

THE GAUHATI HIGH COURT AT GUWAHATI
(The High Court of Assam, Nagaland, Mizoram & Arunachal Pradesh)

MAIN WRITTEN EXAMINATION FOR DIRECT RECRUITMENT TO GRADE - III OF ASSAM
JUDICIAL SERVICE, 2023

Date : 11.08.2023 (Friday)

Time: 9 A.M. -12 Noon

Total marks: 100

Duration : 3 Hrs.

PAPER – I

1. Write an essay (any one): (25 marks)
- (a) Uniform Civil Code: Problems and prospects.
 - (b) The perpetual violence against women explodes the myth of gender equality.
 - (c) Natural Calamities – How far are we responsible?

2. Read the following passage and write a precis: (15 marks)

These are two considerations which deserve at least a word in any discussion of the future of the Indian theatre. The first is the rapid development of the cinema as a competitive for prophesied favour. At first, in the early flush of cinematic triumph people - some of whom might have been expected to, know better prophesied the extinction of the theatre. It is now clear that though here and there, temporarily, the theatre may be affected, the cinema cannot hope to replace the stage and elbow it out of existence. Experience in the West has shown that the stage will always be required as a federal studio. For the technique is different and great stage actors have, always, to their disgust, discovered that film acting is at least only second best to them; it cannot mean to them what the stage means. Something is lacking in the human touch. In the theatre heart responds to heart and mind acts on mind in a way unknown to the cinema.

Thus there is no danger of extinction to the theatre. On the other hand, the rivalry of the screen ought to and will put theatre to a new test and give it a new stimulus that may well lead to still higher planes of artistic achievement.

Finally, a word about a national language spoken, written and thought might do for the theatre in India. With the new awakening in social life, the need of a common tongue is being increasingly felt. Much work is being done to bring out a common linguistic medium. The day when it is accepted will be a great day for the Indian theatre, as it will be for all art in the country. But the theatre, because its life blood is spoken word, will gain most. With a common tongue, with a live national consciousness, the theatre will become to its own as definite instrument of national unity reflecting the national mind, interpreting the national heart and dreaming national dreams for the future.

3. Use any five (5) of the following idioms/phrases in your own sentences to illustrate their meanings: (5x2=10 marks)
- (a) Hobson's choice
 - (b) a bolt from the blue

- (c) bone of contention
- (d) kith and kin
- (e) from pillar to post
- (f) man of straw
- (g) white elephant

4. **Complete the sentence with suitable prepositions:** (1x10 = 10 marks)

- (a) The cat jumped _____ the river.
- (b) He has great antipathy ____ those who are hypocrites.
- (c) The government acted judiciously to stave ____ the crisis.
- (d) I was invited ____ tea by his mother.
- (e) The phone rang many times ____ the night.
- (f) She is holding the cup ____ her hands.
- (g) ____ the beginning of a book, there is often a table of contents.
- (h) The meeting took place _____ the company's head office.
- (i) He decided to enter ____ a new course of life.
- (j) Urchins are loitering ____ the street.

5. **Rewrite the following sentences after making necessary correction of errors:** (1x5= 5 marks)

- (a) Of all the deities, this one is said to be the most perfect deity.
- (b) Betty has fewer patience than Linda
- (c) Commiserations! You have cleared the exam.
- (d) I am sitting opposite to the biggest mall in town.
- (e) Birds fly above the mountains.

6. **Give the collective nouns of the following:** (1x5=5 marks)

- (a) A _____ of locusts.
- (b) A _____ of cotton.
- (c) A _____ of thread.
- (d) A _____ of kings.
- (e) A _____ of paper.

7. **Rewrite as directed without changing the meaning:** (1x5=5 marks)

- (a) We hoped to win the game. (change to complex sentence)
- (b) When the sun rises, the birds leave their nests. (change to compound sentence)
- (c) I will help you in whichever way it is possible. (change to simple sentence)
- (d) Those who come late shall be punished. (change to compound sentence)
- (e) The house on the hill is haunted. (change to complex sentence)

8. **Rewrite the following into active/passive voice. If the question is in active voice, change it to passive voice and vice versa:** (1x5=5 marks)

- (a) They bought a new house.

- (b) Let a glass of water be given to him.
- (c) The court set the prisoner free.
- (d) This house is to let.
- (e) I came to your house this morning and I drank a good cup of tea.

9. Change the narration: (1x5=5 marks)

- (a) The lawyer said to his assistant, "File these papers immediately."
- (b) He told Karen to call him back later.
- (c) He asked me, "Did you know him?"
- (d) My father told me to look for a new job if I wanted more money.
- (e) The driver said to the passerby, "Do you know the way to the market?"

10. Match the pronoun with the noun in each sentence: (1x5=5 marks)

- (a) Asha took the bottle and kept it under the desk.
- (b) John and Kevin are to be here. They are not to roam around.
- (c) Emma fell on the floor and found out it was made of marble.
- (d) Katy and Perry chatted as they jogged along.
- (e) Rosie hid a bottle of water under her chair.

11. Choose the correct answer: (1x10=10 marks)

- (a) I just couldn't understand these sums. If only I ___ better in Maths!(was/were)
- (b) The herd of horses ___ wildly across the fields. (gallop/gallops)
- (c) Neither Tom nor Elvis and Harry ___ done this job. (has/have)
- (d) Having cleared the final, Manchester United ___ on the good book of many. (is/are)
- (e) Jack and Leo, as well as Tim who ___ been here before, are hear tonight. (has/have)
- (f) Being a dancer, I'd rather you ___ tonight for the programme. (dance/danced)
- (g) Some of this book ___ not at all interesting. (is/are)
- (h) Much of the machinery on these farms ___ unusable. (is/are)
- (i) Two-thirds of the patients ___ left the institution. (has/have)
- (j) Playing sports such as football and basketball ____ physical and mental strengths. (require/requires)



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PAPER – II

Each question carries one mark-

1 X100= 100 marks

Choose the Correct option-

1. Which country is the largest producer of mangoes?
i. China ii. India iii. Bangladesh iv. Russia
2. 'Kathakali' is a folk dance prevalent in which state?
i. Karnataka ii. Orissa iii. Kerala iv. Manipur
3. Which period in Indian History is also known as "Golden Period"?
i. Mauryan Period ii. Colonial Period iii. Gupta Period iv. Mughal period.
4. Which vitamin is also known as Ascorbic Acid?
i. Vitamin A ii. Vitamin D iii. Vitamin E iv. Vitamin C.
5. Largest producer of tea in the world?
i. China ii. India iii. Sri Lanka iv. Nepal.
6. What are those animals called which eat both plants and animals?
i. Carnivorous ii. Herbivores iii. Gluttony iv. Omnivores.
7. Pangsau pass in India is a border between which two countries?
i. Indo-Myanmar ii. Indo-China iii. Indo-Pakistan iv. Indo –Bhutan.
8. Who invented Television?
i. Louis Stevenson ii. John Logie Baird
iii. Thomas Alva Edison iv. Ray Tomlinson
9. The National Anthem was first sung in the year-
i. 1911 ii. 1913
iii. 1936 iv. 1935
10. The Sangai deer is an endangered subspecies, found in which part of India?
i. Gujarat ii. Assam iii. Jharkhand iv. Manipur.

