.
- (ii) He is the General Secretary of an Union.
- (iii) Gold mined in South Africa is of superior quality.
- (iv) He was working as postman when we met.
- (v) She was selected as best student.

6. **Rewrite the following in passive voice.**

(5 marks)

- (i) The teacher gave him a gift.
- (ii) Kumar teased David.
- (iii) He was writing a letter.
- (iv) She had written a letter.
- (v) She has written six books.

7. **Frame sentences using the following words.**

(5 marks)

- (i) Collusion
- (ii) Affectation
- (iii) Infrequently
- (iv) Apposite

(v) Xenophobia

8. **Change the following affirmative sentences into negative sentences.** (5 marks)

- (i) He is cleverer than me.
- (ii) Man is mortal.
- (iii) They will drink tea.
- (iv) Close the door.
- (v) A scholar is sometimes wrong.

9. **Give the collective nouns for the following.** (5 marks)

- (i) A _____ of crows.
- (ii) A _____ of ponies.
- (iii) A _____ of peas.
- (iv) A _____ of dogs.
- (v) A _____ of men.

10. **Fill in the blanks with the correct preposition.** (5 marks)

- (i) He was sitting _____ me.
- (ii) The sun is _____ our head at noon.
- (iii) The Magistrate insisted _____ the production of documents.
- (iv) The bell rang _____ midnight.
- (v) He threw a stone _____ the well.

11. **Rewrite the following using the correct tense.** (5 marks)

- (i) It has been raining the whole of yesterday.
- (ii) She is having two children.
- (iii) She is having a degree in history.
- (iv) I have been writing this letter since morning.
- (v) It is time you go home.

12. **Complete the following idioms.** (5 marks)

- (i) Cut somebody some _____.
- (ii) Get something out of your _____.
- (iii) Time flies when you are having _____.
- (iv) An ounce of prevention is worth a pound of _____.
- (v) A bird in the hand is worth two in _____.

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[PAPER-II]

SECTION A- GENERAL KNOWLEDGE

(Q. No. 1 to 50) – Choose the correct option amongst the multiple choices. Each question carries 1 mark. (1x50=50)

1. The Gauhati High Court does not have jurisdiction over
a) Arunachal Pradesh b) Meghalaya c) Nagaland d) Mizoram
2. Which of the following Indian States is landlocked
a) Orissa b) West Bengal c) Telangana d) Andhra Pradesh
3. Which International city lies partly in Europe and partly in Asia.
a) Tel Aviv b) Istanbul c) Athens d) Teheran
4. Which of the following jurisdiction does Supreme Court of India have
a) Appellate b) Original c) Advisory d) All of them
5. Which one of the following High Courts has jurisdiction over Andaman & Nicobar Islands
a) Andamans High Court b) Orissa High Court
c) Calcutta High Court d) Madras High Court
6. Steve Jobs was associated with which multinational company
a) Netflix b) Ford c) Apple d) Nokia
7. OTT stands for
a) Online Television Telecast
b) Over the Internet Television
c) Over the top media service
d) None of the above
8. "Garuda" is the national airline of which country
a) Sri Lanka b) Nepal c) Indonesia d) Thailand
9. Which country has a large Indian origin population
a) Fiji b) Suriname c) Mauritius d) All of them
10. Which of the following State does not have an exclusive High Court of its own
a) Arunachal Pradesh b) Punjab c) Goa d) All of them
11. 'Sarthebari' in Assam is famous for
a) Gold b) Silver c) Bell Metal d) All of the same

12. Which of the following is not a tribe of Assam
- a) Tiwa b) Bhil c) Rabha d) Karbi
13. Which of the following personality of Assam is known as *Rasaraj*
- a) Bhupen Hazarika
b) Bimala Prasad Chaliha
c) Lakshminath Bezbaruah
d) Bishnu Prasad Rabha
14. The 1st Anglo Assamese dictionary was compiled by
- a) Edward Gait b) Rajani Kanta Bordoloi
c) Miles Bronson d) Anandaram Baruah
15. Which is the fastest train in India as on date
- a) Gatimaan Express b) Vande Bharat Express
c) Durgam Express d) Shatabdi Express
16. The Assamese movie *Chameli Memsaab* is based on the short story written by
- a) Victor Bannerji b) George Baker
c) Binita Borgohain d) Nirode Chaudhuri
17. COVAXIN – India's indigenous covid-19 vaccine is developed by –
- a) Serum Institute of India
b) Indian Council of Medical Research
c) Bharat Biotech International Ltd
d) Indian Council of Medical Research in partnership with Bharat Biotech International
18. *Kabuliyat* and *Patta* as instruments of settlements was introduced by
- a) Sher Shah b) Ghiyasuddin Mahmud Shah c) Bahlul Khan Lodhi d) Humayun
19. Which country has topped the World Happiness Index, 2021
- a) New Zealand b) Finland c) Bhutan d) Norway
20. The original name of *Tansen*, who performed in the Mughal Courtyard was
- a) Ram Tanu Pandey b) Makarchand Pandey c) Lala Kalawant d) Baaz Bahadur
21. Who put forward the idea of Constituent Assembly of India
- a) Jawaharlal Nehru b) M N Roy c) Rajagopalachari d) Clement Attlee
22. Which one of the following countries has a Presidential Form of government?
- a) Thailand b) Nepal c) Japan d) South Korea
23. *Alibi* in legal parlance means a plea by an accused person that he
- a) was present elsewhere
b) underwent preventive detention
c) was facing trial
d) remained in judicial custody
24. Who among the following is known by the term *Bodofa*
- a) Upendranath Brahma
b) Hari Shankar Brahma
c) Amar Narzary
d) None of the above

