

AIBE Sample Paper – 2

All India Bar Examination XXI

Duration: 210 Minutes

Maximum Marks: 100

Instructions

- This paper contains **100** Multiple Choice Questions covering 19 legal subjects, grouped into five thematic Parts: **A** – Constitutional & Public Law (Q1–Q19), **B** – Criminal Law (Q20–Q45), **C** – Civil & Procedural Law (Q46–Q62), **D** – Personal & Specialised Laws (Q63–Q88), **E** – ADR & Professional Ethics (Q89–Q100).
- Each correct answer carries **+1 mark**. Wrong and unattempted answers carry **0 marks** (no negative marking).
- AIBE is an **open-book** examination. Candidates may refer to printed Bare Acts, study material, and books. Handwritten notes are strictly prohibited.
- Only **one** option is correct. Total time: 3 hours 30 minutes.

Part A: Constitutional & Public Law

- Q1.** Which Article of the Constitution of India embodies the right to constitutional remedies and is itself a fundamental right that the Supreme Court in *Kesavananda Bharati* treated as part of the basic structure?
- (A) Article 21
(B) Article 226
(C) Article 32
(D) Article 136
- Q2.** In *Justice K. S. Puttaswamy (Retd.) v. Union of India* (2017), a nine-judge Bench unanimously held that the right to privacy is a fundamental right. Under which Article was it primarily located?
- (A) Article 21



- (B) Article 19(1)(a)
- (C) Article 14
- (D) Article 25

Q3. The doctrine that the power of Parliament to amend the Constitution under Article 368 does not extend to altering its “basic structure” was authoritatively laid down in which case?

- (A) *Golak Nath v. State of Punjab*
- (B) *Kesavananda Bharati v. State of Kerala*
- (C) *Shankari Prasad v. Union of India*
- (D) *Sajjan Singh v. State of Rajasthan*

Q4. The principle of natural justice expressed by the maxim *audi alteram partem* requires that:

- (A) No person shall be a judge in his own cause
- (B) Reasons must always be recorded in writing
- (C) A decision must be taken within a reasonable time
- (D) No one should be condemned unheard

Q5. Reasonable restrictions on the freedom of speech and expression guaranteed by Article 19(1)(a) may be imposed only on the grounds enumerated in:

- (A) Article 19(2)
- (B) Article 19(6)
- (C) Article 21
- (D) Article 31

Q6. The writ that is issued to bring up the body of a person who is detained, in order to test the legality of the detention, is:

- (A) Mandamus



- (B) Certiorari
- (C) Habeas corpus
- (D) Quo warranto

Q7. In *Minerva Mills Ltd. v. Union of India* (1980), the Supreme Court struck down parts of the 42nd Amendment and held that:

- (A) Directive Principles always prevail over Fundamental Rights
- (B) The balance between Fundamental Rights and Directive Principles is itself part of the basic structure
- (C) Article 368 confers unlimited amending power on Parliament
- (D) Fundamental Rights cannot be amended at all

Q8. Which writ is issued to a public official or a lower authority commanding the performance of a public or statutory duty which that authority has failed to perform?

- (A) Mandamus
- (B) Habeas corpus
- (C) Certiorari
- (D) Prohibition

Q9. The “polluter pays” principle and the “precautionary principle” were recognised as part of the environmental law of India in:

- (A) *Rural Litigation & Entitlement Kendra v. State of U.P.*
- (B) *Subhash Kumar v. State of Bihar*
- (C) *Indian Council for Enviro-Legal Action v. Union of India*
- (D) *Vellore Citizens' Welfare Forum v. Union of India*

Q10. Article 14 of the Constitution guarantees equality before the law and equal protection of the laws. A classification made by a statute is valid if it satisfies the twin test of:



- (A) Proportionality and legitimate aim
- (B) Intelligible differentia and rational nexus with the object sought to be achieved
- (C) Manifest arbitrariness and mala fides
- (D) Necessity and reasonableness alone

Q11. The writ of *quo warranto* is appropriately issued to:

- (A) Quash an order passed without jurisdiction
- (B) Compel performance of a statutory duty
- (C) Question the legal authority of a person holding a public office
- (D) Prevent a tribunal from exceeding its jurisdiction

Q12. Delegated legislation is subject to judicial control. A piece of subordinate legislation that exceeds the powers conferred by the parent statute is liable to be struck down on the ground that it is:

- (A) *Ultra vires* the parent Act
- (B) *Res judicata*
- (C) *Functus officio*
- (D) *Ratio decidendi*

Q13. The “doctrine of pleasure” relating to the tenure of civil servants under the Union is embodied in Article 310, but it is subject to the procedural safeguards contained in:

- (A) Article 309
- (B) Article 311
- (C) Article 312
- (D) Article 320

Q14. Under the scheme of distribution of legislative powers in the Seventh Schedule, the residuary power to legislate on matters not enumerated in any of the three Lists is vested, under Article 248, in:



- (A) The State Legislatures concurrently
- (B) The President
- (C) The Finance Commission
- (D) Parliament

Q15. The expansive interpretation of the *locus standi* rule that allows any public-spirited person to approach the court on behalf of those unable to do so, giving rise to Public Interest Litigation, was substantially developed by which Judge of the Supreme Court?

- (A) Justice H. R. Khanna
- (B) Justice A. N. Ray
- (C) Justice P. N. Bhagwati
- (D) Justice M. Hidayatullah

Q16. The doctrine of “legitimate expectation” in administrative law primarily enables a person to:

- (A) Claim a fair hearing or fair treatment where a settled past practice or express promise of a public authority is sought to be departed from
- (B) Acquire a vested proprietary right in a government largesse
- (C) Demand promotion as a matter of right
- (D) Override a statutory provision by past conduct

Q17. The writ of *certiorari* is issued by a superior court to:

- (A) Direct an authority to perform a public duty
- (B) Quash an order already passed by an inferior court or tribunal acting without or in excess of jurisdiction
- (C) Release a person from unlawful detention
- (D) Restrain a person from usurping a public office



- Q18.** In *M. C. Mehta v. Union of India* (Oleum Gas Leak case, 1987), the Supreme Court evolved which principle of liability for enterprises engaged in hazardous or inherently dangerous activities?
- (A) Strict liability with the exceptions recognised in *Rylands v. Fletcher*
 - (B) Vicarious liability
 - (C) Absolute liability without any exception
 - (D) Contributory liability
- Q19.** The Directive Principles of State Policy contained in Part IV of the Constitution are, by virtue of Article 37:
- (A) Enforceable in the same manner as Fundamental Rights
 - (B) Superior to Fundamental Rights in all cases
 - (C) Mere preambular statements with no legal value
 - (D) Not enforceable by any court, yet fundamental in the governance of the country

Part B: Criminal Law

- Q20.** Under the Indian Penal Code, the maxim *actus non facit reum nisi mens sit rea* is best reflected in which of the following propositions?
- (A) An act alone, without a guilty mind, ordinarily does not constitute a crime.
 - (B) Every act causing harm is punishable irrespective of intention.
 - (C) Motive is an essential ingredient of every offence.
 - (D) Knowledge is never relevant to criminal liability.
- Q21.** *A* and *B*, sharing a prior plan to kill *C*, attack him together; *A* fires the fatal shot while *B* merely stands guard. Both are convicted of murder. The provision that makes *B* equally liable is:
- (A) Section 120B IPC (criminal conspiracy)
 - (B) Section 109 IPC (abetment)



- (C) Section 149 IPC (common object)
- (D) Section 34 IPC (common intention)

Q22. The essential distinction between Section 34 and Section 149 IPC is that:

- (A) Section 34 applies only to property offences, while Section 149 applies only to bodily offences.
- (B) Section 34 requires a prior meeting of minds, while Section 149 needs an unlawful assembly of five or more persons sharing a common object.
- (C) Section 149 requires a prior concert, while Section 34 does not.
- (D) Both require exactly five persons.

Q23. The right of private defence of the body extends to voluntarily causing death only where the assault reasonably causes apprehension of one of the enumerated grounds. Which of the following is NOT such a ground under Section 100 IPC?

- (A) Apprehension of grievous hurt
- (B) Apprehension of death
- (C) Assault with intent to commit rape
- (D) Apprehension of mere trespass causing no harm

Q24. The offence of criminal conspiracy is complete under Section 120A IPC when:

- (A) Two or more persons agree to do, or cause to be done, an illegal act or a legal act by illegal means.
- (B) A single person forms an intention to commit a crime.
- (C) The substantive offence agreed upon is actually completed.
- (D) The police register an FIR.

Q25. For an act to constitute an "attempt" punishable under Section 511 IPC, what is essential?



- (A) Mere preparation to commit the offence.
- (B) Completion of the offence.
- (C) An act done towards the commission of the offence going beyond mere preparation.
- (D) A bare intention without any overt act.

Q26. *X* causes the death of *Y* by doing an act with the intention of causing such bodily injury as is likely to cause death, but without intention to cause death and without knowledge that it is so imminently dangerous that it must in all probability cause death. The offence is:

- (A) Murder
- (B) Culpable homicide not amounting to murder
- (C) Causing death by negligence
- (D) No offence

Q27. Grave and sudden provocation, which deprives the offender of the power of self-control, is which kind of plea under Section 300 IPC?

- (A) A complete defence resulting in acquittal.
- (B) Exception 1 to Section 300, reducing murder to culpable homicide not amounting to murder.
- (C) A general exception under Section 76 IPC.
- (D) An aggravating circumstance.

Q28. Kidnapping from lawful guardianship under Section 361 IPC is committed in respect of a minor when the minor is below the age of:

- (A) 12 years for both
- (B) 18 years for both
- (C) 21 years for both
- (D) 16 years (male) and 18 years (female)



- Q29.** Which of the following is a clause whereby, under Section 375 IPC, consent obtained becomes no valid consent so as to negate the offence of rape?
- (A) Consent given under a misconception of fact, e.g. a false promise of marriage vitiating consent.
 - (B) Consent freely given by a woman above eighteen years.
 - (C) Consent of the woman's spouse.
 - (D) Consent recorded before a Magistrate.
- Q30.** The principal point of distinction between theft (Section 378 IPC) and extortion (Section 383 IPC) is that:
- (A) Theft involves immovable property only.
 - (B) Extortion requires no dishonest intention.
 - (C) In theft the property is taken without consent, whereas in extortion delivery is obtained by putting a person in fear of injury.
 - (D) Theft always involves use of force on the person.
- Q31.** The element that converts theft into robbery under Section 390 IPC is:
- (A) Causing or attempting to cause death, hurt, or wrongful restraint, or fear thereof, in order to commit the theft.
 - (B) The value of the property exceeding a fixed sum.
 - (C) The presence of exactly five offenders.
 - (D) Commission of the act at night.
- Q32.** Dacoity under Section 391 IPC requires that the robbery be conjointly committed or attempted by:
- (A) Two or more persons
 - (B) Exactly three persons
 - (C) Ten or more persons
 - (D) Five or more persons



- Q33.** A bank cashier entrusted with funds dishonestly converts them to his own use. The offence most precisely attracted is:
- (A) Theft under Section 378 IPC
 - (B) Criminal breach of trust under Sections 405/406 IPC
 - (C) Cheating under Section 420 IPC
 - (D) Extortion under Section 384 IPC
- Q34.** The defining ingredient of cheating under Section 415 IPC, distinguishing it from criminal breach of trust, is:
- (A) Lawful entrustment of property followed by dishonest conversion.
 - (B) Taking of movable property without consent.
 - (C) Deception of a person, fraudulently or dishonestly inducing the delivery of property or to do or omit an act.
 - (D) Causing wrongful loss by destruction of property.
- Q35.** To attract the offence of defamation under Section 499 IPC, the imputation must be made:
- (A) Only in writing and never orally.
 - (B) With intention, knowledge, or reason to believe that it will harm the reputation of the person concerned.
 - (C) Only against a living person and never concerning the family of a deceased.
 - (D) Solely for pecuniary gain.
- Q36.** Under Section 154 CrPC, information relating to the commission of a cognizable offence given to the officer in charge of a police station is reduced to writing and is commonly called:
- (A) Charge-sheet
 - (B) Final report
 - (C) First Information Report (FIR)



(D) Case diary

Q37. Anticipatory bail under Section 438 CrPC may be granted by:

(A) Only the officer in charge of the police station.