11. The members of the panchayat are

- i. nominated by the district officer
- ii. the electorates of the respective territorial constituencies
- iii. nominated by local self-government minister of the State
- iv. nominated by the block development organization

12. Where did Gautama Buddha attain Enlightenment?

- i. Lumbini
- ii. Sarnath
- iii. Kusinagar
- iv. Bodh Gaya

13. Who was the first Tirthankara in Jainism ?

- i. Bardhaman Mahavir
- ii. Dharma Narayan
- iii. Rishabhdev
- iv. Gautama Buddha

14. Who started the Saka era in 78 AD, which is still used by the Government of India?

- i. Kanishka
- ii. Kujula Kadphises
- iii. Vima Kadphises
- iv. Vasudeva I

15. Who was known as Frontier Gandhi?

- i. M.K. Gandhi
- ii. Sardar Vallabhai Patel
- iii. Khan Abdul Gafar Khan
- iv. Mallappa Dhanshetti

16. Who was India's first Education Minister after independence?

- i. Dr. S. Radhakrishnan
- ii. Dr. D.S. Kothari
- iii. Sarojini Naidu
- iv. Maulana Abul Kalam Azad

17. International Nurses Day is celebrated globally on which date and in memory of which famous person?

- i. May 12, Florence Nightingale
- ii. January 12, Swami Vivekananda
- iii. April 10, Samuel Hahnemann
- iv. April 17, Frank Schnabel.

18. Bhogeswar Baruah won a medal inAsian Games

- i. 1962
- ii. 1966
- iii. 1978
- iv. 1972

19. The minimum age to qualify for election to the Lok Sabha is-

- i. 25 years
- ii. 21 years
- iii. 18 years
- iv. 35 years

20. The Assam Reorganization Act 1956 created which of the following State/States?

- i. Meghalaya
- ii. Meghalaya & Mizoram
- iii. Mizoram
- iv. Arunachal Pradesh.

21. Cardamom hills is located in which mountain range?

- i. Aravalli Range
- ii. Western Ghats
- iii. Pirpanjal Range
- iv. Eastern Ghats

22. In which year did the Parliament adopt Indian Constitution?

- i. 1947
- ii. 1950
- iii. 1949
- iv. 1952

23. The Chairman of Rajya Sabha is

- i. Nominated by the President
- ii. Elected by the two Houses of Parliament
- iii. Elected by Parliament and the legislatures of the States jointly
- iv. Elected by the members of Rajya Sabha.

24. Which one of the following Articles has declared untouchability in any form as unconstitutional?

- i. Article 14
- ii. Article 17
- iii. Article 44
- iv. Article 45

25. Which of these is not included as a Fundamental Right in the Indian Constitution?

- i. Right to freedom of speech
- ii. Right to equality before law
- iii. Right to constitutional remedies
- iv. Right to equal wages for equal work

26. Who considered the Right to Constitutional Remedies as "heart and soul" of the India Constitution?

- i. M.K. Gandhi
- ii. J.L. Nehru
- iii. B.R. Ambedkar
- iv. Dr. Rajendra Prasad

27. Ultra violet light of sun's radiation is prevented from reaching the earth's atmosphere by the layer of-

- i. Oxygen
- ii. Hydrogen
- iii. Ozone
- iv. Helium

28. The oldest Football Tournament in India is :

- i. Rovers cup
- ii. I.F.A. Shield.
- iii. Durand cup.
- iv. Tata cup

29. Which of the following is the country of origin of Taekwondo?

- i. Japan
- ii. Korea
- iii. China
- iv. Thailand.

30. With which of the following sports is the term 'Four Musketeers' referring to four popular players associated?

- i. Shooting
- ii. Rowing
- iii. Tennis
- iv. Football.

31. Which Book is not authored by Ram Jethmalani?

- i. Maverick Unchanged Unrepentant.
- ii. Conscience of a Maverick.
- iii. Landmarks in Law.
- iv. Big Egos Small Man.

32. 'The Man Who knew Infinity' is a biography of which Indian Mathematician?

- i. C.V. Raman
- ii. Har Gobind Khorana
- iii. Srinivasa Ramanujan
- iv. Satyendra Nath Bose

33. Who among the following cricketers has authored the book 'Straight from the Heart: An Autobiography'?

- i. Sunil Gavaskar
- ii. Sourav Ganguly
- iii. Sachin Tendulkar
- iv. Kapil Dev.

34. Which of the following book is not written by Shashi Tharoor?

- i. Why I am a Hindu.
- ii. Hind Swaraj
- iii. The paradoxical Prime Minister
- iv. An era of darkness: The British Empire in India.

35. With which rocket was Chandrayaan-3 launched?

- i. PSLV9
- ii. SSLV7
- iii. LVM3-M4
- iv. GSLV5

36. Which Book is not authored by Shri Fali S Nariman?

- a) Before Memory Fades.
- b) Discordant Notes.
- c) God Save the Hon'ble Supreme Court.
- d) The Delightful Mr. Daphtary.