25. Who amongst the following is entitled to avail free legal aid as per Legal Services Authorities Act, 1987?
- Members of SC / ST
 - Woman / Child
 - Industrial Workman
 - All of the above
26. What are soaps?
- Salts of silicates
 - Esters of heavy fatty acids
 - Sodium or Potassium Salts of heavier fatty acids
 - Mixture of glycerol and alcohols
27. The Treaty of Yandabo was signed in the year
- 1820
 - 1825
 - 1826
 - None of the above
28. The Digboi refinery is run by
- Indian Oil Corporation Ltd
 - Oil India Ltd
 - Assam Company
 - Oil & Natural Gas Corporation
29. Who was the 1st woman IAS officer of Assam
- Dhira Chaliha
 - Parul Debi Das
 - Sanjukta Parashar
 - None of the above
30. The last capital of the Ahom Kingdom was
- Charaideo
 - Jorhat
 - Sivasagar
 - Gargaon
31. The first person from North East India to receive the prestigious Ramon Magsaysay Award is
- Irom Chanu Sharmila
 - P A Sangma
 - J M Lyngdoh
 - Bhupen Hazarika
32. Who developed the first Assamese font to write in computers?
- Dilip Kumar Dutta
 - Sobha Barman
 - Abhijit Das
 - Sobha Brahma
33. The current head of the Committee to implement Clause 6 of the Assam Accord is
- Justice A H Saikia
 - Justice B K Sharma
 - Justice R Gogoi
 - Justice A Roy
34. Which one of the following ports is not located on the Eastern Coast of India?
- Chennai
 - Kandla
 - Paradip
 - Tuticorn
35. In demographics, the replacement rate of fertility is received when the TFR (Total Fertility Rate) reaches
- 0
 - 1.0
 - 2.1
 - 1.5
36. In terms of area, the biggest State of India is
- Maharashtra
 - Madhya Pradesh
 - Rajasthan
 - UP
37. Which amongst the following is a secondary pollution

- a) Smog b) Carbon dioxide c) Carbon monoxide d) Fly ash
38. Which one of the following is not biodegradable?
 a) Woollen mat b) Leather bag c) Silver foil d) Jute basket
39. Which of the following gas has the highest contribution in global warming?
 a) Carbon dioxide b) Chlorofluorocarbon c) Methane d) Nitrous Oxide
40. Which of the following is not an All India Service?
 a) Indian Foreign Service
 b) Indian Police Service
 c) Indian Forest Service
 d) Indian Administrative Service
41. The present sanctioned strength of Judges of the Supreme Court of India is
 a) 31 b) 30 c) 34 d) 35
42. Who is the highest Law Officer in the country?
 a) Attorney General b) Union Law Secretary
 c) Chief Justice of Supreme Court d) Solicitor General
43. The Indian Evidence Act was drafted by
 a) James F Stephen b) Macaulay
 c) First Attorney General of India d) None of the above
44. The Penal offence of Adultery was struck down by the Supreme Court of India in the case of
 a) K S Puttuswamy v. Union of India
 b) Joseph Shine v. Union of India
 c) Sanjeev Nanda v. State
 d) None of the above
45. Which of the following is known as *Nirbhaya* Case?
 a) Surrendra Kohli v. State
 b) Vikash Yadav v. State
 c) Mukesh v. State
 d) Balwant Singh v. State
46. *Arnesh Kumar v. State of Bihar* is basically a famous case pertaining to which area of law
 a) Circumstantial evidence b) Death penalty
 c) Custodial Death d) Arrest
47. Which one of the following Indian legal luminaries was appointed on the panel of Fiji Supreme Court
 a) Justice Dalveer Bhandari b) Justice J Chelameshwar
 c) Justice M B Lokur d) Justice Badar Durez Ahmed
48. The Present Chairperson of the National Green Tribunal is
 a) Justice Swatanter Kumar b) Justice Adarsh Kumar Goel
 c) Justice B S Chauhan d) Justice Amitava Roy
49. The number of writs that can be prayed for and issued by the Supreme Court and/or a High Court is
 a) 3 b) 4 c) 5 d) 6

50. The oath of office is administered to the Governor by the
- a) Chief Justice of India
 - b) President
 - c) Chief Justice of High Court
 - d) Speaker of Legislative Assembly

SECTION B-APTITUDE & REASONING

A. Find the statement that must be true according to the given information.

(1x5=5)