(B) The High Court or the Court of Session, to a person apprehending arrest on accusation of a non-bailable offence.

(C) Only the Supreme Court.

(D) The Executive Magistrate alone.

Q38. In a cognizable offence, a police officer may, under the Code of Criminal Procedure:

(A) Arrest without a warrant and investigate without an order of the Magistrate.

(B) Arrest only after obtaining a warrant from the Magistrate.

(C) Never effect an arrest without the accused's consent.

(D) Investigate only with the prior sanction of the State Government in every case.

Q39. The inherent powers of the High Court to make orders necessary to give effect to the Code, prevent abuse of process, or secure the ends of justice are contained in:

(A) Section 397 CrPC

(B) Section 320 CrPC

(C) Section 156(3) CrPC

(D) Section 482 CrPC

Q40. An order for maintenance of wife, children, and parents who are unable to maintain themselves may be passed by a Magistrate of the first class under:

(A) Section 144 CrPC



- (B) Section 107 CrPC
- (C) Section 125 CrPC
- (D) Section 200 CrPC

Q41. Plea bargaining, introduced as Chapter XXIA of the CrPC, is generally NOT available in respect of:

- (A) Offences punishable with fine only.
- (B) Offences punishable with imprisonment up to three years.
- (C) Compoundable offences.
- (D) Offences punishable with death, imprisonment for life, or imprisonment exceeding seven years, and offences against women or children below fourteen.

Q42. Under the Indian Evidence Act, 1872, the crucial distinction between an admission and a confession is that:

- (A) A confession is an admission of guilt by an accused in a criminal case, whereas every admission is not a confession.
- (B) Every admission is necessarily a confession.
- (C) A confession may be made only in civil proceedings.
- (D) An admission is always conclusive proof against the maker.

Q43. A statement made by a person as to the cause of his death, when the cause of that person's death comes into question, is relevant as a dying declaration under:

- (A) Section 25 of the Indian Evidence Act, 1872
- (B) Section 32(1) of the Indian Evidence Act, 1872
- (C) Section 45 of the Indian Evidence Act, 1872
- (D) Section 115 of the Indian Evidence Act, 1872



- Q44.** When the facts are especially within the knowledge of a particular person, the burden of proving that fact, under the Indian Evidence Act, lies upon:
- (A) The prosecution alone in every case, under Section 101.
 - (B) The court of its own motion.
 - (C) That person, by virtue of Section 106 of the Indian Evidence Act, 1872.
 - (D) No one, as such facts need not be proved.
- Q45.** Under Section 138 of the Negotiable Instruments Act, 1881, dishonour of a cheque for insufficiency of funds becomes an offence only after the payee complies with which mandatory condition?
- (A) Issuing a written demand notice within thirty days of dishonour and the drawer failing to pay within fifteen days of receipt of the notice.
 - (B) Filing the complaint on the very day of dishonour without any notice.
 - (C) Obtaining the drawer's prior written admission of liability.
 - (D) Lodging an FIR for cheating before any notice is sent.

Part C: Civil & Procedural Law

- Q46.** Under the Code of Civil Procedure, 1908, the jurisdiction of a civil court to try all suits of a civil nature, except those expressly or impliedly barred, is conferred by which provision?
- (A) Section 15
 - (B) Section 9
 - (C) Section 20
 - (D) Section 11
- Q47.** The doctrine of *res judicata*, which bars a court from trying a suit or issue already finally decided between the same parties, is contained in which section of the CPC, 1908?



- (A) Section 9
- (B) Section 10
- (C) Section 11
- (D) Section 151

Q48. Section 10 of the CPC, 1908 deals with the doctrine of *res sub judice*, the effect of which is that the court shall:

- (A) Stay the trial of the subsequently instituted suit
- (B) Dismiss the subsequently instituted suit
- (C) Return the plaint for presentation to the proper court
- (D) Consolidate both suits and decide them together

Q49. Under Order VII Rule 11 of the CPC, 1908, a plaint shall be rejected in which one of the following situations?

- (A) Where the defendant has a strong defence on the merits
- (B) Where the suit appears likely to fail at trial
- (C) Where the plaintiff resides outside the local limits of the court
- (D) Where the plaint does not disclose a cause of action

Q50. For the grant of a temporary injunction under Order XXXIX of the CPC, 1908, the applicant must ordinarily satisfy three well-settled tests. Which of the following is NOT one of those three tests?

- (A) Existence of a *prima facie* case
- (B) Proof of fraud or coercion by the opposite party
- (C) Balance of convenience in favour of the applicant
- (D) Likelihood of irreparable injury if relief is refused

Q51. A summary suit, in which the defendant has no right to defend unless leave to defend is granted by the court, is provided for under which Order of the CPC, 1908?



- (A) Order XX
- (B) Order XXI
- (C) Order XXXVII
- (D) Order XXXIX

Q52. Which of the following correctly distinguishes a "decree" from an "order" under the CPC, 1908?

- (A) A decree is the formal adjudication conclusively determining the rights of parties on the matters in controversy, whereas an order is the formal expression of a decision that is not a decree
- (B) An order conclusively determines the rights of the parties, whereas a decree never does
- (C) A decree may be passed only by an appellate court, while an order is passed only by a trial court
- (D) There is no legal difference; the terms are used interchangeably in the Code

Q53. Under Section 25 of the Indian Contract Act, 1872, an agreement made without consideration is void. Which of the following is a recognised EXCEPTION whereby such an agreement is valid?

- (A) An oral promise to pay a time-barred debt
- (B) A promise to make a gift to a stranger out of love
- (C) An agreement to do an unlawful act for natural affection
- (D) A written and registered promise, made on account of natural love and affection between parties standing in a near relation

Q54. Under Section 2(d) of the Indian Contract Act, 1872, which of the following statements about consideration is correct?

- (A) Consideration must always move from the promisee alone
- (B) Consideration may move from the promisee or any other person, and may be past, present or future



- (C) Past consideration is no consideration under Indian law
- (D) Consideration must be adequate to the promise to be valid

Q55. Where consent to an agreement is caused by coercion, undue influence, fraud or misrepresentation, the agreement is, under the Indian Contract Act, 1872:

- (A) Voidable at the option of the party whose consent was so caused
- (B) Void *ab initio* in every case
- (C) Valid and binding on both parties
- (D) Merely unenforceable but not voidable

Q56. The rule in *Hadley v. Baxendale*, dealing with remoteness of damages for breach of contract, is reflected in which provision of the Indian Contract Act, 1872?

- (A) Section 39
- (B) Section 56
- (C) Section 73
- (D) Section 74

Q57. A contract to do an act which, after the contract is made, becomes impossible or unlawful by reason of some event the promisor could not prevent, becomes void. This doctrine of frustration is embodied in which section of the Indian Contract Act, 1872?

- (A) Section 23
- (B) Section 25
- (C) Section 39
- (D) Section 56

Q58. The principle of "duty of care" owed to one's neighbour in the law of negligence was authoritatively laid down in which leading case?



- (A) *Rylands v. Fletcher*
- (B) *Donoghue v. Stevenson*
- (C) *Ashby v. White*
- (D) *Ryland v. Mehta*

Q59. The rule of strict liability, under which a person who keeps a dangerous thing on his land is liable for damage caused by its escape even without negligence (subject to recognised exceptions), originates from which case?

- (A) *Rylands v. Fletcher*
- (B) *Donoghue v. Stevenson*
- (C) *M. C. Mehta v. Union of India*
- (D) *Bhim Singh v. State of J&K*

Q60. In *M. C. Mehta v. Union of India* (the Oleum Gas Leak case), the Supreme Court evolved which principle, distinct from the older rule of strict liability?

- (A) The principle of *volenti non fit injuria*
- (B) The principle of contributory negligence
- (C) The principle of absolute liability, admitting no exceptions for enterprises engaged in hazardous activity
- (D) The principle of remoteness of damage

Q61. Under Section 5 of the Limitation Act, 1963, an appeal or application (other than one under Order XXI CPC) may be admitted after the prescribed period if the applicant satisfies the court that:

- (A) The delay was caused by the opposite party
- (B) The claim is meritorious on the facts
- (C) The suit involves a substantial question of law



(D) He had sufficient cause for not preferring it within the prescribed period

Q62. Under the Specific Relief Act, 1963 (as amended in 2018), the grant of specific performance of a contract is now, as a general rule:

(A) An enforceable remedy, no longer a matter of mere judicial discretion, subject to the statutory exceptions

(B) Available only where damages are also claimed

(C) Wholly within the unfettered discretion of the court in every case

(D) Barred for all contracts relating to immovable property

Part D: Personal & Specialised Laws

Q63. Under Section 5 of the Hindu Marriage Act, 1955, what is the prescribed minimum age of marriage for the bride and the bridegroom respectively?

(A) 18 years for the bride and 21 years for the bridegroom

(B) 21 years for both the bride and the bridegroom

(C) 16 years for the bride and 18 years for the bridegroom

(D) 18 years for both the bride and the bridegroom

Q64. A marriage solemnised in contravention of the condition relating to prohibited degrees of relationship under Section 5(iv) of the Hindu Marriage Act, 1955 is:

(A) Voidable at the option of the wife

(B) Valid but irregular

(C) Void *ab initio*

(D) Merely an irregularity curable by registration

Q65. A husband files a petition for restitution of conjugal rights. Which provision of the Hindu Marriage Act, 1955 governs this remedy, and what is its essential requirement?



- (A) Section 9; withdrawal from the society of the petitioner without reasonable excuse
- (B) Section 10; living separately for one year by mutual consent
- (C) Section 13; commission of a matrimonial offence
- (D) Section 12; impotency of the respondent

Q66. Under Section 13B of the Hindu Marriage Act, 1955 (divorce by mutual consent), what is the statutory waiting period between the first and second motion, and can it be waived?

- (A) 18 months, never waivable
- (B) 1 year, waivable only by the High Court
- (C) 3 months, mandatory in all cases
- (D) 6 to 18 months; the Supreme Court in *Amardeep Singh v. Harveen Kaur* held the 6-month period to be directory and waivable

Q67. Which of the following is a valid ground for divorce under Section 13(1) of the Hindu Marriage Act, 1955 as it currently stands?

- (A) Irretrievable breakdown of marriage as an express statutory ground
- (B) Incompatibility of temperament
- (C) Cruelty
- (D) Refusal to cohabit for one month

Q68. Under the Hindu Adoptions and Maintenance Act, 1956, which one of the following is a mandatory requirement for a valid adoption?

- (A) The child to be adopted must be below 21 years of age in every case
- (B) Adoption must always be registered before a District Magistrate
- (C) Only a male can give a child in adoption
- (D) The same child must not have already been adopted, and there must be an actual giving and taking in adoption



- Q69.** Under the Hindu Succession Act, 1956, which of the following is NOT a Class I heir of a male Hindu dying intestate?
- (A) Widow
 - (B) Son
 - (C) Brother
 - (D) Mother
- Q70.** The Hindu Succession (Amendment) Act, 2005 amended Section 6 to confer coparcenary rights on daughters. In *Vineeta Sharma v. Rakesh Sharma* (2020), the Supreme Court held that a daughter becomes a coparcener:
- (A) Only if her father was alive on 9 September 2005
 - (B) Only if she was unmarried on the date of the amendment
 - (C) Only with respect to self-acquired property of the father
 - (D) By birth, and the coparcenary right is not contingent on the father being alive on the date of the amendment
- Q71.** In Muslim law, *mahr* (dower) is best described as:
- (A) A gift voluntarily made by the wife to the husband
 - (B) A sum of money or property payable by the husband to the wife as a consideration of the marriage
 - (C) A bride-price paid to the wife's father
 - (D) A tax payable to the State on solemnisation of nikah
- Q72.** In *Shayara Bano v. Union of India* (2017), the Supreme Court declared which form of Muslim divorce unconstitutional?
- (A) *Talaq-e-ahsan*
 - (B) *Talaq-e-hasan*
 - (C) *Talaq-e-biddat* (triple talaq)
 - (D) *Khula*