37. The International Literacy Day is observed on-

- A. Sep 8
- B. Nov 28
- C. May 2
- D. Sep 22

38. In which group of places the Kumbha Mela is held every twelve years?

- A. Ujjain, Puri, Prayag, Haridwar
- B. Prayag, Haridwar, Ujjain, Nasik
- C. Rameshwaram, Puri, Badrinath, Dwarika
- D. Chittrakoot, Ujjain, Prayag, Haridwar

39. Which of the following was the theme of the World Red Cross and Red Crescent Day?

- A. "Dignity for all - focus on women"
- B. "Dignity for all - focus on Children"
- C. "Focus on health for all"
- D. "Nourishment for all-focus on children"

40. Who is the author of the epic 'Meghdoot'?

- A. Vishakadatta
- B. Valmiki
- C. Banabhatta
- D. Kalidas

41. 'Good Friday' is observed to commemorate the event of

- A. birth of Jesus Christ
- B. birth of St. Peter
- C. crucifixion of Jesus Christ
- D. rebirth of Jesus Christ

42. Which of the following is observed as Sports Day every year?

- A. 22nd April
- B. 26th July
- C. 29th August
- D. 2nd October

43. Van Mahotsav was started by

- A. Maharshi Karve
- B. Bal Gangadhar Tilak
- C. K.M. Munshi
- D. Sanjay Gandhi

44. Which Novel is not authored by Yeshe Dorjee Thongchi?

- a) *Sonam*, 1982
- b) Saw Kata Manuh
- c) Mrityunjoy
- d) Moi Akou janam lom.

45. Which is the first Feature Film of Arunachal Pradesh directed by Dr. Bhupen Hazarika?

- a) Era Bator Xur.
- b) Pratidhani.
- c) Mera Dharam Meri Maa.
- d) Dharam Veer.

46. The Non-Cooperation Movement was launched by Mahatma Gandhi in response to which event in 1920?

- a) Jallianwala Bagh massacre
- b) Quit India Movement
- c) Rowlatt Act
- d) Partition of Bengal.

47. The "Quit India Movement" was a major civil disobedience movement launched by the Indian National Congress during the freedom struggle. In which year did it take place?

- a) 1942
- b) 1930
- c) 1922
- d) 1947.

48. The famous "Bhakti Movement", a spiritual and social reform movement, gained prominence during which period in Indian history?

- a) Gupta Empire
- b) Maurya Dynasty
- c) Vijayanagara Empire
- d) Medieval Period.

49. The "Dandi March" or "Salt Satyagraha" was a significant event during the Indian independence movement. In which year did Mahatma Gandhi lead this march?

- a) 1929
- b) 1930
- c) 1942
- d) 1947.

50. Who was the first Mughal Emperor of India?

- a) Babur b) Akbar c) Humayun d) Jahangir.

51. The All India Muslim League was founded in 1906 in which city?

- a) Lahore b) Delhi c) Kolkata d) Dhaka.

52. The famous Indian monk who played a significant role in spreading Buddhism in China was:

- a) Adi Shankaracharya b) Guru Nanak c) Swami Vivekananda d) Bodhidharma.

53. The Indian Rebellion of 1857, also known as the Sepoy Mutiny, was triggered by the use of whichcartridges? Give the name.

- a) Colt b) Phatom c) Enfield d) Drake.

54. The famous "Dandi March" led by Mahatma Gandhi was a significant event during which movement?

- a) Non-Cooperation Movement b) Civil Disobedience Movement
c) Quit India Movement d) Khilafat Movement.

55. In which country did the ancient Olympic Games originate?

- a) Greece b) Rome c) Egypt d) China.

56. Which Grand Slam tennis tournament is played on grass courts?

- a) Australian Open b) French Open c) Wimbledon d) US Open.

57. How many rings are there on the Olympic flag?

- a) 4 b) 5 c) 6 d) 7.

58. Assam Rifles, a prominent paramilitary force, actively promotes sports among its personnel and organizes which annual event in Assam?

- a) Assam Rifles Football Championship b) Assam Rifles Cricket Tournament
c) Assam Rifles Athletics Meet d) Assam Rifles Badminton Tournament

59. Which cricketer became the first Indian woman to score a century in a T20 International cricket match?

- a) Mithali Raj b) Smriti Mandhana c) Harmanpreet Kaur d) Jhulan Goswami.

60. In which part of the Indian Constitution, the provisions related to the judiciary are listed?

- a) Part I b) Part IV c) Part V d) Part VI.

61. The Supreme Court of India was established in which year?

- a) 1950 b) 1947 c) 1952 d) 1949.

62. The term of office of a judge of the Supreme Court of India is until the age of:

- a) 60 years b) 62 years c) 65 years d) 70 years.

63. The Indian judiciary follows a hierarchical system with High Courts having jurisdiction over:

- a) A State or a group of States
- b) The entire country
- c) District Courts
- d) Village-level Courts.

64. Who was the first Chief Justice of India?

- a) Justice P.B. Gajendragadkar
- b) Justice M. Patanjali Sastri
- c) Justice R.F. Lodge
- d) Justice Harilal Jekisundas Kania.

65. The concept of Public Interest Litigation (PIL) was introduced by the Supreme Court in:

- a) 1965
- b) 1976
- c) 1983
- d) 1991.

66. Which Indian airport is set to be named after Shaheed Bhagat Singh?

- a) Chandigarh International Airport
- b) New Delhi International Airport
- c) Cochin International Airport
- d) Mumbai International Airport.

67. Which famous Indian film director directed the critically acclaimed movie "Mother India"?

- a) Satyajit Ray
- b) Raj Kapoor
- c) Guru Dutt
- d) Mehboob Khan.

68. India's Vande Bharat train was inaugurated between Guwahati and which city?

- a) Delhi
- b) Howrah
- c) Dibrugarh
- d) New Jalpaiguri

69. Next cricket World cup will be hosted by which country?

- a) Australia
- b) Pakistan
- c) India
- d) South Africa.

70. Who is present Law Minister of India?

- a) Shri Kiren Rijiju
- b) Shri Hardeep Singh Puri
- c) Shri Ashwini Vaishnaw
- d) Shri Arjun Ram Meghwal

71. The Mahatma Gandhi Marine Park is located in

- a) Pirotan Island
- b) Rameswaram
- c) Ganga sagar Island
- d) Port Blair.

72. Who is the current Vice President of India?

- a) Jagdeep Dhankar
- b) M Venkaiah Naidu
- c) Nitin Gadkari
- d) C V Ananda Bose.

73. Next summer Olympics will be held at-

- a) India
- b) France
- c) Scotland
- d) United Kingdom.

74. Which Article of the Constitution of India says there shall be a High Court for each State?

- a) Article 214
- b) Article 315
- c) Article 229
- d) Article 215.

75. Mohiniattam dance form developed originally in which State?

- a) Tamil Nadu
- b) Orissa
- c) Kerala
- d) Karnataka.

