

## LAW

1. Match List I (legal maxims) with List II (field of application) and select the correct answer

List I

- A. "ex dolo malo non oritur actio"  
 B. "Nemo est factum"  
 C. "Nudum pactum ex quo non oritur actio"  
 D. "ex aequo et bona"

List II

1. Illegal contract  
 2. Document executed in ignorance  
 3. Quasi contract  
 4. Consideration

	A	B	C	D
a.	4	3	2	1
b.	1	2	4	3
c.	4	2	3	1
d.	1	2	3	4

2. Match List I (case) with List II (Rule laid down) and select the correct answer

List I

- A. Ramsgate Victoria Hotel Co. v. Montifiore  
 B. Tinn v. Hoffmann  
 C. Household Fire Insurance Co. v. Grant  
 D. Fitch v. Snedakar

List II

1. Acceptance complete when letter of acceptance posted  
 2. Cross offers do not create contract  
 3. Communication of offer cannot be waived  
 4. Unreasonable delay in acceptance offer causes it to lapse

	A	B	C	D
a.	1	2	4	3
b.	4	2	1	3
c.	2	3	1	4
d.	2	3	4	1

3. Consider the following statements about an offer

1. A counter offer terminates the original offer.

2. Quotation of price is an offer.

3. "Acceptance to an offer is like a lighted match to a train of gun powder"

Of these statements

- a. 1, 2 and 3 are correct  
 b. 2 and 3 are correct  
 c. 1 and 3 are correct  
 d. 3 alone is correct

4. When goods are displayed in a show window bearing price tags, it indicates

- a. offer to sell goods at price mentioned on the price tags  
 b. an invitation to make an offer  
 c. an advertisement  
 d. an announcement

5. Which one of the following statements about a valid acceptance of an offer is NOT correct?

- a. Acceptance should be absolute and unqualified  
 b. Acceptance should be in the prescribed manner  
 c. Acceptance should be made while the offer is subsisting  
 d. Acceptance should in all cases be through registered post

6. X makes a proposal to Y, which Y accepts. But before the acceptance comes to the knowledge of X, Y revokes his acceptance by telegram. When is the revocation complete?

- a. When the telegram is dispatched  
 b. When the telegram is received by X  
 c. When the contents of the telegram come to the knowledge of X  
 d. When X accepts the revocation

7. Consider the following statements:

Consideration is

1. a motive any promise  
 2. a price for any promise.  
 3. only a moral obligation.  
 4. something of value in the eye of law

Of these statements

- a. 1, 2 and 3 are correct

- b. 1 and 4 are correct  
 c. 2 and 4 are correct  
 d. 3 alone is correct
8. Past consideration means  
 a. money received in the past without making even a proposal  
 b. the price which is more than the promisor's expectation  
 c. the price paid or service rendered at the desire or request of the promisor followed by a subsequent promise  
 d. none of the above
9. In the matter of liquidated damages  
 a. the plaintiff is entitled to recover the agreed amount of compensation for the loss suffered  
 b. the plaintiff is not entitled to recover the agreed amount of compensation for the loss suffered  
 c. the plaintiff is entitled to recover the agreed amount of compensation in proving the exact loss suffered  
 d. the plaintiff is entitled to recover the agreed amount of compensation without having to prove the exact loss suffered
10. A person who sues for damages, under the law of contract  
 a. has a duty to mitigate the loss consequent upon the breach of contract  
 b. has not duty to mitigate the loss consequent upon the breach of contract  
 c. can claim damages for the sum inclusive of the amount of loss due to his negligence  
 d. has entire discretion in the matter
11. 'V' places an order with 'S' for the supply of 20 sewing machines 'S' could not supply these in time. 'V' loses a profitable contract due to this and claims his loss of profit from 'S'.  
 But 'V' does not succeed is the nature of the damage is  
 a. foreseeable  
 b. remote  
 c. ordinary  
 d. special
12. J, a usual customer of B, orders certain goods on the day on which B transfers his business to the plaintiff. The plaintiff accepts the order and supplies the goods. Thereupon J refuses to pay alleging that he has intended to contract only with B since he is having a set off against him.  
 In this situation, J  
 a. has no liability to pay the price because he has never intended to contract with the plaintiff  
 b. is liable to pay as he has already been supplied in response to his order  
 c. is liable to pay because the plaintiff has supplied the goods as the agent of B  
 d. is liable to pay because he can claim reimbursement from B
13. Consider the statement given below.  
 The defendant is the owner of a periodical publication called X. He engages the plaintiff to write a volume on a particular topic for his publication. For this work it was agreed that the plaintiff would receive Rs. 10,000 on completion. When the plaintiff finishes a part of the volume the defendant abandons the series. Which one of the following correctly describes the legal rights of the plaintiff?  
 a. The plaintiff is without a remedy because he is entitled to get the remuneration only after the completion of the work  
 b. There is no other remedy for the plaintiff except suing for damages for breach of contract  
 c. Plaintiff can sue for damages for breach of contract and he may also sue on quantum meruit for the work already done  
 d. The plaintiff is entitled to get the entire amount of Rs. 10,000 because he is prevented from completing the work due to the fault of the defendant
14. An apparently valid agreement may be vitiated if the consent is obtained erroneously regarding  
 a. opinion as to the subject matter  
 b. valuation as to the subject matter  
 c. representation as to the nature of the transaction  
 d. view as to the consequences arising after the contract
15. Unlawfully detaining or threatening to detain an property to the prejudice of any person making him to enter into an agreement amounts to

