

CLAT Legal Reasoning

Sample Paper – 2

Duration: 30 Minutes

Maximum Marks: 30

Instructions

- This paper contains **30** Multiple Choice Questions (Single Correct Answer), modelled on the Legal Reasoning section of **CLAT** (Common Law Admission Test).
- Each correct answer carries **+1 mark**. There is a **negative marking of 0.25 marks** for every incorrect answer; unattempted questions carry no penalty.
- The paper has **five passages**, each stating one or more **legal principles** and followed by **six** questions. Apply **only** the principle(s) given in the passage to the facts; do not rely on any outside knowledge of the law.
- CLAT is an offline pen-and-paper (OMR) test with no sectional time limit; attempt this practice paper in one timed sitting of about **30 minutes**.
- Use of mobile phones, calculators, dictionaries, or electronic gadgets is strictly prohibited.

Passage I

Directions (Q1–Q6): Read the following passage and answer the questions that follow. In answering the questions, apply the principle stated in the passage even if it differs from the actual law, and do not use any knowledge of law you may otherwise have.

Principle: A private nuisance is an unlawful and substantial interference with a person's use or enjoyment of his land. To be actionable the interference must be *substantial*, that is, more than a trifling or trivial inconvenience, and it must be *unreasonable*, judged by the standard of an ordinary person and not one who is unusually sensitive.

A temporary or occasional trifling annoyance is not a nuisance. A person cannot complain merely because an activity harms an *abnormally sensitive* use of his own land, if the same activity would not trouble an ordinary occupier at all. However, where a per-



son acts out of *malice*, with the intention of annoying his neighbour, an act that might otherwise be reasonable may become unreasonable, and so a nuisance.

- Q1.** A factory next to R's house pours out thick smoke and a foul smell throughout the day, so that R and his family cannot sit in their garden or keep their windows open. Applying the principle, is this a nuisance?
- (A) No, because factories are useful to society as a whole.
 - (B) No, because R can simply keep his windows shut all day.
 - (C) Yes, because the constant smoke and smell substantially and unreasonably interfere with R's use and enjoyment of his land.
 - (D) Yes, but only if R actually falls ill because of the smoke.
- Q2.** A neighbour's tree drops a few leaves into S's yard twice a year during autumn. S sues, claiming a nuisance. Applying the principle, is it actionable?
- (A) No, because a few falling leaves twice a year is a trifling annoyance, not a substantial interference.
 - (B) Yes, because the leaves do come onto S's land.
 - (C) Yes, because a neighbour must keep total control over his tree at all times.
 - (D) No, because a tree is natural and can never cause a nuisance in any circumstances.
- Q3.** T runs an unusually delicate photographic business that needs perfect darkness. Ordinary daylight coming through a neighbour's normal new window spoils his film, though it would trouble no ordinary occupier. He sues. Applying the principle, is it actionable?
- (A) Yes, because T's film was in fact spoiled.
 - (B) Yes, because the neighbour built a new window without asking him.
 - (C) No, because a window is always lawful whatever its effect on a neighbour.



- (D) No, because the interference troubles only T's abnormally sensitive business and would not disturb an ordinary occupier.
- Q4.** U, purely out of spite to annoy his neighbour V, a music teacher, bangs metal trays hard against their shared wall every time V's lessons begin. Applying the principle, is this a nuisance?
- (A) No, because a person may make what noise he likes on his own property.
- (B) No, because V chose to take up a naturally noisy profession.
- (C) Yes, because U acts out of malice to annoy V, which makes his interference unreasonable and a nuisance.
- (D) Yes, but only if the shared wall is actually damaged by the banging.
- Q5.** A bakery's oven gives off a faint warmth that is felt only by W, who keeps unusually heat-sensitive wax models next door. An ordinary occupier would notice nothing at all. Applying the principle, is it a nuisance?
- (A) Yes, because W's wax models were in fact affected by the warmth.
- (B) No, because the faint warmth would not trouble an ordinary occupier and affects only W's unusually sensitive use.
- (C) Yes, because any heat that crosses a boundary line is unlawful.
- (D) No, because bakeries are always exempt from liability for a nuisance.
- Q6.** Loud construction noise from X's site continues day and night for months, far beyond normal working hours, robbing the whole neighbourhood of sleep, and ordinary residents are seriously disturbed. Applying the principle, is this a nuisance?
- (A) No, because construction is a lawful and necessary activity.
- (B) No, because the neighbours could simply wear earplugs at night.
- (C) Yes, but only if someone's health actually breaks down as a result.
- (D) Yes, because continuous day-and-night noise far beyond normal hours substantially and unreasonably disturbs ordinary residents.



Passage II

Directions (Q7–Q12): Read the following passage and answer the questions that follow. In answering the questions, apply the principle stated in the passage even if it differs from the actual law, and do not use any knowledge of law you may otherwise have.

