

AIBE Sample Paper – 3

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.** A pre-Constitution statute that was inconsistent with the Fundamental Rights guaranteed by Part III became void to the extent of the inconsistency on the commencement of the Constitution. The constitutional provision that renders such inconsistent laws void is:
- (A) Article 12
(B) Article 31
(C) Article 13
(D) Article 35
- Q2.** In *Indra Sawhney v. Union of India* (1992), the Supreme Court held that the total reservation in favour of backward classes under Article 16(4) should ordinarily not exceed:



- (A) 49.5%
- (B) 50%
- (C) 60%
- (D) 27%

Q3. The principle that an unconstitutional law inconsistent with a Fundamental Right is not dead but merely dormant, and revives in its application to non-citizens or upon removal of the inconsistency by amendment, is known as the doctrine of:

- (A) Eclipse
- (B) Severability
- (C) Waiver
- (D) Pith and substance

Q4. A statute contains some provisions that violate Fundamental Rights and others that are valid; the offending portions can be removed while the rest remains operative and workable. The principle applied to save the valid part is the doctrine of:

- (A) Eclipse
- (B) Colourable legislation
- (C) Harmonious construction
- (D) Severability

Q5. A citizen voluntarily agrees not to claim the protection of a Fundamental Right. The settled constitutional position, affirmed in *Basheshar Nath v. CIT* (1959), is that:

- (A) Fundamental Rights can be waived if waiver is in writing
- (B) Only the rights under Article 19 can be waived
- (C) There can be no waiver of Fundamental Rights
- (D) Waiver is permitted with the consent of the State



- Q6.** “Untouchability” is abolished and its practice in any form is forbidden; any disability arising out of it is made an offence punishable in accordance with law. This is provided by:
- (A) Article 15
 - (B) Article 17
 - (C) Article 23
 - (D) Article 18
- Q7.** In *Indra Sawhney v. Union of India* (1992), the Court further directed that the “creamy layer” among the backward classes must be:
- (A) Excluded from the benefit of reservation
 - (B) Given reservation in promotions
 - (C) Treated as a separate forward class
 - (D) Identified solely on the basis of caste
- Q8.** The right of all citizens “to practise any profession, or to carry on any occupation, trade or business” is guaranteed by Article 19(1)(g), but it is subject to reasonable restrictions in the interests of the general public under:
- (A) Article 19(2)
 - (B) Article 19(5)
 - (C) Article 19(4)
 - (D) Article 19(6)
- Q9.** Article 20(2) embodies the protection against double jeopardy. According to its language and the decision in *Maqbool Hussain v. State of Bombay* (1953), the bar applies where a person has been:
- (A) Investigated for the same offence twice
 - (B) Charged but acquitted before any court
 - (C) Prosecuted and punished for the same offence more than once



(D) Tried before a departmental authority

Q10. Article 20(3) provides that no person accused of an offence shall be compelled to be a witness against himself. In *State of Bombay v. Kathi Kalu Oghad* (1961), the Supreme Court held that the protection does NOT extend to:

(A) A confession made to a magistrate

(B) Giving of specimen signatures, handwriting or thumb impressions

(C) An oral statement made under custodial pressure

(D) A statement disclosing personal knowledge of the crime

Q11. The right of children to free and compulsory education, made a Fundamental Right by the Constitution (Eighty-sixth Amendment) Act, 2002, is contained in:

(A) Article 21A

(B) Article 45

(C) Article 41

(D) Article 29

Q12. Article 22(1) and (2) guarantee safeguards on arrest, such as the right to be informed of grounds of arrest and to be produced before a magistrate within twenty-four hours. These particular safeguards do NOT apply to a person who is:

(A) Arrested for a non-bailable offence

(B) A foreign national

(C) Arrested without a warrant

(D) Detained under a law of preventive detention

Q13. Under Article 22(4), a person may ordinarily be detained under a preventive-detention law for a maximum period without obtaining the opinion of an Advisory Board of:



- (A) Two months
- (B) Six months
- (C) Three months
- (D) One month

Q14. The right to property, after the Constitution (Forty-fourth Amendment) Act, 1978, ceased to be a Fundamental Right and was made a constitutional/legal right. It now finds place in:

- (A) Article 31
- (B) Article 300A
- (C) Article 19(1)(f)
- (D) Article 39(b)

Q15. In *Maneka Gandhi v. Union of India* (1978), the Supreme Court interpreted the phrase “procedure established by law” in Article 21 to mean a procedure which is:

- (A) Right, just and fair, and not arbitrary, fanciful or oppressive
- (B) Any procedure duly enacted by the legislature
- (C) The same as “due process of law” borrowed verbatim from the U.S.
- (D) Confined to the procedure prescribed by the Passport Act alone

Q16. In *Golak Nath v. State of Punjab* (1967), the Supreme Court held, by majority, that Parliament:

- (A) Could amend Fundamental Rights only with ratification by the States
- (B) Possessed unlimited power to amend any part of the Constitution
- (C) Could amend Fundamental Rights subject to the basic-structure doctrine
- (D) Had no power to amend Part III so as to take away or abridge Fundamental Rights



- Q17.** The President may promulgate an Ordinance when both Houses of Parliament are not in session and circumstances exist that render immediate action necessary. This power is conferred by:
- (A) Article 213
 - (B) Article 356
 - (C) Article 123
 - (D) Article 352
- Q18.** An Ordinance promulgated under Article 123 must be laid before both Houses of Parliament and ceases to operate at the expiration of a period from the reassembly of Parliament unless approved earlier. That period is:
- (A) Four weeks
 - (B) Six weeks
 - (C) Two months
 - (D) Three months
- Q19.** The protection of Article 15(1) against discrimination on grounds only of religion, race, caste, sex or place of birth is available:
- (A) Only to citizens of India
 - (B) To citizens and foreigners alike
 - (C) Only to members of the Scheduled Castes and Tribes
 - (D) Only against private individuals

Part B: Criminal Law

- Q20.** A police officer, acting in good faith and under a belief based on a wrong understanding of the law that he was empowered to arrest X without a warrant, makes the arrest. He cannot claim protection under s.79 IPC because that section excuses only a:
- (A) Mistake of fact made in good faith



- (B) Mistake of law made in good faith
- (C) Mistake by a public servant only
- (D) Mistake induced by superior orders

Q21. A judge, acting judicially in the exercise of a power which he in good faith believes is given to him by law, passes an order that later turns out to be without jurisdiction. Which General Exception protects him from criminal liability?

- (A) Section 76 IPC
- (B) Section 77 IPC
- (C) Section 78 IPC
- (D) Section 79 IPC

Q22. A is at work with a hatchet; the head flies off and kills a bystander. A had taken proper precautions and there was no criminal intention. The act is excused as an accident under s.80 IPC only if it was done:

- (A) In a lawful manner, by lawful means, with proper care and caution
- (B) In the exercise of private defence
- (C) Under grave and sudden provocation
- (D) Under a mistake of law in good faith

Q23. A, the captain of a vessel, suddenly and without any fault on his part finds himself in a position where, to save the lives of many passengers, he must run down a small boat with two persons aboard. If he acts in good faith to avert the greater harm, he may claim the benefit of:

- (A) Section 81 IPC (necessity — act likely to cause harm done to prevent greater harm)
- (B) Section 80 IPC (accident)
- (C) Section 87 IPC (consent)
- (D) Section 82 IPC (act of a child)



- Q24.** Under the IPC, nothing is an offence which is done by a child. Which statement correctly states the rule on infancy?
- (A) A child under twelve years can never be held liable
 - (B) A child under ten years is absolutely exempt and there is no upper conditional age
 - (C) A child under seven is exempt only if of immature understanding
 - (D) A child under seven years (s.82) is absolutely exempt; a child of seven but under twelve (s.83) is exempt only if not of sufficient maturity of understanding
- Q25.** The presumption that a child below the age of seven cannot commit a crime because it lacks the capacity to form criminal intent is expressed by which Latin maxim, reflected in s.82 IPC?
- (A) *Actus non facit reum nisi mens sit rea*
 - (B) *Doli incapax*
 - (C) *Volenti non fit injuria*
 - (D) *Ignorantia facti excusat*
- Q26.** The test of legal insanity under s.84 IPC is derived from the *McNaughten* (M'Naghten) Rules. To claim the exception, the accused must show that, by reason of unsoundness of mind, at the time of the act he was incapable of:
- (A) Controlling any of his emotions or impulses
 - (B) Remembering the act after it was committed
 - (C) Knowing the nature of the act, or that it was either wrong or contrary to law
 - (D) Understanding the consequences of imprisonment
- Q27.** Which of the following best distinguishes “medical insanity” from “legal insanity” for the purposes of s.84 IPC?



- (A) They are identical; any mental illness is a defence
- (B) Medical insanity is a complete defence but legal insanity is only a mitigating factor
- (C) Only medical insanity certified before the act is relevant
- (D) Legal insanity, not mere medical insanity, must be proved — the accused must lack the cognitive capacity described in s.84 at the time of the act

Q28. X voluntarily becomes drunk and, in that state, kills Y. As to the effect of voluntary intoxication on criminal liability under ss.85–86 IPC, which statement is correct?

- (A) Voluntary intoxication is a complete defence like involuntary intoxication
- (B) Voluntary intoxication is no defence; the accused is treated as having the same knowledge he would have had if not intoxicated, though specific intent may still be assessed
- (C) Voluntary intoxication automatically reduces every offence to a lesser one
- (D) Voluntary intoxication is relevant only to sentencing, never to knowledge or intent

Q29. A, above eighteen years of age, consents to fence with B for amusement and is hurt without foul play. B is protected because, under s.87 IPC, the consent operates where the act is not intended and not known to be likely to cause:

- (A) Any hurt whatsoever
- (B) Simple hurt only
- (C) Death or grievous hurt
- (D) Loss of property

Q30. A surgeon, in good faith and for the patient's benefit, performs a risky operation to which the patient (an adult) has consented, knowing it may



cause death. Even if the patient dies, the surgeon is protected. Which section embodies this rule on consent to acts done in good faith for a person's benefit?

- (A) Section 87 IPC
- (B) Section 88 IPC
- (C) Section 92 IPC
- (D) Section 95 IPC

Q31. A consent given by a person under fear of injury, or under a misconception of fact, or by a person of unsound mind or by a child under twelve, is not a valid consent for the purposes of the consent-based exceptions. This limitation on what counts as "consent" is laid down in:

- (A) Section 90 IPC
- (B) Section 91 IPC
- (C) Section 93 IPC
- (D) Section 94 IPC

Q32. A, in a crowded train, slightly jostles B without intending harm and causing only the trivial annoyance ordinarily incidental to travel. No offence is made out because of the maxim *de minimis non curat lex*, codified in:

- (A) Section 93 IPC
- (B) Section 94 IPC
- (C) Section 95 IPC
- (D) Section 96 IPC

Q33. Under s.107 IPC, a person abets the doing of a thing in three distinct ways. Which of the following is NOT one of the three modes of abetment?

- (A) Instigating any person to do that thing
- (B) Engaging in a conspiracy for the doing of that thing



- (C) Intentionally aiding, by any act or illegal omission, the doing of that thing
- (D) Merely entertaining a wish that the thing be done

Q34. Which statement correctly distinguishes abetment by conspiracy (s.107 *Secondly*) from the substantive offence of criminal conspiracy (s.120A IPC)?

- (A) Abetment by conspiracy requires an act or illegal omission in pursuance of the conspiracy and that the thing be done, whereas criminal conspiracy under s.120A is complete on the agreement itself (an overt act being required only where the object is not an offence)
- (B) They are identical and always charged together
- (C) For abetment by conspiracy a mere agreement suffices and nothing more is ever needed
- (D) Criminal conspiracy can only be committed by public servants

Q35. Where the act abetted is committed in consequence of the abetment, and no express provision is made for its punishment, the abettor is punished under s.109 IPC with:

- (A) Half the punishment provided for the offence abetted
- (B) The punishment provided for the offence abetted
- (C) Only a fine in every case
- (D) Imprisonment not exceeding six months in all cases

Q36. Section 34 IPC requires a “common intention”. In *Mahbub Shah v. Emperor*, the Privy Council clarified that common intention must be distinguished from:

- (A) A premeditated concert
- (B) A prearranged plan
- (C) A similar intention independently entertained by different persons



(D) A meeting of minds before the act

Q37. According to *Mahbub Shah v. Emperor*, the existence of common intention under s.34 IPC:

(A) Must always be proved by direct evidence of a prior agreement in writing

(B) Can never be inferred and must be admitted by the accused

(C) Is presumed whenever two or more persons are present at the scene

(D) May be inferred from the conduct of the accused and the circumstances, but the prearranged plan may develop on the spot

Q38. Under the scheme of criminal courts in s.6 read with ss.26–29 CrPC, which court is the highest trial court in a district empowered to pass any sentence authorised by law (subject to confirmation of a death sentence by the High Court)?