1. *Vincent has a paper route. Each morning, he delivers 37 newspapers to customers in his neighbourhood. It takes Vincent 50 minutes to deliver all the papers. If Vincent is sick or has other plans, his friend Thomas, who lives on the same street, will sometimes deliver the papers for him.*
- A. Vincent and Thomas live in the same neighbourhood.
 - B. It takes Thomas more than 50 minutes to deliver the papers.
 - C. It is dark outside when Vincent begins his deliveries.
 - D. Thomas would like to have his own paper route.
2. *Erin is twelve years old. For three years, she has been asking her parents for a dog. Her parents have told her that they believe a dog would not be happy in an apartment, but they have given her permission to have a bird. Erin has not yet decided what kind of bird she would like to have.*
- A. Erin's parents like birds better than they like dogs.
 - B. Erin does not like birds.
 - C. Erin and her parents live in an apartment.
 - D. Erin and her parents would like to move.
3. *When they heard news of the hurricane, Maya and Julian decided to change their vacation plans. Instead of traveling to the island beach resort, they booked a room at a fancy new spa in the mountains. Their plans were a bit more expensive, but they'd heard wonderful things about the spa and they were relieved to find availability on such short notice.*
- A. Maya and Julian take beach vacations every year.
 - B. The spa is overpriced.
 - C. It is usually necessary to book at least six months in advance at the spa.
 - D. Maya and Julian decided to change their vacation plans because of the hurricane.
4. *Sara lives in a large city on the East Coast. Her younger cousin Marlee lives in the Mid-west in a small town with fewer than 1,000 residents. Marlee has visited Sara several times during the past five years. In the same period of time, Sara has visited Marlee only once.*
- A. Marlee likes Sara better than Sara likes Marlee.
 - B. Sara thinks small towns are boring.
 - C. Sara is older than Marlee.
 - D. Marlee wants to move to the East Coast.

5. *On weekends, Mr. Sanchez spends many hours working in his vegetable and flower gardens. Mrs. Sanchez spends her free time reading and listening to classical music. Both Mr. Sanchez and Mrs. Sanchez like to cook.*
- A. Mr. Sanchez enjoys planting and growing vegetables.
 - B. Mr. Sanchez does not like classical music.
 - C. Mrs. Sanchez cooks the vegetables that Mr. Sanchez grows.
 - D. Mrs. Sanchez enjoys reading nineteenth century novels.

B. Read each definition and all four choices carefully, and find the answer that provides the best example of the given definition. (2x5=10)

1. **Applying for Seasonal Employment** occurs when a person requests to be considered for a job that is dependent on a particular season or time of year. Which situation below is the best example of Applying for Seasonal Employment?

- A. The ski instructors at Top of the Peak Ski School work from December through March.
- B. Matthew prefers jobs that allow him to work outdoors.
- C. Lucinda makes an appointment with the beach resort restaurant manager to interview for the summer waitressing position that was advertised in the newspaper.
- D. Doug's ice cream shop stays open until 11 p.m. during the summer months.

2. **Violating an Apartment Lease** occurs when a tenant does something prohibited by the legally binding document that he or she has signed with a landlord. Which situation below is the best example of violating an Apartment Lease?

- A. Tim has decided to move to another city, so he calls his landlord to tell him that he is not interested in renewing his lease when it expires next month.
- B. Valerie recently lost her job and, for the last three months, has neglected to pay her landlord the monthly rent they agreed upon in writing when she moved into her apartment eight months ago.
- C. Mark writes a letter to his landlord that lists numerous complaints about the apartment he has agreed to rent for two years.
- D. Leslie thinks that her landlord is neglecting the building in which she rents an apartment. She calls her attorney to ask for advice.

3. **Posthumous Publication** occurs when a book is published after the author's death. Which situation below is the best example of Posthumous Publication?

- A. Richard's illness took his life before he was able to enjoy the amazing early reviews of his novel.
- B. Melissa's publisher cancels her book contract after she fails to deliver the manuscript on time.

- C. Clarence never thought he'd live to see the third book in his trilogy published.
- D. Elizabeth is honored with a prestigious literary award for her writing career and her daughter accepts the award on behalf of her deceased mother.
4. It is appropriate to compensate someone if you have damaged his or her property in some way. This is called **Restitution**. Which situation below is the best example of Restitution?
- A. Jake borrows Leslie's camera and the lens shatters when it falls on the ground because he fails to zipper the case. When Jake returns the camera, he tells Leslie that he will pay for the repair.
- B. Rebecca borrows her neighbor's car, and when she returns it, the gas tank is practically empty. She apologizes profusely and tells her neighbor she will be more considerate the next time.
- C. Aaron asks Tom to check in on his apartment while he is out of town. When Tom arrives, he discovers that a pipe has burst and there is a considerable amount of water damage. He calls a plumber to repair the pipe.
- D. Lisa suspects that the pothole in her company's parking lot caused her flat tire. She tells her boss that she thinks the company should pay for the repair.
5. **Establishing a Power of Attorney** occurs when a legal document is created that gives one individual the authority to act for another. Which situation below is the best example of Establishing a Power of Attorney?
- A. Louise is selling her house and she hires a lawyer to review the contract.
- B. Simone's mother can no longer get to the bank to cash her checks and make deposits, so she has taken legal steps to enable Simone to do these things for her.
- C. Jack's father is elderly and Jack thinks he is no longer able to make decisions for himself.
- D. At her daughter's urging, Mrs. Lenox opens up a retirement account with the local bank.

C. Here are some words translated from an artificial language. Translate the following English words into the artificial language. (1x5=5)

1. *gorblflur* means fan belt

pixngorbl means ceiling fan

arthtusl means tile roof

Which word could mean "ceiling tile"?