Principle: An agreement is enforceable as a contract only if it is supported by *consideration*, that is, something of value given in return for a promise, at the request of the other party.

Consideration may move from the person to whom the promise is made. It *need not be adequate*: the law does not ask whether the price paid was a fair one, so long as the consideration is real and has some value in the eyes of the law. A promise to do something one is *already legally bound* to do is not good consideration. A promise made purely as a *gift*, with nothing given in return, is without consideration and is not enforceable. As a rule, a *past act*, done before and independently of a promise, is not consideration for that promise.

- Q7.** A promises to give B Rs 10,000 as a birthday gift, expecting nothing whatever in return. A later refuses to pay. Applying the principle, can B enforce the promise?
- (A) Yes, because A made a clear and definite promise.
 - (B) No, because the promise was a pure gift with nothing given in return, so it lacks consideration.
 - (C) Yes, because a promised birthday gift is always binding.
 - (D) No, because Rs 10,000 is too small a sum for a court to enforce.
- Q8.** A agrees to sell his valuable watch to B for just Rs 100. When B sues to enforce the sale, A argues that the price is far too low to count. Applying the principle, is there consideration?
- (A) Yes, because consideration need not be adequate, and Rs 100 is real value in the eyes of the law.
 - (B) No, because Rs 100 is far too low a price for a valuable watch.
 - (C) No, because a court must always ensure that the price is a fair one.
 - (D) Yes, but only if B first proves that the watch was actually worth Rs 100.



- Q9.** A policeman, already on duty and legally bound to patrol and protect the public, demands extra money from a shopkeeper simply for carrying out his ordinary patrol. Applying the principle, is his promise to patrol good consideration for the money?
- (A) Yes, because he did agree to patrol the shopkeeper's area.
 - (B) Yes, because the shopkeeper freely offered him the money.
 - (C) No, because he was already legally bound to patrol, so doing his existing duty is not good consideration.
 - (D) No, because policemen are not permitted to make agreements of any kind.
- Q10.** Last year B voluntarily repaired A's fence, with no request and no promise from A. This year A, pleased, promises B Rs 5000 for that old repair, then refuses to pay. Applying the principle, can B enforce the promise?
- (A) Yes, because B did in fact repair the fence.
 - (B) Yes, because A of his own free will made the promise.
 - (C) No, because a promise of a gift can never be binding in any situation at all.
 - (D) No, because the repair was a past act done before and independently of the promise, so it is not consideration for it.
- Q11.** A promises to pay a builder Rs 2 lakh if the builder constructs a wall for him. At A's request the builder builds the wall, and A then refuses to pay. Applying the principle, is there consideration?
- (A) Yes, because the builder built the wall at A's request in return for the promise, which is good consideration.
 - (B) No, because building walls is simply the builder's ordinary job.
 - (C) No, because A is free to change his mind at any time before paying.
 - (D) Yes, but only if the finished wall is worth exactly Rs 2 lakh.



- Q12.** C promises to pay D Rs 500 if D gives up a genuine legal claim that C disputes. At C's request D gives up the claim. Applying the principle, is D's giving up the claim consideration?
- (A) No, because giving up a claim amounts to simply doing nothing.
 - (B) Yes, because D's giving up a genuine claim at C's request is something of value and so is good consideration.
 - (C) No, because only the payment of money can ever be consideration.
 - (D) Yes, but only if D's claim would certainly have succeeded in court.

Passage III

Directions (Q13–Q18): Read the following passage and answer the questions that follow. In answering the questions, apply the principle stated in the passage even if it differs from the actual law, and do not use any knowledge of law you may otherwise have.

Principle: A person commits theft when he *dishonestly* takes any *movable* property out of the *possession of another person, without that person's consent*, and moves it with the intention of taking it.

Four things must be present together: the property must be movable; it must be taken from the possession of another; the taking must be without that person's consent; and it must be done dishonestly, that is, with the intention of causing wrongful gain to oneself or wrongful loss to the other. If the owner consents to the taking, or if the taker honestly believes the property is his own, there is no theft. Land and things permanently attached to the earth are not movable property, but they become movable once they are severed from the earth.

- Q13.** Z quietly slips his hand into a stranger's bag on a crowded bus and takes out a wallet, meaning to keep it for himself. Applying the principle, is this theft?
- (A) No, because the wallet was a small item.
 - (B) No, because Z did not use any force.
 - (C) Yes, because Z dishonestly took movable property from another's possession without consent, intending to keep it.
 - (D) Yes, but only if the wallet was found to contain money.