- Q73.** Regarding maintenance of a divorced Muslim woman, the position laid down in *Mohd. Ahmed Khan v. Shah Bano Begum* and clarified in *Danial Latifi v. Union of India* is that:
- (A) A divorced Muslim woman can never claim maintenance under Section 125 CrPC
 - (B) Her right ends absolutely with the period of *iddat*
 - (C) A reasonable and fair provision and maintenance must be made and paid within the *iddat* period, extending beyond it; Section 125 CrPC also remains available
 - (D) Maintenance is payable only by her father after divorce
- Q74.** A couple of different religions wish to marry without conversion. The appropriate statute and a key requirement are:
- (A) Special Marriage Act, 1954; 30 days' notice to the Marriage Officer before solemnisation
 - (B) Hindu Marriage Act, 1955; conversion of one party
 - (C) Indian Christian Marriage Act, 1872; consent of both parents
 - (D) Foreign Marriage Act, 1969; registration abroad only
- Q75.** Under Section 53A of the Transfer of Property Act, 1882, the doctrine of part performance protects a transferee who:
- (A) Has only made an oral promise to purchase
 - (B) Has paid the full price but has no written contract whatsoever
 - (C) Is a gratuitous transferee in possession
 - (D) Has taken possession under a written contract of transfer of immovable property for consideration and has performed or is willing to perform his part, against the transferor seeking to dispossess him
- Q76.** The doctrine of *lis pendens*, embodied in Section 52 of the Transfer of Property Act, 1882, provides that:



- (A) No suit can be filed regarding immovable property during a pending transfer
- (B) During the pendency of a suit in which a right to immovable property is in question, the property cannot be transferred so as to affect the rights of any party under the decree
- (C) All transfers during litigation are absolutely void
- (D) Only the plaintiff may transfer the property during the suit

Q77. The rule against perpetuity under Section 14 of the Transfer of Property Act, 1882 restricts the vesting of an interest beyond:

- (A) 100 years from the date of transfer in all cases
- (B) A fixed period of 21 years only
- (C) The life or lives of persons living at the date of transfer plus the minority of the ultimate beneficiary
- (D) The lifetime of the transferor alone

Q78. The principle that a company is a separate legal entity distinct from its members was firmly established in:

- (A) *Foss v. Harbottle*
- (B) *Salomon v. Salomon & Co. Ltd.*
- (C) *Royal British Bank v. Turquand*
- (D) *Ashbury Railway Carriage Co. v. Riche*

Q79. The doctrine of indoor management, which protects outsiders dealing with a company in good faith, originates from:

- (A) *Salomon v. Salomon & Co. Ltd.*
- (B) *Ashbury Railway Carriage Co. v. Riche*
- (C) *Royal British Bank v. Turquand*
- (D) *Carlill v. Carbolic Smoke Ball Co.*



- Q80.** An act of a company that is beyond the objects clause of its Memorandum of Association is described as ultra vires and is:
- (A) Void and cannot be ratified even by unanimous consent of all shareholders
 - (B) Voidable at the option of the directors
 - (C) Valid if ratified by the Board
 - (D) Always enforceable against third parties
- Q81.** Under the Copyright Act, 1957, the general term of copyright in an original literary, dramatic, musical or artistic work (other than photographs and certain works) published in the lifetime of the author is:
- (A) The lifetime of the author plus 60 years from the year following the author's death
 - (B) A flat 50 years from publication
 - (C) The lifetime of the author only
 - (D) 20 years from the date of creation
- Q82.** Under the Patents Act, 1970, the term of every patent granted is and the patentability requirement includes:
- (A) 14 years; mere discovery of a scientific principle is patentable
 - (B) 10 years; aesthetic creations are patentable
 - (C) Perpetual; only novelty is required
 - (D) 20 years from the date of filing of the application; the invention must be new, involve an inventive step and be capable of industrial application
- Q83.** Which statement correctly distinguishes infringement of a registered trade mark from the action of passing off under the Trade Marks Act, 1999?
- (A) Both are statutory remedies available only for registered marks



- (B) Infringement is a statutory remedy for registered marks, whereas passing off is a common law remedy available to protect unregistered marks and goodwill
- (C) Passing off is available only for registered marks
- (D) Infringement requires proof of actual loss while passing off does not require any goodwill

Q84. The expansive interpretation of the term “industry” under Section 2(j) of the Industrial Disputes Act, 1947, applying the triple test, was laid down in:

- (A) *Bangalore Water Supply & Sewerage Board v. A. Rajappa*
- (B) *Workmen of Dimakuchi Tea Estate v. Management*
- (C) *Excel Wear v. Union of India*
- (D) *D.N. Banerjee v. P.R. Mukherjee*

Q85. Under the Industrial Disputes Act, 1947, “retrenchment” under Section 2(oo) means the termination by the employer of the service of a workman for any reason whatsoever, but does NOT include:

- (A) Termination on account of surplus labour
- (B) Voluntary retirement of the workman, or retirement on superannuation, or termination on continued ill-health
- (C) Termination due to reorganisation
- (D) Termination for economy measures

Q86. Under the Consumer Protection Act, 2019, a person who buys goods or hires services exclusively for the purpose of resale or for any commercial purpose is:

- (A) Always a consumer
- (B) A consumer only if the value exceeds one crore



- (C) Not a consumer, except where goods or services are bought and used exclusively for the purpose of earning a livelihood by means of self-employment
- (D) Never entitled to any remedy

- Q87.** Under the Motor Vehicles Act, 1988, the principle of “no-fault liability” (compensation on the structured formula without proof of negligence) is contained in provisions such as:
- (A) Section 140 / Section 164, allowing compensation without the claimant having to prove any wrongful act, neglect or default
 - (B) Section 166 only, which always requires proof of negligence
 - (C) Section 138, dealing with cheque dishonour
 - (D) A provision requiring criminal conviction of the driver first
- Q88.** Which of the following statements about indirect taxation under the Goods and Services Tax (GST) regime in India is correct?
- (A) GST is a direct tax levied on income
 - (B) GST is levied only on the manufacture of goods
 - (C) GST replaced income tax
 - (D) GST is a destination-based indirect tax on the supply of goods and services, subsuming taxes such as excise duty, service tax and VAT

Part E: ADR & Professional Ethics

- Q89.** Under Section 7 of the Arbitration & Conciliation Act, 1996, an arbitration agreement must be in writing. Which of the following does NOT, by itself, satisfy the “in writing” requirement?
- (A) A document signed by the parties
 - (B) An exchange of letters or other means of telecommunication providing a record of the agreement



- (C) An exchange of statements of claim and defence in which the existence of the agreement is alleged by one party and not denied by the other
- (D) A purely oral agreement to refer disputes to arbitration, proved by witnesses

Q90. Where parties fail to determine the number of arbitrators, what does Section 10 of the Arbitration & Conciliation Act, 1996 provide?

- (A) The arbitral tribunal shall consist of three arbitrators
- (B) The arbitral tribunal shall consist of a sole arbitrator
- (C) The number shall be fixed by the Chief Justice
- (D) The reference is void for uncertainty

Q91. The doctrine of *Kompetenz-Kompetenz*, empowering the arbitral tribunal to rule on its own jurisdiction including objections to the existence or validity of the arbitration agreement, is embodied in which provision of the Arbitration & Conciliation Act, 1996?

- (A) Section 9
- (B) Section 16
- (C) Section 34
- (D) Section 37

Q92. An aggrieved party seeks to set aside a domestic arbitral award on the ground that it conflicts with the “public policy of India.” Under which section, as explained in *Ssangyong Engineering & Construction Co. v. NHAI*, must this application be made?

- (A) Section 9
- (B) Section 17
- (C) Section 34
- (D) Section 36



- Q93.** Which of the following orders is appealable under Section 37 of the Arbitration & Conciliation Act, 1996?
- (A) An order refusing to refer parties to arbitration under Section 8
 - (B) An order admitting a statement of defence
 - (C) An order fixing the date of the next hearing
 - (D) An order recording the appearance of counsel
- Q94.** Which statement correctly distinguishes a Lok Adalat award from an ordinary arbitral award, having regard to the Legal Services Authorities Act, 1987?
- (A) A Lok Adalat award is appealable to the High Court, whereas an arbitral award is final
 - (B) A Lok Adalat award requires confirmation by the District Judge before it is enforceable
 - (C) A Lok Adalat award binds only the party that initiated the proceedings
 - (D) A Lok Adalat award is deemed a decree of a civil court and is final with no appeal, being based on a compromise between the parties
- Q95.** Section 89 of the Code of Civil Procedure, 1908 empowers the court, where it appears there exist elements of a settlement, to refer a dispute to which of the following?
- (A) Only to arbitration
 - (B) Only to a Lok Adalat
 - (C) Arbitration, conciliation, judicial settlement including Lok Adalat, or mediation
 - (D) Only to the Bar Council for opinion
- Q96.** Under the Advocates Act, 1961, an advocate's right to practise throughout the territory of India before all courts, tribunals and authorities is conferred by which section?



- (A) Section 30
- (B) Section 24
- (C) Section 35
- (D) Section 49

Q97. Disciplinary proceedings against an advocate for “professional or other misconduct” are, in the first instance, decided by the disciplinary committee of which body under Section 35 of the Advocates Act, 1961?

- (A) The Bar Council of India
- (B) The High Court
- (C) The State Bar Council
- (D) The Supreme Court

Q98. In *P. D. Gupta v. Ram Murti*, the Supreme Court held an advocate guilty of professional misconduct for which of the following?

- (A) Refusing to accept a brief offered with a proper fee
- (B) Advertising his legal services in a newspaper
- (C) Appearing for both parties to a single dispute with their consent
- (D) Purchasing the disputed property from his client while litigation regarding its title was pending, and reselling it for profit

Q99. Under the BCI Rules on Standards of Professional Conduct and Etiquette, an advocate is bound NOT to ordinarily refuse a brief in a court in which he professes to practise, provided a proper fee is offered. This duty is best described as a duty primarily owed to whom?

- (A) A duty to the public and the administration of justice (access to representation)
- (B) A duty to the opponent
- (C) A duty to advertise the practice
- (D) A duty owed only to the Bar Council



- Q100.** Under the Contempt of Courts Act, 1971, wilful disobedience of a judgment, decree, direction, order or other process of a court constitutes which kind of contempt?
- (A) Criminal contempt
 - (B) Civil contempt
 - (C) Constructive contempt
 - (D) No contempt, being only an enforcement default



Detailed Solutions

Q1.

Solution

Concept — Right to Constitutional Remedies: Article 32 guarantees the right to move the Supreme Court for enforcement of Fundamental Rights and empowers it to issue writs. Dr. Ambedkar called it the “heart and soul” of the Constitution, and *Kesavananda Bharati* recognised judicial review under it as part of the basic structure.

Step 1 — Eliminate the others: Article 21 is the right to life, Article 226 is the High Court’s (wider) writ power but is not itself a fundamental right, and Article 136 is the discretionary special leave power. Only Article 32 is the fundamental right to constitutional remedies.

Tip: See Art. 32, Part III, Bare Act, Constitution — remember “32 = remedy.”

Final Answer: Article 32 ⇒

Answer: (C) [Go Back to Q1](#)

Q2.

Solution

Concept — Right to Privacy: In *K. S. Puttaswamy v. Union of India* (2017) a nine-judge Bench held the right to privacy to be an intrinsic part of the right to life and personal liberty under Article 21, also flowing from the freedoms in Part III.

Step 1 — Locate the right: Although privacy draws sustenance from several Articles, the Court anchored it primarily in Article 21, overruling *M. P. Sharma* and *Kharak Singh* on this point.

Tip: See Art. 21, Bare Act — “Puttaswamy = privacy = 21.”

Final Answer: Article 21 ⇒

Answer: (A) [Go Back to Q2](#)



Q3.

Solution

Concept — Basic Structure Doctrine: In *Kesavananda Bharati v. State of Kerala* (1973) a 13-judge Bench held that Parliament's amending power under Article 368 does not permit it to destroy or alter the "basic structure" of the Constitution.

Step 1 — Distinguish the line of cases: *Shankari Prasad* and *Sajjan Singh* upheld unlimited amending power; *Golak Nath* held Fundamental Rights unamendable; *Kesavananda* replaced both with the balanced basic-structure test.

Tip: See Art. 368, Bare Act — "Kesavananda = basic structure."

Final Answer: *Kesavananda Bharati v. State of Kerala* ⇒

Answer: (B) [Go Back to Q3](#)

Q4.

Solution

Concept — Natural Justice (*audi alteram partem*): This maxim literally means "hear the other side." It requires that no person be condemned or visited with adverse civil consequences without being given a fair opportunity of being heard.