- a. threat  
b. coercion  
c. undue influence  
d. misappropriation
16. Match List I (Names of decided cases) with List II (Topics of the decided cases) and select the correct answer.
- List I
- A. Napier v. National Business Agency Ltd;  
B. Sumitra Devi v. Sulekha Kundu  
C. Ratanchand Hirachand v. Asker Navaz Jung  
D. Maheshwar Das v. Sakti Devi
- List II
1. Agreement of restraint of marriage
  2. Agreement to the defeat of law
  3. Agreement with immoral object
  4. Agreement opposed to public policy
- Codes;
- |    | A | B | C | D |
|----|---|---|---|---|
| a. | 2 | 3 | 4 | 1 |
| b. | 1 | 2 | 3 | 4 |
| c. | 2 | 3 | 1 | 4 |
| d. | 1 | 2 | 4 | 3 |
17. The first case on the 'doctrine of frustration' as decided by the Supreme Court of India is
- a. Basanti Bastralaya v. River Steam Navigation Co. Ltd.
  - b. Raja Dhuruv Dev Chand v. Raja Harmohinder Singh
  - c. Sushila devi v. Hari Singh
  - d. Satyabrata Ghose v. Mugneeram
18. 'A' agrees with 'B' to give him the use of his music hall and gardens for holding concerts on four different dates. 'B' agrees to pay rent for each of the four days. But before the first date of performance the music hall gets destroyed by fire. 'B' sues 'A' for breach of contract
- In this case
- a. 'A' is liable to 'B' as he has not fulfilled his part of the contract
  - b. 'A' is not liable to 'B' because the occurred incident was unforeseen
  - c. 'A' is liable to 'B' as he had not taken sufficient measures to control fire in the hall and ensures proper performance of the contract
  - d. 'A' is not liable to 'B' because the contract had become void due to the hall being destroyed by fire and consequently the performance of the contract was not possible
19. In which one of the following cases is the agreement void?
- a. One of the parties to an agreement is under a mistake as to a matter of fact
  - b. One of the parties is under a mistake as to a law in force in India
  - c. Both the parties are under a mistake as to a matter of fact essential to an agreement
  - d. One of the parties to an agreement is under a mistake as to a law and in force in India
20. A party who suffers loss as a result of breach of contract can in the usual course claim
- a. ordinary damages
  - b. special damages
  - c. exemplary damages
  - d. penal damages
21. Owing to the negligence of the defendant railway company the plaintiff his family were made to get down at a wrong railway station. No accommodation was provided. As a result, the plaintiff's wife caught cold. The plaintiff claimed damages for consequential loss on account of medical expenses incurred for her treatment and her loss due to pay-cut in office. The claim for damages will not succeed on grounds of
- a. unreasonableness
  - b. illegality
  - c. remoteness of damage
  - d. magnifying a small incident
22. Consider the following statement:
- In an action for breach of a contract damages may be claimed by the parties
1. for loss or damages arising naturally
  2. for causing mental anxiety and hence as a measure of revenge
  3. for causing loss of profit arising due to the breach of contract
  4. for loss or damage which the parties knew when they entered into the contract
- Of these statements
- a. 1 alone is correct

- b. 2 and 3 are correct  
 c. 1 and 4 are correct  
 d. 2, 3 and 4 are correct
23. The principle of proximity to crime under criminal law' is irrelevant while deciding the liability for the offences of  
 a. culpable homicide and murder  
 b. theft and dacoity  
 c. kidnapping and abduction  
 d. abetment and conspiracy
24. Which one of the following is correct?  
 a. Damages can be dispensed with in tort  
 b. A remedy by way of damages is an essential in gradient of tort  
 c. When other remedies are provided by a statute damages can not be awarded in tort  
 d. Damages can be awarded only for corporeal objects
25. Consider the following elements:  
 1. Infringement of a legal right.  
 2. legal damage  
 3. Any damage.  
 4. Existence of a legal right  
 Right to claim damages in tort would arise only if  
 a. 1 and 2 are present  
 b. 1, 2 and 4 are present  
 c. 1, 3 and 4 are present  
 d. 3 and 4 are present
26. Mental condition of the wrong doer at the time of wrongdoing is  
 a. Relevant in all torts  
 b. relevant in torts based on fault  
 c. relevant in torts based on strict liability  
 d. not relevant in tortious liability
27. X and Y are on a morning walk with their dogs. Y's dog is ferocious. Z is also on a morning walk. The dogs of X and Y suddenly start fighting and approach Z. Frightened by the dogs, Z tries to step aside and is injured in the process. Consequently  
 a. Z can file a suit against X alone as his dog started the fight  
 b. Z can file a suit only against Y as his dog was more ferocious  
 c. Z can file a suit either against Y or against X  
 d. Z cannot file a suit against either X or Y
28. Match List I with List II and select the correct answer  
 List I  
 A. Common employment  
 B. Respondent superior  
 C. Agreement to injure the other in trade  
 D. Egg shell skull rule  
 List II  
 1. Conspiracy  
 2. Master and servant  
 3. Servant and servant  
 4. Tort-feasor takes his victim as he finds him
- Codes;  