- A. *gorbltusl*
- B. *flurgorbl*
- C. *arthflur*
- D. *pixnarth*

2. *hapllesh* means cloudburst

srenchoch means pinball

resbosrench means ninepin

Which word could mean "cloud nine"?

- A. leshsrench
- B. ochhapl
- C. ochhaploch
- D. haplresbo

3. moolokarn means blue sky

wilkospadi means bicycle race

moolowilko means blue bicycle

Which word could mean "race car"?

- A. wilkozwet
- B. spadiwilko
- C. moolobreil
- D. spadivololo

4. godabim means kidney stones

romzbim means kidney beans

romzbako means wax beans

Which word could mean "wax statue"?

- A. godaromz
- B. lazvim
- C. wasibako
- D. romzpeob

5. granamelke means big tree

pinimelke means little tree

melkehoon means tree house

Which word could mean "big house"?

- A. granahoon
- B. pinishur
- C. pinihoon
- D. melkegrana

D. Analogies:

(1x5=5)

1. Yard is to inch as quart is to

- A. gallon
- B. ounce
- C. milk
- D. liquid

2. Elated is to despondent as enlightened is to

- A. aware
- B. ignorant

- C. miserable
- D. tolerant

3. **FINCH : BIRD**

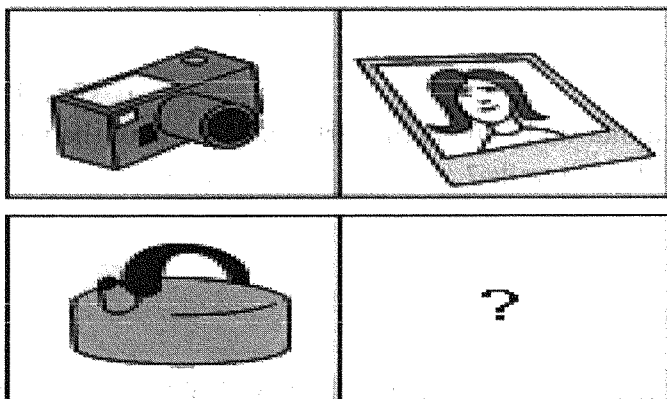
- A. frog : toad
- B. elephant : reptile
- C. Dalmatian : dog
- D. collie : marsupial
- E. ant : ladybug

4. **FROND : PALM**

- A. quill : porcupine
- B. blade : evergreen
- C. scale : wallaby
- D. tusk : alligator
- E. blade : fern

5. Choose the picture that would go in the empty box so that the two bottom pictures are related in the same way as the top two are related. (1/2x2=1)

I.



(1)



(2)



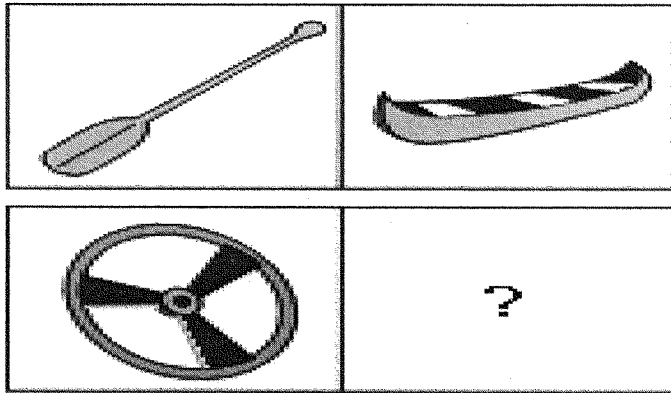
(3)



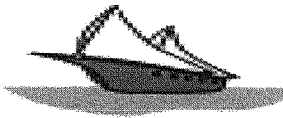
(4)

- A. 1
- B. 2
- C. 3
- D. 4

II.



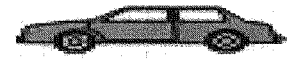
(1)



(2)



(3)



(4)

- A. 1 B. 2 C. 3 D. 4

E. General Aptitude & Reasoning:

(2x5=10)

1. Pointing to a lady on the stage, Bhumika said, "She is the sister of the son of the wife of my husband". How is the lady related to Bhumika?

- A. Sister-in-law
- B. Sister
- C. Daughter
- D. Cousin

2. Introducing a man, Neeraj said, "His wife is the only daughter of my wife". How is Neeraj related to that man?

- (A) Father-in-law
- (B) Son
- (C) Grandfather
- (D) Brother

3. Pointing to a photograph, a man said, "I have no brother or sister but that man's father is my father's son." Whose photograph was it?

- (A) His own
- (B) His Son
- (C) His Father
- (D) His Grandfather

4. In 10 years, A will be twice as old as B was 10 years ago. If A is now 9 years older than B, the present age of B is:

- A) 19
- B) 29
- C) 39
- D) 49

5. Look at this series: 7, 10, 8, 11, 9, 12, what number should come next?

- A. 7 B. 10 C. 12 D. 13

F. LEGAL APTITUDE & REASONING:

(2x5=10)

1. Mr. A was the owner of a car and he had a driver- Mr. D. On January 19, 2021, Mr. A and Mr. D were travelling in their car wherein Mr. A got down at a restaurant and told Mr. D to take the car back to Mr. A's bungalow. Mr. D was filling the petrol tank of the car, and two strangers- Mr. B and Mr. C took a lift from Mr. D in his car. The car went ahead and the right-side front wheel of the car flew away, the car toppled and Mr. D and Mr. C were thrown out. Mr. C sustained severe injuries and ultimately died due to those injuries on January 20, 2021. Mr. B and legal representatives of Mr. C claimed compensation from Mr. A and Mr. D.