(A) Court of a Judicial Magistrate of the First Class

(B) Court of a Chief Judicial Magistrate

(C) Court of Session

(D) Court of a Metropolitan Magistrate

Q39. Under s.29 CrPC, a Judicial Magistrate of the First Class may pass a sentence of imprisonment for a term not exceeding:

(A) One year

(B) Two years

(C) Three years

(D) Seven years

Q40. Under s.29 CrPC, a Chief Judicial Magistrate may pass any sentence authorised by law except a sentence of death, imprisonment for life, or imprisonment for a term exceeding:



- (A) Three years
- (B) Five years
- (C) Ten years
- (D) Seven years

Q41. The act by which a Magistrate first takes judicial notice of an offence with a view to initiating proceedings is called “taking cognizance.” The modes of taking cognizance by a Magistrate are set out in:

- (A) Section 190 CrPC
- (B) Section 154 CrPC
- (C) Section 173 CrPC
- (D) Section 200 CrPC

Q42. Which statement correctly distinguishes a “complaint” from an “FIR” under the CrPC?

- (A) A complaint must always relate to a cognizable offence and is made to the police
- (B) An FIR can be filed only before a Magistrate and a complaint only before the police
- (C) A complaint is an allegation made orally or in writing to a Magistrate (with a view to his taking action) and, by definition in s.2(d), does not include a police report; an FIR under s.154 is information about a cognizable offence given to the police
- (D) There is no legal difference between the two

Q43. Under s.2(w) and s.2(x) CrPC, the distinction between a “summons-case” and a “warrant-case” turns on:

- (A) Whether the accused is in custody
- (B) Whether the case is instituted on a complaint or a police report
- (C) Whether the offence is bailable



(D) Whether the offence is punishable with death, imprisonment for life, or imprisonment exceeding two years (warrant-case) or not (summons-case)

Q44. Regarding the compounding of offences under s.320 CrPC, which statement is correct?

(A) Every offence under the IPC can be compounded by the parties

(B) Some offences may be compounded by the specified persons without the court, while certain others may be compounded only with the permission of the court; offences not listed are non-compoundable

(C) All offences may be compounded only with the permission of the Supreme Court

(D) Compounding of an offence always results in conviction with a reduced sentence

Q45. A villager runs from his hut to the police station and, panting, shouts that “Z has just stabbed B,” the statement being made immediately upon and during the transaction. Such a spontaneous statement forming part of the same transaction is relevant as part of the *res gestae* under:

(A) Section 6 of the Indian Evidence Act, 1872

(B) Section 5 of the Indian Evidence Act, 1872

(C) Section 8 of the Indian Evidence Act, 1872

(D) Section 11 of the Indian Evidence Act, 1872

Part C: Civil & Procedural Law

Q46. Under the Code of Civil Procedure, 1908, a suit for compensation for wrong done to the person where the wrong was done within the local limits of one court but the defendant resides within the limits of another court may be instituted, under Section 19, in:

(A) the court within whose limits the wrong was done or where the defendant resides or carries on business, at the plaintiff’s option



- (B) only the court within whose limits the defendant resides
- (C) only the court within whose limits the wrong was done
- (D) the court of the highest pecuniary jurisdiction in the State

Q47. Under Section 20 of the Code of Civil Procedure, 1908, a suit not otherwise provided for may be instituted in a court within whose local limits:

- (A) only the cause of action wholly arises
- (B) the defendant actually and voluntarily resides or carries on business, or the cause of action wholly or in part arises
- (C) only the plaintiff resides
- (D) the immovable property in dispute is situated, irrespective of the cause of action

Q48. An objection to the place of suing (territorial jurisdiction) under Section 21 of the Code of Civil Procedure, 1908 will be allowed by an appellate or revisional court only if it was:

- (A) taken in the court of first instance at the earliest possible opportunity, and there has been a consequent failure of justice
- (B) raised for the first time in the appellate court
- (C) supported by a separate written application at any stage
- (D) never waived, since territorial jurisdiction can never be conferred by consent

Q49. Under Order VI Rule 17 of the Code of Civil Procedure, 1908, an amendment of pleadings after the trial has commenced shall not be allowed unless the court is satisfied that:

- (A) the opposite party consents in writing
- (B) the amendment adds a wholly new cause of action
- (C) in spite of due diligence the party could not have raised the matter before the commencement of trial



(D) the amendment is sought before the framing of issues

Q50. A defendant who has against the plaintiff an ascertained sum of money legally recoverable may, in a suit for recovery of money, plead it by way of:

(A) a fresh independent plaint only

(B) a written statement of admission

(C) an application for review under Order XLVII

(D) a set-off under Order VIII Rule 6 of the Code of Civil Procedure, 1908

Q51. The essential distinction between a legal set-off (Order VIII Rule 6) and a counterclaim (Order VIII Rule 6A) of the Code of Civil Procedure, 1908 is that:

(A) a set-off may exceed the plaintiff's claim, but a counterclaim cannot

(B) a counterclaim is confined to an ascertained sum of money, while a set-off may be of any nature

(C) a set-off must be for an ascertained sum within the court's pecuniary jurisdiction, whereas a counterclaim is treated as a cross-suit and may exceed the plaintiff's claim

(D) both must arise out of the same transaction as the plaintiff's claim

Q52. Under Order I Rule 9 of the Code of Civil Procedure, 1908, a suit shall not be defeated by reason of misjoinder or non-joinder of parties; however, this saving does NOT apply where there is non-joinder of a:

(A) proper party

(B) necessary party

(C) pro forma defendant

(D) party added merely for convenience

Q53. Under Order XIV Rule 1 of the Code of Civil Procedure, 1908, issues arise when:



- (A) the plaint is presented
- (B) the parties file a joint memorandum
- (C) a material proposition of fact or law is affirmed by one party and denied by the other
- (D) the court delivers judgment

Q54. Where a decree is passed *ex parte* against a defendant, he may, under Order IX Rule 13 of the Code of Civil Procedure, 1908, apply to set it aside on the ground that:

- (A) the decree is erroneous on the merits
- (B) the summons was not duly served, or he was prevented by sufficient cause from appearing
- (C) the plaintiff has not executed the decree within one year
- (D) a fresh suit on the same cause of action is pending

Q55. In *Mohori Bibee v. Dharmodas Ghose* (1903), the Privy Council held that an agreement entered into by a minor is:

- (A) void *ab initio*
- (B) voidable at the option of the minor
- (C) valid if ratified by the minor on attaining majority
- (D) enforceable to the extent of benefit received

Q56. Under Section 15 of the Indian Contract Act, 1872, “coercion” is the committing or threatening to commit any act forbidden by the Indian Penal Code, or:

- (A) the dominating of the will of another by a party in a fiduciary relationship
- (B) a false statement of fact honestly believed to be true
- (C) the active concealment of a fact by one having knowledge of it



(D) the unlawful detaining, or threatening to detain, any property to the prejudice of any person, with the intention of causing him to enter into an agreement

Q57. Under Section 16 of the Indian Contract Act, 1872, a contract is said to be induced by “undue influence” where:

- (A) one party makes a false statement intending the other to act on it
- (B) consent is obtained by a threat to detain property
- (C) the relations subsisting between the parties are such that one is in a position to dominate the will of the other and uses that position to obtain an unfair advantage
- (D) a fact material to the contract is innocently misstated

Q58. The essential difference between fraud (Section 17) and misrepresentation (Section 18) of the Indian Contract Act, 1872 is that:

- (A) fraud renders the contract void, while misrepresentation renders it valid
- (B) fraud involves an intention to deceive, whereas misrepresentation is an innocent or unintentional false assertion believed to be true
- (C) misrepresentation requires active concealment, while fraud does not
- (D) only misrepresentation gives the aggrieved party a right to rescind

Q59. Under the principle of vicarious liability in the law of torts, a master is liable for the tort of his servant only where the wrongful act is committed:

- (A) in the course of the servant’s employment
- (B) at any time while the servant is employed by him
- (C) only when the master has expressly authorised the wrongful act
- (D) only if the servant is acting for the master’s personal benefit



- Q60.** Where the damage to the plaintiff is caused partly by his own negligence and partly by the negligence of the defendant, the resulting defence or apportionment in the law of torts is known as:
- (A) composite negligence
 - (B) absolute liability
 - (C) nervous shock
 - (D) contributory negligence
- Q61.** Under Section 18 of the Limitation Act, 1963, where, before the expiration of the prescribed period, an acknowledgment of liability in respect of any right is made in writing signed by the party liable, the effect is that:
- (A) the period of limitation is permanently extinguished
 - (B) the acknowledgment must be made to the creditor personally to be effective
 - (C) a fresh period of limitation begins to run from the time when the acknowledgment was so signed
 - (D) the suit becomes maintainable even after the original period has already expired
- Q62.** Under Section 17 of the Limitation Act, 1963, where a suit is based upon the fraud of the defendant or the right of action is concealed by fraud, the period of limitation does not begin to run until:
- (A) the date of the fraudulent act itself
 - (B) the defendant admits the fraud in writing
 - (C) three years from the date of the contract
 - (D) the plaintiff has discovered the fraud, or could with reasonable diligence have discovered it



- Q63.** Under classical Hindu law, the fundamental distinction between the Mitakshara and the Dayabhaga schools regarding coparcenary is that:
- (A) under Mitakshara a son acquires an interest in coparcenary property by birth, whereas under Dayabhaga he acquires it only on the death of the father
 - (B) under Dayabhaga a son acquires an interest by birth, whereas under Mitakshara he acquires it only on the father's death
 - (C) both schools confer an interest by birth on the son
 - (D) neither school recognises any concept of coparcenary at all
- Q64.** The karta of a Mitakshara joint Hindu family seeks to alienate joint family immovable property. Such an alienation by the karta binds the other coparceners only if it is made:
- (A) entirely at the karta's free discretion without any restriction
 - (B) for legal necessity or for the benefit of the estate, or with the consent of the coparceners
 - (C) only with the prior written sanction of the civil court in every case
 - (D) only after a registered partition deed has been executed
- Q65.** Under the Hindu Succession Act, 1956, when a Hindu male dies intestate, his property devolves first upon the heirs specified in:
- (A) Class I of the Schedule
 - (B) Class II of the Schedule
 - (C) the agnates only
 - (D) the cognates only
- Q66.** Under Section 8 of the Hindu Succession Act, 1956, if there is no Class I heir, the property of a Hindu male dying intestate devolves upon:
- (A) the State by escheat immediately
 - (B) the cognates in preference to agnates



- (C) the Class I heirs of the deceased's father
- (D) the heirs specified in Class II of the Schedule

Q67. Under Section 9 of the Hindu Marriage Act, 1955, a decree for restitution of conjugal rights may be sought when:

- (A) either spouse has, without reasonable excuse, withdrawn from the society of the other
- (B) the marriage has irretrievably broken down
- (C) one spouse has committed a matrimonial offence such as cruelty
- (D) the parties have lived separately for two years

Q68. Which of the following correctly states the effect of a decree of judicial separation under Section 10 of the Hindu Marriage Act, 1955?

- (A) it dissolves the marriage with immediate effect
- (B) it automatically converts into a decree of divorce after six months
- (C) it bars the parties from seeking divorce thereafter
- (D) it does not dissolve the marriage but the petitioner is no longer bound to cohabit with the respondent

Q69. Among the recognised primary sources of Muslim law, which of the following is the correct descending order of authority?

- (A) *Qiyas, Ijma, Sunna, the Quran*
- (B) *Ijma, the Quran, Qiyas, Sunna*
- (C) *Sunna, Qiyas, the Quran, Ijma*
- (D) *the Quran, Sunna (Hadith), Ijma, Qiyas*

Q70. The two major sects of Muslims are the Sunnis and the Shias. The predominant school of law followed by Sunni Muslims in the Indian sub-continent is the:

- (A) Maliki school



- (B) Shafii school
- (C) Hanafi school
- (D) Ithna Ashari school

Q71. Under Muslim law, a valid *hiba* (gift) requires three essentials. Which of the following is the correct set?