76. Look at this series: 2, 1, (1/2), (1/4), ... What number should come next?

- a) (1/3)
- b) (1/8)
- c) (2/8)
- d) (1/16)

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

- a) 7
- b) 10
- c) 12
- d) 13

78. Look at this series: 36, 34, 30, 28, 24, ... What number should come next?

- a) 20 b) 22 c) 23 d) 26

79. Look at this series: 53, 53, 40, 40, 27, 27, ... What number should come next?

- a) 12 b) 14 c) 27 d) 53

80. SCD, TEF, UGH, _____, WKL

- a) CMN b) UJI c) VIJ d) IJT

81. QPO, NML, KJI, _____, EDC.

- a) HGF b) CAB c) JKL d) GHI

82. Here are some words translated from an artificial language. *lelibroon* means yellow hat, *plekafroti* means flower garden, *frotimix* means garden salad.

Which word could mean "yellow flower"?

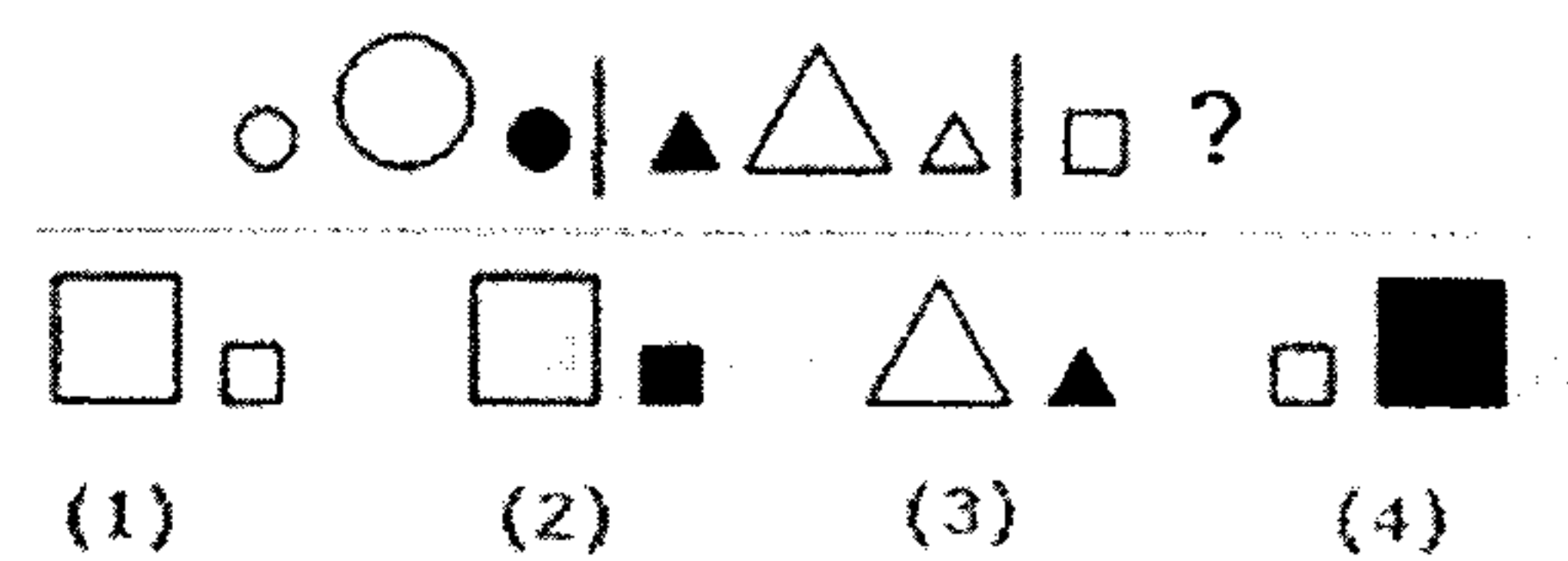
- a) lelifroti b) lelipleka c) plekabroon d) frotibroon

83. Here are some words translated from an artificial language. *myncabel* means saddle horse, *conowir* means trail ride, *cabelalma* means horse blanket.

Which word could mean "horse ride"?

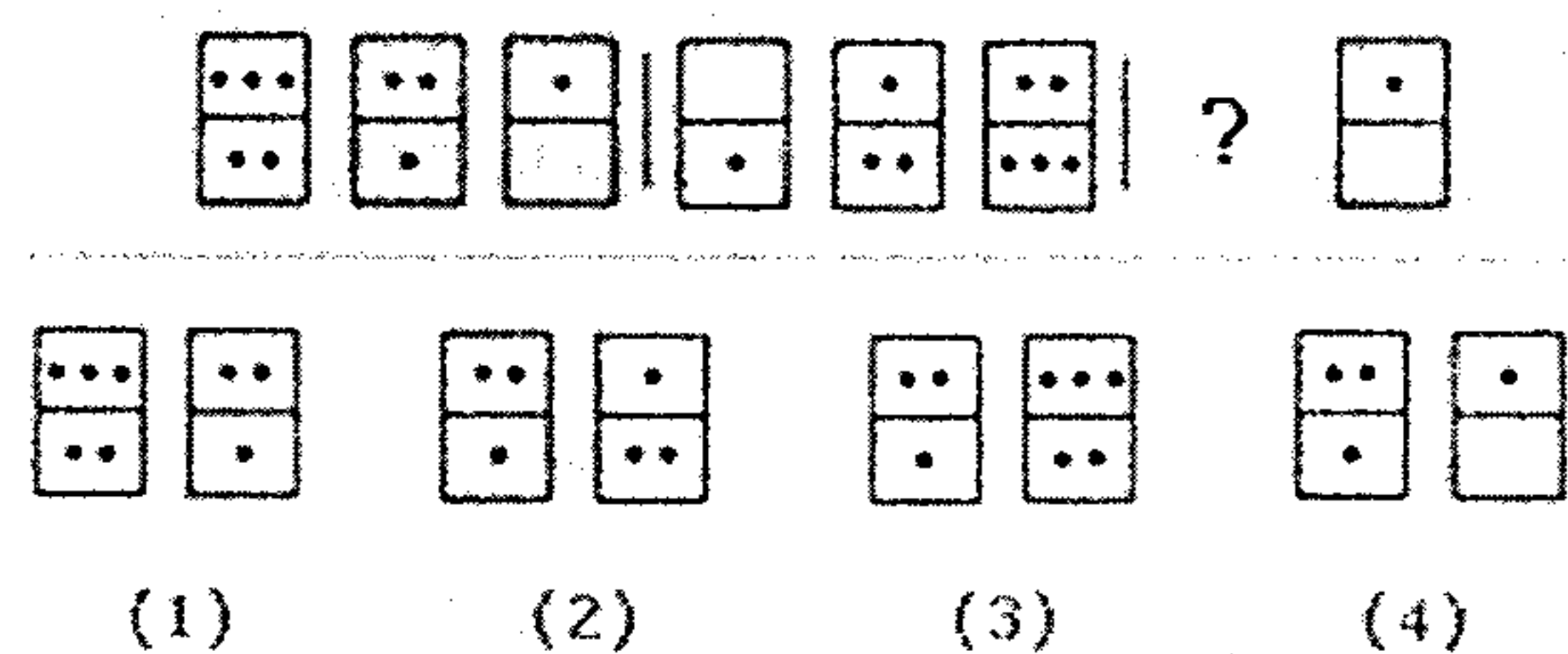
- a) cabelwir b) conocabel c) almamyn d) conoalma