Step 1 — Match the maxim: The rule against bias ("no one a judge in his own cause") is the separate maxim *nemo iudex in causa sua*. Recording reasons and speedy decision are distinct facets. *Audi alteram partem* specifically means no one should be condemned unheard.

Tip: *Audi* = hear; pair it with *nemo iudex* (bias) as the two pillars of natural justice.

Final Answer: No one should be condemned unheard ⇒

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

Q5.

Solution

Concept — Reasonable Restrictions on Speech: Article 19(1)(a) guarantees freedom of speech and expression, and Article 19(2) lists the only permissible grounds of restriction — sovereignty and integrity of India, security of the State, public order, decency or morality, contempt of court, defamation, and incitement to an offence.

Step 1 — Match clause to freedom: Article 19(6) governs the freedom of trade



and profession under 19(1)(g), not speech. Articles 21 and 31 are unrelated. Restrictions on speech come only under Article 19(2).

Tip: See Art. 19(2), Bare Act — each sub-clause (2)–(6) maps to one freedom under 19(1).

Final Answer: Article 19(2) ⇒

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

Q6.

Solution

Concept — Writ of Habeas Corpus: Latin for “you may have the body,” habeas corpus is issued under Articles 32 and 226 to produce a detained person before the court and to test whether the detention is lawful.

Step 1 — Eliminate the others: Mandamus commands a duty, certiorari quashes an order, and quo warranto questions title to a public office. Only habeas corpus deals with unlawful detention of a person.

Tip: Mnemonic for the five writs — “Ho-Ma-Pro-Cer-Quo”; habeas corpus protects personal liberty.

Final Answer: Habeas corpus ⇒

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

Q7.

Solution

Concept — FR–DPSP Balance: In *Minerva Mills Ltd. v. Union of India* (1980) the Court struck down Sections 4 and 55 of the 42nd Amendment, holding that harmony and balance between Fundamental Rights (Part III) and Directive Principles (Part IV) is itself a basic feature of the Constitution.

Step 1 — Reject the extremes: Neither part has absolute supremacy, amending power is not unlimited, and Fundamental Rights are not wholly unamendable. The correct holding is the balance.

Tip: See *Minerva Mills* alongside Arts. 31C and 368 — “balance is basic.”

Final Answer: The FR–DPSP balance is part of the basic structure ⇒

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



Q8.

Solution

Concept — Writ of Mandamus: Mandamus (“we command”) is issued to a public authority, tribunal, or official directing it to perform a public or statutory duty that it has wrongfully refused or failed to perform.

Step 1 — Eliminate the others: Habeas corpus concerns detention, certiorari and prohibition concern jurisdictional errors of inferior tribunals. Compelling performance of a duty is the office of mandamus.

Tip: See Arts. 32 & 226, Bare Act — “mandamus = mandate a duty.”

Final Answer: Mandamus ⇒

Answer: (A) [Go Back to Q8](#)

Q9.

Solution

Concept — Polluter Pays & Precautionary Principle: In *Vellore Citizens’ Welfare Forum v. Union of India* (1996) the Supreme Court held that the precautionary principle and the polluter-pays principle are part of the environmental law of India and flow from Articles 21, 47, 48A and 51A(g) and the doctrine of sustainable development.

Step 1 — Distinguish the cases: *Rural Litigation Kendra* dealt with limestone quarrying, *Subhash Kumar* with the right to wholesome environment under Article 21, and *Enviro-Legal Action* applied absolute liability. *Vellore Citizens’* formally adopted both principles.

Tip: Link *Vellore* with “sustainable development = precaution + polluter pays.”

Final Answer: *Vellore Citizens’ Welfare Forum v. Union of India* ⇒

Answer: (D) [Go Back to Q9](#)

Q10.

Solution

Concept — Reasonable Classification under Article 14: Article 14 forbids class legislation but permits reasonable classification. The settled twin test requires (i) an intelligible differentia distinguishing the grouped persons, and (ii) a rational nexus between that differentia and the object of the statute.

Step 1 — Apply the test: Proportionality and manifest arbitrariness are later,



additional dimensions of Article 14 but are not the classical twin test. The accurate formulation is intelligible differentia plus rational nexus.

Tip: See Art. 14, Bare Act — mnemonic “ID + Nexus.”

Final Answer: Intelligible differentia and rational nexus ⇒

Answer: (B) [Go Back to Q10](#)

Q11.

Solution

Concept — Writ of Quo Warranto: Quo warranto (“by what authority”) is issued to call upon a person holding a public office to show the legal authority by which he claims to hold it; if the holding is unauthorised, the court ousts him.

Step 1 — Eliminate the others: Quashing a jurisdictionless order is certiorari, compelling a duty is mandamus, and restraining a tribunal from exceeding jurisdiction is prohibition. Questioning title to a public office is quo warranto.

Tip: “Quo warranto = which warrant/authority to hold the office.”

Final Answer: Question the legal authority of a person holding a public office ⇒

Answer: (C) [Go Back to Q11](#)

Q12.

Solution

Concept — Control of Delegated Legislation: Subordinate or delegated legislation must stay within the limits of the power conferred by the enabling (parent) statute. If it travels beyond that authority it is *ultra vires* and void; this is the principal ground of substantive judicial control.

Step 1 — Match the doctrine: *Res judicata* bars re-litigation, *functus officio* means an authority has discharged its function, and *ratio decidendi* is the binding reason of a judgment. Excess of conferred power is *ultra vires*.

Tip: *Ultra vires* = “beyond the powers” of the parent Act.

Final Answer: *Ultra vires* the parent Act ⇒

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



Q13.

Solution

Concept — Doctrine of Pleasure: Article 310 declares that civil servants hold office during the pleasure of the President or Governor. This pleasure is, however, controlled by Article 311, which guarantees that no civil servant be dismissed, removed, or reduced in rank without an inquiry and a reasonable opportunity of being heard.

Step 1 — Eliminate the others: Article 309 deals with recruitment and conditions of service, Article 312 with All-India Services, and Article 320 with functions of the Public Service Commissions. The procedural safeguard is Article 311.

Tip: See Arts. 310–311, Bare Act — “pleasure (310) is checked by 311.”

Final Answer: Article 311 ⇒

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

Q14.

Solution

Concept — Residuary Legislative Power: Article 248, read with Entry 97 of the Union List, vests in Parliament the exclusive power to make laws on any matter not enumerated in the Concurrent or State Lists, including residuary taxation.

Step 1 — Eliminate the others: The States, the President, and the Finance Commission have no residuary legislative power. It belongs to Parliament alone.

Tip: See Art. 248 & Entry 97, List I — “residuary = Parliament.”

Final Answer: Parliament ⇒

Answer: (D) [Go Back to Q14](#)

Q15.

Solution

Concept — Public Interest Litigation: PIL relaxed the traditional rule of *locus standi*, allowing any bona fide public-spirited citizen to move the court on behalf of those who, by poverty or disability, cannot approach it themselves. Justice P. N. Bhagwati (with Justice Krishna Iyer) is principally associated with its development in cases such as *S. P. Gupta* and *Bandhua Mukti Morcha*.

Step 1 — Identify the Judge: Justice Khanna is known for his *ADM Jabalpur* dissent, Justice Ray and Justice Hidayatullah for other contributions. The architect



of PIL was Justice Bhagwati.

Tip: “Bhagwati = founder of PIL / epistolary jurisdiction.”

Final Answer: Justice P. N. Bhagwati ⇒

Answer: (C) [Go Back to Q15](#)

Q16.

Solution

Concept — Legitimate Expectation: The doctrine permits a person to expect fair treatment or a fair hearing where a public authority, by an express promise or a regular settled practice, has created a reasonable expectation that it now seeks to depart from. It is a facet of fairness under Article 14, not a vested legal right.

Step 1 — Reject the over-claims: It does not create proprietary rights in largesse, does not guarantee promotion, and cannot override a statute. It only protects a fair, non-arbitrary procedure.

Tip: Link legitimate expectation with Article 14 fairness and natural justice.

Final Answer: Fair treatment where a settled practice or promise is departed from ⇒

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

Q17.

Solution

Concept — Writ of Certiorari: Certiorari (“to be certified”) is issued by a superior court to quash an order or decision already made by an inferior court, tribunal, or quasi-judicial authority that acted without jurisdiction, in excess of jurisdiction, or in breach of natural justice or with an error of law apparent on the face of the record.

Step 1 — Eliminate the others: Directing a duty is mandamus, releasing from detention is habeas corpus, and restraining usurpation of office is quo warranto. Quashing a passed order is certiorari.

Tip: “Certiorari quashes; prohibition prevents” — both target jurisdictional defects.

Final Answer: Quash an order passed without or in excess of jurisdiction ⇒

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



Q18.

Solution

Concept — Absolute Liability: In *M. C. Mehta v. Union of India* (Oleum Gas Leak, 1987) the Supreme Court evolved the rule of absolute liability: an enterprise engaged in a hazardous or inherently dangerous activity is absolutely liable to compensate for harm caused, without the exceptions available under the rule in *Rylands v. Fletcher*.

Step 1 — Distinguish strict liability: The English strict-liability rule allowed exceptions (act of God, act of stranger, etc.). The Indian rule deliberately dispensed with all such exceptions, hence “absolute.”

Tip: “M. C. Mehta = absolute liability, no exceptions” (contrast *Rylands v. Fletcher*).

Final Answer: Absolute liability without any exception ⇒

Answer: (C) [Go Back to Q18](#)

Q19.

Solution

Concept — Nature of Directive Principles: Article 37 provides that the Directive Principles in Part IV shall not be enforceable by any court, but the principles laid down are nevertheless fundamental in the governance of the country and it is the duty of the State to apply them in making laws.

Step 1 — Reject the extremes: They are neither enforceable like Fundamental Rights, nor automatically superior to them, nor mere preambular statements without value. Article 37 makes them non-justiciable yet fundamental.

Tip: See Art. 37, Part IV, Bare Act — “DPSP: not enforceable, but fundamental.”

Final Answer: Not enforceable by any court, yet fundamental in governance ⇒

Answer: (D) [Go Back to Q19](#)



Q20.

Solution

Concept — Mens rea in criminal law: The maxim *actus non facit reum nisi mens sit rea* means "an act does not make one guilty unless the mind is also guilty". Criminal liability under the IPC ordinarily requires both a prohibited act and a blameworthy mental state.

Step 1 — Eliminate distractors: Strict-liability and statutory exceptions apart, harm without a guilty mind is not a crime; motive is not an essential ingredient; and knowledge is plainly relevant. Only option (A) states the rule.

Tip: Read the maxim with the IPC General Exceptions, ss.76–106, which negate *mens rea*.

Final Answer: An act alone, without a guilty mind, is generally no crime ⇒ A

Answer: (A) [Go Back to Q20](#)

Q21.

Solution

Concept — Common intention (Section 34 IPC): When a criminal act is done by several persons in furtherance of a common intention, each is liable as if he did it alone. The prior concert was settled in *Mahbub Shah v. Emperor* and *Pandurang v. State of Hyderabad*.

Step 1 — Apply to facts: A and B shared a pre-arranged plan to kill C; B's standing guard is participation in furtherance of that shared intention, so Section 34 makes him equally liable for murder.

Tip: See s.34 IPC, "in furtherance of the common intention of all"; distinguish s.149.

Final Answer: Section 34 IPC (common intention) ⇒ D

Answer: (D) [Go Back to Q21](#)



Q22.

Solution

Concept — Section 34 vs Section 149 IPC: Section 34 is a rule of evidence requiring a prior meeting of minds (common intention); Section 149 is a substantive offence fixing constructive liability on every member of an unlawful assembly of five or more sharing a common object.

Step 1 — Key contrast: Common intention needs prior concert; common object need not, and arises from membership of the assembly. Hence option (B) correctly captures the distinction.

Tip: See s.34 (common intention) and s.149 with s.141 IPC (unlawful assembly, five persons).

Final Answer: s.34 needs prior concert; s.149 needs an assembly of five with common object ⇒ B

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

Q23.

Solution

Concept — Private defence causing death (Section 100 IPC): The right to voluntarily cause death is confined to enumerated assaults: those reasonably causing apprehension of death or grievous hurt, rape, unnatural lust, kidnapping/abduction, or wrongful confinement in specified circumstances.