- (A) a written deed, attestation by two witnesses and registration
- (B) consideration, a written contract and court approval
- (C) declaration by the donor, acceptance by the donee and delivery of possession
- (D) presence of a *qazi*, payment of *mahr* and consent of heirs

Q72. Under Muslim law, after a gift (*hiba*) has been completed by delivery of possession, the donor may still revoke it in certain cases. However, revocation is NOT permitted where:

- (A) the gift is to a stranger and possession has been given
- (B) the donor has merely changed his mind
- (C) the subject of the gift is movable property
- (D) the donee is a person within prohibited degrees of relationship to the donor (or the spouse)

Q73. In Muslim law, a *wakf* is best described as:

- (A) an absolute transfer of ownership of property to another living person
- (B) a temporary lease of property for charitable use for a fixed term
- (C) the permanent dedication of property for a purpose recognised as religious, pious or charitable, the corpus being tied up
- (D) a testamentary disposition operating only after death of the dedicator



- Q74.** Under Section 54 of the Transfer of Property Act, 1882, in the case of tangible immovable property of a value of one hundred rupees and upwards, a sale can be made only by:
- (A) delivery of possession alone
 - (B) an oral agreement followed by part payment
 - (C) a registered instrument
 - (D) a mere written agreement that need not be registered
- Q75.** Under Section 55 of the Transfer of Property Act, 1882, in the absence of a contract to the contrary, which of the following is a duty of the *seller* of immovable property?
- (A) to disclose to the buyer any material defect in the property of which the seller is and the buyer is not aware
 - (B) to bear the loss to the property after the date of sale
 - (C) to pay the public charges accruing after the date of sale
 - (D) to obtain insurance on the property in the buyer's name
- Q76.** Under Section 54 of the Transfer of Property Act, 1882, a contract for the sale of immovable property:
- (A) does not, of itself, create any interest in or charge on such property
 - (B) operates as an actual transfer of ownership
 - (C) by itself creates an interest in or charge on such property
 - (D) must always be registered to be enforceable as a contract
- Q77.** Under the Companies Act, 2013, a company that has only one person as a member is classified as:
- (A) a public company
 - (B) a One Person Company (OPC)
 - (C) a company limited by guarantee
 - (D) an unlimited company



- Q78.** Under the Companies Act, 2013, the clause in the Memorandum of Association that states the objects for which the company is proposed to be incorporated is the:
- (A) object clause
 - (B) liability clause
 - (C) capital clause
 - (D) subscription clause
- Q79.** The doctrine of *ultra vires*, as established in *Ashbury Railway Carriage and Iron Co. v. Riche*, provides that an act of a company which is beyond the objects stated in its Memorandum is:
- (A) voidable at the option of the company alone
 - (B) valid if subsequently ratified by an ordinary resolution
 - (C) binding on the company under the doctrine of indoor management
 - (D) void and incapable of ratification even by the unanimous consent of all shareholders
- Q80.** Which of the following is the correct minimum number of members for a private company and a public company respectively under the Companies Act, 2013?
- (A) one and seven
 - (B) two and seven
 - (C) two and three
 - (D) seven and two
- Q81.** Under the Copyright Act, 1957, copyright subsists in an original literary, dramatic, musical or artistic work. The requirement of “originality” essentially demands that:
- (A) the work must be entirely novel and never thought of before by anyone



- (B) the work must originate from the author and not be copied from another work
- (C) the work must have been registered with the Copyright Office before any protection arises
- (D) the work must have artistic or literary merit of a high quality

Q82. Under the Copyright Act, 1957, in the case of a literary work made by an author in the course of his employment under a contract of service, the first owner of the copyright is, in the absence of any agreement to the contrary:

- (A) the author who actually created the work
- (B) the Registrar of Copyrights
- (C) the employer
- (D) the Central Government

Q83. Under Section 19 of the Copyright Act, 1957, an assignment of copyright is valid only if it is:

- (A) made orally before two witnesses
- (B) in writing and signed by the assignor or his duly authorised agent
- (C) registered with the Trade Marks Registry
- (D) approved by the Copyright Board in every case

Q84. Under the Copyright Act, 1957, copyright in a published literary, dramatic, musical or artistic work (other than a photograph) generally subsists for the lifetime of the author and a further period of:

- (A) fifty years after the year of the author's death
- (B) sixty years after the year of the author's death
- (C) seventy years after the year of the author's death
- (D) twenty years after the year of the author's death



- Q85.** Under Section 2(7) of the Consumer Protection Act, 2019, a person is NOT a “consumer” where the goods are bought or services availed:
- (A) for a consideration that has been partly paid and partly promised
 - (B) for use by a person other than the buyer with the buyer’s approval
 - (C) by means of an online transaction through an e-commerce platform
 - (D) exclusively for the purpose of resale or for any commercial purpose
- Q86.** Under the Consumer Protection Act, 2019, a complaint where the value of the goods or services paid as consideration exceeds two crore rupees but does not exceed ten crore rupees is to be filed before the:
- (A) District Commission
 - (B) State Commission
 - (C) National Commission
 - (D) civil court of competent jurisdiction
- Q87.** Under the Information Technology Act, 2000, a “digital signature” as defined in Section 2(1)(p) is the authentication of an electronic record by a subscriber by means of:
- (A) a scanned image of the subscriber’s handwritten signature
 - (B) a one-time password sent to the subscriber’s mobile phone
 - (C) an electronic method or procedure in accordance with Section 3 (using an asymmetric crypto system and hash function)
 - (D) a notarised paper attestation uploaded to a portal
- Q88.** Under Section 4 of the Motor Vehicles Act, 1988, the minimum age at which a person may drive a motorcycle of engine capacity not exceeding 50 cc (without gear) in a public place is:
- (A) sixteen years
 - (B) eighteen years
 - (C) twenty-one years



(D) twenty years

Part E: ADR & Professional Ethics

Q89. Under the Arbitration and Conciliation Act, 1996, an arbitration agreement that forms part of a larger contract is treated as a distinct agreement, so that even if the main contract is held to be null and void, the arbitration clause survives. This rule is best described as the doctrine of:

- (A) Merger of the arbitration clause into the contract
- (B) Separability (severability) of the arbitration agreement
- (C) Frustration of the arbitration agreement
- (D) Novation of the arbitration agreement

Q90. Which of the following is an essential requirement of a valid arbitration agreement under the Arbitration and Conciliation Act, 1996?

- (A) It must compulsorily name the sole arbitrator in the agreement itself
- (B) It must be registered before a civil court to be enforceable
- (C) It must be signed before a notary and stamped as a conveyance
- (D) It must be in writing and record the parties' intention to submit present or future disputes to arbitration

Q91. Where an action is brought before a judicial authority in a matter that is the subject of an arbitration agreement, and a party so applies not later than submitting its first statement on the substance of the dispute, the judicial authority shall refer the parties to arbitration. This mandatory reference and stay of the suit is provided in:

- (A) Section 8 of the Arbitration and Conciliation Act, 1996
- (B) Section 5 of the Arbitration and Conciliation Act, 1996
- (C) Section 11 of the Arbitration and Conciliation Act, 1996
- (D) Section 14 of the Arbitration and Conciliation Act, 1996



- Q92.** A party apprehends that the opposite party may dissipate the subject matter of the dispute even before the arbitral tribunal is constituted. The party may apply to a court for interim measures of protection under which provision?
- (A) Section 17 of the Arbitration and Conciliation Act, 1996
 - (B) Section 27 of the Arbitration and Conciliation Act, 1996
 - (C) Section 9 of the Arbitration and Conciliation Act, 1996
 - (D) Section 36 of the Arbitration and Conciliation Act, 1996
- Q93.** Under the Arbitration and Conciliation Act, 1996 (as amended in 2015), the power of the arbitral tribunal itself to order interim measures of protection during the proceedings, with the same enforceability as an order of court, is contained in:
- (A) Section 9
 - (B) Section 16
 - (C) Section 17
 - (D) Section 19
- Q94.** Section 18 of the Arbitration and Conciliation Act, 1996 enshrines a fundamental safeguard rooted in natural justice. It requires that:
- (A) The arbitrator must always be a retired judge
 - (B) The parties shall be treated with equality and each party shall be given a full opportunity to present its case
 - (C) The award must be delivered within thirty days
 - (D) The proceedings must be held only in the language of the contract
- Q95.** The fast-track procedure, under which parties may agree to have their dispute resolved within six months on the basis of written pleadings and documents, ordinarily without an oral hearing, was inserted by the 2015 Amendment as:



- (A) Section 29A
- (B) Section 31A
- (C) Section 33
- (D) Section 29B

Q96. Under Section 24 of the Advocates Act, 1961, which of the following is a qualification for a person to be admitted as an advocate on a State roll?

- (A) He must have completed sixty years of age
- (B) He must be a citizen of India and, subject to the proviso, have completed the age of twenty-one years and obtained a degree in law from a recognised University
- (C) He must already be enrolled with the Bar Council of India
- (D) He must have practised as a clerk for at least five years

Q97. Section 24A of the Advocates Act, 1961 lays down disqualifications for enrolment. A person is disqualified from being enrolled as an advocate if he:

- (A) Has been convicted of an offence involving moral turpitude (subject to the period prescribed)
- (B) Is below thirty years of age
- (C) Holds a part-time teaching post in law
- (D) Has not enrolled within one year of obtaining the law degree

Q98. Under the Advocates Act, 1961, the power to lay down standards of professional conduct and etiquette for advocates, and to lay down the procedure to be followed by its disciplinary committee and that of each State Bar Council, is a function of:

- (A) The State Bar Council under Section 6
- (B) The Supreme Court under Section 38
- (C) The Central Government under Section 49A



(D) The Bar Council of India under Section 7

Q99. An advocate receives a sum of money from his client to be applied towards court fees and incidental expenses. Under the Bar Council of India Rules on an advocate's duty to the client, the advocate is bound to:

- (A) Keep accounts of the client's money entrusted to him and render an account, refunding any unspent balance
- (B) Treat the money as his professional fee and need not account for it
- (C) Adjust the money against future briefs without informing the client
- (D) Retain the entire sum as a lien irrespective of the work done

Q100. Under the Contempt of Courts Act, 1971, wilful disobedience of a judgment, decree, direction, order, writ or other process of a court, or wilful breach of an undertaking given to a court, amounts to:

- (A) Criminal contempt under Section 2(c)
- (B) A mere execution default attracting no contempt
- (C) Civil contempt under Section 2(b)
- (D) Constructive contempt outside the Act



Detailed Solutions

Q1.

Solution

Concept — Laws Inconsistent with Fundamental Rights: Article 13(1) declares that all pre-Constitution laws, in so far as they are inconsistent with Part III, are void to the extent of the inconsistency, and Article 13(2) bars the State from making any such law in future. *Keshavan Madhava Menon v. State of Bombay* explained its prospective operation on pre-existing laws.

Step 1 — Eliminate the others: Article 12 merely defines “the State”; Article 31 (right to property) was repealed in 1978; Article 35 empowers Parliament to legislate to give effect to certain rights. Only Article 13 is the voiding provision.

Tip: See Art. 13, Part III, Bare Act — “13 = touchstone of FR validity.”

Final Answer: Article 13 ⇒

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

Q2.

Solution

Concept — Ceiling on Reservation: In *Indra Sawhney v. Union of India* (1992) (the Mandal case) a nine-judge Bench upheld 27% reservation for OBCs under Article 16(4) but laid down that reservations should not exceed 50% of the available posts save in extraordinary situations.

Step 1 — Fix the figure: The Court fixed the ordinary outer limit at 50% to balance equality of opportunity under Article 16(1) with the enabling provision of Article 16(4). 27% is the OBC quota itself, not the ceiling.

Tip: See Art. 16(4), Bare Act — “Indra Sawhney = 50% cap + creamy layer.”

Final Answer: 50% ⇒

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



Q3.

Solution

Concept — Doctrine of Eclipse: A pre-Constitution law inconsistent with a Fundamental Right is not void *ab initio* but remains eclipsed and inoperative against citizens; it continues to apply to non-citizens and revives fully if the inconsistency is removed by amendment. This was settled in *Bhikaji Narain Dhakras v. State of M.P.* (1955).

Step 1 — Eliminate the others: Severability saves the valid part of a statute; waiver concerns surrender of a right; pith and substance is a test in distribution of legislative powers. The described “dormant but revivable” idea is uniquely the doctrine of eclipse.

Tip: See Art. 13(1), Bare Act — eclipse applies to pre-Constitution laws.

Final Answer: Doctrine of Eclipse ⇒

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

Q4.

Solution

Concept — Doctrine of Severability: Under Article 13, when only a part of a statute is unconstitutional, the void portion is severed and the valid remainder is allowed to stand, provided what survives is workable without the offending part. The test was laid down in *R. M. D. Chamarbaugwalla v. Union of India* (1957).

Step 1 — Eliminate the others: Eclipse concerns dormant pre-Constitution laws; colourable legislation concerns doing indirectly what cannot be done directly; harmonious construction reconciles conflicting provisions. The cutting-away of bad portions to save the good is severability.

Tip: See Art. 13 phrase “to the extent of such inconsistency” — that phrase is the textual root of severability.

Final Answer: Doctrine of Severability ⇒

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



Q5.