- A. Mr. D will be liable to pay the compensation.
B. *Volenti non fit injuria* will be applicable and no compensation can be claimed.
C. *Volenti non fit injuria* will not be applicable and compensation can be claimed.
D. Mr. A and Mr. D both will be liable to pay the compensation.

2. Mr. A sells a car to Mr. Y, his childhood friend with a knowledge that the car is defective. Before buying the car, Mr. Y says to Mr. A, "If you do not deny it, I shall assume that the car is perfect". Mr. A says nothing. In light of the statement, decide the liability of Mr. A.

- A. A's silence is equivalent to speech and hence a misrepresentation.
B. A is not liable for fraud, but liable for misrepresentation.
C. A is liable for fraud and misrepresentation both.
D. A's silence is equivalent to speech and hence a fraud

3. PRINCIPLE: whoever, intending to take dishonestly any movable property out of the possession of any person without that person's consent, moves that property to such taking, is said to commit theft.

FACT: X cuts down a tree on Y's ground, with the intention of dishonestly taking the tree out of Y's possession without Y's consent. X could not take the tree away.

- (a) X can be prosecuted for theft.
(b) X cannot be prosecuted for theft.
(c) X can be prosecuted for attempt to theft.
(d) X has neither committed theft nor attempt to commit theft.

4. Principle: When a criminal act is done by several persons in furtherance of the common intention of all, each of such persons is liable for that act in the same manner as if it were done by him alone.

Facts: Roshan along with two of his friends, Tushar and Tarang proceeded to the house of Darshan in order to avenge an insult made by the brother of Darshan. They opened fire on the members of Darshan's family. It was found that the shots of Roshan did not hit anyone but the shots of Tushar and Tarang succeeded in killing Darshan.

- (A) Roshan was not liable for the offence of murder of Darshan as Roshan's shots did not hit Darshan

- (B) Only Tushar and Tarang were liable for the offence of murder of Darshan as their shots hit Darshan
- (C) Roshan along with Tushar and Tarang was liable for the offence of murder of Darshan
- (D) Roshan was liable to a lesser extent comparing to his friends for the offence of murder of Darshan as Roshan's shots did not hit Darshan

5. Principle: No communication made in good faith is an offence by reason of any harm to the person to whom it is made, if it is made for the benefit of that person.

Facts: "A", a surgeon, in good faith communicates to a patient his opinion that he cannot live. The patient dies in consequence of the shock.

- (A) "A" has committed the offence of causing death of his patient
- (B) "A" has not committed the offence of causing death of his patient
- (C) "A" has only partially committed the offence of causing death of his patient
- (D) None of the above

G. Given below are a few foreign language phrases which are commonly used. Choose the correct meaning for each of the phrases (1x5=5)

1. Ex officio

- (A) By virtue of previously held position
- (B) Former official
- (C) By virtue of office
- (D) Outside the office

2. Inter vivos

- (A) Between the living
- (B) among the living and the dead
- (C) Between the dead
- (D) among the (Dead and the living)

3. Corpus juris

- (A) Body of judges
- (B) group of jurists
- (C) Body of law
- (D) knowledge of law

4. Ultra Vires

- (A) Within powers
- (B) Full powers
- (C) Near powers
- (D) Beyond powers

5. Quid pro quo

- (A) Something for nothing
- (B) Something for something
- (C) Everything for something
- (D) Something for everything

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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, 2021.

Total Marks: 100

Duration: 3 hours

Date: 29.05.2022 (Sunday)

Time: 9 am to 12 noon

[PAPER-III(Law Paper-I)]

CONSTITUTION OF INDIA (25 MARKS)

Attempt any 5 (Five) questions out of 7 (Seven)

(5 x 5 = 25 Marks)

1. Write a short note on the 'Preamble of the Constitution of India'.
2. Write a paragraph on the 'Basic Structure' Doctrine.
3. Which Article of the Constitution of India was called "The Heart and Soul of the Constitution", by whom and why?
4. Give a brief comparison between Article 32 and Article 226 of the Constitution of India.
5. Write a brief note on Chapter VI of the Constitution of India.
6. Write a short note on the amending power of the Constitution of India.
7. Write a short note on the Sixth Schedule of the Constitution of India.

CODE OF CIVIL PROCEDURE (25 MARKS)

Attempt any 5 (Five) questions out of 7 (Seven)

(5 x 5 = 25 Marks)

1. Write a short note on the relevant provisions of CPC relating to res subjudice and res judicata.
2. Write a short note on "Place of Suing".
3. Write a short note on Arrest and Detention qua Execution of a Decree.
4. Write a short note on Attachment qua Execution of a Decree.
5. Write briefly on Section 80 of CPC – Objects and Reasons.
6. Write a short note on Principles governing Review.