Step 1 — Find the exclusion: Mere trespass causing no apprehension of death or grievous hurt is NOT a ground to kill; the response must be proportionate. Option (D) is therefore the correct (negative) answer.

Tip: See ss.96–106 IPC; s.100 lists the six clauses, and s.99 caps the harm.

Final Answer: Apprehension of mere harmless trespass is not a s.100 ground ⇒ D

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



Q24.

Solution

Concept — Criminal conspiracy (Section 120A IPC): A conspiracy is the agreement of two or more persons to do, or cause to be done, an illegal act, or a legal act by illegal means; the agreement itself is the gist of the offence.

Step 1 — Test the options: A single person cannot conspire; completion of the substantive offence is not required; an FIR is procedural. Where the object is to commit an offence, the bare agreement suffices, so (A) is correct.

Tip: See s.120A IPC for the definition and s.120B for punishment.

Final Answer: Agreement of two or more to do an illegal act, or a legal act by illegal means ⇒

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

Q25.

Solution

Concept — Attempt (Section 511 IPC): An attempt is an act done towards the commission of an offence which goes beyond mere preparation but falls short of actual commission, coupled with the requisite intention.

Step 1 — Preparation vs attempt: Mere preparation is not punishable as attempt; completion is the offence itself; bare intention is not enough. The "proximity"/overt-act test makes option (C) correct.

Tip: See s.511 IPC; recall the locus poenitentiae and the proximity test.

Final Answer: An act towards commission going beyond mere preparation ⇒

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

Q26.

Solution

Concept — Culpable homicide (Sections 299/300 IPC): Section 299 defines culpable homicide; intention to cause bodily injury "likely to cause death", without the higher degrees of intention or knowledge in s.300, keeps the act within culpable homicide not amounting to murder.

Step 1 — Match the mental element: The facts describe intention to cause injury *likely* (not sufficient in ordinary course) to cause death, and no s.300 knowledge. This corresponds to s.299/Part 2 of s.304 punishment, i.e. culpable homicide not



amounting to murder.

Tip: See s.299 and s.300 IPC; compare the four clauses of s.300.

Final Answer: Culpable homicide not amounting to murder ⇒ B

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

Q27.

Solution

Concept — Grave and sudden provocation (Exception 1 to Section 300 IPC): This is a partial defence that reduces murder to culpable homicide not amounting to murder; it is not a complete defence and does not lead to acquittal.

Step 1 — Classify the plea: The provocation must be grave and sudden, depriving self-control, subject to provisos. It mitigates, not excuses, so option (B) is correct. The test of a reasonable person was applied in *K.M. Nanavati v. State of Maharashtra*.

Tip: See s.300 IPC, Exceptions 1–5; Exception 1 is provocation.

Final Answer: Exception 1 to s.300, reducing murder to culpable homicide ⇒ B

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

Q28.

Solution

Concept — Kidnapping from lawful guardianship (Section 361 IPC): The offence is committed when a minor under sixteen years (if a male) or under eighteen years (if a female), or a person of unsound mind, is taken or enticed out of the keeping of the lawful guardian without consent.

Step 1 — Apply the age threshold: The gender-specific limits of 16 (male) and 18 (female) make option (D) correct; the other ages do not match the section.

Tip: See s.361 IPC; distinguish kidnapping (s.361) from abduction (s.362), where age is irrelevant.

Final Answer: 16 years (male) and 18 years (female) ⇒ D

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



Q29.

Solution

Concept — Consent under Section 375 IPC: Consent must be an unequivocal voluntary agreement. Consent obtained under a misconception of fact is no consent (read with s.90 IPC), and a false promise of marriage may vitiate consent.

Step 1 — Identify vitiating factor: Free consent of an adult woman negatives the offence; a spouse's or Magistrate's consent is irrelevant. Misconception of fact (A) is the vitiating clause.

Tip: See s.375 IPC read with s.90 IPC on consent under misconception or fear.

Final Answer: Consent under a misconception of fact is no valid consent ⇒

[Go Back to Q29](#)

Q30.

Solution

Concept — Theft vs extortion (Sections 378 and 383 IPC): In theft, movable property is taken out of possession without consent; in extortion, the offender intentionally puts a person in fear of injury and thereby dishonestly induces him to deliver property.

Step 1 — Core difference: The presence or absence of consent obtained by fear is decisive. In theft there is no delivery; in extortion there is a delivery induced by fear. Hence (C) is correct.

Tip: See s.378 (theft), s.383 (extortion); note robbery (s.390) may overlap both.

Final Answer: Theft is without consent; extortion is delivery induced by fear of injury ⇒

[Go Back to Q30](#)

Q31.

Solution

Concept — Robbery (Section 390 IPC): Robbery is theft or extortion aggravated by the offender causing or attempting to cause, in order to commit it, death, hurt, or wrongful restraint, or instant fear thereof.

Step 1 — Aggravating element: It is the use or threat of violence/restraint connected with the theft, not the value of property, number of offenders, or time of day, that elevates theft to robbery. So (A) is correct.



Tip: See s.390 IPC; five or more conjoint offenders make it dacoity under s.391.

Final Answer: Causing or attempting hurt/restraint or fear thereof to commit the theft ⇒

Answer: (A) [Go Back to Q31](#)

Q32.

Solution

Concept — Dacoity (Section 391 IPC): When five or more persons conjointly commit or attempt to commit a robbery, or where the persons present and aiding number five or more, every such person commits dacoity.

Step 1 — The numerical test: The threshold is five or more; fewer would amount only to robbery. Hence option (D) is correct.

Tip: See s.391 IPC; punishment under s.395; aiders count towards the five.

Final Answer: Five or more persons ⇒

Answer: (D) [Go Back to Q32](#)

Q33.

Solution

Concept — Criminal breach of trust (Sections 405/406 IPC): Where a person is entrusted with property and dishonestly misappropriates or converts it to his own use, he commits criminal breach of trust, punishable under s.406.

Step 1 — Apply to facts: The cashier was *entrusted* with funds; entrustment plus dishonest conversion is the hallmark of s.405, not theft (no entrustment) or cheating (no deception). So (B) is correct.

Tip: See s.405 (definition) and s.406 (punishment) IPC; "entrustment" is the key fact.

Final Answer: Criminal breach of trust under ss.405/406 IPC ⇒

Answer: (B) [Go Back to Q33](#)



Q34.

Solution

Concept — Cheating (Section 415 IPC): Cheating requires deception of a person, fraudulently or dishonestly inducing him to deliver property, or to do or omit something he would not otherwise do, causing or likely to cause harm.

Step 1 — Distinguish from CBT: Deception at the inception distinguishes cheating from criminal breach of trust (which begins with lawful entrustment). Hence option (C) is correct; s.420 is the aggravated form.

Tip: See s.415 (cheating) and s.420 IPC; look for "deception" and dishonest inducement.

Final Answer: Deception fraudulently/dishonestly inducing delivery or an act/omission ⇒ C

Answer: (C) [Go Back to Q34](#)

Q35.

Solution

Concept — Defamation (Section 499 IPC): Whoever, by words, signs, or visible representations, makes or publishes an imputation concerning a person, intending or knowing or having reason to believe it will harm his reputation, defames that person.

Step 1 — The mental element: Defamation may be spoken or written, and Explanation 1 covers imputations to a deceased that hurt his family. The mens rea of intent/knowledge/reason to believe makes option (B) correct.

Tip: See s.499 IPC with its Explanations and ten Exceptions; s.500 prescribes punishment.

Final Answer: Made with intent, knowledge, or reason to believe it harms reputation ⇒ B

Answer: (B) [Go Back to Q35](#)



Q36.

Solution

Concept — First Information Report (Section 154 CrPC): Information relating to a cognizable offence given to the officer in charge of a police station, reduced to writing and read over to the informant, is the First Information Report; *Lalita Kumari v. Govt. of U.P.* held its registration mandatory.

Step 1 — Identify the document: A charge-sheet (s.173) and final report come after investigation; the case diary is internal. The s.154 record is the FIR, so (C) is correct.

Tip: See s.154 CrPC for cognizable offences; s.155 governs non-cognizable ones.

Final Answer: First Information Report (FIR) ⇒ C

Answer: (C) [Go Back to Q36](#)

Q37.

Solution

Concept — Anticipatory bail (Section 438 CrPC): A person apprehending arrest on accusation of having committed a non-bailable offence may apply to the High Court or the Court of Session for a direction that he be released on bail in the event of arrest.

Step 1 — Identify the competent court: Only the High Court or Court of Session may grant it, as confirmed in *Gurbaksh Singh Sibbia v. State of Punjab*. Hence option (B) is correct.

Tip: See s.438 CrPC; it is "anticipatory" only because it operates on arrest.

Final Answer: The High Court or Court of Session, for a non-bailable accusation ⇒ B

Answer: (B) [Go Back to Q37](#)

Q38.

Solution

Concept — Cognizable offences (Sections 2(c), 154, 156 CrPC): In a cognizable offence a police officer may arrest without a warrant and may investigate without an order of a Magistrate.

Step 1 — Apply the definition: This is the defining feature of cognizable offences and distinguishes them from non-cognizable ones (s.155 requires a Magistrate's



order). Hence option (A) is correct.

Tip: See s.2(c), s.154 and s.156 CrPC; the First Schedule classifies offences.

Final Answer: Arrest without warrant and investigate without a Magistrate's order ⇒

Answer: (A) [Go Back to Q38](#)

Q39.

Solution

Concept — Inherent powers of the High Court (Section 482 CrPC): Section 482 preserves the inherent power of the High Court to make orders to give effect to the Code, prevent abuse of the process of any court, or otherwise secure the ends of justice.

Step 1 — Identify the provision: Section 397 deals with revision, s.320 with compounding, and s.156(3) with investigation directions. The inherent-power provision is s.482, applied in *State of Haryana v. Bhajan Lal*, so (D) is correct.

Tip: See s.482 CrPC; commonly invoked to quash FIRs in exceptional cases.

Final Answer: Section 482 CrPC ⇒

Answer: (D) [Go Back to Q39](#)

Q40.

Solution

Concept — Maintenance (Section 125 CrPC): A first-class Magistrate may order a person of sufficient means to pay monthly maintenance to a wife, child, or parent unable to maintain themselves, a summary social-justice remedy.

Step 1 — Match the provision: Section 144 concerns urgent nuisance/apprehended danger, s.107 security for keeping peace, and s.200 examination of the complainant. Maintenance is s.125, so (C) is correct.

Tip: See s.125 CrPC; the term "wife" includes a divorced wife not remarried.

Final Answer: Section 125 CrPC ⇒

Answer: (C) [Go Back to Q40](#)



Q41.

Solution

Concept — Plea bargaining (Chapter XXIA, Sections 265A–265L CrPC): Plea bargaining is available only for offences punishable with imprisonment up to seven years, and not for offences against the socio-economic condition of the country or against a woman or a child below fourteen.

Step 1 — Identify the exclusion: Offences punishable with death, life, or more than seven years, and those against women or children below fourteen, are excluded. Hence option (D) is the correct (excluded) category.

Tip: See ss.265A–265L CrPC; the bar is set by s.265A.

Final Answer: Offences over seven years, or against women/children below fourteen ⇒ D

Answer: (D) [Go Back to Q41](#)

Q42.

Solution

Concept — Admission vs confession (Sections 17–30, Evidence Act): A confession is a statement by an accused admitting guilt of the offence in a criminal case; it is a species of admission. Every confession is an admission, but every admission is not a confession.

Step 1 — Apply the distinction: A confession arises in criminal cases, not civil; an admission is not conclusive (s.31). The genus-species relation makes option (A) correct.

Tip: See ss.17–23 (admissions) and ss.24–30 Evidence Act (confessions); *Pakala Narayana Swami* on the meaning of confession.

Final Answer: A confession is an accused's admission of guilt; not every admission is a confession ⇒ A

Answer: (A) [Go Back to Q42](#)



Q43.

Solution

Concept — Dying declaration (Section 32(1), Evidence Act): A statement made by a person as to the cause of his death, or the circumstances of the transaction resulting in death, is relevant when the cause of that person's death is in question, even though the maker is dead.

Step 1 — Locate the provision: Section 25 bars confessions to police, s.45 concerns expert opinion, s.115 estoppel. The dying declaration is s.32(1), upheld in *Khushal Rao v. State of Bombay*. So (B) is correct.