	A	B	C	D
a.	3	2	1	4
b.	3	2	4	1
c.	2	3	4	1
d.	2	3	1	4
29. Which one of the following is associated with Common intention?  
 a. Similar intention  
 b. Pre-meditated concert  
 c. Same intention  
 d. Unanimous decision in a meeting to do a particular act
30. When a criminal act is done by several persons in furtherance of common intention of all each one of them is liable  
 a. as if it was done by each one of them in singular capacity  
 b. only for the part each one has done  
 c. for the abetment of the act  
 d. for an attempt to commit the act
31. Which one of the following statements is correct?  
 a. The occupier has no duty to protect the goods of his visitor which is kept in his premises from theft by a third party  
 b. The occupier has a common duty to care to protect the goods of his visitor which is kept in his premises with the occupier's permission from theft by a third party  
 c. The occupier will be liable for injury caused by defective premises only if he is in exclusive occupation of the premises

- d. The occupier of the premises will be invariably liable to his invitee for the negligence of an independent contractor
32. Which one of the following is NOT an exception to the rule of *volenti non fit injuria*?
- A surgeon amputates a limb of a patient to save his life
  - Injury is caused while play fighting with maked swords at of a religious function
  - Injury is caused to a player in a football match
  - Injury is caused while doing lawful acts under a contract
33. A lady died at the time of the birth of her child. She was attended to b an unequal fled midwife on her own request at the time of the delivery. An action for damages was brought by her husband. In this case
- no damages are payable as the deceases lady voluntarily engaged the midwife
  - damages are payable to the husband as his consent was not taken
  - no damages are payable as the unqualified midwife can be criminally tried
  - damages are payable as the consent of the deceased are irrelevant
34. Which one of the following does NOT amount to a profit a prendre?
- The right of taking some part of the soil of the land
  - The right of depasturing cattle on another's land
  - The right to fish in the water of an estate
  - The right to erect a pole on servient heritage
35. A person who is not qualified as a medical practitioner performed an operation with the consent of a patient. The patient died. Which one of the following grounds will be most appropriate to determine his liability?
- Volenti non fit injuria* is a complete defence
  - He has no intention to kill and has performed the operation in good faith for the benefit of the person
  - He has earlier done similar operations with success
  - As he is not a medical paractitioner and is unskilled the plea of consent and good faith will not be available
36. Which one of the following is NOT correct in case of defence of intoxication?
- Defence of intoxication is available both in case on involuntary and voluntary intoxication
  - intoxication is a defence when the intoxicated person is incapable of knowing the nature of the act at the time of doing it
  - Intoxication is a defence when the intoxicated person is incapable of knowing what he was doing was either wrong or contrary to law
  - Particular intention and not knowledge is attributed to the accused who has acted under voluntary intoxication
37. A tractor with trolley carrying several persons collides with a train on an unmanned railway crossing in which man people arc killed and injured In a suit for compensation
- the railway would be liable because it has no immunity
  - the tractor drier would be liable as there was a breach of duty to take care on his part
  - the passenger in the trolley arc guilty contributory negligence
  - nobody would be liable in such a situation as it would be taken to be a mere case of accident
38. There is children's school by the side of a highway. While classes are going on, two children of the school stray on the highway. A truck is moving on the highway at normal speed. While trying to avoid hitting the children the truck collides with a bullock cart. One person is injured the bullocks die and the truck is also damaged. Which one of the following propositions correctly describes the liability?
- The truck driver shall be liable because he did riot take care