84. Chose correct pattern.



- a) 1 b) 2 c) 3 d) 4

85. Chose the correct pattern.



- a) 1 b) 2 c) 3 d) 4

86. Peacock : India :: Bear : ?

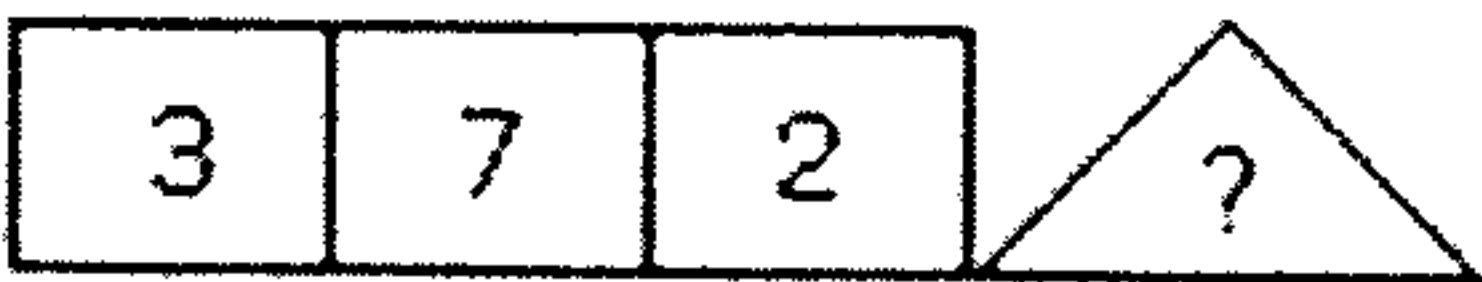
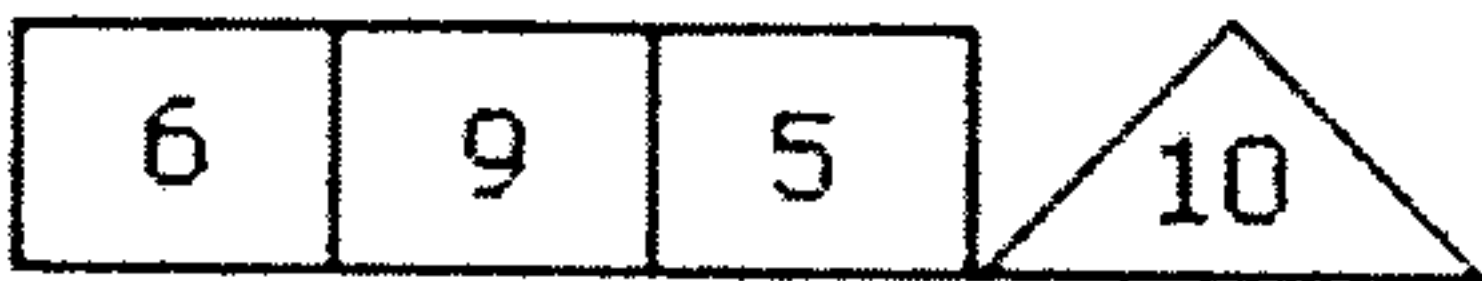
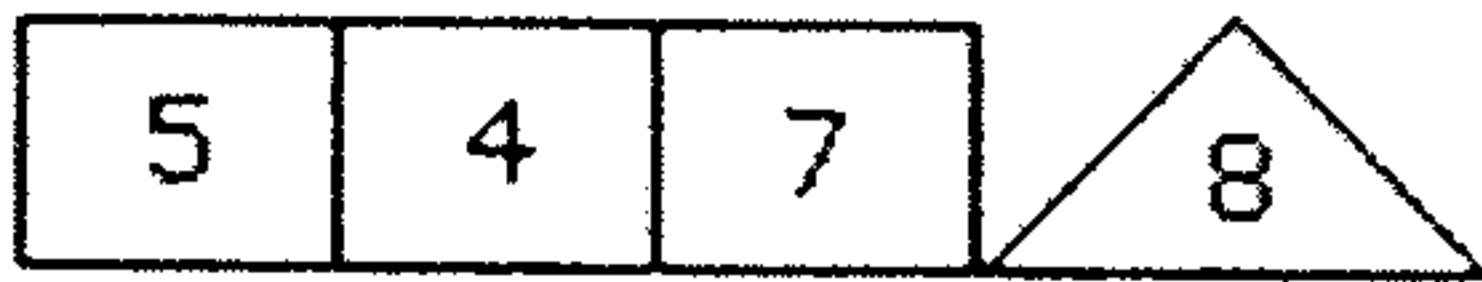
- a) Australia b) America c) Russia d) England

- 87.** Melt : Liquid :: Freeze : ?
 a) Ice b) Condense c) Solid d) Force
- 88.** Cloth : Mill :: Newspaper : ?
 a) Editor b) Reader c) Paper d) Press
- 89.** Lucknow, Patna, Bhopal, Jaipur.
 a) Shimla b) Mysore c) Pune d) Indore
- 90.** Pathology, Cardiology, Radiology, Ophthalmology
 a) Biology b) Hematology c) Zoology d) Geology
- 91.** Find the correctly spelt word.
 a) Efficient b) Treatmeant c) Beterment d) Employd
- 92.** Find the correctly spelt word.
 a) Foreign b) Foreine c) Fariegn d) Forein
- 93.** Find the correctly spelt word.
 a) Ommineous b) Omineous c) Ominous d) Omenous
- 94.** Arrange the words given below in a meaningful sequence.
 1. Word 2. Paragraph 3. Sentence 4. Letters 5. Phrase
 a) 4, 1, 5, 2, 3 b) 4, 1, 3, 5, 2 c) 4, 2, 5, 1, 3 d) 4, 1, 5, 3, 2
- 95.** Arrange the words given below in a meaningful sequence.
 1. Nation 2. Village 3. City 4. District 5. State.
 a) 2, 3, 4, 5, 1 b) 2, 3, 4, 1, 5 c) 1, 3, 5, 4, 2 d) 1, 2, 3, 4, 5
- 96.** Which one will replace the question mark?