- Q14.** A lends his book to B and tells him to keep it as long as he likes. B keeps the book at home for months. Applying the principle, has B committed theft of the book?
- (A) No, because A consented to B having the book, so there is no taking without consent.
- (B) Yes, because B still has A's book in his possession.
- (C) Yes, because B did not return the book at once.
- (D) No, because a book is not movable property at all.
- Q15.** Believing an umbrella at the office stand to be his own identical one, C picks it up and walks off with it. It is in fact another person's umbrella. Applying the principle, is this theft?
- (A) Yes, because the umbrella actually belonged to another person.
- (B) Yes, because C took it from the stand without asking anyone.
- (C) No, because an umbrella is too trivial an item to be the subject of theft.
- (D) No, because C honestly believed the umbrella was his own, so the taking was not dishonest.
- Q16.** D cuts down a tree standing on his neighbour's land and, without consent, carries away the cut logs to sell them. Applying the principle, is this theft of the logs?
- (A) No, because a growing tree is part of the land and can never be stolen.
- (B) Yes, because once the tree was cut the logs became movable property, and D dishonestly took them without consent.
- (C) No, because D did the cutting of the tree himself.
- (D) Yes, but only if the neighbour actually saw D take the logs.
- Q17.** A shopkeeper hands goods across the counter to E after E has paid for them. E then walks out of the shop with the goods. Applying the principle, is this theft?



- (A) Yes, because E walked out of the shop carrying the goods.
- (B) Yes, because the goods once belonged to the shop.
- (C) No, because the shopkeeper consented to E taking the goods after payment, so there is no theft.
- (D) No, because a shop can never be the victim of a theft.

Q18. F secretly removes his own bicycle from a repair shop that is lawfully holding it until F pays the repair bill, intending to avoid paying. Assume the shop had a right to keep it until paid. Applying the principle, is this theft?

- (A) No, because the bicycle belongs to F himself.
- (B) No, because F only took away what was his own property.
- (C) Yes, but only if the bicycle was an expensive one.
- (D) Yes, because F dishonestly took the bicycle out of the shop's lawful possession without consent, causing it wrongful loss.

Passage IV

Directions (Q19–Q24): Read the following passage and answer the questions that follow. In answering the questions, apply the principle stated in the passage even if it differs from the actual law, and do not use any knowledge of law you may otherwise have.

Principle: No person shall be deprived of his *life or personal liberty* except according to a *procedure established by law*. The procedure that takes away life or liberty must be *fair, just and reasonable*, and not arbitrary or oppressive.

The right protects not only against loss of life but against any deprivation of personal liberty that is not backed by a valid legal procedure. The right to life means more than mere animal existence; it includes those basic conditions that make life meaningful, such as the right to live with *human dignity*. This right is available to *every person*, whether a citizen or a foreigner.

Q19. The police detain G for a week without any legal authority or procedure, simply because they suspect him. Applying the principle, is the right violated?

- (A) No, because the police did suspect G of something.



- (B) Yes, because G's personal liberty was taken away without any procedure established by law.
- (C) No, because a single week is only a short period of detention.
- (D) Yes, but only if G happens to be a citizen of India.

Q20. A valid law lays down a fair and reasonable procedure under which, after notice and a hearing, a person may be detained. H is detained strictly in accordance with that procedure. Applying the principle, is the right violated?

- (A) Yes, because H was detained at all.
- (B) Yes, because any detention always violates the right.
- (C) No, because H was deprived of his liberty according to a fair procedure established by law.
- (D) No, because only a foreigner is allowed to complain of such detention.

Q21. A foreigner lawfully visiting India is thrown into jail without following any legal procedure. Applying the principle, can he claim the protection of this right?

- (A) No, because he is not a citizen of India.
- (B) No, because foreigners enjoy no rights at all in the country.
- (C) Yes, but only against loss of life, and never for loss of liberty.
- (D) Yes, because this right is available to every person, whether a citizen or a foreigner.

Q22. A law permits detention under a procedure that is plainly arbitrary and oppressive, giving the person no notice and no chance to be heard. J is detained under it. Applying the principle, is the right violated?

- (A) Yes, because the procedure that took away J's liberty was arbitrary and oppressive, not fair and reasonable.
- (B) No, because at least some law was in place authorising it.



- (C) No, because J was given food and shelter while in jail.
- (D) Yes, but only if J happens to own property.

Q23. K, a manual scavenger, is forced by a State scheme to live in conditions with no sanitation, no clean water, and no basic dignity. He claims the right to life includes living with dignity. Applying the principle, is he correct?

- (A) No, because the right to life means only staying alive and nothing more.
- (B) No, because dignity is not a legal matter at all.
- (C) Yes, because the right to life means more than mere existence and includes living with human dignity.
- (D) Yes, but only if K happens to be a wealthy person.

Q24. The State executes L after a full and fair trial, held under a valid law that lays down a just procedure. L's family claims the right to life was violated simply because L lost his life. Applying the principle, are they correct?