- b. The school administration would be liable because they were negligent
- c. The buttock cart puller would be liable because he has not taken due care
- d. The children would be liable as they have contributed to the accident
39. Match List I (Name of cases) with List II (Name of torts) and select the correct answer
- List I
- A. Donoghue v. Stevenson
- B. Cassidy v. Daily Mirror News papers Ltd.
- C. Merry Weather v. Nixon
- D. Bird V. janes
- List II
1. Defamation
2. Joint Tort Feasors
3. Manufacture's Liability
4. False Imprisonment
- Codes;
- |    | A | B | C | D |
|----|---|---|---|---|
| a. | 2 | 3 | 4 | 1 |
| b. | 2 | 3 | 1 | 4 |
| c. | 3 | 1 | 4 | 2 |
| d. | 3 | 1 | 2 | 4 |
40. Which one of the following Statements is NOT true of conspiracy as a tort?
- a. There must be a combination of five or more persons
- b. The combination must be for the motive of causing harm to the plaintiff
- c. if the motive of the combination is to further their own cause there would be no conspiracy
- d. If there was lack of combination there would be no conspiracy even if their acts are similar and causing harm to the plaintiff
41. Which one of the following is a good defence for the tort of private nuisance
- a. The plaintiff has come to the palace of nuisance
- b. The activity is for the benefit of all
- c. The activity has been carried on for the last 20 years
- d. The plaintiff is a very sensitive person
42. During rainy season there is water logging in many areas of a city. The dirty water remains for months because of faulty drainage. The water causes hardships and diseases. Which one of the following correctly describes the reason for the disposal of the cases?
- a. The facts shown no 'nuisance'
- b. Lack of financial capacity on the part of municipal corporation is not a defence
- c. Water logging was caused by heavy rains which is an act of Nature exempting the municipal corporation
- d. A duty is imposed on the municipal corporation by the statute
43. Which one of the following is a correct statement?
- Nuisance recognize
- a. The concept of no-fault liability
- b. Liability based only on fault
- c. Liability based only on immutability
- d. None of the above
44. 'X' a servant of 'Y' lodged a criminal report against 'Z' that he was present at the site where 'A' was brutally assaulted and that 'Z' also instigated the assault 'X' did so at the instance of 'Y'. 'Z' is prosecuted and ultimately acquitted. In a suit for malicious prosecution by 'Z' against 'Y'.
- a. Y would not be liable because he did not prosecute Z
- b. Y would not be liable because the report was lodged by X and not by Y
- c. Y would be liable because in law, it would be said that Y insisted the proceedings
- d. Y would be liable because it was his motive to harass Z
45. In a suit for malicious prosecution which one of the following is NOT an essential element?
- a. The plaintiff was prosecuted by the defendant
- b. The prosecution ended in favour of the plaintiff after exhausting all the steps of judicial process
- c. The prosecution was malicious
- d. The prosecution resulted in damage to the plaintiff
46. X instigates Y to commit murder of Z. Y in consequence stabs Z but Z survives the would X is guilty of

- a. Murder  
b. Attempt to murder  
c. Abetment of attempt to murder  
d. Abetment of murder
47. A person who was not expected to be in office created a belief that he would be in office and obtained gratification. Which one of the following offences has been committed by him?  
a. Bribery  
b. Misappropriation  
c. Cheating  
d. None of the above
48. 'A' told his friend 'C' that he was going to shoot down 'B' in the evening. In the evening 'A' with a loaded gun entered the street in which 'B' was living, shouting "B, come out and be killed." 'B' did not come out and 'A' went away. Which one of the following statements is correct in this regard?  
a. A is liable for an attempt to murder because he carried a loaded gun  
b. A is liable for an attempt to murder because his intention to kill was clear from his shouting  
c. A is not liable for an attempt to murder because he had not committed the penultimate act  
d. A is liable for an attempt to murder because he had clearly told 'C' that he was going to shoot down 'B'
49. 'N' and 'Y' swimming in the sea, after a shipwreck got hold of a plank. The plank was not large enough to support both. 'X' with no other option pushed 'Y' who was drowned. 'X' has committed  
a. culpable homicide  
b. murder  
c. the offence of causing death by negligence  
d. no offence
50. Which one of the following is an essential ingredient of sedition?  
a. Dishonest intention  
b. Malafide intention  
c. Words spoken must cause public disorder by acts of violence  
d. Words spoken must be capable of exciting disaffection towards the Government
51. Match List I with List II and select the correct answer:  
List I  
A. Common intention  
B. Good faith  
C. Dishonest intention  
D. Common object  
List II  
1. Constructive liability  
2. Joint liability  
3. Theft  
4. Mistake of fact  
Codes;  

	A	B	C	D
a.	2	3	4	1
b.	2	4	3	1
c.	1	4	3	2
d.	1	3	4	2
52. Match List I with List II and select the correct answer:  
List I  
A. Dishonestly taking property  
B. Dishonestly inducing any person to deliver property  
C. Entrustment of property  
D. Appropriating property obtained as a bailee  
List II  
1. Criminal breach of trust  
2. Extortion  
3. Misappropriation  
4. Theft  
Codes;  

	A	B	C	D
a.	4	2	1	3
b.	4	1	2	3
c.	3	1	2	4
d.	3	2	1	4
53. The offence of theft, becomes robbery when it is  
a. coupled with force  
b. committed by two or more but less than five persons  
c. committed by five or more persons  
d. coupled with imminent danger to life
54. 'X' a Hindu, turned his wife out of the marital home and refused to return her ornaments, money and clother despite her

