

AIBE Sample Paper – 5

All India Bar Examination XXI

Duration: 210 Minutes

Maximum Marks: 100

Instructions

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

Part A: Constitutional & Public Law

- Q1.** Which Part and Article of the Constitution expressly declares that the Directive Principles of State Policy shall not be enforceable by any court, even though they are fundamental in the governance of the country?
- (A) Part IV, Article 37
(B) Part III, Article 32
(C) Part IVA, Article 51A
(D) Part IV, Article 36
- Q2.** The Directive Principle requiring the State to organise village panchayats and endow them with powers to function as units of self-government is contained in which Article?
- (A) Article 39



- (B) Article 44
- (C) Article 48A
- (D) Article 40

Q3. Which Directive Principle was inserted to direct the State to provide free legal aid and to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities?

- (A) Article 38
- (B) Article 39A
- (C) Article 41
- (D) Article 43A

Q4. The duty of the State to separate the judiciary from the executive in the public services of the State is laid down in which Directive Principle?

- (A) Article 48
- (B) Article 49
- (C) Article 50
- (D) Article 51

Q5. Which of the following is NOT one of the Fundamental Duties of citizens enumerated under Article 51A of the Constitution?

- (A) To protect and improve the natural environment including forests and lakes
- (B) To safeguard public property and to abjure violence
- (C) To pay taxes honestly to the State within the prescribed time
- (D) To develop the scientific temper, humanism and the spirit of inquiry and reform

Q6. The duty of a parent or guardian to provide opportunities for education to his child or ward between the ages of six and fourteen years was added



as a Fundamental Duty under Article 51A(k) by which Constitutional Amendment?

- (A) Eighty-sixth Amendment
- (B) Seventy-third Amendment
- (C) Sixty-first Amendment
- (D) Ninety-seventh Amendment

Q7. Under the citizenship provisions of the Constitution, which Article empowers Parliament to make any provision with respect to the acquisition and termination of citizenship and all other matters relating to citizenship?

- (A) Article 5
- (B) Article 9
- (C) Article 10
- (D) Article 11

Q8. Article 9 of the Constitution provides that a person who has voluntarily acquired the citizenship of a foreign State shall:

- (A) retain Indian citizenship subject to a declaration before a magistrate
- (B) not be a citizen of India by virtue of Article 5, nor be deemed a citizen under Article 6 or 8
- (C) automatically reacquire Indian citizenship on returning to India
- (D) continue as a citizen until Parliament makes a contrary law

Q9. Which Article of the Constitution defines a "Money Bill" and lays down the exclusive matters with which such a Bill must deal?

- (A) Article 109
- (B) Article 110
- (C) Article 112
- (D) Article 117



- Q10.** On a question whether a Bill is a Money Bill or not, the decision of which authority is declared final by the Constitution?
- (A) The Speaker of the House of the People
 - (B) The Chairman of the Council of States
 - (C) The President of India
 - (D) A Joint Committee of both Houses
- Q11.** The powers, privileges and immunities of each House of Parliament, and of its members and committees, are governed by which Article of the Constitution?
- (A) Article 100
 - (B) Article 105
 - (C) Article 122
 - (D) Article 118
- Q12.** When the offices of both the President and the Vice-President fall vacant, who discharges the functions of the President until a new President is elected?
- (A) The Prime Minister
 - (B) The Speaker of the Lok Sabha
 - (C) The Chief Justice of India
 - (D) The senior-most Governor
- Q13.** Which Article confers on the Governor of a State the power to grant pardons, reprieves, respites or remissions of punishment, or to suspend, remit or commute the sentence of any person convicted of an offence against a law relating to a matter within the executive power of the State?
- (A) Article 72
 - (B) Article 163



- (C) Article 213
- (D) Article 161

- Q14.** In the judicial appointments controversy, the constitutional amendment that sought to establish the National Judicial Appointments Commission was struck down by the Supreme Court in:
- (A) *S.P. Gupta v. Union of India* (1981)
 - (B) *Supreme Court Advocates-on-Record Association v. Union of India* (2015)
 - (C) *S.R. Bommai v. Union of India* (1994)
 - (D) *Union of India v. Sankalchand Sheth* (1977)
- Q15.** Which Article empowers the President to refer a question of law or fact of public importance to the Supreme Court for its advisory opinion?
- (A) Article 143
 - (B) Article 137
 - (C) Article 145
 - (D) Article 131
- Q16.** The power of the Supreme Court to review any judgment pronounced or order made by it is recognised under which Article?
- (A) Article 132
 - (B) Article 136
 - (C) Article 137
 - (D) Article 141
- Q17.** The Comptroller and Auditor-General of India performs such duties and exercises such powers in relation to the accounts of the Union and the States as prescribed under which Article, read with the law made by Parliament?
- (A) Article 149



- (B) Article 148
- (C) Article 150
- (D) Article 151

Q18. The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to Parliament and to the State Legislatures is vested in the Election Commission under which Article?