Solution

Concept — No Waiver of Fundamental Rights: In *Basheshar Nath v. CIT* (1959) the Supreme Court held that Fundamental Rights are conferred in the larger public interest and cannot be waived by the individual, whether expressly or by conduct; a citizen cannot barter away a constitutional guarantee.

Step 1 — Eliminate the others: Options permitting written, partial or State-consented waiver all run contrary to this ruling. There is no valid waiver of any Fundamental Right, so the prohibition is absolute.

Tip: See Art. 13 read with Part III, Bare Act — “FRs cannot be waived” (*Basheshar Nath*).

Final Answer: There can be no waiver of Fundamental Rights ⇒

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

Q6.

Solution

Concept — Abolition of Untouchability: Article 17 abolishes “untouchability” and forbids its practice in any form, declaring the enforcement of any resulting disability an offence. It is given effect by the Protection of Civil Rights Act, 1955.

Step 1 — Eliminate the others: Article 15 bars discrimination on enumerated grounds, Article 18 abolishes titles, and Article 23 prohibits traffic in human beings and forced labour. Only Article 17 deals with untouchability.

Tip: See Art. 17, Bare Act — a right enforceable even against private persons.

Final Answer: Article 17 ⇒

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

Q7.

Solution

Concept — Creamy Layer: In *Indra Sawhney* (1992) the Court directed that the socially advanced members among the backward classes — the “creamy layer” — must be excluded from reservation benefits so that the quota reaches the genuinely backward.

Step 1 — Eliminate the others: The Court declined to permit reservation in promotions in that case (later restored by the 77th Amendment), did not treat



the creamy layer as a forward class, and required identification by economic and social advancement, not caste alone.

Tip: See Art. 16(4) notes, Bare Act — “creamy layer = excluded.”

Final Answer: Excluded from the benefit of reservation ⇒

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

Q8.

Solution

Concept — Freedom of Trade and Profession: Article 19(1)(g) guarantees the freedom to practise any profession or carry on any occupation, trade or business. Reasonable restrictions on this freedom in the interests of the general public are authorised by Article 19(6).

Step 1 — Match clause to freedom: Article 19(2) limits free speech, 19(4) limits the freedom to form associations, and 19(5) limits movement and residence. The trade freedom in 19(1)(g) is paired with the restriction clause 19(6).

Tip: See Art. 19, Bare Act — map each sub-clause of 19(1) to its matching restriction clause.

Final Answer: Article 19(6) ⇒

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

Q9.

Solution

Concept — Double Jeopardy: Article 20(2) provides that no person shall be “prosecuted and punished for the same offence more than once.” In *Maqbool Hussain v. State of Bombay* (1953) the Court clarified that the bar requires a prior prosecution before a court of law and a punishment.

Step 1 — Eliminate the others: Mere investigation, or proceedings before a departmental authority that is not a court, do not attract Article 20(2); nor does acquittal alone trigger the constitutional bar (the ground there is *autrefois acquit* under the CrPC). The constitutional protection needs both prosecution and punishment.

Tip: See Art. 20(2), Bare Act — “prosecuted AND punished, same offence, more than once.”

Final Answer: Prosecuted and punished for the same offence more than once



⇒ C

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

Q10.

Solution

Concept — Self-Incrimination: Article 20(3) protects an accused from being compelled to be a witness against himself. In *State of Bombay v. Kathi Kalu Oghad* (1961) an eleven-judge Bench held that “to be a witness” means imparting personal knowledge, and that giving specimen signatures, handwriting, thumb impressions or fingerprints is not testimonial compulsion.

Step 1 — Apply the test: A confession or an incriminating oral statement conveys personal knowledge and is protected, but physical exemplars used merely for comparison do not. Hence specimen signatures, handwriting and thumb impressions fall outside Article 20(3).

Tip: See Art. 20(3), Bare Act — “testimonial compulsion only; not physical specimens.”

Final Answer: Giving of specimen signatures, handwriting or thumb impressions ⇒ B

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

Q11.

Solution

Concept — Right to Education: Article 21A, inserted by the Constitution (Eighty-sixth Amendment) Act, 2002, makes free and compulsory education a Fundamental Right for children of the age of six to fourteen years, to be provided as the State may by law determine.

Step 1 — Eliminate the others: Articles 45 and 41 are Directive Principles (early-childhood care and the right to work/education respectively), and Article 29 protects cultural and educational interests of minorities. Only Article 21A is the justiciable Fundamental Right to education.

Tip: See Art. 21A, Bare Act — enforced through the Right to Education Act, 2009.

Final Answer: Article 21A ⇒ A

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



Q12.

Solution

Concept — Arrest Safeguards and Preventive Detention: Article 22(1) and (2) give an arrested person the right to be informed of the grounds of arrest, to consult a lawyer and to be produced before a magistrate within twenty-four hours. By Article 22(3), these particular safeguards do not apply to a person detained under a preventive-detention law.

Step 1 — Eliminate the others: The safeguards apply equally whether the offence is bailable or not, whether arrest is with or without a warrant, and to foreign nationals as well. The single carved-out exception is preventive detention.

Tip: See Art. 22(3), Bare Act — punitive arrest = clauses (1)&(2); preventive detention = clauses (4)–(7).

Final Answer: Detained under a law of preventive detention ⇒

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

Q13.

Solution

Concept — Preventive Detention without Advisory Board: Article 22(4) provides that no law of preventive detention shall authorise detention for longer than three months unless an Advisory Board has reported sufficient cause for such detention before the expiry of that period.

Step 1 — Fix the figure: The constitutional baseline is three months; only an Advisory Board's opinion can sanction detention beyond it. Two months, one month and six months are distractors not found in Article 22(4).

Tip: See Art. 22(4), Bare Act — “three months, then Advisory Board.”

Final Answer: Three months ⇒

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



Q14.

Solution

Concept — Right to Property: The Constitution (Forty-fourth Amendment) Act, 1978 deleted the Fundamental Right to property (Articles 19(1)(f) and 31) and re-enacted it as a constitutional/legal right in Article 300A, providing that no person shall be deprived of his property save by authority of law.

Step 1 — Eliminate the others: Article 31 and Article 19(1)(f) were the very provisions repealed in 1978; Article 39(b) is a Directive Principle. The present home of the right to property is Article 300A.

Tip: See Art. 300A, Bare Act — “property = legal right, not FR, since 1978.”

Final Answer: Article 300A ⇒

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

Q15.

Solution

Concept — Procedure Established by Law: In *Maneka Gandhi v. Union of India* (1978) the Supreme Court held that the “procedure established by law” in Article 21 must be right, just and fair, and not arbitrary, fanciful or oppressive; an unfair procedure is no procedure at all. This read fairness (the substance of due process) into Article 21.

Step 1 — Eliminate the others: The Court rejected the narrow *A. K. Gopalan* view that any enacted procedure suffices, did not adopt the U.S. “due process” phrase verbatim, and applied the test generally, not merely to the Passport Act.

Tip: See Art. 21, Bare Act — “*Maneka Gandhi* = procedure must be just, fair, reasonable.”

Final Answer: Right, just and fair, and not arbitrary or oppressive ⇒

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



Q16.

Solution

Concept — Golak Nath on Amending Power: In *Golak Nath v. State of Punjab* (1967) the Supreme Court held, by a 6:5 majority, that Parliament had no power to amend Part III so as to take away or abridge Fundamental Rights, treating a constitutional amendment as “law” within Article 13.

Step 1 — Eliminate the others: The basic-structure doctrine emerged only later in *Kesavananda Bharati*; the “unlimited power” view was the earlier *Shankari Prasad/Sajjan Singh* position; and ratification by States relates to the proviso to Article 368, not to *Golak Nath*.

Tip: See Art. 368 notes, Bare Act — “*Golak Nath* = FRs not amendable” (later modified by *Kesavananda*).

Final Answer: No power to amend Part III so as to take away or abridge FRs ⇒ D

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

Q17.

Solution

Concept — Ordinance-Making Power: Article 123 empowers the President to promulgate Ordinances when both Houses of Parliament are not in session and circumstances require immediate action; such an Ordinance has the same force and effect as an Act of Parliament. *D. C. Wadhwa v. State of Bihar* condemned the re-promulgation of Ordinances.

Step 1 — Eliminate the others: Article 213 is the Governor’s parallel power; Article 356 is President’s Rule; Article 352 is the proclamation of national emergency. The President’s Ordinance power is Article 123.

Tip: See Art. 123, Bare Act — “President’s Ordinance”; Art. 213 for the Governor.

Final Answer: Article 123 ⇒ C

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



Q18.

Solution

Concept — Duration of an Ordinance: Under Article 123(2), an Ordinance must be laid before both Houses and ceases to operate at the expiration of six weeks from the reassembly of Parliament, or earlier if a resolution disapproving it is passed by both Houses.

Step 1 — Fix the figure: The constitutional period is six weeks from reassembly; if the Houses reassemble on different dates, the period runs from the later date. Four weeks, two months and three months are distractors.

Tip: See Art. 123(2), Bare Act — “six weeks from reassembly.”

Final Answer: Six weeks ⇒

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

Q19.

Solution

Concept — Scope of Article 15(1): Article 15(1) prohibits the State from discriminating against any *citizen* on grounds only of religion, race, caste, sex or place of birth. Being a right against the State and framed in favour of citizens, its protection is confined to citizens of India.

Step 1 — Eliminate the others: Unlike Article 14 (“any person”), Article 15 uses “citizen,” so it does not extend to foreigners; it is not limited to Scheduled Castes/Tribes, and it operates against the State, though clause (2) extends to access to public places.

Tip: See Art. 15(1), Bare Act — “citizen” word marks it as a citizens-only right.

Final Answer: Only to citizens of India ⇒

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

Q20.

Solution

Concept — Mistake of Fact vs Mistake of Law (s.79 IPC): Section 79 excuses a person who, by reason of a *mistake of fact* and not a mistake of law, in good faith believes himself justified by law in doing the act. The guiding maxim is *ignorantia facti excusat, ignorantia juris non excusat*.

Step 1 — Apply to the officer: The officer’s error is about the *legal extent* of his



power to arrest, i.e. a mistake of law. Section 79 does not cover mistakes of law, so he is not protected. Only a good-faith mistake of fact qualifies.

Tip: See s.79 IPC — “fact excuses, law does not.”

Final Answer: Mistake of fact made in good faith ⇒

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

Q21.

Solution

Concept — Act of a Judge (s.77 IPC): Section 77 provides that nothing is an offence which is done by a Judge when acting judicially in the exercise of any power which is, or which in good faith he believes to be, given to him by law.

Step 1 — Eliminate the others: s.76 covers a person bound by law (or who in good faith believes himself bound) to do the act; s.78 protects acts done pursuant to a court’s judgment or order; s.79 is the mistake-of-fact / justification exception. The judge’s situation squarely fits s.77.

Tip: See s.77 IPC — “77 = Judge acting judicially.”

Final Answer: Section 77 IPC ⇒

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

Q22.

Solution

Concept — Accident (s.80 IPC): Section 80 excuses an act done by accident or misfortune, and without any criminal intention or knowledge, in the doing of a *lawful act* in a *lawful manner* by *lawful means* and with *proper care and caution*. The hatchet illustration is the classic example.

Step 1 — Apply the ingredients: A was doing lawful work, took proper precautions, and had no criminal intent; the head flying off was an accident. All four conditions of s.80 are met, so option A states the test correctly. Private defence (s.96 onward) and provocation are separate doctrines.

Tip: See s.80 IPC — “lawful act + proper care = accident.”

Final Answer: Lawful manner, lawful means, proper care and caution ⇒

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



Q23.

Solution

Concept — Necessity (s.81 IPC): Section 81 provides that an act likely to cause harm, but done without criminal intention and in good faith to prevent or avoid other harm to person or property, is not an offence, provided the harm to be prevented was such as to justify the risk. This is the doctrine of necessity (*ius necessitatis*).

Step 1 — Apply to the captain: The captain harms two to save many, acting in good faith to avert greater harm; the explanation to s.81 leaves the proportionality of harm to be judged on the facts. This is the textbook s.81 scenario, not accident (s.80) or consent (s.87).

Tip: See s.81 IPC — “lesser harm to avoid greater harm.”

Final Answer: Section 81 IPC (necessity) ⇒

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

Q24.

Solution

Concept — Infancy (ss.82–83 IPC): Section 82 grants *absolute* immunity to a child under seven years. Section 83 grants *qualified* immunity to a child of seven but under twelve, who is exempt only if he has not attained sufficient maturity of understanding to judge the nature and consequences of his conduct.

Step 1 — Test the options: Option D correctly states both limbs. The fixed lower bound is seven (not ten or twelve), and the conditional band runs from seven to twelve, so the other options misstate the ages.

Tip: See ss.82–83 IPC — “under 7 absolute; 7 to 12 if immature.”