- (A) No, because life may be taken according to a fair procedure established by law, which was followed here.
- (B) Yes, because L lost his life at the hands of the State.
- (C) Yes, because life can never be taken by the State under any circumstances.
- (D) No, because only foreigners are protected by this right.

Passage V

Directions (Q25–Q30): Read the following passage and answer the questions that follow. In answering the questions, apply the principle stated in the passage even if it differs from the actual law, and do not use any knowledge of law you may otherwise have.

Principle: A master (employer) is liable for a wrongful act done by his servant (employee) if the act was done *in the course of the servant's employment*. An act is in the course of employment if it is either a wrongful way of doing something the servant was



authorised to do, or is so closely connected with his authorised work that it may fairly be treated as done while doing his job.

The master is liable even if he did not authorise the wrongful manner of doing it, and even if he had *forbidden* it. But the master is *not* liable where the servant, at the time, was doing something wholly unconnected with his employment, on a purpose entirely of his own. Further, a person is not a servant merely because he does work for another; an *independent contractor*, who decides for himself how to do the job, is generally not a servant.

- Q25.** A delivery driver, while driving his employer's van on his delivery round, negligently knocks down a pedestrian. Applying the principle, is the employer liable?
- (A) No, because the employer never told him to drive carelessly.
 - (B) Yes, because the careless driving happened while he was doing his authorised job of delivering, so it was in the course of employment.
 - (C) No, because the driver alone was the careless one.
 - (D) Yes, but only if the employer was sitting in the van at the time.
- Q26.** After finishing all his deliveries, the driver takes the van far across the city purely for a private evening party of his own, and there injures someone. Applying the principle, is the employer liable?
- (A) Yes, because it was after all the employer's van.
 - (B) Yes, because the driver is an employee of the firm.
 - (C) No, because he was on a purpose entirely of his own, wholly unconnected with his employment.
 - (D) No, because vans are inherently dangerous vehicles.
- Q27.** An employer expressly forbids his bus conductor from letting passengers board while the bus is moving. To save time the conductor lets a passenger board a moving bus, and the passenger is hurt. Applying the principle, is the employer liable?
- (A) No, because the employer had expressly forbidden it.



- (B) Yes, because letting passengers board was a wrongful way of doing the conductor's authorised job, and the master is liable even though he had forbidden it.
- (C) No, because the conductor disobeyed a clear order.
- (D) Yes, but only if the employer somehow knew it was happening.

Q28. A homeowner hires an independent contractor, who decides his own methods, to paint the house. The contractor negligently drops paint on a passer-by below. Applying the principle, is the homeowner vicariously liable?

- (A) No, because the painter is an independent contractor who decides how to do the job, and so is not a servant.
- (B) Yes, because it was the homeowner who hired him.
- (C) Yes, because the painting work was being done for the homeowner.
- (D) No, because painting a house is never a dangerous activity.

Q29. A shop cashier, while serving a customer as part of his job, wrongfully and violently assaults that customer during a dispute over the bill. Assume the assault arose directly out of his serving duties. Applying the principle, is the employer liable?

- (A) No, because an assault is a crime in itself.
- (B) No, because the employer never ordered any assault.
- (C) Yes, because the assault was so closely connected with the cashier's authorised serving duties that it was done in the course of employment.
- (D) Yes, but only if the employer was present in the shop.

Q30. A factory guard, hired only to watch the gate, leaves his post on his day off and travels to another city, where he commits a wrong entirely of his own. Applying the principle, is the employer liable?

- (A) Yes, because he is after all the factory's guard.



- (B) No, because at that time he was acting on a purpose entirely of his own, wholly unconnected with his employment.
- (C) Yes, because guards are meant to be responsible people.
- (D) Yes, but only if the wrong he committed was a serious one.



Detailed Solutions

Q1.

Solution

Principle applied: A substantial and unreasonable interference with the use or enjoyment of land is a nuisance.

Application to the facts: The factory pours out thick smoke and a foul smell all day. This stops R and his family from using their garden or opening windows, which is a substantial interference, not a trifle. Judged by an ordinary person's standard, all-day smoke and stench is plainly unreasonable. Both requirements are met, so it is a nuisance.

Why the other options are wrong:

- Option A: The usefulness of factories does not license a substantial, unreasonable interference.
- Option B: Being forced to shut the windows is itself part of the interference, not an answer to it.
- Option D: A nuisance to use and enjoyment does not require proof of actual illness.

Final Answer: Substantial and unreasonable interference ⇒

[Go Back to Q1](#)

Q2.

Solution

Principle applied: A trifling or trivial annoyance is not a substantial interference and so is not a nuisance.

Application to the facts: The tree drops only a few leaves, and only twice a year. That is a small, occasional annoyance. It falls short of the "substantial" interference the principle requires. So it is not actionable.