A ₂	C ₄	E ₆
G ₃	I ₅	?
M ₅	O ₉	Q ₁₄

- a) L₁₀ b) K₁₅ c) I₁₅ d) K₈

97. Which one will replace the question mark?



- a) 1 b) 4 c) 3 d) 6

98. TEN:DECIMAL

- a) seven:septet b) four:quartet
c) two:binary d) five:quince

99. LIGHT:BLIND

- a) speech:dumb b) language:deaf
c) tongue:sound d) voice:vibration

100. Find the odd one.

1, 3, 5, 11, 14, 17, 21

- a) 21 b) 17 c) 14 d) 3

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Date : 12.08.2023 (Saturday)

Time: 9 A.M. -12 Noon

Total marks: 100

Duration : 3 Hrs.

PAPER – III (Law Paper- I)

Group - A : Constitution of India

I. Attempt any 5 questions.

Total Marks: 5x5=25

- Q.1. What is preamble? Is it a part of the Constitution? Can it be used to interpret the Constitution? Also explain its significance.
- Q.2. Explain the right to Constitutional remedies available to the citizens.
- Q.3. Explain the importance, duties and function of Comptroller and Auditor General of India (CAG).
- Q.4. Briefly explain the power of the Parliament to amend the Constitution and the Basic Structure Doctrine.
- Q.5. Write an essay on the division of power between the Union and the State Governments, with special reference to Concurrent List.
- Q.6. What do you mean by Federal Structure of Government ? What are the Federal Features of the Constitution ?
- Q.7. Explain any one of the following :
- (i) Directive Principles of State Policy vis-a-vis Fundamental Rights.
 - (ii) Right to Education.
 - (ii) Fundamental Duties.

Group - B : Code of Civil Procedure

II. Attempt any 5 questions.

Total Marks: 5x5=25

Q. 1. What is a plaint ? What are its contents ? When it is rejected or returned ?

Q.2. Write few lines in respect of any two of the following subject :-

- (i) Executing court cannot travel beyond the decree.
- (ii) Res-judicata.
- (iii) Substituted service.
- (iv) Caveat.

Q.3. Explain what is substantial question of law, with reference to second appeal.

Q.4. Write an essay about section 89 CPC and its relevance in today's context.

Q.5. By way of judicial pronouncement another condition for granting temporary injunction is being involved, besides the three golden principles already existed, for granting temporary injunction. Briefly explain about all the four principles.

Q.6. Define the Following:-

- (i) Res-subjudice,
- (ii) Mesne profits,

Q.7. How and for what purpose is a commission appointed ? Explain its power and functions.

Group- C : Transfer of Property Act

III. Attempt any 5 questions.

Total Marks: 5x5=25

- Q.1. What do you mean by immovable property under the Transfer of Property Act ?
Distinguish between moveable and immovable property.
- Q.2. It is the general rule that property of any kind can be transferred. Explain the rule with exceptions.
- Q.3. What is Doctrine of Election ? What conditions are required to be fulfilled for applying the Doctrine of Election.
- Q.4. Define Mortgage and distinguish it from the Charge. What are the different kind of Mortgages ?
- Q.5. Discuss briefly the Doctrine of Part Performance embodied in section 53 A of the Transfer of Property Act. What are its essential conditions ?
- Q.6. Define Gift under Transfer of Property Act and give its main characteristics. When Gift can be revoked ?
- Q.7. Write brief notes on any five of the followings:-
- (i) Actionable claim
 - (ii) "Donatio mortis causa"
 - (iii) Public Trust,
 - (iv) Easement of necessity and easement by prescription.
 - (v) Universal Donee,
 - (vi) Easement of necessity,

Group – D: Indian Contract Act

IV. Attempt any 5 questions.

Total Marks: 5x5=25

Q. 1 Write an essay on any of the following topics:-

- (i) A void contract is not necessarily illegal.
- (ii) Agreement in restraint of legal proceeding and section 28 of the Contract Act.

Q.2. What is Lawful Consideration ? Also explain its exemptions.

Q.3. Explain the distinction between Coercion and Undue influence.

Q.4. Give the meaning of 'Caveat Emptor'. What are the exceptions to it?

Q.5. Answer the following with reason:-

"A invites B to a dinner. B accepts the invitation. A made an elaborate arrangement. But, B failed to turn up. Can A successfully sue B in the court of law for the loss he suffered ?"

Q.6. Explain briefly the following:-

"A contract obtained by misrepresentation is voidable at the option of the buyer."

Q.7. State and explain the consequences of breach of contract.

=====XXXXXXXXXX=====

THE GAUHATI HIGH COURT AT GUWAHATI

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

**MAIN WRITTEN EXAMINATION FOR DIRECT RECRUITMENT TO GRADE - III OF ASSAM
JUDICIAL SERVICE, 2023**

Date : 12.08.2023 (Saturday)

Time: 1 P.M. - 4 P.M.

Total marks: 100

Duration : 3 Hrs.

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] Abetment of any offence, if the act abetted is committed in consequence of the abetment, and where no express provision is made by the Indian Penal Code for the punishment of such abetment, is dealt under -

[a] Section 109, Indian Penal Code

[b] Section 110, Indian Penal Code

[c] Section 111, Indian Penal Code

[d] Section 112, Indian Penal Code

[ii] A is beating Z and Y jumps in to stop the beating. In the process A intentionally strikes Y. As per Section 71 of the Indian Penal Code which of the following should be the punishment ?