- (A) Article 280
- (B) Article 315
- (C) Article 324
- (D) Article 329

Q19. The principle *nemo judex in causa sua* (no one shall be a judge in his own cause), a facet of the rule against bias in administrative law, was applied to disqualify an adjudicator for pecuniary interest in which celebrated decision?

- (A) *Ridge v. Baldwin*
- (B) *Cooper v. Wandsworth Board of Works*
- (C) *Associated Provincial Picture Houses v. Wednesbury Corporation*
- (D) *Dimes v. Grand Junction Canal*

Part B: Criminal Law

Q20. Under s.441 IPC, a person commits criminal trespass when he enters into or upon property in the possession of another with intent to commit an offence, or to intimidate, insult or annoy any person in possession. Which additional situation is also criminal trespass under s.441?

- (A) Entering upon another's land merely to take a short cut, with no further intent
- (B) Entering one's own land in the bona fide belief that it belongs to oneself



- (C) Having lawfully entered, unlawfully remaining there with intent to intimidate, insult or annoy the person in possession
- (D) Walking past a property without entering it

Q21. The aggravated form of criminal trespass defined in s.442 IPC as “house-trespass” arises when the criminal trespass is committed by:

- (A) Entering into or remaining in any building, tent or vessel used as a human dwelling, or as a place of worship, or as a place for the custody of property
- (B) Entering any open agricultural field of another
- (C) Trespassing only during the night
- (D) Trespassing accompanied by at least five persons

Q22. A, intending to commit theft, effects entry into B’s house at 2 a.m. by breaking open a latched window. As to the time-based aggravation of house-trespass, which statement is correct under the IPC?

- (A) House-breaking can never be committed at night
- (B) Time of day is wholly irrelevant to the offence
- (C) Night-time entry reduces the offence to simple criminal trespass
- (D) House-breaking committed after sunset and before sunrise is the aggravated form known as “house-breaking by night” under s.446 IPC

Q23. Section 445 IPC defines “house-breaking.” Effecting entry by unlocking, or by lifting a latch, or through a passage not ordinarily intended for human entrance (such as a hole made for the purpose) constitutes house-breaking because the entry is made by:

- (A) Any of the six specified ways of getting in or out enumerated in s.445
- (B) Walking through an open and ordinary door used for entrance
- (C) Obtaining the occupier’s prior consent
- (D) Climbing a wall of the compound only, without touching the house



- Q24.** Z buys a gold chain from A at a throwaway price in a back alley at midnight, having good reason to believe it was stolen. Z is later charged under s.411 IPC. The essential mental element the prosecution must establish is that Z received or retained the property:
- (A) Negligently, without making inquiries
 - (B) With intent to return it to the true owner
 - (C) Knowing or having reason to believe it to be stolen property
 - (D) For a price equal to its market value
- Q25.** For an offence of dishonestly receiving stolen property under s.411 IPC, which of the following must be proved in addition to the accused's guilty knowledge?
- (A) That the property was "stolen property" within s.410 and the accused dishonestly received or retained it
 - (B) That the accused himself committed the original theft
 - (C) That the property has since been recovered by the police
 - (D) That the accused sold the property at a profit
- Q26.** Under s.24 IPC a person does a thing "dishonestly" when he does it with the intention of causing:
- (A) Deception of any person, whether or not any property is involved
 - (B) Wrongful gain to one person or wrongful loss to another
 - (C) Mere annoyance or inconvenience to another
 - (D) A benefit to the public at large
- Q27.** The terms "wrongful gain" and "wrongful loss" used in the definition of "dishonestly" (s.24 IPC) are themselves defined in:
- (A) Section 22 IPC
 - (B) Section 23 IPC
 - (C) Section 25 IPC



(D) Section 44 IPC

Q28. Under s.25 IPC a person is said to do a thing “fraudulently” if he does it with intent to defraud but not otherwise. Which statement best captures the settled distinction between “dishonestly” (s.24) and “fraudulently” (s.25)?

(A) The two expressions are interchangeable and mean exactly the same thing

(B) “Fraudulently” always requires actual loss of property whereas “dishonestly” never does

(C) “Dishonestly” centres on wrongful gain or loss of property, while “fraudulently” centres on an intent to deceive coupled with either injury or an intended advantage, and need not involve property gain or loss

(D) “Dishonestly” applies only to public servants and “fraudulently” only to private persons

Q29. The making of a “false document” is the foundation of the offence of forgery. The expression “making a false document” is defined in:

(A) Section 463 IPC

(B) Section 464 IPC

(C) Section 465 IPC

(D) Section 470 IPC

Q30. A signs a cheque in the name of B, dishonestly purporting that it was made by B’s authority when it was not. Under s.464 IPC, A makes a false document because he has:

(A) Merely written an untrue statement in a genuine document

(B) Lawfully signed on B’s behalf with authority

(C) Only made an oral misrepresentation



(D) Dishonestly or fraudulently made a document purporting to be made by a person by whom he knows it was not made (a false document by false-making)

Q31. Section 463 IPC defines “forgery.” Whoever makes any false document or false electronic record, or part thereof, with intent to cause damage or injury, or to support any claim, or to commit fraud, commits forgery. The offence of forgery is punishable under:

- (A) Section 465 IPC
- (B) Section 463 IPC
- (C) Section 415 IPC
- (D) Section 405 IPC

Q32. Which of the following is an essential ingredient that distinguishes “forgery” (s.463 IPC) from a mere false or untrue statement contained in a genuine document?