- repeated demands. What offence, if any, has X committed?
- Cajolery
  - Cheating
  - Criminal intimidation
  - Criminal breach of trust
55. 'X' and 'Y' were about to travel from Jammu Tawi to Delhi by the same train. 'Y' had two tickets for Pathankot and 'X' had a ticket for Delhi. 'X' voluntarily handed over his ticket to 'Y' in order to check that it was the right one. 'Y' under the presence of returning 'X's ticket substituted it by one of his own and kept X's ticket. What offence did 'Y' commit?
- Theft
  - Extortion
  - Misappropriation
  - Cheating
56. "The purpose of International Law is to form a framework within which international relations can be conducted and to provide a system of rules facilitating the international intercourse; and as a matter of practical necessity it has and will operate as a legal system even when wares are frequent." This statement is attributed to
- Hobbes
  - Machiavelli
  - Hugo Grotius
  - Sir Eric Beckett
57. International Law may be defined as that body of law which is composed for its greater part of the principles and rules of conduct which the state feel themselves bound to observe. "International Law is defined as above by
- Charles Cheney Hyde
  - Oppenheim
  - Westlake
  - Kent
58. In which of the following cases did the Permanent Court of International Justice apply the general principle of res judicata?
- The Chotzow Factory (Indemnity) case
  - The Marrommatis Palestine Concessions
  - Diversion of water from time Meuse Case
  - Serbian loan ease
59. "Development of international Law through political organs of the United Nations" has been authored by
- D. P. O'Connell
  - Ian Brownlie
  - Max Sorensen
  - Rosalyn Higgins
60. Which one of the following cases has elucidated "Retroactive effect of recognition"?
- Duff Development Co. v. Kelantan Government
  - Mighell v. Sultan of Johore
  - Civil Air Transport Inc. v. Central Air Transport Corporation
  - Rich v. Naviera Varuba and Republic of Cuba
61. Match List I (State succession to matters other than treaties) with List II (judicial decisions) and select the correct answer:
- List I
- Forts
  - Concessionary contracts
  - Public property
  - Contractor
- List II
- The German Settlers in Poland
  - The Polish Upper Silesia case (nails)
  - Prem Chibar v. The Union of India
  - Robert E. Brown
- Codes;
- |    | A | B | C | D |
|----|---|---|---|---|
| a. | 4 | 3 | 1 | 2 |
| b. | 4 | 3 | 2 | 1 |
| c. | 3 | 2 | 4 | 1 |
| d. | 3 | 2 | 1 | 4 |
62. Which one of the following sets of articles in the Vienna Convention of 1978 contains special provisions relating to the cases where, two or more states unite to form one successor state, or where a part or parts of the territory of a state should separate to form one or more states?
- Articles 10-17
  - Articles 18-25
  - Articles 31-38
  - None of the above.
63. Match List I with List II and select the correct answer:
- List I

- A. Suspension of Members
- B. Veto Power
- C. Appointment of Secretary General
- D. Objectives of the Trusteeship System

## List II

- 1. Article 5
- 2. Article 6
- 3. Article 27
- 4. Article 76
- 5. Article 97

	A	B	C	D
a.	3	2	1	5
b.	1	3	4	5
c.	1	3	5	4
d.	3	2	5	1

64. Which one of the following is NOT the principal power and function of the General Assembly?
- a. The direction and supervision of international economic and social cooperation
  - b. The election of members of other organs
  - c. Amendment to the charter of the UN
  - d. The consideration of information as to non-self-governing territories
65. Which one of the following conventions conferred privileges and immunities on United Nations?
- a. Vienna Convention on Diplomatic privileges and immunities
  - b. General Assembly Convention on the privileges and immunities of the United Nations, 1946
  - c. Stockholm Convention on privileges and immunities
  - d. Geneva Convention on privileges and immunities
66. The "Optional Clause" now provides that the parties to the Statute may at any time decide that they recognize as compulsory ~~to~~ and without special agreement "in relation to any other State accepting the same obligation."
- The above provision is contained in which one of the following of article of the Statute of International Court of Justice?
- a. Article 37
  - b. Article 38
  - c. Article 36
  - d. Article 35
67. "Intervention by a third state in proceedings already instituted before the Court (ICJ) may occur in two circumstances". Which one of the following sets of articles of the ICJ statute deals with the same?
- a. Articles 60 and 61
  - b. Articles 62 and 63
  - c. Articles 49 and 50
  - d. Articles 39 and 40
68. That a legal system arises from the combination of primary and secondary rules was enunciated by
- a. Austin
  - b. Hart
  - c. Bentham
  - d. Kelsen
69. The result of the Historical school of Jurisprudence lies in
- a. recognizing the empirical basis of law
  - b. not recognizing the empirical basis of law
  - c. holding that law is a product of social evolution
  - d. identifying custom with law itself
70. Formal source of law according to Salmond means
- a. ancient sources of law
  - b. modern sources of law
  - c. these sources of law which do not have binding force
  - d. those sources of law from which the law derives, its force and validity
71. Which one of the following statements is true?
- a. The analytical method which Austin applied was undoubtedly of German origin
  - b. The method applied by Austin was the method already adopted by the Americans
  - c. Austin's analytical method was the same as what was used by some Roman jurists
  - d. The method of Austin was not borrowed from anywhere but was of English origin
72. Which one of the following is regarded as unnecessary for a custom to be a valid custom under the Indian legal system?