Why the other options are wrong:

- Option B: Leaves crossing the boundary do not make it a nuisance unless the interference is substantial.
- Option C: The principle does not demand total control of a tree, only that interference not be substantial and unreasonable.
- Option D: A tree *can* cause a nuisance in a strong enough case; here the



reason is only that this interference is trifling.

Final Answer: A trifling annoyance is not a nuisance ⇒

[Go Back to Q2](#)

Q3.

Solution

Principle applied: A person cannot complain of interference that troubles only an abnormally sensitive use and would not disturb an ordinary occupier.

Application to the facts: T's photographic business is unusually delicate and needs perfect darkness. The ordinary daylight from a normal window would trouble no ordinary occupier. It spoils T's film only because of his abnormal sensitivity. So the interference is not actionable.

Why the other options are wrong:

- Option A: The film being spoiled is a result of T's own sensitivity, not an ordinary interference.
- Option B: Building a normal window is lawful and, on these facts, harms only a sensitive use.
- Option C: A window is not "always lawful whatever its effect"; the real reason is T's abnormal sensitivity.

Final Answer: Interference affects only an abnormally sensitive use ⇒

[Go Back to Q3](#)

Q4.

Solution

Principle applied: Where a person acts out of malice to annoy a neighbour, an otherwise reasonable act may become unreasonable and a nuisance.

Application to the facts: U bangs metal trays against the shared wall. He does so purely out of spite, timed to disrupt V's lessons. The malice makes his interference unreasonable under the principle. So it is a nuisance.

Why the other options are wrong:

- Option A: The freedom to use one's property does not cover malicious acts aimed at annoying a neighbour.



- Option B: V's choice of profession does not excuse U's spiteful conduct.
- Option D: Malicious interference is a nuisance whether or not the wall is damaged.

Final Answer: Malice makes the interference unreasonable ⇒

Answer: (C) [Go Back to Q4](#)

Q5.

Solution

Principle applied: Interference that affects only an abnormally sensitive use, and would not trouble an ordinary occupier, is not a nuisance.

Application to the facts: The oven gives off only a faint warmth. An ordinary occupier would notice nothing. It affects only W's unusually heat-sensitive wax models. So there is no nuisance.

Why the other options are wrong:

- Option A: Harm to W's sensitive models does not by itself create a nuisance.
- Option C: The principle does not say any heat crossing a boundary is unlawful; it must trouble an ordinary occupier.
- Option D: Bakeries are not automatically exempt; the reason here is the abnormal sensitivity.

Final Answer: Only an abnormally sensitive use is affected ⇒

Answer: (B) [Go Back to Q5](#)

Q6.

Solution

Principle applied: A substantial and unreasonable interference judged by an ordinary person's standard is a nuisance.

Application to the facts: The construction noise runs day and night for months, far beyond normal hours. It robs the whole neighbourhood of sleep and seriously disturbs ordinary residents. That is both substantial and unreasonable by an ordinary person's standard. So it is a nuisance.

Why the other options are wrong:

- Option A: A lawful activity can still be carried on in a way that is a nuisance.



- Option B: Being forced to wear earplugs is part of the interference, not an answer to it.
- Option C: A nuisance to enjoyment does not require actual health breakdown.

Final Answer: Continuous excessive noise disturbing ordinary residents ⇒

Answer: (D) [Go Back to Q6](#)

Q7.

Solution

Principle applied: A promise made purely as a gift, with nothing given in return, lacks consideration and is not enforceable.

Application to the facts: A promised B Rs 10,000 as a birthday gift. A expected nothing at all in return. With no consideration moving from B, the promise is a bare gift. So B cannot enforce it.

Why the other options are wrong:

- Option A: A clear promise is still unenforceable without consideration.
- Option C: A promised gift is not “always binding”; that is exactly what the principle denies.
- Option D: The size of the sum is irrelevant; the flaw is the absence of consideration.

Final Answer: Pure gift promise lacks consideration ⇒

Answer: (B) [Go Back to Q7](#)

Q8.

Solution

Principle applied: Consideration need not be adequate; it is enough that it is real and has some value in the eyes of the law.

Application to the facts: B agreed to pay Rs 100 for the watch. Rs 100 is real value, even if it is far less than the watch is worth. The law does not ask whether the price was fair. So there is good consideration.

Why the other options are wrong:

- Option B: A low price does not destroy consideration, which need not be



adequate.

- Option C: The principle expressly says the court does not ensure a fair price.
- Option D: B need not prove the watch's worth; the point is that Rs 100 is real value.

Final Answer: Consideration need not be adequate \Rightarrow

[Go Back to Q8](#)

Q9.

Solution

Principle applied: A promise to do something one is already legally bound to do is not good consideration.

Application to the facts: The policeman was already on duty and legally bound to patrol and protect the public. Patrolling the shopkeeper's area was merely his existing duty. Performing an existing legal duty is not good consideration. So his promise cannot support the extra money.