Tip: See s.32(1) Evidence Act; a dying declaration need not be on oath or tested by cross-examination.

Final Answer: Section 32(1) of the Indian Evidence Act, 1872 ⇒

Answer: (B) [Go Back to Q43](#)

Q44.

Solution

Concept — Burden of proof of special knowledge (Section 106, Evidence Act): When any fact is especially within the knowledge of a person, the burden of proving that fact lies upon him; this supplements the general rule in s.101.

Step 1 — Apply the rule: The prosecution bears the overall burden under s.101, but where a fact lies peculiarly within the accused's knowledge, s.106 shifts the burden to him. Hence option (C) is correct.

Tip: See s.106 Evidence Act; it does not relieve the prosecution of its primary burden.

Final Answer: That person, under Section 106 of the Evidence Act ⇒

Answer: (C) [Go Back to Q44](#)

Q45.

Solution

Concept — Cheque dishonour (Section 138, Negotiable Instruments Act, 1881): Dishonour of a cheque for insufficiency of funds is an offence only if the payee makes a written demand for payment by notice within thirty days of receiving the bank's dishonour memo, and the drawer fails to pay within fifteen days of receipt of that notice.



Step 1 — The mandatory steps: Notice within thirty days and a fifteen-day default are conditions precedent to the offence and the complaint. Hence option (A) is correct; an FIR or prior admission is not required.

Tip: See s.138 provisos (a)–(c) read with s.142 NI Act on cognizance.

Final Answer: Notice within thirty days and the drawer's failure to pay within fifteen days ⇒

Answer: (A) [Go Back to Q45](#)

Q46.

Solution

Concept — Jurisdiction of civil courts: Section 9 of the CPC, 1908 provides that courts shall have jurisdiction to try all suits of a civil nature excepting suits of which their cognizance is either expressly or impliedly barred. It is the foundational provision on subject-matter jurisdiction.

Step 1 — Eliminate the distractors: Section 15 deals with the court in which a suit is to be instituted (pecuniary), Section 20 with place of suing (territorial), and Section 11 with *res judicata*. None of these confer the general civil jurisdiction.

Tip: Remember "9 = nine to try" — Section 9 is the gateway to civil jurisdiction.

Final Answer: Section 9 confers general civil jurisdiction ⇒

Answer: (B) [Go Back to Q46](#)

Q47.

Solution

Concept — Res judicata: Section 11 of the CPC, 1908 embodies the doctrine of *res judicata*: no court shall try any suit or issue in which the matter directly and substantially in issue has been directly and substantially in issue in a former suit between the same parties and finally decided by a competent court.

Step 1 — Distinguish from neighbours: Section 9 confers jurisdiction; Section 10 is *res sub judice* (stay of trial); Section 151 is the saving of inherent powers. Only Section 11 prevents re-litigation of a finally decided matter.

Tip: *Res judicata* = "the thing already adjudged"; it presupposes a former suit *decided*, unlike Section 10 which concerns a *pending* suit.

Final Answer: *Res judicata* is in Section 11 ⇒



Answer: (C) [Go Back to Q47](#)

Q48.

Solution

Concept — Res sub judice: Section 10 of the CPC, 1908 bars the trial of a subsequently instituted suit where the matter in issue is directly and substantially in issue in a previously instituted suit between the same parties. The proper effect is a stay of the later trial, not a dismissal.

Step 1 — Why stay and not dismiss: The provision says the court "shall not proceed with the trial" of the later suit; the suit remains on the file and is only kept in abeyance pending the earlier suit's decision.

Tip: Section 10 stays the *trial*, not the institution; an interim order can still be passed in the stayed suit.

Final Answer: The court stays the trial of the later suit ⇒

Answer: (A) [Go Back to Q48](#)

Q49.

Solution

Concept — Rejection of plaint: Order VII Rule 11 of the CPC, 1908 lists the grounds for rejecting a plaint, the first of which (clause (a)) is where the plaint does not disclose a cause of action. Other grounds include undervaluation, insufficient stamp, and a suit barred by law.

Step 1 — Test each option: Strength of the defence, likelihood of failure at trial, or the plaintiff residing outside local limits are not grounds under O7R11. The strength of defence is a trial matter; residence relates to territorial jurisdiction, not rejection.

Tip: Rejection under O7R11 is decided on the averments in the plaint alone, treating them as true.

Final Answer: No disclosure of a cause of action ⇒

Answer: (D) [Go Back to Q49](#)



Q50.

Solution

Concept — Temporary injunction tests: Under Order XXXIX Rules 1 and 2 of the CPC, 1908, the three settled tests are: (i) a *prima facie* case, (ii) balance of convenience, and (iii) irreparable injury not compensable in money.

Step 1 — Spot the odd one out: Proof of fraud or coercion is not a test for a temporary injunction; those are vitiating factors in contract law. All other three options are the recognised tests.

Tip: Memorise the triad "Prima facie + Balance of convenience + Irreparable injury" for any interim injunction problem.

Final Answer: Proof of fraud or coercion is NOT a test ⇒ B

Answer: (B) [Go Back to Q50](#)

Q51.

Solution

Concept — Summary suits: Order XXXVII of the CPC, 1908 governs summary procedure for suits on negotiable instruments and certain liquidated demands. The defendant cannot defend as of right but must obtain leave to defend from the court.

Step 1 — Distinguish the Orders: Order XX is judgment and decree; Order XXI is execution; Order XXXIX is temporary injunctions and interlocutory orders. Only Order XXXVII deals with summary suits.

Tip: "37 = swift" — Order XXXVII gives a fast-track remedy where the defence is weak or absent.

Final Answer: Summary suits are under Order XXXVII ⇒ C

Answer: (C) [Go Back to Q51](#)

Q52.

Solution

Concept — Decree versus order: Under Section 2(2) of the CPC, 1908 a "decree" is the formal expression of an adjudication which conclusively determines the rights of the parties on the matters in controversy; under Section 2(14) an "order" is the formal expression of any decision of a civil court which is not a decree.



Step 1 — Apply the definitions: A decree, not an order, conclusively determines rights; both may be passed by trial or appellate courts; and the terms are clearly distinct, so the only correct statement is option (A).

Tip: A decree is generally appealable under Section 96; most orders are not, unless listed in Order XLIII Rule 1.

Final Answer: Decree conclusively determines rights; order does not ⇒

Answer: (A) [Go Back to Q52](#)

Q53.

Solution

Concept — Agreement without consideration: Section 25 of the Indian Contract Act, 1872 lays down that an agreement made without consideration is void, subject to exceptions. Clause (1) saves a written and registered promise made on account of natural love and affection between parties standing in a near relation to each other.

Step 1 — Test each option: A promise to pay a time-barred debt is an exception only if in writing and signed (clause (3)), so the oral version fails. A gift to a stranger and an unlawful act do not qualify. Only option (D) fits clause (1).

Tip: For the "love and affection" exception, the three musts are: writing, registration, and a near relation.

Final Answer: Written, registered promise on natural love and affection ⇒

Answer: (D) [Go Back to Q53](#)

Q54.

Solution

Concept — Consideration: Section 2(d) of the Indian Contract Act, 1872 defines consideration as something done or abstained from, or promised, "at the desire of the promisor" by the promisee *or any other person*, and it may be past, present or future.

Step 1 — Eliminate wrong statements: Consideration need not move only from the promisee; past consideration is good consideration in India; and under the Explanation to Section 25, consideration need not be adequate, only real. Hence option (B) is correct.

Tip: Unlike English law, Indian law accepts past consideration and consideration



from a third party.

Final Answer: Consideration may move from promisee or another, past/present/future ⇒

Answer: (B) [Go Back to Q54](#)

Q55.

Solution

Concept — Free consent: Section 19 of the Indian Contract Act, 1872 provides that when consent to an agreement is caused by coercion, fraud or misrepresentation, the agreement is voidable at the option of the party whose consent was so caused; Section 19A extends this to undue influence.

Step 1 — Voidable, not void: The aggrieved party may either avoid or affirm the contract; it is not void *ab initio*. Contrast this with a mistake of fact by both parties as to an essential matter (Section 20), which makes the agreement void.

Tip: Coercion, undue influence, fraud, misrepresentation → voidable; bilateral mistake of essential fact → void.

Final Answer: Voidable at the option of the aggrieved party ⇒

Answer: (A) [Go Back to Q55](#)

Q56.

Solution

Concept — Remoteness of damage: Section 73 of the Indian Contract Act, 1872 codifies the rule in *Hadley v. Baxendale*: damages are recoverable for loss arising naturally in the usual course of things, and for loss the parties knew, when contracting, to be likely from the breach. Remote and indirect loss is not recoverable.

Step 1 — Distinguish nearby sections: Section 39 is refusal to perform; Section 56 is frustration; Section 74 deals with liquidated damages and penalty. Only Section 73 carries the two-limb rule of *Hadley v. Baxendale*.

Tip: Section 73 = ordinary/general damages and special damages within contemplation; Section 74 = pre-agreed damages.

Final Answer: *Hadley v. Baxendale* is reflected in Section 73 ⇒

Answer: (C) [Go Back to Q56](#)



Q57.

Solution

Concept — Frustration / impossibility: Section 56 of the Indian Contract Act, 1872 provides that a contract to do an act which becomes impossible or unlawful after the contract is made, by an event the promisor could not prevent, becomes void when the act becomes impossible or unlawful.

Step 1 — Rule out the rest: Section 23 deals with unlawful consideration and object; Section 25 with agreements without consideration; Section 39 with party refusing performance. Only Section 56 embodies the doctrine of frustration (*Satyabrata Ghose v. Mugneeram Bangur*).

Tip: Supervening impossibility under Section 56 discharges the contract automatically, no notice required.

Final Answer: Frustration is governed by Section 56 ⇒ D

Answer: (D) [Go Back to Q57](#)

Q58.

Solution

Concept — Duty of care: The neighbour principle in negligence was laid down by Lord Atkin in *Donoghue v. Stevenson* (1932), holding that one must take reasonable care to avoid acts or omissions likely to injure persons so closely and directly affected as to be one's "neighbours".

Step 1 — Eliminate the distractors: *Rylands v. Fletcher* is strict liability; *Ashby v. White* is *injuria sine damno*; "Ryland v. Mehta" is a fabricated case name. Only *Donoghue v. Stevenson* fits.

Tip: Negligence has three ingredients: duty of care, breach, and resulting damage.

Final Answer: Duty of care comes from *Donoghue v. Stevenson* ⇒ B

Answer: (B) [Go Back to Q58](#)



Q59.

Solution

Concept — Strict liability: The rule of strict liability originates in *Rylands v. Fletcher* (1868): a person who, for his own purposes, brings and keeps on his land anything likely to do mischief if it escapes is *prima facie* liable for the damage caused by its escape, even without negligence, subject to defences.

Step 1 — Distinguish the cases: *Donoghue v. Stevenson* is negligence; *M. C. Mehta* is absolute liability (no exceptions); *Bhim Singh* is unlawful detention and constitutional tort. Only *Rylands v. Fletcher* answers the strict liability rule.

Tip: Strict liability admits exceptions (e.g., act of God, plaintiff's own fault); absolute liability does not.

Final Answer: Strict liability comes from *Rylands v. Fletcher* ⇒

Answer: (A) [Go Back to Q59](#)

Q60.

Solution

Concept — Absolute liability: In *M. C. Mehta v. Union of India* (1987, the Oleum Gas Leak case), the Supreme Court evolved the principle of absolute liability: an enterprise engaged in a hazardous or inherently dangerous activity is absolutely liable for harm caused, with no exceptions of the kind available under *Rylands v. Fletcher*.

Step 1 — Reject the other options: *Volenti non fit injuria* and contributory negligence are defences; remoteness concerns damages. None of these is the new principle from *M. C. Mehta*; the answer is absolute liability.

Tip: Under absolute liability there is no escape via act of God or third-party act, and damages may be exemplary.

Final Answer: Absolute liability with no exceptions ⇒

Answer: (C) [Go Back to Q60](#)



Q61.

Solution

Concept — Condonation of delay: Section 5 of the Limitation Act, 1963 allows an appeal or application (other than one under Order XXI CPC) to be admitted after the prescribed period if the appellant or applicant satisfies the court that he had sufficient cause for not preferring it within that period.