Final Answer: s.82 absolute under 7; s.83 conditional 7–12 ⇒

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



Q25.

Solution

Concept — *Doli incapax*: The maxim *doli incapax* means “incapable of crime” — the law presumes a very young child lacks the capacity to form criminal intent. Section 82 IPC embodies this for a child under seven.

Step 1 — Eliminate the others: *Actus non facit reum nisi mens sit rea* is the general mens rea maxim; *volenti non fit injuria* relates to consent in tort; *ignorantia facti excusat* concerns mistake of fact. Only *doli incapax* captures incapacity by infancy.

Tip: See s.82 IPC — “*doli incapax* = child cannot form intent.”

Final Answer: *Doli incapax* ⇒

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

Q26.

Solution

Concept — Unsoundness of Mind (s.84 IPC): Adopting the *McNaughten* Rules, s.84 excuses a person who, by reason of unsoundness of mind at the time of the act, is incapable of knowing the *nature* of the act, or that what he is doing is either *wrong* or *contrary to law*.

Step 1 — Reject irresistible-impulse options: Indian law follows the cognitive test, not a volitional one — mere inability to control emotions or impulses is not a defence. Forgetting the act or fearing imprisonment is also irrelevant. Option C reproduces the statutory test.

Tip: See s.84 IPC — “did not know nature, or that it was wrong / illegal.”

Final Answer: Incapable of knowing nature / wrong / contrary to law ⇒

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

Q27.

Solution

Concept — Legal vs Medical Insanity (s.84 IPC): The defence under s.84 turns on *legal* insanity, not mere medical insanity. As held in *Surendra Mishra v. State of Jharkhand* and *Hari Singh Gond v. State of M.P.*, every person with a mental ailment is not exempt; the accused must show that the disease deprived him of the cognitive capacity described in s.84 at the very time of the act.

Step 1 — Apply: Option D states this distinction correctly. Medical illness alone is



neither a complete defence nor a mere mitigating factor; what matters is the legal test at the time of the offence.

Tip: See s.84 IPC — “prove legal insanity at the time of the act.”

Final Answer: Legal insanity (s.84 capacity) must be proved ⇒ D

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

Q28.

Solution

Concept — Intoxication (ss.85–86 IPC): Section 85 exempts a person whose intoxication was caused *without his knowledge or against his will*; voluntary intoxication is no such defence. Section 86 provides that where knowledge is an ingredient, a voluntarily intoxicated person is deemed to have the same knowledge he would have had if sober.

Step 1 — Apply to X: X drank voluntarily, so s.85 gives no exemption; under s.86 he is fixed with the knowledge of a sober man, although the question of *specific intent* may still be examined (as in *Basdev v. State of Pepsu*). Option B captures this correctly.

Tip: See ss.85–86 IPC — “voluntary drink = no excuse; deemed to know.”

Final Answer: No defence; deemed sober-knowledge, intent still assessed ⇒ B

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

Q29.

Solution

Concept — Consent (s.87 IPC): Section 87 provides that nothing which is not intended to cause death or grievous hurt, and which is not known to be likely to cause death or grievous hurt, is an offence by reason of any harm it may cause to a person above eighteen who has consented (expressly or impliedly) to suffer that harm.

Step 1 — Apply to the fencing: The friendly bout is not intended, nor known to be likely, to cause death or grievous hurt; A is an adult who consents. So B is protected. The threshold the act must stay below is death or grievous hurt, making option C correct.

Tip: See s.87 IPC — “adult consent, short of death / grievous hurt.”

Final Answer: Death or grievous hurt ⇒ C



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

Q30.

Solution

Concept — Consent for Benefit (s.88 IPC): Section 88 protects an act not intended to cause death, done in good faith for the benefit of a person who has consented to the risk, even if it is known to be likely to cause death. The surgeon performing a risky but beneficial operation is the standard illustration.

Step 1 — Distinguish neighbouring sections: s.87 covers acts not even *known* to be likely to cause death or grievous hurt; s.92 covers acts done for a person's benefit *without* consent (e.g. an unconscious patient); s.95 is the trifling-act exception. The consenting adult surgical case falls under s.88.

Tip: See s.88 IPC — “consent + good faith for benefit, even if death likely.”

Final Answer: Section 88 IPC ⇒

Answer: (B) [Go Back to Q30](#)

Q31.

Solution

Concept — Invalid Consent (s.90 IPC): Section 90 declares that a consent is not such a consent as is intended by any section of the Code if it is given under fear of injury or a misconception of fact (and the doer knows it), or by a person of unsound mind or intoxication unable to understand, or by a child under twelve years.

Step 1 — Match: The facts in the question reproduce the disqualifications in s.90. Section 91 concerns acts that are offences independently of harm; ss.93–94 deal with communications in good faith and acts done under threat of death. Only s.90 defines what is *not* valid consent.

Tip: See s.90 IPC — “fear, misconception, unsound mind, or under 12 = no consent.”

Final Answer: Section 90 IPC ⇒

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



Q32.

Solution

Concept — Trifling Acts (s.95 IPC): Section 95 enacts the maxim *de minimis non curat lex* — nothing is an offence by reason that it causes, or is intended to cause, or is known to be likely to cause, any harm so slight that no person of ordinary sense and temper would complain of it.

Step 1 — Apply: The trivial jostle on a crowded train is exactly the slight harm s.95 excuses. Section 93 deals with good-faith communications, s.94 with acts done under threat of instant death, and s.96 begins private defence; only s.95 fits.

Tip: See s.95 IPC — “the law cares not for trifles.”

Final Answer: Section 95 IPC ⇒ C

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

Q33.

Solution

Concept — Modes of Abetment (s.107 IPC): Section 107 recognises abetment by (i) *instigation*, (ii) *conspiracy* (engaging with one or more persons in a conspiracy, an act or illegal omission taking place in pursuance), and (iii) *intentional aiding*.

Step 1 — Identify the odd one out: Options A, B and C reproduce the three statutory modes. Merely entertaining a wish that the thing be done, without instigation, agreement, or aid, is not abetment. Therefore D is NOT a mode.

Tip: See s.107 IPC — “instigate, conspire, or aid.”

Final Answer: Merely wishing the thing be done ⇒ D

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

Q34.

Solution

Concept — Abetment by Conspiracy vs Criminal Conspiracy: Under s.107 *Secondly*, abetment by conspiracy needs an *act or illegal omission* in pursuance of the conspiracy, and the abetted thing must be done for s.109 liability. Under s.120A, criminal conspiracy is complete the moment the agreement to do an illegal act is made; an overt act is required only where the object is not itself an offence.

Step 1 — Compare: Option C states this distinction accurately. The offences are not identical, mere agreement does not always suffice for s.107, and conspiracy is



not confined to public servants.

Tip: See ss.107 & 120A IPC — “conspiracy = agreement; abetment by conspiracy = agreement + act.”

Final Answer: s.107 needs an act done; s.120A complete on agreement ⇒

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

Q35.

Solution

Concept — Punishment of Abetment (s.109 IPC): Section 109 provides that whoever abets an offence shall, if the act abetted is committed in consequence and no express provision is made for its punishment, be punished with the punishment provided for the offence itself.

Step 1 — Apply: The provision equates the abettor’s liability with the principal offence’s punishment, not half of it, not a flat fine, and not a fixed six months. Option B is correct.

Tip: See s.109 IPC — “abettor gets the same punishment as the offence.”

Final Answer: Punishment provided for the offence abetted ⇒

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

Q36.

Solution

Concept — Common vs Similar Intention (s.34 IPC): In *Mahbub Shah v. Emperor* (1945) the Privy Council held that “common intention” under s.34 implies a prearranged plan and a meeting of minds, and must be carefully distinguished from a “similar intention” independently entertained by several persons without any concert.

Step 1 — Pick the contrast: A premeditated concert, a prearranged plan, and a meeting of minds are features of common intention, not what it is distinguished from. The true contrast is a similar intention.

Tip: See s.34 IPC + *Mahbub Shah* — “common ≠ similar intention.”

Final Answer: A similar intention independently entertained ⇒

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



Q37.

Solution

Concept — Proof of Common Intention (s.34 IPC): *Mahbub Shah v. Emperor* clarified that common intention is usually a matter of inference from the conduct of the accused and the surrounding circumstances; direct evidence is rare. The prearranged plan need not precede the crime by long — it may form on the spur of the moment, even at the scene.

Step 1 — Apply: Option D states this rule correctly. Common intention need not be proved by a written agreement, can be inferred, and is not presumed merely from presence at the scene.

Tip: See s.34 IPC + *Mahbub Shah* — “inferred from conduct; plan may form on the spot.”

Final Answer: Inferred from conduct; plan may develop on the spot ⇒

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

Q38.

Solution

Concept — Classes of Criminal Courts (ss.6, 26–29 CrPC): Section 6 lists the criminal courts; s.28 empowers a Court of Session to pass any sentence authorised by law, but a death sentence requires confirmation by the High Court. It is the highest trial court in the sessions division.

Step 1 — Rank the courts: A Court of Session outranks the Chief Judicial Magistrate (max 7 years, s.29) and the First Class / Metropolitan Magistrates (max 3 years). Only the Court of Session can pass any sentence authorised by law, subject to HC confirmation of death.

Tip: See ss.28–29 CrPC — “Sessions Court = any sentence; death needs HC confirmation.”

Final Answer: Court of Session ⇒

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



Q39.

Solution

Concept — Sentencing Power of JMFC (s.29 CrPC): Section 29(2) provides that the Court of a Magistrate of the First Class may pass a sentence of imprisonment for a term not exceeding three years, or a fine not exceeding the prescribed limit, or both.

Step 1 — Eliminate: One or two years understates the power; seven years is the Chief Judicial Magistrate's limit under s.29(1). The First Class Magistrate's ceiling is three years.

Tip: See s.29(2) CrPC — "JMFC = up to 3 years."

Final Answer: Three years ⇒ C

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

Q40.

Solution

Concept — Sentencing Power of CJM (s.29 CrPC): Section 29(1) provides that the Court of a Chief Judicial Magistrate may pass any sentence authorised by law except a sentence of death, imprisonment for life, or imprisonment for a term exceeding seven years.

Step 1 — Apply: The cap on imprisonment for a CJM is seven years; three or five years would be too low and ten years too high. Option D (seven years) is correct.

Tip: See s.29(1) CrPC — "CJM = up to 7 years."

Final Answer: Seven years ⇒ D

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

Q41.

Solution

Concept — Cognizance by a Magistrate (s.190 CrPC): Section 190 empowers a Magistrate to take cognizance of an offence (a) upon receiving a complaint of facts constituting the offence, (b) upon a police report of such facts, or (c) upon information received from any person other than a police officer, or upon his own knowledge.

Step 1 — Eliminate: s.154 concerns the FIR, s.173 the police report on completion of investigation, and s.200 the examination of the complainant. The three



modes of *taking cognizance* are in s.190.

Tip: See s.190 CrPC — “complaint, police report, or own knowledge.”

Final Answer: Section 190 CrPC ⇒

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

Q42.

Solution

Concept — Complaint vs FIR: Section 2(d) CrPC defines a “complaint” as any allegation made orally or in writing to a Magistrate, with a view to his taking action, that some person has committed an offence; it expressly excludes a police report. An FIR under s.154 is information relating to a cognizable offence given to the officer in charge of a police station.

Step 1 — Apply: Option C states both definitions accurately. A complaint goes to a Magistrate (not necessarily about a cognizable offence), an FIR goes to the police, and the two are legally distinct.

Tip: See s.2(d) & s.154 CrPC — “complaint to Magistrate (not a police report); FIR to police.”

Final Answer: Complaint to Magistrate (s.2(d)) vs FIR to police (s.154) ⇒

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

Q43.

Solution

Concept — Summons-case vs Warrant-case (ss.2(w),(x) CrPC): Section 2(x) defines a “warrant-case” as a case relating to an offence punishable with death, imprisonment for life, or imprisonment for a term exceeding two years. Section 2(w) defines a “summons-case” as a case relating to an offence, and not being a warrant-case.

Step 1 — Apply: The classification turns purely on the quantum of punishment, not on custody, mode of institution, or bailability. Option D states the statutory test.

Tip: See ss.2(w),(x) CrPC — “warrant-case if > 2 years / life / death.”

Final Answer: Punishment exceeding two years marks a warrant-case ⇒

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



Q44.

Solution

Concept — Compounding of Offences (s.320 CrPC): Section 320 lists in its first table offences compoundable by the specified persons *without* the court's permission, and in its second table offences compoundable only *with* the permission of the court. Offences not so listed are non-compoundable, and s.320(9) bars compounding except as provided.

Step 1 — Apply: Not every IPC offence is compoundable, nor does compounding require the Supreme Court's leave or result in conviction — a composition results in acquittal (s.320(8)). Option B states the scheme correctly.