[a] A is liable to one punishment for voluntarily causing hurt only to Z.

[b] A is liable to one punishment for voluntarily causing hurt to Z and to another for the blow given to Y.

[c] A is liable to one punishment for voluntarily causing hurt only to Y.

[d] None of them.

[iii] Insanity as a defence means that a person at the time of doing an act, by reason of unsoundness of mind is incapable of knowing :

[a] the nature of the act

[b] that what he is doing is wrong

[c] that what he is doing is contrary to law

[d] either [a] or [b] or [c]

[iv] A by putting B in fear of grievous hurt dishonestly induces B to sign and affix his seal in blank paper, and delivers it to A. A has committed ____?

[a] Extortion

[b] Robbery

[c] Cheating

[d] Dacoity

[v] A and B agreed to commit the murder of C by poisoning and D was to procure poison, but he did not procure it. A and B are guilty of

[a] No offence

[b] Criminal conspiracy to murder C

[c] Abetment to murder by conspiracy

[d] Attempt to murder with the aid of Section 34, IPC

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 4 = 4

[i] Z picks up a cheque on a banker signed by X, payable to bearer, but without any sum having been inserted in the cheque. Z fraudulently fills up the cheque by inserting the sum of ten thousand rupees.

[ii] B finds the key of A's house door, which A had lost, and commits house-trespass by entering A's house at mid-night, having opened the door with that key.

[iii] 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.

[iv] M, a man, regularly follows W, a woman, and attempts to contact W to foster personal interaction with her repeatedly despite a clear indication of disinterest by W.

3. Answer any two from the following three :-

3 X 2 = 6

- [i] Limitations on exercise of right of Private Defence.
- [ii] Salient differences between 'Common Intention' and 'Common Object'.
- [iii] Salient differences between 'Wrongful Restraint' and 'Wrongful Confinement', with illustrations.

4. 'In all robbery there is either theft or extortion'. Evaluate the statement. P obtains property from Q by saying- 'Your child is in the custody of my gang, and will be put to death unless you send us Rs. 10,000/-'. Examine.

4

5. Explain the nature and extent of [a] unsoundness of mind, and [b] intoxication, required to exempt a person from criminal liability.

6

GROUP – B: CRIMINAL PROCEDURE CODE

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

1 X 5 = 5

[i] In an application for maintenance, it is not necessary to aver that :

- [a] the wife is unable to maintain herself
- [b] the husband has neglected or refused to maintain the wife
- [c] the husband has sufficient means to maintain the wife
- [d] the husband has treated the wife with cruelty

[ii] Criminal Procedure Code has been included in which of the following Lists in the Constitution of India

- [a] Union List
- [b] State List
- [c] Concurrent List
- [d] All of these

[iii] Under Section 389[3], Code of Criminal Procedure, 1973, the trial court can release an accused on bail after conviction where :-

- [a] the accused is not on bail and he is sentenced with imprisonment for a term not exceeding 3 years and no fine is imposed.
- [b] the accused is on bail and he is sentenced with imprisonment for a term not exceeding 3 years and no fine is imposed.
- [c] the accused is on bail and he is sentenced with imprisonment for a term not exceeding 4 years and no fine is imposed.
- [d] the accused is not on bail and he is sentenced with imprisonment for a term not exceeding 4 years and no fine is imposed.

[iv] Which of the following persons has/have the right to file appeal under Section 372, Criminal Procedure Code, 1973 against an order of acquittal ?

- [a] Victim
- [b] Victim's guardian
- [c] Victim's legal heir
- [d] All the above.

[v] An Assistant Sessions Judge may pass :

- [a] a sentence of imprisonment for life
- [b] a sentence of imprisonment not exceeding 14 years
- [c] a sentence of imprisonment not exceeding 10 years
- [d] a sentence of imprisonment upto 12 years

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

2½ X 2 = 5

- [i] Investigation, Inquiry and Trial
- [ii] Appeal and Revision
- [iii] Compoundable and Non-Compoundable Offences

8. A letter which in the custody of the Postal Authority, is required by an Inspector of Police, who is investigating a serious crime involving the offences of cheating, forgery and misappropriation of money amounting to more than Rs. 100 crores, as an important piece of evidence for the purpose of the said investigation. The Inspector of Police directs the Postal Authority to deliver him the above letter. In such a situation, whether the Postal Authority is legally bound to deliver the letter to the Inspector of Police. If the Postal Authority refuses to abide by the direction of the Inspector of Police and does not deliver the letter to him, what is the procedure the Inspector of Police would require to follow to secure delivery of the letter which is a vital piece of evidence? 6

9. Discuss briefly the constitution and powers of Criminal Courts under the Code of Criminal Procedure, 1973. 9

GROUP – C : EVIDENCE ACT

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

1 X 5 = 5

- [i] Leading questions must be asked
 - A. In cross-examination.
 - B. In re-examination, except with the permission of the court.

Choose the correct option in respect of the above statements.

- [a] A is correct and B is incorrect
- [b] A is incorrect and B is correct
- [c] Both are correct
- [d] Both are incorrect

[ii] A confession made by an accused is relevant and admissible :

- [a] when made to a third person after being detained by a police officer
- [b] when made on being threatened with assault and beatings by public
- [c] when it is extra judicial, voluntary and truthful and beyond reproach
- [d] none of the above

[iii] Documents in respect of which privilege has been provided under Section 123 of the Evidence Act -

- [a] are published official records
- [b] are unpublished official records
- [c] Both [a] and [b]
- [d] Either [a] or [b]

[iv] Under the Evidence Act, the doctrine of res gestae applies to -

- [a] only civil proceedings
- [b] only criminal proceedings
- [c] only to administrative tribunals
- [d] Both [a] and [b]

[v] Presumption as to genuineness of Official Gazettes in electronic form is contained in -

- [a] Section 81A of the Evidence Act
- [b] Section 88A of the Evidence Act
- [c] Section 90A of the Evidence Act
- [d] Section 73A of the Evidence Act

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

2 X 2 = 4

- [i] Privileged communications
- [ii] Judicial Notice
- [iii] Presumption as to Dowry Death
- [iv] Onus Probandi

12. Discuss the salient differences between the following [any two] :- 4 X 2 = 8

- [i] Fact in Issue and Relevant Fact.
- [ii] Primary Evidence and Secondary Evidence.
- [iii] Proved Fact and Disproved Fact.