Step 1 — Focus on the test: The statutory test is "sufficient cause", liberally construed to advance substantial justice (*Collector, Land Acquisition v. Mst. Katiji*). Merit of the claim, fault of the opposite party, or a question of law are not the statutory standard.

Tip: Section 5 condones delay only in appeals and applications, not in the institution of suits.

Final Answer: Sufficient cause for the delay must be shown ⇒

Answer: (D) [Go Back to Q61](#)

Q62.

Solution

Concept — Specific performance: After the Specific Relief (Amendment) Act, 2018, specific performance under Sections 10 and 20 of the Specific Relief Act, 1963 is no longer a discretionary equitable remedy but an enforceable right, subject only to the statutory bars in Sections 11(2), 14 and 16.

Step 1 — Eliminate distractors: It is not conditional on claiming damages, nor wholly within the court's unfettered discretion, nor barred for immovable property (indeed damages are usually inadequate for land). Hence option (A) is correct.

Tip: Post-2018, "may" became "shall" in Section 10; specific performance is now the rule, not the exception.

Final Answer: Enforceable remedy, subject to statutory exceptions ⇒

Answer: (A) [Go Back to Q62](#)



Q63.

Solution

Concept — Conditions of a valid Hindu marriage: Section 5(iii) of the Hindu Marriage Act, 1955 fixes the minimum marriageable age at 18 years for the bride and 21 years for the bridegroom.

Step 1 — Apply the section: A breach of the age condition does not render the marriage void or voidable but attracts penal consequences; the prescribed ages remain 18 (bride) and 21 (bridegroom).

Tip: Remember 18/21 for HMA; the Prohibition of Child Marriage Act, 2006 supplies the penalty.

Final Answer: 18 years for the bride and 21 years for the bridegroom ⇒

Answer: (A) [Go Back to Q63](#)

Q64.

Solution

Concept — Prohibited degrees: Section 5(iv) read with Section 11 of the Hindu Marriage Act, 1955 makes a marriage between parties within prohibited degrees of relationship (unless custom permits) void *ab initio*.

Step 1 — Classify the defect: Conditions in s.5(i), (iv) and (v) go to the root and a contravention renders the marriage a nullity under s.11, not merely voidable.

Tip: Void grounds = s.11 (bigamy, prohibited degrees, sapinda); voidable grounds = s.12.

Final Answer: The marriage is void *ab initio* ⇒

Answer: (C) [Go Back to Q64](#)

Q65.

Solution

Concept — Restitution of conjugal rights: Section 9 of the Hindu Marriage Act, 1955 allows an aggrieved spouse to seek restitution where the other has, without reasonable excuse, withdrawn from the society of the petitioner.

Step 1 — Essential requirement: The petitioner must show withdrawal from society without reasonable excuse; constitutionality was upheld in *Saroj Rani v. Sudarshan Kumar Chadha*.



Tip: s.9 = restitution; s.10 = judicial separation; s.13 = divorce.

Final Answer: Section 9; withdrawal without reasonable excuse ⇒

Answer: (A) [Go Back to Q65](#)

Q66.

Solution

Concept — Divorce by mutual consent: Section 13B of the Hindu Marriage Act, 1955 requires a cooling-off period of 6 to 18 months between the first and second motions.

Step 1 — Waiver: In *Amardeep Singh v. Harveen Kaur* (2017) the Supreme Court held the 6-month period under s.13B(2) to be directory, capable of waiver where reconciliation is impossible.

Tip: Quote *Amardeep Singh* for waiver of the cooling-off period.

Final Answer: 6 to 18 months, waivable per *Amardeep Singh* ⇒

Answer: (D) [Go Back to Q66](#)

Q67.

Solution

Concept — Grounds for divorce: Section 13(1) of the Hindu Marriage Act, 1955 enumerates fault grounds including cruelty, desertion, adultery, conversion, unsoundness of mind and others.

Step 1 — Eliminate distractors: Irretrievable breakdown and incompatibility are NOT statutory grounds under the HMA (the Supreme Court grants such relief only under Article 142). Cruelty is an express ground under s.13(1)(ia).

Tip: Irretrievable breakdown is judge-made relief, not a codified HMA ground.

Final Answer: Cruelty ⇒

Answer: (C) [Go Back to Q67](#)



Q68.

Solution

Concept — Valid adoption: Sections 6 and 11 of the Hindu Adoptions and Maintenance Act, 1956 lay down essentials, including that the same child must not have been already adopted and there must be actual giving and taking in adoption.

Step 1 — Apply s.11: Section 11 also caps the adoptee's age at 15 and requires no existing son/daughter of the same sex; the "giving and taking" ceremony is mandatory.

Tip: "Giving and taking" under s.11(vi) is indispensable to a valid adoption.

Final Answer: No prior adoption of the same child plus actual giving and taking ⇒ D

Answer: (D) [Go Back to Q68](#)

Q69.

Solution

Concept — Class I heirs: The Schedule to the Hindu Succession Act, 1956 lists Class I heirs of a male intestate, including the widow, mother, sons and daughters, but a brother is a Class II heir.

Step 1 — Identify the odd one out: Widow, son and mother are all Class I heirs; the brother falls in Class II and inherits only in absence of Class I heirs.

Tip: Class I heirs take simultaneously and to the exclusion of Class II.

Final Answer: Brother is not a Class I heir ⇒ C

Answer: (C) [Go Back to Q69](#)

Q70.

Solution

Concept — Coparcenary rights of daughters: The Hindu Succession (Amendment) Act, 2005 amended Section 6 to make daughters coparceners by birth, with the same rights and liabilities as a son.

Step 1 — Apply *Vineeta Sharma*: In *Vineeta Sharma v. Rakesh Sharma* (2020) the Supreme Court held the right is conferred by birth and the father need NOT have been alive on 9 September 2005, overruling *Prakash v. Phulavati*.

Tip: "Daughter is a coparcener by birth" — father's survival on 09.09.2005 is irrelevant.



Final Answer: Coparcener by birth, not contingent on father being alive ⇒

Answer: (D) [Go Back to Q70](#)

Q71.

Solution

Concept — Dower (*mahr*): Under Muslim law, *mahr* is a sum of money or property which the wife is entitled to receive from the husband in consideration of the marriage.

Step 1 — Nature: It is an obligation imposed on the husband as a mark of respect; it may be prompt (*muajjal*) or deferred (*muwajjal*) and is not a bride-price paid to the father.

Tip: *Mahr* flows from husband to wife, never the reverse.

Final Answer: Money or property payable by husband to wife as consideration ⇒

Answer: (B) [Go Back to Q71](#)

Q72.

Solution

Concept — Triple talaq: In *Shayara Bano v. Union of India* (2017) the Supreme Court by majority struck down *talaq-e-biddat* (instantaneous triple talaq) as unconstitutional.

Step 1 — Distinguish forms: *Talaq-e-ahsan* and *talaq-e-hasan* are revocable approved forms; only *talaq-e-biddat* was held arbitrary and void; later codified by the 2019 Act.

Tip: Only the instantaneous “biddat” form was outlawed, not all talaq.

Final Answer: *Talaq-e-biddat* (triple talaq) ⇒

Answer: (C) [Go Back to Q72](#)



Q73.

Solution

Concept — Maintenance of a divorced Muslim woman: *Mohd. Ahmed Khan v. Shah Bano Begum* (1985) allowed s.125 CrPC maintenance; the Muslim Women (Protection of Rights on Divorce) Act, 1986 followed.

Step 1 — Apply *Danial Latifi*: In *Danial Latifi v. Union of India* (2001) the Court read s.3 of the 1986 Act to mean a reasonable and fair provision must be made within *iddat* but may extend beyond it; s.125 CrPC remains available.

Tip: Provision is quantified during *iddat* yet secures the wife's future beyond it.

Final Answer: Fair provision within *iddat* extending beyond, with s.125 available

⇒ C

Answer: (C) [Go Back to Q73](#)

Q74.

Solution

Concept — Inter-faith marriage: The Special Marriage Act, 1954 permits a civil marriage between any two persons irrespective of religion without conversion.

Step 1 — Procedure: Section 5 requires notice of intended marriage to the Marriage Officer, which is published for 30 days to invite objections before solemnisation under s.11.

Tip: SMA = secular civil marriage; remember the 30-day notice period.

Final Answer: Special Marriage Act, 1954; 30 days' notice ⇒ A

Answer: (A) [Go Back to Q74](#)

Q75.

Solution

Concept — Part performance: Section 53A of the Transfer of Property Act, 1882 embodies the equitable doctrine of part performance to protect a transferee in possession under a written contract.

Step 1 — Ingredients: There must be a written contract for transfer of immovable property for consideration, possession taken in part performance, and the transferee willing to perform his part; the transferor is then estopped from dispossessing him.



Tip: s.53A is a shield (defence), not a sword.

Final Answer: Transferee in possession under a written contract, willing to perform ⇒

Answer: (D) [Go Back to Q75](#)

Q76.

Solution

Concept — *Lis pendens*: Section 52 of the Transfer of Property Act, 1882 codifies the maxim *pendente lite nihil innovetur* — nothing new should be introduced during litigation.

Step 1 — Effect: A transfer made during the pendency of a suit involving a right to immovable property is not void, but does not affect the rights of any party under the eventual decree.

Tip: The transfer is valid *inter partes* but subject to the decree.

Final Answer: Pendency transfer cannot affect rights under the decree ⇒

Answer: (B) [Go Back to Q76](#)

Q77.

Solution

Concept — Rule against perpetuity: Section 14 of the Transfer of Property Act, 1882 prohibits the creation of an interest that takes effect after the lifetime of one or more living persons plus the minority of the ultimate beneficiary.

Step 1 — Compute the limit: The maximum remoteness period = lives in being at the date of transfer + the minority (18 years) of the unborn ultimate beneficiary; vesting cannot be postponed beyond this.

Tip: Perpetuity period = lives in being + minority of the final taker.

Final Answer: Lives in being plus minority of the ultimate beneficiary ⇒

Answer: (C) [Go Back to Q77](#)



Q78.

Solution

Concept — Separate legal entity: The principle that a company is a juristic person distinct from its members was laid down in *Salomon v. Salomon & Co. Ltd.* (1897).

Step 1 — Apply the rule: Once incorporated, the company is liable for its own debts and the shareholders' liability is limited; this underlies Indian company law under the Companies Act, 2013.

Tip: *Salomon* = corporate personality & limited liability; the veil may still be lifted.

Final Answer: *Salomon v. Salomon & Co. Ltd.* ⇒

[Go Back to Q78](#)

Q79.

Solution

Concept — Indoor management: The doctrine of indoor management (the *Turquand* rule) originates in *Royal British Bank v. Turquand* (1856).

Step 1 — Apply the rule: Outsiders dealing in good faith may presume that the internal procedures of a company have been duly complied with; it is the converse of the doctrine of constructive notice.

Tip: *Turquand* protects the outsider; constructive notice protects the company.

Final Answer: *Royal British Bank v. Turquand* ⇒

[Go Back to Q79](#)

Q80.

Solution

Concept — Doctrine of ultra vires: An act outside the objects clause of the Memorandum is ultra vires the company; the principle stems from *Ashbury Railway Carriage & Iron Co. v. Riche* (1875).

Step 1 — Consequence: Such an act is void *ab initio* and cannot be ratified even by the unanimous consent of all the shareholders, since it lies outside the company's capacity.

Tip: Ultra vires acts are incurable; intra vires irregularities can be ratified.



Final Answer: Void and incapable of ratification ⇒

Answer: (A) [Go Back to Q80](#)

Q81.

Solution

Concept — Term of copyright: Section 22 of the Copyright Act, 1957 provides that copyright in published literary, dramatic, musical and artistic works subsists for the lifetime of the author plus 60 years.

Step 1 — Compute: The 60-year period runs from the beginning of the calendar year next following the year in which the author dies.

Tip: India follows “life + 60”, not the international “life + 70”.

Final Answer: Lifetime of the author plus 60 years ⇒

Answer: (A) [Go Back to Q81](#)

Q82.

Solution

Concept — Patent term and patentability: Section 53 of the Patents Act, 1970 fixes the term of every patent at 20 years from the date of filing; Section 2(1)(j) requires novelty, inventive step and industrial application.

Step 1 — Eliminate distractors: A mere discovery of a scientific principle is not patentable (s.3); the 20-year term and the three-fold test of patentability are the correct combination.