Tip: See s.320 CrPC — “two tables: with or without court permission; rest non-compoundable.”

Final Answer: Some without court, some with court; rest non-compoundable ⇒ B

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

Q45.

Solution

Concept — Res Gestae (s.6 Indian Evidence Act, 1872): Section 6 makes relevant facts which, though not in issue, are so connected with a fact in issue as to form part of the same transaction. This is the rule of *res gestae*, admitting spontaneous, contemporaneous statements.

Step 1 — Apply: The villager's spontaneous shout, made immediately upon and during the stabbing transaction, forms part of the same transaction and is relevant under s.6. Section 5 states the general rule of relevancy, s.8 covers motive / preparation / conduct, and s.11 the “otherwise irrelevant facts” rule.

Tip: See s.6 Indian Evidence Act — “*res gestae* = same transaction.”

Final Answer: Section 6 of the Indian Evidence Act, 1872 ⇒ A

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



Q46.

Solution

Concept — Place of suing for torts (Section 19, CPC): Where a suit is for compensation for wrong done to the person or to movable property, and the wrong was done within the local limits of one court while the defendant resides or carries on business within the limits of another, Section 19 of the Code of Civil Procedure, 1908 gives the plaintiff an option.

Step 1 — Apply the option: The plaintiff may sue either in the court where the wrong was done or in the court where the defendant resides or carries on business. There is no compulsion to choose only one forum, so options (B) and (C) are too narrow, and (D) wrongly invokes pecuniary hierarchy.

Tip: See s.19, Bare Act, CPC — “tort = place of wrong OR defendant’s residence.”

Final Answer: Plaintiff may sue where the wrong was done or where the defendant resides ⇒

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

Q47.

Solution

Concept — Residuary place of suing (Section 20, CPC): For suits not covered by Sections 15–19, Section 20 of the Code of Civil Procedure, 1908 fixes jurisdiction by reference to where the defendant resides or carries on business or where the cause of action arises.

Step 1 — Read the section: A suit may be instituted where the defendant actually and voluntarily resides or carries on business, or where the cause of action wholly or in part arises. Options confined to “only the cause of action” or “only the plaintiff” are incorrect; (D) is the rule for immovable property under s.16, not s.20.

Tip: See s.20, Bare Act, CPC — “defendant’s residence OR cause of action (wholly or in part).”

Final Answer: Where the defendant resides/carries on business, or the cause of action arises ⇒

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



Q48.

Solution

Concept — Objection to territorial jurisdiction (Section 21, CPC): Territorial and pecuniary jurisdiction objections are technical; Section 21 of the Code of Civil Procedure, 1908 bars an appellate court from entertaining them late, recognised in *Kiran Singh v. Chaman Paswan*.

Step 1 — Twin conditions: The objection is allowed only if it was taken in the court of first instance at the earliest possible opportunity *and* there has been a consequent failure of justice. Both limbs must be satisfied, so (B) and (C) fail. Unlike subject-matter jurisdiction (s.9), territorial jurisdiction *can* be waived, so (D) is wrong.

Tip: See s.21, Bare Act — “earliest opportunity + failure of justice.”

Final Answer: Taken at the earliest opportunity with consequent failure of justice

⇒ A

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

Q49.

Solution

Concept — Amendment of pleadings (Order VI Rule 17, CPC): The court may at any stage allow amendment of pleadings, but the proviso added in 2002 restricts post-trial amendments, as explained in *Salem Advocate Bar Association v. Union of India*.

Step 1 — Apply the proviso: After the trial has commenced, no amendment shall be allowed unless the court concludes that in spite of due diligence the party could not have raised the matter earlier. Consent (A) is not the test, adding a new cause of action (B) is a ground for refusal, and (D) describes the pre-2002 liberal position.

Tip: See O6 R17 proviso, Bare Act — “post-trial amendment = due-diligence test.”

Final Answer: Could not, with due diligence, have raised it before trial commenced ⇒ C

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



Q50.

Solution

Concept — Set-off (Order VIII Rule 6, CPC): In a suit for recovery of money, a defendant may claim set-off of an ascertained sum of money legally recoverable from the plaintiff, provided it is within the pecuniary jurisdiction of the court, under Order VIII Rule 6 of the Code of Civil Procedure, 1908.

Step 1 — Eliminate the others: The defendant need not file a fresh plaint (A); a written statement of admission (B) is not a money claim; review (C) is a post-decree remedy. The proper plea is a set-off raised in the written statement.

Tip: See O8 R6, Bare Act — “ascertained money claim = set-off in the written statement.”

Final Answer: A set-off under Order VIII Rule 6 ⇒ D

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

Q51.

Solution

Concept — Set-off versus counterclaim (Order VIII Rules 6 and 6A, CPC): A legal set-off is a defence to the plaintiff’s money claim, whereas a counterclaim under Order VIII Rule 6A of the Code of Civil Procedure, 1908 is in the nature of a cross-suit.

Step 1 — Draw the line: A set-off must be for an ascertained sum within the court’s pecuniary jurisdiction and cannot exceed the plaintiff’s claim, while a counterclaim is treated as a cross-suit, may be of any nature, and may exceed the plaintiff’s claim. This makes (A) and (B) inverted, and (D) (same-transaction requirement) describes an equitable set-off, not the legal distinction.

Tip: See O8 R6 and R6A, Bare Act — “counterclaim = cross-suit, may exceed the claim.”

Final Answer: Set-off is a bounded money defence; counterclaim is a cross-suit that may exceed the claim ⇒ C

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



Q52.

Solution

Concept — Misjoinder and non-joinder of parties (Order I Rule 9, CPC): Order I Rule 9 of the Code of Civil Procedure, 1908 saves a suit from defeat for misjoinder or non-joinder of parties, but expressly excepts the non-joinder of a necessary party.

Step 1 — Necessary versus proper party: A necessary party is one in whose absence no effective decree can be passed; non-joinder of such a party is fatal. A proper party (A), a pro forma defendant (C), or a party added merely for convenience (D) does not defeat the suit.

Tip: See O1 R9 proviso, Bare Act — “non-joinder of a necessary party is fatal.”

Final Answer: Non-joinder of a necessary party ⇒ B

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

Q53.

Solution

Concept — Framing of issues (Order XIV Rule 1, CPC): Issues form the foundation of trial. Under Order XIV Rule 1 of the Code of Civil Procedure, 1908, issues arise upon the joinder of material propositions affirmed by one party and denied by the other.

Step 1 — Identify the trigger: An issue arises only when a material proposition of fact or law is affirmed by one party and denied by the other. Presentation of the plaint (A), a joint memorandum (B), and delivery of judgment (D) are unconnected with the framing of issues.

Tip: See O14 R1, Bare Act — “issue = affirmed by one, denied by the other.”

Final Answer: A material proposition is affirmed by one party and denied by the other ⇒ C

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



Q54.

Solution

Concept — Setting aside an ex parte decree (Order IX Rule 13, CPC): A defendant against whom an ex parte decree is passed may apply under Order IX Rule 13 of the Code of Civil Procedure, 1908 to have it set aside on limited grounds.

Step 1 — The two grounds: Relief lies where the summons was not duly served, or where the defendant was prevented by sufficient cause from appearing when the suit was called on for hearing. Error on the merits (A) is a matter for appeal, delay in execution (C) and a pending fresh suit (D) are irrelevant to setting aside.

Tip: See O9 R13, Bare Act — “no service OR sufficient cause for non-appearance.”

Final Answer: Summons not duly served, or prevented by sufficient cause from appearing ⇒ B

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

Q55.

Solution

Concept — Minor’s agreement (Section 11, Contract Act): A minor is not competent to contract under Section 11 of the Indian Contract Act, 1872. In *Mohori Bibee v. Dharmodas Ghose* (1903), the Privy Council settled the consequence.

Step 1 — Effect of incompetence: An agreement by a minor is void ab initio, that is, void from the very beginning. Hence it cannot be voidable (B), cannot be ratified on majority (C), and there is no question of enforcement to the extent of benefit (D), though restitution may be ordered in equity.

Tip: See s.11, Bare Act, read with *Mohori Bibee* — “minor’s agreement = void ab initio.”

Final Answer: Void ab initio ⇒ A

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



Q56.

Solution

Concept — Coercion (Section 15, Contract Act): Coercion vitiates free consent. Section 15 of the Indian Contract Act, 1872 defines it in two limbs: committing or threatening an act forbidden by the IPC, or the unlawful detaining of property.

Step 1 — Match the second limb: The unlawful detaining, or threatening to detain, any property to the prejudice of any person, with intent to cause him to enter into an agreement, is coercion. Dominating the will (A) is undue influence (s.16), an honest false statement (B) is misrepresentation (s.18), and active concealment (C) is fraud (s.17).

Tip: See s.15, Bare Act — “coercion = IPC-forbidden act OR unlawful detention of property.”

Final Answer: Unlawful detaining or threatening to detain property to induce the agreement ⇒

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

Q57.

Solution

Concept — Undue influence (Section 16, Contract Act): Section 16 of the Indian Contract Act, 1872 deals with consent obtained where one party can dominate the will of the other, as illustrated in *Subhas Chandra Das Mushib v. Ganga Prosad Das Mushib*.

Step 1 — Two ingredients: There must be a position to dominate the will of the other (for example, real or apparent authority, or a fiduciary relation), and the use of that position to obtain an unfair advantage. A false statement (A) is fraud/misrepresentation, a threat to detain property (B) is coercion, and an innocent misstatement (D) is misrepresentation.

Tip: See s.16, Bare Act — “dominate the will + unfair advantage.”

Final Answer: Domination of the will of the other to gain an unfair advantage ⇒

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



Q58.

Solution

Concept — Fraud versus misrepresentation (Sections 17 and 18, Contract Act): Both vitiate free consent and make a contract voidable under Section 19, but they differ in the mental element under Sections 17 and 18 of the Indian Contract Act, 1872.

Step 1 — The distinguishing element: Fraud involves a deliberate intention to deceive (a false statement made without belief in its truth, or active concealment), whereas misrepresentation is an innocent or unintentional false assertion believed by the maker to be true. Both make the contract voidable, not void, so (A) and (D) are wrong, and active concealment belongs to fraud, so (C) is wrong.

Tip: See ss.17–18, Bare Act — “fraud = intent to deceive; misrepresentation = innocent.”

Final Answer: Fraud requires intent to deceive; misrepresentation is an innocent false assertion ⇒

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

Q59.

Solution

Concept — Vicarious liability (master and servant): A master is liable for the torts of his servant committed in the course of employment, on the maxims *qui facit per alium facit per se* and *respondeat superior*; see *State Bank of India v. Shyama Devi*.

Step 1 — “Course of employment”: Liability attaches only where the wrongful act is done in the course of employment, even if the act was unauthorised in mode, so long as it was a wrongful way of doing an authorised task. Mere existence of employment (B), express authorisation (C), and the servant’s personal benefit (D) are not the correct test.

Tip: See doctrine of vicarious liability — “master liable for acts within the course of employment.”

Final Answer: In the course of the servant’s employment ⇒

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



Q60.

Solution

Concept — Contributory negligence: Where the plaintiff's own want of care contributes to the harm along with the defendant's negligence, the apportionment doctrine is contributory negligence, applied in *Municipal Corporation of Greater Bombay v. Laxman Iyer*.

Step 1 — Distinguish composite negligence: Composite negligence (A) is where two or more independent wrongdoers, not the plaintiff, cause the damage. Absolute liability (B) and nervous shock (C) are distinct doctrines. The plaintiff's own contribution to his loss is contributory negligence.

Tip: Remember — “plaintiff also at fault = contributory; only defendants at fault = composite.”

Final Answer: Contributory negligence ⇒

[Go Back to Q60](#)

Q61.

Solution

Concept — Acknowledgment of liability (Section 18, Limitation Act): Section 18 of the Limitation Act, 1963 provides that a written, signed acknowledgment of liability made before the prescribed period expires starts a fresh period of limitation.

Step 1 — Effect of acknowledgment: A fresh period of limitation is computed from the time the acknowledgment was signed. It does not extinguish limitation (A), need not be addressed to the creditor (B), and cannot revive a claim already time-barred when acknowledged (D), since the acknowledgment must precede expiry.

Tip: See s.18, Bare Act — “valid acknowledgment before expiry = fresh limitation runs.”

Final Answer: A fresh period of limitation begins from the date of the signed acknowledgment ⇒

[Go Back to Q61](#)



Q62.

Solution

Concept — Effect of fraud on limitation (Section 17, Limitation Act): Section 17 of the Limitation Act, 1963 postpones the running of time where a suit is based on fraud or the right of action is concealed by fraud of the defendant.