Why the other options are wrong:

- Option A: Agreeing to patrol is no new consideration when he was already bound to do it.
- Option B: The shopkeeper's willingness to pay does not turn an existing duty into consideration.
- Option D: The reason is the pre-existing duty, not any bar on policemen making agreements.

Final Answer: Performing an existing legal duty is not consideration \Rightarrow

[Go Back to Q9](#)

Q10.

Solution

Principle applied: A past act, done before and independently of a promise, is not consideration for that promise.

Application to the facts: B repaired the fence last year, with no request or promise at the time. A's promise of Rs 5000 came this year, long afterwards. The repair was a past act done independently of the promise. So it is not consideration, and the promise cannot be enforced.



Why the other options are wrong:

- Option A: The fact of the repair is not enough when it was a past, independent act.
- Option B: A freely made promise still needs consideration to be enforceable.
- Option C: A gift promise is not “never binding in any situation”; the precise reason here is the past act.

Final Answer: Past act is not consideration \Rightarrow

[Go Back to Q10](#)

Q11.

Solution

Principle applied: An act done at the promisor’s request in return for the promise is good consideration.

Application to the facts: A promised Rs 2 lakh if the builder built a wall. The builder built the wall at A’s request, in return for that promise. That act is real value given in return. So there is good consideration and A is bound.

Why the other options are wrong:

- Option B: That building is the builder’s trade does not stop his act being consideration for A’s promise.
- Option C: A cannot escape a promise supported by consideration merely by changing his mind.
- Option D: The value of the wall need not match the promised sum; consideration need not be adequate.

Final Answer: Act done at request in return for the promise \Rightarrow

[Go Back to Q11](#)

Q12.

Solution

Principle applied: Consideration may take the form of giving up something of value, such as a genuine legal claim, at the other’s request.

Application to the facts: D gave up a genuine legal claim at C’s request. Giving up a real claim is something of value in the eyes of the law. It moved from D, the



promisee, at C's request. So it is good consideration for C's promise of Rs 500.

Why the other options are wrong:

- Option A: Giving up a genuine claim is not “doing nothing”; it is a real detriment of value.
- Option C: Consideration is not limited to money; it can be any thing of value.
- Option D: A genuine claim need not be certain to win to count as consideration when given up.

Final Answer: Giving up a genuine claim is good consideration \Rightarrow **B**

Answer: (B) [Go Back to Q12](#)

Q13.

Solution

Principle applied: Theft is the dishonest taking of movable property from another's possession without consent.

Application to the facts: The wallet is movable property. Z took it from the stranger's bag, which was in the stranger's possession, without consent. He did so meaning to keep it, that is, dishonestly. All four ingredients are present, so it is theft.

Why the other options are wrong:

- Option A: The small size of the wallet does not matter.
- Option B: Theft does not require the use of force.
- Option D: The presence of money inside is irrelevant; a wallet is itself movable property dishonestly taken.

Final Answer: Dishonest taking of movable property without consent \Rightarrow **C**

Answer: (C) [Go Back to Q13](#)

Q14.

Solution

Principle applied: If the owner consents to the taking, there is no theft.

Application to the facts: A lent the book to B and told him to keep it as long as he liked. So A consented to B having and keeping the book. Where there is consent, the taking is not without consent. So B has committed no theft.



Why the other options are wrong:

- Option B: Merely still having the book is not theft when the owner consented.
- Option C: A was told he could keep it as long as he liked, so not returning it at once is no wrong.
- Option D: A book is movable property; the real reason is the owner's consent.

Final Answer: Owner consented, so no theft ⇒

[Go Back to Q14](#)

Q15.

Solution

Principle applied: If the taker honestly believes the property is his own, the taking is not dishonest, and there is no theft.

Application to the facts: C honestly believed the umbrella was his own identical one. Acting on that honest belief, he had no intention of causing wrongful loss to another. So the taking was not dishonest. Without dishonesty there is no theft.

Why the other options are wrong:

- Option A: That the umbrella belonged to another does not make an honest mistake dishonest.
- Option B: Taking it from the stand is not theft when done under an honest claim of ownership.
- Option C: An umbrella is not too trivial to be stolen; the real reason is the honest belief.

Final Answer: Honest belief of ownership negates dishonesty ⇒

[Go Back to Q15](#)

Q16.

Solution

Principle applied: Things attached to the earth become movable property once severed, and dishonestly taking them without consent is theft.

Application to the facts: While standing, the tree was part of the neighbour's land. Once D cut it down, the logs became movable property. D carried the logs



away without consent, meaning to sell them, that is, dishonestly. So taking the severed logs is theft.

Why the other options are wrong:

- Option A: A growing tree cannot be stolen, but once cut the logs are movable and can be.
- Option C: That D did the cutting himself does not make the taking lawful.
- Option D: Theft does not depend on the owner having seen it happen.