7. Write a brief note on Order 39 of CPC.

TRANSFER OF PROPERTY ACT (25 MARKS)

Attempt any 5 (Five) questions out of 7 (Seven)

(5 x 5 = 25 Marks)

1. Define Transfer of Property.
2. Write a short note on "persons competent to transfer".
3. Write a short note on "Rule against Perpetuity".
4. Write a short note on Section 53-A of Transfer of Property Act.
5. Write a short note on Types of Mortgage.
6. Write a short note on Rights and Liabilities of buyer and seller.
7. Write a short note on "Sale".

INDIAN CONTRACT ACT (25 MARKS)

Attempt any 5 (Five) questions out of 7 (Seven)

(5 x 5 = 25 Marks)

1. All contracts are agreements but not vice-versa. Explain.
2. State in brief the ingredients of a valid contract.
3. Explain the difference between "Offer" and "Invitation to an Offer" with illustrations.
4. Write a brief note on Section 51 of the Indian Contract Act.
5. Write a short note on Novation of Contract.
6. Write a short note on Revocation of Proposals and Acceptance.
7. Write a short note on Section 73 of the Indian Contract Act.

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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, 2021.

Date : 29.05.2022 (Sunday)

Time : 1 P.M. to 4 P.M.

Duration : 3 [Three] hours

Total Marks : 100

PAPER – IV [LAW PAPER – II]

GROUP – A : INDIAN PENAL CODE

1. Choose the most appropriate one out of the choices given below : 1 X 5 = 5

- [i] The Indian Penal Code is divided into _____ ?
- [a] XXIV Chapters and 512 Sections [b] XXIV Chapters and 511 Sections
[c] XXIII Chapters and 512 Sections [d] XXIII Chapters and 511 Sections
- [ii] As per Section 10 of the Indian Penal Code, word 'man' denotes a male human being and 'woman' denotes a female human being of _____ age ?
- [a] above 7 years [b] above 18 years
[c] above 21 years [d] any age
- [iii] A hangman who hangs the prisoners pursuant to the orders of the Court is exempt from criminal liability by virtue of _____ ?
- [a] Section 76, Indian Penal Code [b] Section 78, Indian Penal Code
[c] Section 77, Indian Penal Code [d] Section 80, Indian Penal Code
- [iv] A is invited by B for a cup of tea. While B is in the kitchen preparing tea, A finds a golden ring on the table. He picks it up and places it somewhere in the room with the intention of dishonestly taking it away some time later. A commits _____ ?
- [a] Dishonest misappropriation of property [b] Theft
[c] Attempt to commit theft [d] Cheating
- [v] Which one of the following is not an essential ingredient of the offence of kidnapping under the Indian Penal Code ?
- [a] Minor child [b] Intention of the accused
[c] Without the consent of the lawful guardian [d] Out of the keeping of the lawful guardian

2. Read the following illustrations. Each illustration shows commission of a particular offence under the Indian Penal Code. Name the offence in terms of the Indian Penal Code against each illustration. 1 X 3 = 3

- [i] A enters into or upon the property in the possession B after having taking precautions to conceal such entry from B and other persons, with intent to commit an offence or to intimidate, insult or annoy B.
- [ii] X causes cattle to enter upon a field belonging to Y, intending to cause and knowing that he is likely to cause damage to Y's crop.
- [iii] M intentionally deceives N into a belief that M has performed M's part of a contract made with N, which he has not performed, and thereby dishonestly induces N to pay money.

3. Answer any two from the following three :-

3 X 2 = 6

- [i] How do theft and extortion become robbery? When a robbery can be branded as dacoity?
 - [ii] State briefly criminal misappropriation of property and criminal breach of trust.
 - [iii] What is Kidnapping? Distinguish it from abduction. Whether age is a factor in Kidnapping?
4. A, B, C and D jointly plan to beat up X. While X is being assaulted, his daughter intervenes who is molested by D. While retreating from X's house, B picks up a watch. For what offence A, B, C and D are liable? 4
5. Define the right of private defence. When does a person not have this right? When does this right extend to causing death? When does this right start and when does it end? 7

GROUP – B : CRIMINAL PROCEDURE CODE

6. Choose the most appropriate one out of the choices given below :

1 X 5 = 5

- [i] The term 'taking cognizance' under the provisions of Code of Criminal Procedure, 1973 means -
 - [a] Starting a trial
 - [b] Completing preliminary steps for starting a trial
 - [c] Taking notice of the matter judicially
 - [d] An administrative act to decide if trial is required
- [ii] The Magistrate under the provisions of Section 203, Criminal Procedure Code, 1973 can dismiss a complaint -
 - [a] Even if the proceedings against the accused have commenced
 - [b] Even if there is sufficient ground for proceeding
 - [c] Even if enquiry under Section 202 of the CrPC is not done
 - [d] Even if the complainant is not examined
- [iii] Section 160 of the Criminal Procedure Code, 1973 authorises a police officer to :-
 - [a] summon a person as a witness
 - [b] summon a person for the production of documents
 - [c] summon a person for the production of an article(s)
 - [d] all of the above
- [iv] During inquiry or trial, the accused is remanded to custody :-
 - [a] Under Section 167 [1], Criminal Procedure Code, 1973
 - [b] Under Section 167 [2], Criminal Procedure Code, 1973
 - [c] Under Section 309 [1], Criminal Procedure Code, 1973
 - [d] Under Section 309 [2], Criminal Procedure Code, 1973
- [v] If the proclaimed person does not appear within the time specified in the proclamation, the property under attachment :-
 - [a] Shall not be sold until expiry of six months from the date of attachment
 - [b] Shall not be sold until any claim or objection under Section 84 have been disposed of
 - [c] Both [a] & [b]
 - [d] Either [a] or [b]