Step 1 — When time begins: Limitation does not start until the plaintiff has discovered the fraud, or could with reasonable diligence have discovered it. It does not run from the fraudulent act (A), it is not deferred to a written admission (B), and a flat three-year rule from the contract (C) ignores the discovery rule.

Tip: See s.17, Bare Act — “fraud postpones limitation to date of discovery (or reasonable discoverability).”

Final Answer: When the plaintiff discovered, or could with reasonable diligence have discovered, the fraud ⇒

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

Q63.

Solution

Concept — Mitakshara vs Dayabhaga coparcenary: The two great schools of Hindu law differ on when a son’s interest arises. Under *Mitakshara*, a son, grandson and great-grandson acquire a right in the ancestral coparcenary property by birth; under *Dayabhaga* (prevalent in Bengal/Assam), the son takes no interest by birth and succeeds only on the father’s death.

Step 1 — Match the proposition: Option (A) correctly states the Mitakshara “by birth” rule against the Dayabhaga “on death” rule. (B) reverses them, (C) is wrong as Dayabhaga has no birthright, and (D) is plainly false.

Tip: Mnemonic — “Mitakshara = by birth (Right at birth).”

Final Answer: Mitakshara gives the son a birthright; Dayabhaga only on death ⇒

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



Q64.

Solution

Concept — Karta's power of alienation: A karta of a Mitakshara joint family does not have unlimited power over coparcenary property. As laid down in *Hunoomanpersaud Panday v. Mussumat Babooee* (1856) and consistently followed, alienation binds the family only when justified by legal necessity (*apatkale*), benefit of the estate, or performance of indispensable religious duties — or with the coparceners' consent.

Step 1 — Eliminate: (A) is wrong — the karta has no untrammelled discretion; (C) court sanction is not required in every case; (D) a registered partition is not a precondition to alienation.

Tip: Remember the trio: “legal necessity / benefit of estate / consent.”

Final Answer: Alienation valid for legal necessity or benefit of estate, or with consent ⇒ B

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

Q65.

Solution

Concept — Order of intestate succession (Hindu male): Section 8 of the Hindu Succession Act, 1956 lays down the order in which a Hindu male's separate property devolves on intestacy. The property goes *firstly* to the heirs in Class I of the Schedule.

Step 1 — Sequence under s.8: Class I heirs take simultaneously and to the exclusion of all others. Only if there is no Class I heir does the property pass to Class II, then to agnates, and lastly to cognates.

Tip: Bare Act s.8 — order is Class I → Class II → agnates → cognates.

Final Answer: Property devolves first on Class I heirs ⇒ A

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



Q66.

Solution

Concept — Devolution where no Class I heir: Under Section 8(b) of the Hindu Succession Act, 1956, if a Hindu male leaves no heir of Class I, his property devolves upon the heirs being relatives specified in Class II of the Schedule.

Step 1 — Eliminate: (A) escheat to the State arises only when no heir of any class survives (s.29); (B) cognates come *after* agnates, not before; (D) “Class I heirs of the father” is not a category under s.8.

Tip: No Class I heir \Rightarrow go to Class II next, not to escheat.

Final Answer: Property devolves on the Class II heirs \Rightarrow

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

Q67.

Solution

Concept — Restitution of conjugal rights: Section 9 of the Hindu Marriage Act, 1955 provides that where either the husband or wife has, without reasonable excuse, withdrawn from the society of the other, the aggrieved party may apply for restitution of conjugal rights. Its constitutionality was upheld in *Saroj Rani v. Sudarshan Kumar Chadha* (1984).

Step 1 — Eliminate: (B) irretrievable breakdown is not a statutory ground at all; (C) cruelty is a ground for *divorce* under s.13, not for restitution; (D) two-year separation is not the s.9 test.

Tip: s.9 = bringing the spouse *back*; s.13 = ending the marriage.

Final Answer: Available where a spouse has withdrawn from society without reasonable excuse \Rightarrow

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

Q68.

Solution

Concept — Judicial separation: Section 10 of the Hindu Marriage Act, 1955 entitles a party to a decree of judicial separation on any of the grounds available for divorce. The decree does not sever the marital tie; it only relieves the petitioner of the obligation to cohabit.

Step 1 — Eliminate: (A) it does not dissolve the marriage; (B) there is no auto-



matic conversion into divorce after six months; (C) it does not bar a later divorce — non-resumption of cohabitation for one year after the decree is itself a ground for divorce under s.13(1A).

Tip: Judicial separation = “pause,” not “end.”

Final Answer: Marriage subsists but cohabitation is no longer obligatory ⇒ D

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

Q69.

Solution

Concept — Sources of Muslim law: The primary sources rank in a fixed order of authority — (1) the *Quran*, (2) the *Sunna* or *Ahadith* (traditions of the Prophet), (3) *Ijma* (consensus of jurists), and (4) *Qiyas* (analogical deduction).

Step 1 — Match: Only option (D) preserves this descending order. The other options scramble it, placing derivative sources such as *Qiyas* or *Ijma* above the revealed text.

Tip: Order = Revealed first (Quran, Sunna), then human reasoning (Ijma, Qiyas).

Final Answer: Quran → Sunna → Ijma → Qiyas ⇒ D

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

Q70.

Solution

Concept — Schools of Muslim law: Sunni law has four principal schools — Hanafi, Maliki, Shafii and Hanbali. In India and the wider subcontinent, the overwhelming majority of Sunni Muslims follow the *Hanafi* school, founded by Imam Abu Hanifa.

Step 1 — Eliminate: Maliki and Shafii (A, B) are minority Sunni schools not predominant in India; the Ithna Ashari school (D) is the principal *Shia* school, not Sunni.

Tip: “Indian Sunni ⇒ Hanafi” is the default assumption in exam problems.

Final Answer: The Hanafi school ⇒ C

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



Q71.

Solution

Concept — Essentials of a valid hiba: A gift under Muslim law requires three essentials — (i) a declaration of gift by the donor (*ijab*), (ii) acceptance by the donee (*qabul*), and (iii) delivery of possession (*qabza*). This was affirmed in cases such as *Hayatuddin v. Abdul Gani*.

Step 1 — Eliminate: Muslim law does not require writing, registration, witnesses or consideration for a valid hiba; an oral gift accompanied by delivery of possession is good. Options (A), (B) and (D) import alien or invented requirements.

Tip: Three D's — *Declaration, Delivery, Donee's acceptance*.

Final Answer: Declaration, acceptance and delivery of possession ⇒ C

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

Q72.

Solution

Concept — Revocation of hiba: Although a completed gift may generally be revoked, Muslim law recognises certain irrevocable gifts. A gift is *not* revocable where it is made to a person within the prohibited degrees of relationship, or to a spouse (gifts between husband and wife being irrevocable).

Step 1 — Eliminate: (A) a gift to a stranger is revocable (with court intervention before completion); (B) a mere change of mind permits revocation only of a gift not yet completed; (C) the movable/immovable nature is irrelevant to revocability.

Tip: Gifts to a close blood relation or spouse ⇒ irrevocable.

Final Answer: Where donee is within prohibited degrees or is a spouse ⇒ D

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

Q73.

Solution

Concept — Wakf: As defined in the Wakf Act, 1995, a *wakf* is the permanent dedication by a person professing Islam of any movable or immovable property for a purpose recognised by Muslim law as pious, religious or charitable. The ownership is taken to vest in God; the corpus is tied up and only the usufruct is applied to the object.

Step 1 — Eliminate: (A) it is not an absolute transfer to a living person; (B) it is



permanent, not a fixed-term lease; (D) a wakf can be inter vivos and is not merely testamentary.

Tip: Wakf = “tying up the corpus, releasing the usufruct, forever.”

Final Answer: Permanent dedication for a pious/religious/charitable purpose ⇒

C

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

Q74.

Solution

Concept — Mode of sale of immovable property: Section 54 of the Transfer of Property Act, 1882 provides that, for tangible immovable property of the value of one hundred rupees and upwards, a sale can be made only by a *registered instrument*. (For property below that value, delivery of possession also suffices.)

Step 1 — Eliminate: (A) delivery alone suffices only for low-value tangible property; (B) an oral agreement plus part-payment does not effect a sale; (D) a written but unregistered deed is insufficient to pass title.

Tip: “Rs.100 and upwards ⇒ registration mandatory.”

Final Answer: A registered instrument ⇒ C

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

Q75.

Solution

Concept — Duties of the seller: Section 55(1)(a) of the Transfer of Property Act, 1882 casts on the seller a duty to disclose to the buyer any material defect in the property (or in the seller’s title) of which the seller is, and the buyer is not, aware and which the buyer could not with ordinary care discover.

Step 1 — Eliminate: (B) and (C) are wrong — after the date of sale the risk and the public charges shift to the *buyer* (s.55(5)); (D) there is no statutory duty to insure the property in the buyer’s name.

Tip: Seller’s core duty before sale: *disclose* latent material defects.

Final Answer: To disclose material defects known to the seller but not the buyer ⇒ A

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



Q76.

Solution

Concept — Contract for sale vs sale: The last paragraph of Section 54 of the Transfer of Property Act, 1882 states that a contract for the sale of immovable property is a contract that a sale shall take place on terms settled between the parties; it does not, of itself, create any interest in or charge on such property.

Step 1 — Eliminate: (B) and (C) are wrong because an agreement to sell is not a transfer of ownership; (D) is wrong because an agreement to sell is enforceable as a contract even without registration (registration is needed for the conveyance).

Tip: “Agreement to sell \neq sale” — no interest passes by the agreement.

Final Answer: It creates no interest in or charge on the property \Rightarrow

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

Q77.

Solution

Concept — One Person Company: Section 2(62) of the Companies Act, 2013 introduced the One Person Company (OPC), defined as a company which has only one person as a member. It is a form of private company that can be incorporated by a single individual with a nominee.

Step 1 — Eliminate: (A) a public company needs at least seven members; (C) a guarantee company is classified by mode of liability, not by single membership; (D) an unlimited company refers to liability, not membership size.

Tip: “One member \Rightarrow OPC under s.2(62).”

Final Answer: A One Person Company (OPC) \Rightarrow

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

Q78.

Solution

Concept — MoA object clause: Section 4 of the Companies Act, 2013 sets out the contents of the Memorandum of Association. The clause stating the objects for which the company is incorporated, and matters considered necessary in furtherance thereof, is the *object clause* (s.4(1)(c)).

Step 1 — Eliminate: The liability clause states the members' liability, the capital clause states the authorised share capital, and the subscription (association) clause



records the subscribers — none of these state the company's objects.

Tip: “Objects ⇒ object clause” — the foundation of the ultra vires doctrine.

Final Answer: The object clause ⇒

Answer: (A) [Go Back to Q78](#)

Q79.

Solution

Concept — Doctrine of ultra vires: In *Ashbury Railway Carriage and Iron Co. v. Riche* (1875), the House of Lords held that an act done by a company beyond the objects in its Memorandum is *ultra vires*, wholly void, and incapable of ratification even by the unanimous assent of all the shareholders.

Step 1 — Eliminate: (A) it is not merely voidable; (B) and (C) are wrong because the act cannot be cured by ratification or by the indoor-management doctrine — the defect goes to capacity, not procedure.

Tip: Ultra vires the company = void *ab initio*, no ratification possible.

Final Answer: Void and incapable of ratification ⇒

Answer: (D) [Go Back to Q79](#)

Q80.

Solution

Concept — Minimum members: Under Section 3 of the Companies Act, 2013, a company may be formed by the requisite minimum number of persons — two for a private company and seven for a public company (and one for a One Person Company).

Step 1 — Match: The pairing “two and seven” fits private and public companies respectively. (A) “one” is the OPC figure, not a private company; (C) and (D) misstate the public-company minimum of seven.

Tip: Members — OPC 1, Private 2, Public 7.

Final Answer: Two (private) and seven (public) ⇒

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



Q81.

Solution

Concept — Originality in copyright: Section 13 of the Copyright Act, 1957 requires that a work be “original.” Originality means only that the work must *originate* from the author — the result of his own skill, labour and judgment — and not be copied from another. As *University of London Press v. University Tutorial Press* held, novelty of idea is not required.

Step 1 — Eliminate: (A) absolute novelty is the test for *patents*, not copyright; (C) registration is not a precondition to copyright subsistence; (D) literary or artistic *merit* is irrelevant.

Tip: Copyright protects *expression originating from the author*, not ideas or merit.

Final Answer: The work must originate from the author and not be copied ⇒ B

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

Q82.

Solution

Concept — First ownership of copyright: Section 17 of the Copyright Act, 1957 lays down that the author is generally the first owner of copyright; but under the proviso to s.17(c), where a work is made in the course of the author’s employment under a contract of service, the *employer* is the first owner in the absence of any agreement to the contrary.