Final Answer: Severed logs are movable and were dishonestly taken ⇒ **B**

Answer: (B) [Go Back to Q16](#)

Q17.

Solution

Principle applied: Where the owner consents to the taking, there is no theft.

Application to the facts: E paid for the goods, and the shopkeeper handed them across the counter. By handing them over on payment, the shopkeeper consented to E taking them. Walking out with goods one has bought and been given is with consent. So there is no theft.

Why the other options are wrong:

- Option A: Leaving the shop with paid-for goods is lawful.
- Option B: That the goods were once the shop's does not matter after a consented sale.
- Option D: A shop *can* be a victim of theft in other cases; here the reason is the shopkeeper's consent.

Final Answer: Shopkeeper consented on payment, so no theft ⇒ **C**

Answer: (C) [Go Back to Q17](#)

Q18.

Solution

Principle applied: Taking property dishonestly out of another's lawful possession without consent is theft, even if the taker owns it.

Application to the facts: The repair shop lawfully held the bicycle until F paid the bill. F secretly removed it without the shop's consent, to avoid paying. Though



F owns the cycle, he took it from the shop's lawful possession, causing it wrongful loss, and did so dishonestly. So it is theft.

Why the other options are wrong:

- Option A: Ownership does not permit a dishonest taking from another's lawful possession.
- Option B: Taking "what was his" still causes the shop wrongful loss of its lawful possession.
- Option C: The value of the cycle is irrelevant to whether it is theft.

Final Answer: Dishonest taking from the shop's lawful possession ⇒

[Go Back to Q18](#)

Q19.

Solution

Principle applied: No one may be deprived of personal liberty except by a procedure established by law.

Application to the facts: The police detained G for a week. They acted on suspicion alone, with no legal authority or procedure. Depriving G of his liberty without any procedure established by law breaches the right. So the right is violated.

Why the other options are wrong:

- Option A: Mere suspicion is not a procedure established by law.
- Option C: The length of detention does not cure the absence of any procedure.
- Option D: The right protects every person, so it does not depend on G being a citizen.

Final Answer: Liberty taken with no legal procedure ⇒

[Go Back to Q19](#)



Q20.

Solution

Principle applied: A deprivation of liberty according to a fair procedure established by law does not violate the right.

Application to the facts: The law is valid and lays down a fair, reasonable procedure with notice and a hearing. H was detained strictly in accordance with it. Since the procedure was fair and was followed, the deprivation is lawful. So the right is not violated.

Why the other options are wrong:

- Option A: Detention as such is not a violation when done by a fair legal procedure.
- Option B: The principle allows liberty to be taken by a fair procedure, so detention does not “always” violate it.
- Option D: The right protects everyone; complaint is not confined to foreigners.

Final Answer: Fair procedure established by law was followed ⇒

[Go Back to Q20](#)

Q21.

Solution

Principle applied: The right is available to every person, whether a citizen or a foreigner.

Application to the facts: The foreigner was jailed without following any legal procedure. The principle extends the protection to every person, not only citizens. So his being a foreigner does not bar him. He can claim the protection of the right.

Why the other options are wrong:

- Option A: The right does not turn on citizenship.
- Option B: Foreigners are not without rights; this right protects every person.
- Option C: The protection covers personal liberty as well as life, not life alone.

Final Answer: The right protects every person ⇒

[Go Back to Q21](#)



Q22.

Solution

Principle applied: The procedure that takes away liberty must be fair, just and reasonable, not arbitrary or oppressive.

Application to the facts: The law's procedure gives no notice and no chance to be heard. Such a procedure is plainly arbitrary and oppressive. A merely existing law is not enough; the procedure itself must be fair. Since it is not, detaining J under it violates the right.

Why the other options are wrong:

- Option B: The bare existence of a law does not save an arbitrary procedure.
- Option C: Being fed in jail does not make an unfair procedure fair.
- Option D: The right does not depend on J owning property.

Final Answer: Arbitrary, oppressive procedure is not fair ⇒

Answer: (A) [Go Back to Q22](#)

Q23.

Solution

Principle applied: The right to life means more than mere existence and includes the right to live with human dignity.

Application to the facts: K is forced to live with no sanitation, clean water or basic dignity. The principle treats the right to life as including living with human dignity. Conditions stripping away that dignity fall within the right's protection. So K is correct.

Why the other options are wrong:

- Option A: The principle expressly rejects the view that the right is only about staying alive.
- Option B: Dignity is treated here as part of the legal right to life.
- Option D: The right does not depend on K's wealth.

Final Answer: Right to life includes living with dignity ⇒

Answer: (C) [Go Back to Q23](#)



Q24.

Solution

Principle applied: Life may be taken according to a fair procedure established by law; doing so does not violate the right.