7. Discuss the salient differences between the following two [any two] :-

2½ X 2 = 5

- [i] Assistant Public Prosecutor and Public Prosecutor
- [ii] Recording of statement under Section 161 and statement under Section 164.
- [iii] Summons procedure case and warrant procedure case.

8. What is the relevance of Schedule – I of the Criminal Procedure Code, 1973. Discuss its relevance to the Indian Penal Code and bailable/non-bailable and cognizable/non-cognizable offences. 7

9. Under what circumstances and by whom maintenance may be claimed under the provisions of the Criminal Procedure Code, 1973? When a wife is not entitled to maintenance from her husband? When can the Magistrate cancel the order of maintenance allowance to wife? Whether any alteration in the allowance of maintenance can be made? 8

GROUP – C : EVIDENCE ACT

10. Choose the most appropriate one out of the choices given below :-

1 X 5 = 5

[i] The facts which form part of the same transaction are relevant -

- | | |
|---|---|
| [a] Under Section 5 of the Evidence Act | [b] Under Section 6 of the Evidence Act |
| [c] Under Section 7 of the Evidence Act | [d] Under Section 8 of the Evidence Act |

[ii] The plea of alibi is governed by -

- | | |
|------------------------------------|------------------------------------|
| [a] Section 6 of the Evidence Act | [b] Section 8 of the Evidence Act |
| [c] Section 12 of the Evidence Act | [d] Section 11 of the Evidence Act |

[iii] Contents of a document may be proved under Section 61 of the Evidence Act -

- [a] By primary evidence
- [b] By secondary evidence
- [c] Either by primary or by secondary evidence
- [d] Only by primary evidence & not by secondary evidence

[iv] Due execution of a document more than thirty years old coming from proper custody is a -

- | | |
|-------------------------------------|------------------------------------|
| [a] Presumption of fact | [b] Rebuttable presumption of law |
| [c] Irrebuttable presumption-of law | [d] Presumption of fact & law both |

[v] The presumption of continuance of life is contained in -

- | | |
|-------------------------------------|-------------------------------------|
| [a] Section 106 of the Evidence Act | [b] Section 107 of the Evidence Act |
| [c] Section 108 of the Evidence Act | [d] Section 109 of the Evidence Act |

11. Write short notes on any two of the following giving suitable examples :-

2 X 2 = 4

- [i] Primary evidence
- [ii] Public Documents
- [iii] Extra Judicial Confession
- [iv] Doctrine of Estoppel.

12. Discuss the salient differences between the following [any two] :-

4 X 2 = 8

- [i] Giving false information and giving false evidence.
- [ii] Public document and Private document.
- [iii] Admission and confession.

13. Discuss on the various kinds of presumptions under the Indian Evidence Act, 1872 with reference to the specific provisions contained therein. 8

GROUP – C : LAW OF TORTS

14. Write brief notes on any two of the following :-

2½ X 2 = 5

- [i] Doctrine of strict liability
- [ii] Res ipsa loquitur
- [iii] Exception to the maxim volenti non fit injuria
- [iv] Defence of Qualified Privilege

15. Discuss any four from the following case laws :-

4 x 3 = 12

- [i] Rylands vs. Fletcher
- [ii] Asbhy vs. White
- [iii] Jai Laxmi Salth Works [P] Limited vs. State of Gujarat,
- [iv] Union Carbide Corporation vs. Union of India,
- [v] M.C. Mehta vs. Union of India,
- [vi] Municipal Corporation of Delhi vs. Association of Victims of Uphaar Tragedy,
- [vii] DAV Managing Committee & Anr. v. Dabwali Fire Tragedy Victims Association,
- [viii] Sanjay Gupta and others vs. State of Uttar Pradesh through its Chief Secretary and others,

16. "A tort is an infringement of right in *rem* of an individual, giving a right of compensation at the suit of the injured party." Discuss this statement and state how tort differs from a crime and breach of contract. 8

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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, 2021.