Step 1 — Eliminate: (A) the author is the default rule but it yields to the employment proviso here; (B) the Registrar merely records, he does not own; (D) the Government owns only Government works under s.17(d).

Tip: Contract of *service* (employment) ⇒ employer is first owner.

Final Answer: The employer ⇒ C

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



Q83.

Solution

Concept — Assignment of copyright: Section 19(1) of the Copyright Act, 1957 provides that no assignment of copyright shall be valid unless it is in writing signed by the assignor or by his duly authorised agent. The section also requires the assignment to specify the rights, duration and territorial extent.

Step 1 — Eliminate: (A) an oral assignment is invalid; (B) copyright is not registered with the *Trade Marks* Registry; (D) Copyright Board approval is not a general precondition to assignment.

Tip: “Assignment of copyright = writing + signature of assignor.”

Final Answer: In writing and signed by the assignor or his authorised agent ⇒ B

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

Q84.

Solution

Concept — Term of copyright: Section 22 of the Copyright Act, 1957 provides that in a published literary, dramatic, musical or artistic work, copyright subsists during the lifetime of the author and until sixty years from the beginning of the calendar year next following the year of the author’s death.

Step 1 — Eliminate: (A) fifty years was the older/Berne minimum but Indian law gives sixty; (C) seventy years is the position in some other jurisdictions, not India; (D) twenty years is the patent term.

Tip: India — author’s works = *life* + 60 years.

Final Answer: Lifetime plus sixty years after the author’s death ⇒ B

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

Q85.

Solution

Concept — Who is a consumer: Section 2(7) of the Consumer Protection Act, 2019 defines “consumer” but expressly excludes a person who obtains goods for resale or for any commercial purpose. (The Explanation, however, saves goods/services bought for self-employment to earn a livelihood.)

Step 1 — Eliminate: (A) consideration partly paid and partly promised is squarely within the definition; (B) use by a beneficiary with the buyer’s approval is covered;



(D) the 2019 Act expressly includes online/e-commerce transactions.

Tip: “Bought for resale or commercial purpose ⇒ not a consumer.”

Final Answer: Goods/services obtained exclusively for resale or commercial purpose ⇒ D

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

Q86.

Solution

Concept — Pecuniary jurisdiction (CPA 2019): Under the Consumer Protection Act, 2019, the District Commission hears complaints up to one crore rupees, the State Commission from above one crore up to ten crore rupees, and the National Commission above ten crore rupees.

Step 1 — Apply: A claim above two crore but not exceeding ten crore falls within the band “above one crore up to ten crore,” which is the *State Commission’s* jurisdiction.

Tip: Slabs (2019, as amended): District up to Rs.1 cr; State Rs.1–10 cr; National above Rs.10 cr.

Final Answer: The State Commission ⇒ B

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

Q87.

Solution

Concept — Digital signature: Section 2(1)(p) read with Section 3 of the Information Technology Act, 2000 defines a digital signature as authentication of an electronic record by a subscriber by means of an electronic method or procedure in accordance with s.3, which uses an asymmetric crypto system and a hash function.

Step 1 — Eliminate: (A) a scanned handwritten signature is not a digital signature; (B) a mere OTP is an authentication factor, not the s.3 technique; (D) a notarised paper attestation is outside the definition.

Tip: Digital signature = asymmetric crypto + hash function (s.3, IT Act).

Final Answer: An electronic method under s.3 using asymmetric crypto and hash function ⇒ C



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

Q88.

Solution

Concept — Minimum driving age: Section 4 of the Motor Vehicles Act, 1988 bars any person under eighteen years from driving a motor vehicle in a public place, but its proviso allows a person who has completed sixteen years to drive a motorcycle with engine capacity not exceeding 50 cc (a gearless motorcycle).

Step 1 — Apply the proviso: The question concerns precisely that gearless low-capacity motorcycle, for which the minimum age is sixteen years. Eighteen (B) is the general minimum for other motor vehicles, and twenty/twenty-one relate to transport vehicles.

Tip: 16 = gearless \leq 50 cc two-wheeler; 18 = ordinary motor vehicle; 20 = transport vehicle.

Final Answer: Sixteen years for a gearless motorcycle up to 50 cc \Rightarrow **A**

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

Q89.

Solution

Concept — Separability of the Arbitration Agreement: Under the Arbitration and Conciliation Act, 1996, an arbitration clause embedded in a contract is treated as an agreement independent of the other terms; a decision that the main contract is null and void does not by itself render the arbitration clause invalid. This separability principle is recognised in Section 16(1)(a)–(b) and was applied in *Reva Electric Car Co. v. Green Mobil* (2012).

Step 1 — Eliminate the distractors: “Merger,” “frustration” and “novation” all describe the arbitration clause sharing the fate of the main contract, which is the opposite of what the Act provides. Only separability keeps the clause alive.

Tip: Read s.16(1) proviso in the Bare Act — “clause stands apart from the contract.”

Final Answer: Separability (severability) of the arbitration agreement \Rightarrow **B**

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



Q90.

Solution

Concept — Essentials of an Arbitration Agreement: Section 7 of the Arbitration and Conciliation Act, 1996 requires the agreement to be in writing and to express the parties' intention to submit present or future disputes to arbitration; it need not name an arbitrator and need not be registered, as confirmed in *Jagdish Chander v. Ramesh Chander* (2007).

Step 1 — Test each option: Naming the arbitrator, registration before a court, and notarisation/stamping as a conveyance are not statutory requisites. The only essentials are the written form and the recorded intention to arbitrate.

Tip: See s.7(3)–(4) Bare Act — writing can be satisfied even by exchange of letters or pleadings.

Final Answer: It must be in writing and record the intention to arbitrate ⇒

[Go Back to Q90](#)

Q91.

Solution

Concept — Reference to Arbitration / Stay of Suit: Section 8 of the Arbitration and Conciliation Act, 1996 obliges a judicial authority before which a suit covered by an arbitration agreement is brought to refer the parties to arbitration, provided the application is made before submitting the first statement on the substance of the dispute. Post-2015 the court refers unless it finds *prima facie* no valid agreement exists.

Step 1 — Eliminate the others: Section 5 limits judicial intervention generally, Section 11 deals with appointment of arbitrators, and Section 14 with termination of an arbitrator's mandate. Only Section 8 governs reference and the consequent stay.

Tip: See s.8(1) Bare Act — “apply before first statement on substance.”

Final Answer: Section 8 of the Arbitration and Conciliation Act, 1996 ⇒

[Go Back to Q91](#)



Q92.

Solution

Concept — Court-ordered Interim Measures: Section 9 of the Arbitration and Conciliation Act, 1996 empowers a court to grant interim measures of protection (e.g. preservation or securing of the subject matter) before, during, or after the arbitral proceedings but before enforcement of the award, as explained in *Sundaram Finance v. NEPC India* (1999).

Step 1 — Eliminate the others: Section 17 is interim relief by the tribunal (available only once it is constituted), Section 27 is court assistance in taking evidence, and Section 36 is enforcement of the award. Where no tribunal yet exists, the remedy is Section 9.

Tip: See s.9 Bare Act — “court relief even before the tribunal is constituted.”

Final Answer: Section 9 of the Arbitration and Conciliation Act, 1996 ⇒

Answer: (C) [Go Back to Q92](#)

Q93.

Solution

Concept — Tribunal-ordered Interim Measures: Section 17 of the Arbitration and Conciliation Act, 1996, after the 2015 Amendment, gives the arbitral tribunal the same powers as a court to grant interim measures during the proceedings, and an order under it is deemed an order of the court and enforceable as such under the CPC.

Step 1 — Distinguish from s.9: Section 9 is the court’s interim power; Section 16 is the tribunal’s competence to rule on its own jurisdiction; Section 19 deals with procedure and rules of evidence. Interim relief by the tribunal itself is Section 17.

Tip: Pair s.9 (court) with s.17 (tribunal) — both interim, different forum.

Final Answer: Section 17 ⇒

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



Q94.

Solution

Concept — Equal Treatment of Parties: Section 18 of the Arbitration and Conciliation Act, 1996 codifies natural justice in arbitration, mandating that the parties shall be treated with equality and that each party shall be given a full opportunity to present its case. Breach of this requirement can found a challenge to the award.

Step 1 — Eliminate the others: The Act does not require the arbitrator to be a retired judge, does not fix a thirty-day award deadline (s.29A allows twelve months), and leaves the language of proceedings to party agreement under s.22. Only equal treatment is the mandate of s.18.

Tip: See s.18 Bare Act — “equality + full opportunity = fair hearing.”

Final Answer: Parties treated with equality and given full opportunity ⇒ B

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

Q95.

Solution

Concept — Fast-track Procedure: Section 29B of the Arbitration and Conciliation Act, 1996, inserted by the 2015 Amendment, permits the parties to agree in writing to a fast-track procedure under which the tribunal decides the dispute on written pleadings and documents within six months, ordinarily dispensing with an oral hearing.

Step 1 — Eliminate the others: Section 29A fixes the general twelve-month timeline, Section 31A deals with costs (“costs follow the event”), and Section 33 with correction and interpretation of the award. The fast-track mechanism is Section 29B.

Tip: See s.29B Bare Act — “six months, documents-only, by party agreement.”

Final Answer: Section 29B ⇒ D

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



Q96.

Solution

Concept — Qualifications for Enrolment: Section 24 of the Advocates Act, 1961 requires that a person be a citizen of India, have completed twenty-one years of age, and have obtained a law degree from a recognised University, before being admitted as an advocate on a State roll (subject to the conditions in the section).

Step 1 — Eliminate the others: There is no upper age of sixty, prior enrolment with the Bar Council of India is not a precondition, and clerkship is not required. Citizenship, age twenty-one, and a recognised law degree are the core qualifications.

Tip: See s.24(1) Bare Act — “citizen + 21 years + recognised LL.B.”

Final Answer: Citizen of India, age twenty-one, recognised law degree ⇒ B

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

Q97.

Solution

Concept — Disqualifications for Enrolment: Section 24A of the Advocates Act, 1961 disqualifies a person from being enrolled as an advocate if he has been convicted of an offence involving moral turpitude, or under the Untouchability (Offences) Act, with the disqualification ceasing after the period specified in the section.

Step 1 — Eliminate the others: There is no minimum age of thirty, a part-time law teaching post is in fact permitted under the BCI rules, and there is no one-year deadline for enrolment after the degree. The statutory disqualification is conviction for moral turpitude.

Tip: See s.24A Bare Act — “moral turpitude conviction = bar to enrolment.”

Final Answer: Conviction of an offence involving moral turpitude ⇒ A

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



Q98.

Solution

Concept — Functions of the Bar Council of India: Section 7 of the Advocates Act, 1961 lists the functions of the Bar Council of India, which include laying down standards of professional conduct and etiquette for advocates and the procedure to be followed by its disciplinary committee and that of each State Bar Council.

Step 1 — Eliminate the others: Section 6 lists the functions of a State Bar Council (admission, maintenance of rolls), Section 38 gives an appeal to the Supreme Court, and Section 49A is the Central Government's rule-making power. Standard-setting nationwide is the BCI's function under s.7.

Tip: See s.7(1)(b)/(c) Bare Act — “BCI sets the conduct standards; State Council enrolls.”

Final Answer: The Bar Council of India under Section 7 ⇒

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

Q99.

Solution

Concept — Advocate's Duty to Account: The Bar Council of India Rules (Chapter II, Part VI — duties to the client) require an advocate to keep accounts of the client's money entrusted to him, to apply it only to the stated purpose, and to render an account refunding any unspent balance, reflecting the fiduciary nature of the relationship.

Step 1 — Eliminate the others: Money given for court fees and expenses is not the advocate's fee, cannot be silently adjusted against future briefs, and cannot be retained as a blanket lien. The advocate must account for and return the balance.

Tip: BCI Rules on accounting — “client's money is held in trust, not as fee.”

Final Answer: Keep accounts and refund the unspent balance ⇒

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



Q100.

Solution

Concept — Civil Contempt: Section 2(b) of the Contempt of Courts Act, 1971 defines civil contempt as wilful disobedience to any judgment, decree, direction, order, writ or other process of a court, or wilful breach of an undertaking given to a court. The disobedience must be deliberate, as held in *Ashok Paper Kamgar Union v. Dharam Godha* (2003).

Step 1 — Eliminate the others: Criminal contempt under s.2(c) concerns scandalising the court or obstructing justice, not disobedience of an order; an enforcement default that is wilful does attract contempt; and there is no separate “constructive contempt” outside the Act. The correct head is civil contempt.

Tip: See s.2(b) Bare Act — “wilful disobedience of an order = civil contempt.”

Final Answer: Civil contempt under Section 2(b) ⇒

Answer: (C) [Go Back to Q100](#)



Answer Key

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