Application to the facts: L was executed after a full and fair trial under a valid law with a just procedure. The principle permits deprivation of life by such a procedure. The mere fact that L lost his life is not, by itself, a violation. So the family's claim fails.

Why the other options are wrong:

- Option B: Loss of life alone is not a violation when a fair legal procedure was followed.
- Option C: The principle does not say life can never be taken; it may be taken by a fair procedure.
- Option D: The protection is not limited to foreigners.

Final Answer: Fair procedure established by law was followed ⇒ **A**

Answer: (A) [Go Back to Q24](#)

Q25.

Solution

Principle applied: A master is liable for a wrongful way of doing authorised work, done in the course of employment.

Application to the facts: The driver was doing his authorised job of delivering goods in the employer's van. His careless driving is merely a wrongful way of doing that authorised work. It happened during and as part of his employment. So the employer is liable.

Why the other options are wrong:

- Option A: The master is liable even though he did not authorise the careless manner.
- Option C: The driver's personal fault does not shield the employer, who is vicariously liable.
- Option D: Liability does not require the employer to be in the van.

Final Answer: Wrongful way of doing authorised work ⇒ **B**

Answer: (B) [Go Back to Q25](#)



Q26.

Solution

Principle applied: A master is not liable where the servant was on a purpose entirely of his own, wholly unconnected with his employment.

Application to the facts: The deliveries were already finished. The driver took the van across town for a private party of his own. That was a purpose entirely of his own, unconnected with his job. So the employer is not liable.

Why the other options are wrong:

- Option A: Ownership of the van does not make the employer liable for a private frolic.
- Option B: Being an employee is not enough; the act must be in the course of employment.
- Option D: The danger of vans is irrelevant; the reason is the private purpose.

Final Answer: A purpose entirely of the servant's own ⇒ C

Answer: (C) [Go Back to Q26](#)

Q27.

Solution

Principle applied: A master is liable for a wrongful way of doing authorised work even if he had forbidden that manner of doing it.

Application to the facts: Managing passengers was part of the conductor's authorised job. Letting a passenger board a moving bus was a wrongful way of doing that job. The master's prohibition does not remove his liability under the principle. So the employer is liable.

Why the other options are wrong:

- Option A: The principle makes the master liable despite his prohibition.
- Option C: Mere disobedience of an order does not take the act outside the course of employment.
- Option D: The master's knowledge is not required for vicarious liability here.

Final Answer: Wrongful way of authorised work, prohibition notwithstanding ⇒

B

Answer: (B) [Go Back to Q27](#)



Q28.

Solution

Principle applied: An independent contractor, who decides for himself how to do the job, is generally not a servant, so the employer is not vicariously liable.

Application to the facts: The painter is an independent contractor. He decides his own methods of doing the work. Under the principle he is not a servant of the homeowner. So the homeowner is not vicariously liable for his negligence.

Why the other options are wrong:

- Option B: Merely hiring someone does not make him a servant.
- Option C: That the work was for the homeowner does not create vicarious liability for a contractor's acts.
- Option D: The reason is the contractor's independent status, not any claim that painting is safe.

Final Answer: Independent contractor, not a servant ⇒

Answer: (A) [Go Back to Q28](#)

Q29.

Solution

Principle applied: A master is liable for an act so closely connected with the servant's authorised work that it may be treated as done in the course of employment.

Application to the facts: The cashier was serving the customer as part of his job. The assault arose directly out of a dispute over the bill during that service. It was so closely connected with his serving duties that it was done in the course of employment. So the employer is liable.

Why the other options are wrong:

- Option A: That an assault is a crime does not stop it being in the course of employment.
- Option B: The master's liability does not require that he ordered the assault.
- Option D: Liability does not depend on the employer being present.

Final Answer: Closely connected with authorised serving duties ⇒

Answer: (C) [Go Back to Q29](#)



Q30.

Solution

Principle applied: A master is not liable where the servant acted on a purpose entirely of his own, wholly unconnected with his employment.

Application to the facts: The guard was hired only to watch the gate. On his day off he left and travelled to another city. There he committed a wrong entirely of his own, unconnected with guarding the gate. So the employer is not liable.

Why the other options are wrong:

- Option A: Being the factory's guard is not enough when the act was outside his employment.
- Option C: A general expectation that guards be responsible does not create vicarious liability.
- Option D: The seriousness of the wrong does not bring a private frolic within employment.

Final Answer: A purpose entirely of the servant's own ⇒

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Answer Key

Q	Ans	Q	Ans	Q	Ans	Q	Ans	Q	Ans
1	C	2	A	3	D	4	C	5	B
6	D	7	B	8	A	9	C	10	D
11	A	12	B	13	C	14	A	15	D
16	B	17	C	18	D	19	B	20	C
21	D	22	A	23	C	24	A	25	B
26	C	27	B	28	A	29	C	30	B