Total Marks: 50 Marks

Date : 30-05-2022 (Monday)

Duration: 2 Hours

Time : 9 A.M. to 11 P.M

PAPER-V

১. তলৰ শব্দকেইটিৰ অৰ্থ লিখক: (½ x ৬ = ৩)

- ক) শস্যক্ষেত্র খ) শ্রেষ্ঠ গ) অতিথি ঘ) নৰিয়া ঙ) উলাহ
চ) নিদৰ্শন

২. তলৰ শব্দকেইটিৰ বিপৰীত লিংগ বুজোৱা শব্দ লিখক: (½ x ৬ = ৩)

- ক) যুৱক খ) ৰজা গ) ল'ৰা ঘ) পুৰুষ ঙ) সি
চ) শিক্ষক

৩. এটা শব্দত প্ৰকাশ কৰক: (½ x ৬ = ৩)

- ক) মাকৰ ভনীয়েক খ) যি নিজৰ দেশক ভাল পায়
গ) বয়-বস্তু বেচা-কিনা কৰা ঠাই ঘ) কঁঠালৰ কলি
ঙ) যাৰ অন্ত নাই চ) পৰৰ অধীন

৪. তলৰ বাক্যবোৰ শুদ্ধকৈ লিখক: (১x ৫ = ৫)

- ক) মাই ভাত বনাই আছে ।
খ) ৰাইজসকল, মোক ক্ষমা কৰক ।
গ) আমিবোৰ ভাৰতীয় নাগৰিক ।
ঘ) নদীৰ পাৰত মলয়া বতাহ আহিছে ।
ঙ) মানুহজনে ঘৰটো বনাইছে ।

৫. তলত উল্লেখ কৰা বিশিষ্ট ব্যক্তি কেইজনৰ ভিতৰত যিকোনো এজনৰ বিষয়ে ৫০টা শব্দত চমুটোকা লিখক । (৩)

- ক) সীতানাথ ব্ৰহ্মচৌধুৰী খ) ৰংবং তেৰাং গ) য়েছে দৰজে ঠংচি

৬. তলৰ যিকোনো এটাৰ ভাৱ সম্প্ৰসাৰণ কৰক (৫০টা শব্দৰ ভিতৰত) : (৩)

- ক) উপকাৰীক অজগৰে খায় । খ) একতাই পৰম বল ।

৭. তলৰ দফাটো ভালদৰে পঢ়ি তলৰ প্ৰশ্ন কেইটিৰ উত্তৰ দিয়া ।

বুদ্ধদেৱৰ পিতৃ প্ৰদত্ত নাম আছিল সিদ্ধাৰ্থ । খ্ৰীষ্ট পূৰ্ব প্ৰায় ৫৬৭ ত নেপালৰ কপিলাবস্তুৰ ওচৰত লুম্বিনীত তেখেতৰ জন্ম । মাহীমাক গৌতমীৰ দ্বাৰা লালিত পালিত হোৱা বাবে গৌতম ৰূপে পৰিচিত হয় । ল'ৰা কালৰে পৰা গৌতম অতি চিত্তাশীল আছিল । কালক্ৰমত যশোধৰা নামৰ এগৰাকী ৰাজকুমাৰীৰ সৈতে তেখেতৰ বিবাহ আৰু এটা পুত্ৰ সন্তান জন্ম হয় । সংসাৰত মানুহবোৰৰ দুখ-কষ্ট দেখি সেই বোৰৰ পৰা পৰিত্ৰাণ পোৱাৰ উদ্দেশ্যে ৰাজ বৈভৱ পৰিত্যাগ কৰে আৰু ৰাজ কাৰেঙৰ পৰা ওলাই যায় । অৱশ্যেত গয়াত এজোপা বৰগছৰ তলত তপস্যাৰ অন্তত দিব্যজ্ঞান লাভ কৰে । তেতিয়াৰ পৰা তেওঁ বুদ্ধ ৰূপে পৰিচিত হয় । বুদ্ধৰ অৰ্থ জ্ঞানী ।

- ক) বুদ্ধদেৱৰ আন দুটা নাম কি ? (১)
খ) লুম্বিনী ক'ত ? (১)
গ) গৌতমৰ পত্নীৰ নাম কি ? (১)
ঘ) গৌতমে ক'ত দিব্যজ্ঞান লাভ কৰে ? (১)
ঙ) গৌতমে কিয় ৰাজ বৈভৱ পৰিত্যাগ কৰিছিল ? (১)

৮. আদালত আৰু কাৰ্য্যালয়ত উপস্থিত থাকিব নোৱাৰা বাবে জিলা আৰু সত্ৰ ন্যায়মাধীশলৈ এখন নৈমিত্তিক ছুটিৰ আবেদন লিখক। (৫)

৯. অৰ্থ লিখি বাক্য ৰচনা কৰক: (১^১/_২ x ৪ = ৬)

- ক) ডলাৰ বগৰী খ) ধোদৰ পচলা গ) অৰ্থাই সাগৰ ঘ) মাটিৰ মানুহ

১০. কবি চন্দ্ৰকুমাৰ আগৰৱালা দেৱে লিখা “মানৱ বন্দনা” নামৰ কবিতাটিৰ তলত দিয়া পংক্তিটোৰ প্ৰসংগ সংগতি লগাই বাখ্যা কৰক । (২ + ৪ = ৬)

মানুহেই দেৱ মানুহেই সেৱ
মানুহ বিনে নাই কেৱ,
কৰা কৰা পূজা পাদ্য অৰ্ঘ্য লই
জয় জয় জয় মানৱ দেৱ ।

১১. তলত দিয়া যিকোনো এটা বিষয়ৰ ওপৰত ৩০০টা শব্দৰ ভিতৰত এখন ৰচনা লিখক । (৮)

- ক) শক্তিশালী ন্যায় ব্যৱস্থা শক্তিশালী গণতন্ত্ৰৰ ভেটি ।
খ) নিয়মানুৱৰ্তিতা ।

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