13. What, if any, are the difference between Estoppel, Acquiescence and Waiver? Explain with illustrations. 8

GROUP – C : LAW OF TORTS

14. Choose the most appropriate one out of the choices given below : - 1 X 4 = 4

[i] The case of 'Rylands vs. Fletcher' has laid down the principle of -

- [a] defamation
- [b] conspiracy
- [c] strict liability of land owner
- [d] none of these

[ii] The principle 'facts speak for themselves' is expressed by the maxim -

- [a] Ubi Jus Ibi Remedium
- [b] Res Ipsa Loquitur
- [c] Novus Actus Interveniens
- [d] Causa Causams

[iii] Easement is a right -

- [a] in rem
- [b] in personam
- [c] neither [a] nor [b]
- [d] in rem in general but is personal in exceptional cases

[iv] Why is defamation a tort ?

- [a] Individuals have the right to be free from bodily harm.
- [b] Individuals have the right to conduct business without interference.
- [c] Individuals have the right to own property.
- [d] Individuals have the right to enjoy good reputation.

15. Write brief notes on any two of the following :- 3 X 2 = 6

- [i] Doctrine of Vicarious liability
- [ii] Inevitable accident
- [iii] Innuendo
- [iv] Contributory negligence

16. Answer any three from the following : - 3 x 3 = 9

- [i] What is nuisance? Distinguish between public nuisance and private nuisance.
- [ii] Explain the difference between libel and slander. When slander becomes actionable per se?
- [iii] Define assault and distinguish it from battery.
- [iv] Distinguish between tortious liability and contractual liability.
- [v] The case of Gloucester Grammar School [1410] and the principle involved.
- [vi] The case of 'Ashby vs. White' [1703] and the principle 'Injuria Sine Damnum'.

17. "Tortious liability arises from the breach of duty primarily fixed by law." – Discuss. 6

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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, 2023.

Total Marks: 50 Marks
Date : 13-08-2023 (Sunday)

Duration: Hours 2
Time : 9 A.M. to 11 A.M.

PAPER- V

১. তলত উল্লেখ কৰা গ্ৰন্থ কেইখনৰ ৰচকৰ নাম লিখক- (১ X ৫ = ৫)
- | | |
|----------------|--------------------------------|
| ক) কীৰ্তন ঘোষা | খ) নাম ঘোষা |
| গ) মৃত্যুঞ্জয় | ঘ) দঁতাল হাতীৰ উয়ে খোৱা হাওদা |
| ঙ) মাকাম | |
২. তলৰ শব্দ কেইটিৰ অৰ্থ লিখক - (১/২ X ৬ = ৩)
- | | |
|---------------|--------------|
| ক) বিয়াগোম | খ) সমীহ |
| গ) নিঃকিন | ঘ) স্বতন্ত্র |
| ঙ) খ্যাতিনামা | চ) ভৃত্য |
৩. তলত উল্লেখ কৰা বানান কেইটা শুদ্ধকৈ লিখক - (১/২ X ৬ = ৩)
- | | |
|------------|-------------|
| ক) অধক্ষ্য | খ) অনুস্থান |
| গ) গধূৰ | ঘ) গৰিয়সী |
| ঙ) নৰীয়া | চ) দুৰ্গাম |
৪. এটা শব্দত প্ৰকাশ কৰক- (১/২ X ৬ = ৩)
- | | |
|------------------------|----------------------|
| ক) ঘাঁহেৰে ভৰা যি ঠাই | খ) যি একে গোত্ৰৰ |
| গ) যি পৰৰ ঠাইত বাস কৰে | ঘ) যাৰ মূৰত চুলি নাই |
| ঙ) যি একেলগে পঢ়ে | চ) যি অলপতে শুনে |
৫. তলত উল্লেখ কৰা বিশিষ্ট লেখিকা দুগৰাকীৰ ভিতৰত যিকোনো এগৰাকীৰ বিষয়ে ৫০ টা শব্দৰ ভিতৰত চমু টোকা লিখক - (৪)
- | | |
|-------------------------|-----------------------|
| ক) মামণি ৰয়ছম গোস্বামী | খ) নিৰ্মল প্ৰভা বৰদলৈ |
|-------------------------|-----------------------|
৬. তলৰ যিকোনো এটা ভাৱ সম্প্ৰসাৰণ কৰক (৫০ টা শব্দৰ ভিতৰত) - (৪)
- | | |
|-----------------------|------------------------|
| ক) আপোন ভালেই জগত ভাল | খ) অল্প বিদ্যা ভয়ংকৰী |
|-----------------------|------------------------|
৭. কবি ৰঘুনাথ চৌধাৰী দেৱে লিখা " বহাগীৰ বিয়া " নামৰ কবিতাটিৰ তলত দিয়া পংক্তিটো প্ৰসঙ্গ সঙ্গতি লগাই বাখ্যা কৰক - (২+৩ = ৫)
- প্ৰকৃতি জীয়াৰী গাভৰু ছোৱালী
বহাগী আইৰে বিয়া ,
উলহ-মালহে সকলোৰে যেন
আনন্দৰে নধৰে হিয়া ।

৮. অর্থ লিখি বাক্য ৰচনা কৰক-

(১^{১/২} X ৪ = ৬)

- ক) মন ডাঠ থ) হাত দীঘল
গ) বুকুত কামোৰ মাৰ ঘ) কাঠ চিতিয়া

৯. খালী ঠাই পূৰণ কৰক-

(১/২ X ৬ = ৩)

- ক) অভ্যাসৰ নৰ কৰে শৰ । থ) চোৰ গলে বুদ্ধি , বৰষুণ গলে ।
গ) কৰিলেহে ৰঙ্গ পায় । ঘ) হৰিণাৰ বৈৰী ।
ঙ) আপোন জগত ভাল । চ) পৰম ধন ।

১০. তলত দিয়া শব্দবোৰৰ অসমীয়া প্ৰতিশব্দ / প্ৰতিভাষা লিখক-

(১ X ৪ = ৪)

- ক) Sessions Judge থ) Chief Judicial Magistrate
গ) Public Prosecutor ঘ) Government Advocate

১১. গুৱাহাটী উচ্চ ন্যায়ালয়ে উদযাপন কৰা মহা ৰজত জয়ন্তী উপলক্ষে ১৫০ৰ পৰা ২০০ শব্দৰ ভিতৰত এখন ৰচনা লিখক -

(১০)