- a. Antiquity  
b. Recognition by the Courts  
c. Reasonableness  
d. Continuity
73. Subordinate legislation emanates from  
a. any authority other than the sovereign power  
b. dictators to subordinates  
c. usage of immemorial antiquity  
d. any subordinate being
74. Article 141 of the Constitution lays down that the law declared by the Supreme Court shall be binding on all courts within the territory of India. Therefore, the Supreme Court  
a. is bound by its earlier decisions as the expression 'all courts' includes Supreme Court also  
b. is not bound by its own decisions and may reverse a previous decision  
c. can reverse a previous decision only when a new legislation is enacted having the effect of abrogating decision  
d. can reverse a previous decision only when that previous decision was given as a result of overlooking another previous decision
75. According to Professor Goodhart a ratio decidendi of a case is  
a. the principle of law laid down in a decision which is the decisive element  
b. the conclusion reached by the judge on the basis of material facts of the case  
c. the reason given by the court for its decision  
d. any opinion of the court on a question of law
76. A claim barred by lapse of time (e.g. a debt barred by law of limitation) is  
a. an imperfect right  
b. a negative right  
c. a personal right  
d. a contingent right
77. In law, there is a fiction that a child, en ventre so mere is a person in being for the purposes of  
a. punishment for abortion  
b. acquisition of property  
c. creation of partnership  
d. claiming compensation in Torts
78. 'A person is any being whom the law regards as capable of rights or duties', according to  
a. Ihering  
b. Alexander Nekom  
c. Stone  
d. Salmond
79. Ownership of goodwill of a business is  
a. corporeal ownership  
b. limited ownership  
c. beneficial ownership  
d. incorporeal ownership
80. Which one of the following get along correctly?  
a. Trust and co-ownership  
b. Legal and contingent ownership  
c. Sole and limited ownership  
d. Legal and equitable ownership
81. In Bridges v. Hawke worth, the finder was allowed to keep the good cm the ground that  
a. the owner of the shop was not traceable  
b. the owner of the shop was not aware of the fact that the item was in his shop.  
c. the item was found in an area where public is admitted and the finder was one among them  
d. if given to the owner, it would amount to unjust enrichment
82. Possession is prima facie evidence of title of ownership. Hence  
a. long adverse possession confers title even to a property which originally belonged to another  
b. in all cases possession leads to ownership  
c. transfer of possession is not a mode of transferring ownership  
d. long adverse possession does not confer title to the property which originally belonged to another
83. Assertion (A): In Minerva Mills v. Union of India Art. 31 C as amended by the Constitution (Forty second Amendment) Act, 1977 was held invalid.  
Reason (R): The amendment of Art. 31 C destroyed the basic structure of the Constitution.  
a. Both A and R are true and R is the correct explanation of A.

- b. Both A and R are true but R is NOT the correct explanation of A  
 c. A is true but R is false  
 d. A is false but R is true
84. Assertion (A): The Directive Principles are relevant for determining the reasonableness of restrictions under Art 19.  
 Reason (R): The Directive Principles have been declared superior to Fundamental Rights.
85. Assertion (A): A Habeas Corpus writ petition dismissed by the Supreme Court can be admitted by the High Court under Art. 226 of the Constitution.  
 A. Reason (R): In exercising writ jurisdiction the powers of the Supreme Court and High Courts are concurrent.
86. Assertion (A): The Supreme Court is a court of record.  
 A. Reason (R): It delivers judgment in open court.
87. Assertion (A): In federalism, there is a division of powers between the Centre and the States.  
 Reason (R): The legislation is not invalid merely because it incidentally encroaches on matters which have been assigned to another legislation.
88. Assertion (A): Money lent to a minor for luxuries cannot be recovered.  
 A. Reason (R): Lending money for luxuries to a minor is illegal.
89. Assertion (A): Mere informal promises are not to be enforced.  
 A. Reason (R): Ordinary agreements coming up in social arrangements are only bare promises without any intention to create legal obligations.
90. Assertion (A): The court can allow right of private defence even if not pleaded by the accused.  
 Reason (R) Accused claims it as a matter of right.
91. Assertion (A): X a journalist, writes an article, containing defamatory matter about the public life of Y, a minister, X when sued, will not be liable.  
 A. Reason (R): A journalist is privileged in writing on matters of public interest.
92. Assertion (A): The mental element in defamation is not required.  
 A. Reason (R): The mental element is not mentioned in the Indian Penal Code.
93. Assertion (A): There is either theft or extortion in robbery.  
 A. Reason (R) Theft or extortion precedes robbery.
94. Assertion (A): A wooden chair while being used by a guest caused injury to him due to defective manufacture. The guest is entitled to claim damages from the maker.  
 A. Reason (R) Manufacturer owes a duty of care to the ultimate user.
95. Assertion (A): Hugo Grotius is the father of International Law.  
 A. Reason (R): Hugo Grotius discussed about Law of Nations in his book.
96. Assertion (A): Recognition de jure cannot be withdrawn.  
 A. Reason (R) Recognition de jure is final and irrevocable.
97. Assertion (A) The new government is bound by the obligations of the predecessor Government.  
 A. Reason (R): A state's international rights and obligations are not affected by a change of Government.
98. Assertion (A): Austinian theory of law does not properly explain constitutional law, customary law and judicial precedents.  
 A. Reason (R) Constitutional law, customary law and judicial precedents do not share the same pedigree as statutory law.
99. Assertion (A): A legal right is a legally protected interest.  
 A. Reason (R): An element of advantage is essential to constitute right.
100. The State of J & K enjoys a special status under Art. 370 of the Constitution. But under Art. 370 (3), the President may declare that Art. 370 shall cease to be operative. Consider the following statements in this regard  
 This power of the President is subject to  
 1. Public notification.  
 2. Recommendation of Parliament.  
 3. Advice of the Union Council of Ministers.  
 4. Recommendation of the Constituent Assembly of J & K.  
 Of these statements