Tip: Patent = 20 years from filing; remember the s.3 list of non-patentable subject matter.

Final Answer: 20 years from filing; new, inventive and industrially applicable ⇒

Answer: (D) [Go Back to Q82](#)



Q83.

Solution

Concept — Infringement v. passing off: Under the Trade Marks Act, 1999, infringement (s.29) is a statutory remedy for registered marks, while passing off is a common law tort protecting goodwill in unregistered marks (preserved by s.27(2)).

Step 1 — Distinguish: Passing off requires proof of goodwill, misrepresentation and damage (the classical trinity), whereas infringement is established by use of an identical or deceptively similar registered mark.

Tip: Registered = infringement; unregistered = passing off.

Final Answer: Infringement is statutory; passing off is a common law remedy
⇒ B

Answer: (B) [Go Back to Q83](#)

Q84.

Solution

Concept — Definition of “industry”: The triple test for industry under s.2(j) of the Industrial Disputes Act, 1947 was propounded in *Bangalore Water Supply & Sewerage Board v. A. Rajappa* (1978).

Step 1 — Apply the triple test: Systematic activity, cooperation between employer and employee, and production/distribution of goods or services to satisfy human wants brings an undertaking within “industry”.

Tip: Quote *Bangalore Water Supply* for the widest reading of “industry”.

Final Answer: *Bangalore Water Supply & Sewerage Board v. A. Rajappa* ⇒ A

Answer: (A) [Go Back to Q84](#)

Q85.

Solution

Concept — Retrenchment: Section 2(oo) of the Industrial Disputes Act, 1947 defines retrenchment as termination for any reason whatsoever, expressly excluding certain categories.

Step 1 — Identify exclusions: The definition excludes voluntary retirement, retirement on superannuation, termination on continued ill-health, and termination as a result of non-renewal of a contract; s.25F prescribes notice and compensation



for valid retrenchment.

Tip: Surplus-labour and economy terminations ARE retrenchment; superannuation and ill-health are NOT.

Final Answer: Voluntary retirement, superannuation or ill-health termination ⇒

B

Answer: (B) [Go Back to Q85](#)

Q86.

Solution

Concept — Who is a consumer: Section 2(7) of the Consumer Protection Act, 2019 excludes a person who obtains goods or services for resale or commercial purpose.

Step 1 — Apply the proviso: The exclusion does not apply where the goods or services are used exclusively for earning a livelihood by means of self-employment; such a person remains a consumer.

Tip: “Commercial purpose” bars the buyer, but self-employment for livelihood is saved.

Final Answer: Not a consumer, save the self-employment-for-livelihood exception ⇒

C

Answer: (C) [Go Back to Q86](#)

Q87.

Solution

Concept — No-fault liability: The Motor Vehicles Act, 1988 provides for compensation without proof of negligence; Section 140 (now Section 164 after the 2019 amendment) embodies this principle.

Step 1 — Apply the provision: The claimant need not plead or establish any wrongful act, neglect or default of the driver/owner to recover the structured no-fault compensation.

Tip: No-fault = s.140/s.164; fault-based claims go under s.166.

Final Answer: Section 140 / Section 164, compensation without proof of fault ⇒

A

Answer: (A) [Go Back to Q87](#)



Q88.

Solution

Concept — Goods and Services Tax: GST, introduced by the Constitution (101st Amendment) Act, 2016 and the CGST/SGST/IGST Acts, 2017, is a destination-based indirect tax on the supply of goods and services.

Step 1 — Apply the concept: GST subsumed multiple indirect taxes such as central excise duty, service tax and State VAT; it is not a direct tax on income and does not replace income tax.

Tip: GST = destination-based, value-added, indirect tax on supply.

Final Answer: Destination-based indirect tax subsuming excise, service tax and VAT ⇒

Answer: (D) [Go Back to Q88](#)

Q89.

Solution

Concept — Arbitration agreement, s.7 of the Arbitration & Conciliation Act, 1996: An arbitration agreement under s.7(3) must be in writing. Section 7(4) lists what is treated as “in writing.”

Step 1 — Apply s.7(4): A signed document (a), an exchange of letters/telecommunication recording the agreement (b), and an exchange of statements of claim and defence where existence is alleged and not denied (c) all qualify. A purely oral agreement proved by witnesses (d) is expressly excluded.

Tip: Open the bare Act to s.7(4)(a)–(c); anything outside those three clauses is not “in writing.”

Final Answer: A purely oral agreement does not satisfy s.7 ⇒

Answer: (D) [Go Back to Q89](#)

Q90.

Solution

Concept — Number of arbitrators, s.10: Section 10(1) allows parties to fix any number, provided it is not an even number. Section 10(2) is the fallback default.

Step 1 — Apply s.10(2): If the parties fail to determine the number, the tribunal “shall consist of a sole arbitrator.” Option (b) is correct; the “three arbitrators” default (a) is the UNCITRAL Model Law position, not the Indian Act.



Tip: Remember the Indian deviation: silence equals one arbitrator under s.10(2).

Final Answer: Sole arbitrator under s.10(2) ⇒

[Go Back to Q90](#)

Q91.

Solution

Concept — *Kompetenz-Kompetenz*, s.16: Section 16 empowers the arbitral tribunal to rule on its own jurisdiction, including any objection to the existence or validity of the arbitration agreement, which is treated as a separable clause.

Step 1 — Eliminate: s.9 is interim measures by court, s.34 is setting aside, s.37 is appeals. Only s.16 deals with the tribunal deciding its own jurisdiction.

Tip: Pair the Latin maxim with “separability” and flag s.16 in your index.

Final Answer: *Kompetenz-Kompetenz* is in s.16 ⇒

[Go Back to Q91](#)

Q92.

Solution

Concept — Setting aside an award, s.34: Section 34(2)(b)(ii) permits setting aside where the award conflicts with the public policy of India; *Ssangyong Engineering & Construction Co. v. NHAI* (2019) narrowed “public policy” after the 2015 amendment.

Step 1 — Eliminate: s.9 (interim relief), s.17 (tribunal’s interim measures) and s.36 (enforcement) do not deal with grounds of challenge. Only s.34 does.

Tip: Public policy challenge equals s.34; do not confuse with s.48 (foreign awards).

Final Answer: Application lies under s.34 ⇒

[Go Back to Q92](#)



Q93.

Solution

Concept — Appealable orders, s.37: Section 37(1) lists the limited orders that are appealable, including an order refusing to refer parties to arbitration under s.8 and an order granting or refusing interim measures under s.9 or s.17.

Step 1 — Apply: Option (a) (refusal to refer under s.8) is expressly appealable. Procedural orders such as admitting a defence, fixing hearing dates or recording appearances (b, c, d) are not in the s.37 list.

Tip: Treat s.37 as a closed list; if the order is not named there, no appeal lies.

Final Answer: Refusal to refer under s.8 is appealable ⇒

Answer: (A) [Go Back to Q93](#)

Q94.

Solution

Concept — Lok Adalat award, Legal Services Authorities Act, 1987: Under s.21, every award of a Lok Adalat is deemed to be a decree of a civil court and is final and binding; no appeal lies against it, as it rests on the parties' compromise.

Step 1 — Apply: The award being final with no appeal and deemed a decree is option (d). The other options wrongly suggest appeal, confirmation by a District Judge, or one-sided binding effect.

Tip: Finality of a Lok Adalat award equals s.21; remedy against it is only a writ, not an appeal.

Final Answer: Deemed a civil court decree and final ⇒

Answer: (D) [Go Back to Q94](#)

Q95.

Solution

Concept — s.89 CPC reference to ADR: Section 89 of the Code of Civil Procedure, 1908 lets the court formulate terms of settlement and refer the matter to one of the ADR modes; *Afcons Infrastructure Ltd. v. Cherian Varkey Construction* clarified its working.

Step 1 — Apply: The four modes are arbitration, conciliation, judicial settlement including Lok Adalat, and mediation, which is option (c). Single-mode options (a, b) and the Bar Council option (d) are wrong.



Tip: Memorise the four s.89 modes as a set; consent is needed only for arbitration/conciliation.

Final Answer: All four ADR modes under s.89 ⇒ C

Answer: (C) [Go Back to Q95](#)

Q96.

Solution

Concept — Right to practise, s.30 of the Advocates Act, 1961: Section 30 confers on an advocate whose name is on the State roll the right to practise throughout India before all courts, tribunals and authorities.

Step 1 — Distinguish: s.24 deals with qualifications for enrolment, s.35 with misconduct, and s.49 with the BCI's rule-making power. Only s.30 grants the right to practise.

Tip: Enrolment is s.24; the actual right to appear flows from s.30.

Final Answer: Right to practise under s.30 ⇒ A

Answer: (A) [Go Back to Q96](#)

Q97.

Solution

Concept — Disciplinary jurisdiction, s.35: On receipt of a complaint of professional or other misconduct, the State Bar Council refers it to its disciplinary committee under s.35, which decides at first instance.

Step 1 — Trace the appeal chain: Appeal from the State Bar Council committee lies to the Bar Council of India under s.37, and then to the Supreme Court under s.38. So the first-instance forum is the State Bar Council (option c).

Tip: Ladder to remember: State BC (s.35) then BCI (s.37) then Supreme Court (s.38).

Final Answer: First-instance forum is the State Bar Council ⇒ C

Answer: (C) [Go Back to Q97](#)



Q98.

Solution

Concept — Professional misconduct illustration, *P. D. Gupta v. Ram Murti* (1997): The Supreme Court held that an advocate who buys the disputed property from his client during pending litigation over its title, and profits by resale, is guilty of professional misconduct.

Step 1 — Apply: Option (d) matches the facts. Refusing a brief (a) and appearing for both sides (c) are wrong propositions, and advertising (b) is a separate ethics breach unrelated to this case.

Tip: Tag this case with “advocate trading in client’s disputed property = misconduct.”

Final Answer: Buying client’s disputed property pendente lite ⇒ D

Answer: (D) [Go Back to Q98](#)

Q99.

Solution

Concept — Duty not to refuse a brief, BCI Rules: Rule 11 of Section II (Duty to the Client) of the BCI Standards of Professional Conduct and Etiquette obliges an advocate not to ordinarily refuse a brief on a proper fee, securing every litigant’s access to representation.

Step 1 — Characterise: This is fundamentally a duty to the public and the administration of justice, ensuring no litigant is left unrepresented (option a). It is not a duty to the opponent, to advertise, or owed only to the Bar Council.

Tip: Link the “cab-rank” style rule to access to justice, not to the opponent.

Final Answer: Duty to the public and administration of justice ⇒ A

Answer: (A) [Go Back to Q99](#)

Q100.

Solution

Concept — Civil contempt, Contempt of Courts Act, 1971: Section 2(b) defines civil contempt as wilful disobedience of any judgment, decree, direction, order, writ or other process of a court, or wilful breach of an undertaking given to a court.

Step 1 — Distinguish from criminal contempt: Criminal contempt under s.2(c)



covers scandalising the court or interfering with the administration of justice. Disobedience of an order fits s.2(b), so it is civil contempt (option b).

Tip: Disobeying a court order equals civil; lowering the court's authority equals criminal.

Final Answer: Wilful disobedience of an order is civil contempt ⇒

[Go Back to Q100](#)



Answer Key

Q	Ans	Q	Ans	Q	Ans	Q	Ans	Q	Ans
1	C	2	A	3	B	4	D	5	A
6	C	7	B	8	A	9	D	10	B
11	C	12	A	13	B	14	D	15	C
16	A	17	B	18	C	19	D	20	A
21	D	22	B	23	D	24	A	25	C
26	B	27	B	28	D	29	A	30	C
31	A	32	D	33	B	34	C	35	B
36	C	37	B	38	A	39	D	40	C
41	D	42	A	43	B	44	C	45	A
46	B	47	C	48	A	49	D	50	B
51	C	52	A	53	D	54	B	55	A
56	C	57	D	58	B	59	A	60	C
61	D	62	A	63	A	64	C	65	A
66	D	67	C	68	D	69	C	70	D
71	B	72	C	73	C	74	A	75	D
76	B	77	C	78	B	79	C	80	A
81	A	82	D	83	B	84	A	85	B
86	C	87	A	88	D	89	D	90	B
91	B	92	C	93	A	94	D	95	C
96	A	97	C	98	D	99	A	100	B