- a. 1 and 3 are correct  
 b. 1 and 2 are correct  
 c. 2 and 4 are correct  
 d. 3 and 4 are correct
101. Which one of the following is the mandatory minimum requirement for a functional federation?  
 a. States should be represented in the Upper House of the National Legislature  
 b. Judicial Review  
 c. Distribution of legislative and administrative powers between the two sets of government, National and State so as to ensure the independence of the governments within their respective spheres  
 d. Distribution of legislative and administrative powers between the two sets of governments, National and State, to ensure independent but coordinated exercise of powers of the government
102. The preamble to the Indian Constitution is  
 a. not a part of the Constitution  
 b. a part of the Constitution, but it neither confers any powers nor imposes any duties nor can it be of any use in interpreting other provisions of the Constitution  
 c. a part of the Constitution and can be of use in interpreting other provisions of the Constitution in cases of ambiguity  
 d. a part of the Constitution and it confers powers and imposes duties as any other provision of the Constitution
103. It has been observed by the Supreme Court of India that the word 'socialist' in the preamble enables the court to lean more and more in favour of nationalization and state ownership of industry in  
 a. Kesavanand Bharti v. State of Kerala  
 b. Excelwear v. Union of India  
 c. A.B.S.K. Sangh (Railway) v. Union of India  
 d. Minerva Mills Ltd. v. Union of India
104. Which one of the following is a correct statement?  
 a. Primacy is not given to all the directive principles contained in Part IV of the Constitution over fundamental rights  
 b. Primacy is given to all the fundamental rights conferred by Art. 14-32 of the Constitution over directive principles  
 c. Primacy is not given to all the fundamental rights conferred by Part III of the Constitution over directive principles  
 d. Primacy is given only to directive principles in clauses (b) and (c) of Article 39 over fundamental rights conferred by Articles 14 and 19 of the Constitution
105. As far as the Armed Forces are concerned the Fundamental Rights granted under Articles 14 and 19 of the Constitution are  
 a. not available at all  
 b. available to the Armed Forces, but not to other forces  
 c. available only at the discretion of the Chief of the Army Staff  
 d. available only according to law made by Parliament
106. Which one of the following statements is correct in respect of state power of reservation in admissions to educational institutions?  
 a. Caste can be the sole criterion  
 b. Poverty can be the sole criterion  
 c. Both caste and poverty are relevant criteria  
 d. Residence in rural areas and lack of educational facilities can be the exclusive criteria
107. The observation that Art. 301 (1) is not a charter of maladministration was made in the case of  
 a. Saifuddin v. State of Bombay  
 b. Maneka Gandhi v. Union of India  
 c. Ahmedabad St. Xaviers College Society v. State of Gujarat  
 d. Mittal v. Union of India
108. Match List I with List II and select the correct answer  
 List I  
 A. A.D.M. Jabalpur v. Shukla  
 B. M.S.M. Sharmav. S.K.Sinha  
 C. R.C. Cooper v. Union of India  
 D. R.K. Garg v. Union of India  
 List II  
 1. Bearer Bonds case  
 2. Habeas Corpus case

3. Bank Nationalization case

4. Searchlight case

Codes;

	A	B	C	D
a.	2	1	4	3
b.	4	2	1	3
c.	2	4	1	3
d.	2	4	3	1

109. Under the Constitution "Doctrine of Eclipse" applies

- only to the pre-constitutional laws
- to the post-constitutional laws but only in respect of non-citizens
- to the post-constitutional laws in respect of citizens only
- to all laws, pre-constitutional or post-constitutional

110. Match List I with List II and select the correct answer:

List I

- Right to live with human dignity, enshrined in Article 21, derives its life breath from Directive Principles of state policy, particularly clauses (e) & (f) of Art. 39, 41 & 42.
- Speedy trial is an essential ingredient of just, fair and reasonable procedure guaranteed by Art. 21.
- Even in the public interest litigation, a total stranger to the trial can not be permitted to question the correctness of the conviction of the accused.
- In case of helplessness or disability, any member of the public can maintain an application for an appropriate order, direction or writ if there has been a violation of a constitutional right.

List II

- Bhagwati J in Bandhua Mukti Morcha v. Union of India.
- Krishna Iyer J. in Husain Ara Khatoon v. State of Bihar
- Ahmadi Iyer J. in Simranjit Singh Mann v. Union of India
- Bhagwati J. in S.P. Gupta v. Union of India

	A	B	C	D
a.	2	4	3	1
b.	2	4	1	3
c.	1	2	3	4
d.	1	2	4	3

111. The press has no fundamental right to publish the proceedings of the legislative because

- the freedom of press is not a fundamental right
- the press publish for profit
- each house of the legislature is the exclusive master of its proceedings
- a house of the legislature is a court and can regulate access to its proceedings

112. Consider the following statements.

The fundamental duties provided in the constitution are

- to protect the sovereignty, unity & integrity of India
- to safeguard private property
- to protect and improve the natural environment including forests, lakes, rivers and wild life.

Of these statements

- 1, 2 and 3 are correct
- 1 and 2 are correct
- 2 and 3 are correct
- 1 and 3 are correct

113. A spate of killings, abductions and dacoities severely threatens the law and order in a state. The Governor recommends to the President of India that a breakdown of the constitutional machinery in the state is imminent. The President makes a proclamation under Article 356. The action of the President

- cannot be reviewed as the President is the sole judge of his emergency power
- cannot be reviewed as the constitution bars the courts from reviewing political actions
- can be reviewed as it goes against fundamental rights
- can be reviewed as it is malafide

114. The nature of 'consolation' with the Chief Justice of India in matters of appointment of a judge to a High Court is correctly described as

- inspection of the file by the Chief Justice
- concurrence of the Chief Justice
- conformity with the opinion of the Chief Justice

- d. formal reference to the Chief Justice without any obligation to carry out his wishes
115. Which one of the following pairs is NOT correctly matched?
- Colourable legislation** ... What cannot be done directly can be done indirectly
  - Pith and substance** ... Incidental encroachment on the field of an other legislature is permissible
  - Territorial nexus** ... Subject of legislation must have territorial connection with the state
  - Repugnancy** ... A situation in which a law made by the Union is in conflict with a law made by a state
116. Consider the following statements:  
Parliament may make law on a subject enumerated in state list only if the
- President deems it proper that such law is necessary for all the states in India
  - Proclamation of Emergency under Article 352 is in operation.
  - Lok Sabha passes a resolution by 2/3 rd majority of its total membership.
  - Governor of the state requests the President for such legislation.
- Of these statements
- 1 and 4 are correct
  - 2 alone is correct
  - 3 alone is correct
  - 3 and 4 are correct
117. Which one of the following propositions is a correct description of the powers of the President of India under Article 356 of the Constitution?
- if the Chief Minister inspite of commanding the confidence of the Legislative Assembly, cannot run his government in accordance with the Constitution, the President can proclaim emergency
  - If the law and order in a state completely breaks down, the President can proclaim emergency
  - The President can refer the matter to the Supreme Court for advice and act in accordance with such advice
  - The President cannot make a proclamation of emergency if the Governor refuses to make a report
118. The constituent power of Parliament to amend the Constitution
- includes power to amend by way of addition, variation or repeal of the provisions of the Constitution
  - is unrestricted by an inherent and implied limitations
  - is not procedurally limited and restricted
  - is extra-constituent
119. Match List I with List II and select the correct answer
- List I
- Basic structure of the Constitution cannot be amended
  - A law made by legislature to deprive a person of his personal liberty must be just, fair and reasonable
  - Advisory opinion of Supreme Court is also binding on all courts
  - Presidential satisfaction under Art. 356 is judicially reviewable to a limited extent
- List II
- In reference to special court Bill, 1978
  - Kesavanand Bharati v. State of Kerala
  - S.R. Bommai v. Union of India
  - Maneka Gandhi v. Union of India
- |   | A | B | C | D |
|---|---|---|---|---|
| a | 2 | 4 | 1 | 3 |
| b | 2 | 4 | 3 | 1 |
| c | 1 | 2 | 3 | 4 |
| d | 1 | 2 | 4 | 3 |
120. In which one of the following eases has the Supreme Court ruled that the reasons have to be communicated to the legislature by the Government if the advice of Public Service Commission has not been accepted?
- Jai Shankar Prasad v. State of Bihar
  - Asha Kaul v. State of Jammu and Kashmir
  - Jagtar Singh v. The Director, Central Bureau of Investigation
  - H. Mukherjee v. Union of India