- (A) The document must be very long
- (B) The document must be registered with a public authority
- (C) There must be the “making of a false document” as defined in s.464, i.e. a false-making as to the genuineness of the document itself, not merely a lie recorded in a true document
- (D) The document must relate only to immovable property

Q33. Under s.211 CrPC, the contents of a charge must state the offence with which the accused is charged. The primary object of framing a charge is to:

- (A) Record the evidence of prosecution witnesses
- (B) Pronounce the final judgment in the case
- (C) Fix the quantum of compensation payable to the victim
- (D) Give the accused precise and clear notice of the matter with which he is charged, so that he may prepare his defence



- Q34.** The general rule under s.218 CrPC is that for every distinct offence there shall be a separate charge, tried separately. Which of the following is NOT among the exceptions permitting a joinder of charges or of accused under ss.219–223 CrPC?
- (A) Three offences of the same kind committed within a space of twelve months (s.219)
 - (B) Offences committed in the course of the same transaction (s.220)
 - (C) Persons accused of the same offence committed in the course of the same transaction (s.223)
 - (D) Two unconnected offences committed by different persons years apart, with no transactional link, tried jointly merely for convenience
- Q35.** Where a single act or series of acts is of such a nature that it is doubtful which of several offences the facts will constitute, s.221 CrPC permits the accused to be:
- (A) Charged with having committed all or any of such offences, and any number of such charges may be tried at once
 - (B) Acquitted automatically because of the doubt
 - (C) Charged only after the trial is over
 - (D) Discharged without any charge being framed
- Q36.** Under s.216 CrPC, at what stage may a court alter or add to a charge?
- (A) Only before the trial begins and never thereafter
 - (B) At any time before judgment is pronounced, every such alteration or addition being read and explained to the accused
 - (C) Only by the High Court in revision
 - (D) Only with the written consent of the prosecution
- Q37.** A charge framed against the accused omits the date of the alleged offence, but the accused is in no way misled or prejudiced in his defence.



As to the effect of such an error under ss.215 and 464 CrPC, which statement is correct?

- (A) Any error or omission in the charge automatically vitiates the trial
- (B) A charge once framed can never be questioned
- (C) An error or omission in stating the charge is material only if it has in fact misled the accused and occasioned a failure of justice
- (D) The accused must be acquitted irrespective of prejudice

Q38. The purpose of examining the accused under s.313 CrPC is to enable the accused personally to explain any circumstances appearing in the evidence against him. A distinctive feature of this examination is that:

- (A) The accused is examined on oath and is liable to be prosecuted for perjury
- (B) No oath is administered, and the accused shall not render himself liable to punishment by refusing to answer or by giving false answers
- (C) The accused may be cross-examined by the prosecution at length
- (D) The examination is optional and serves no real purpose

Q39. Section 357 CrPC empowers the trial court, when imposing a sentence of fine (or a sentence of which fine forms a part), to direct that the whole or any part of the fine recovered be applied:

- (A) Only to meet the costs of the prosecution
- (B) Exclusively to the State exchequer in every case
- (C) In payment of compensation to any person for loss or injury caused by the offence, where compensation is recoverable in a civil court
- (D) Towards the defence counsel's fees

Q40. Section 357A CrPC introduced a separate scheme distinct from compensation out of a fine. Under s.357A, compensation to victims is provided through:



- (A) A direction that the convict pay double the fine
- (B) A civil suit that the victim must independently file
- (C) A waiver of court fees only
- (D) A Victim Compensation Scheme funded by the State Government, under which the District or State Legal Services Authority awards compensation, even where the trial ends in acquittal or the offender is not traced

Q41. Documentary evidence is dealt with in the Indian Evidence Act, 1872. Under the Act, the contents of documents may be proved either by primary or by secondary evidence. “Primary evidence” is defined in:

- (A) Section 62 of the Indian Evidence Act, 1872
- (B) Section 61 of the Indian Evidence Act, 1872
- (C) Section 63 of the Indian Evidence Act, 1872
- (D) Section 65 of the Indian Evidence Act, 1872

Q42. The rule that documents must be proved by primary evidence except in the cases mentioned in the Act is contained in s.64, and the situations in which secondary evidence of the contents of documents may be given are set out in:

- (A) Section 62 of the Indian Evidence Act, 1872
- (B) Section 63 of the Indian Evidence Act, 1872
- (C) Section 65 of the Indian Evidence Act, 1872
- (D) Section 74 of the Indian Evidence Act, 1872

Q43. Under ss.74 and 75 of the Indian Evidence Act, 1872, documents are classified as public or private. A record of the acts of a public officer (such as a register of births kept by a public servant) is a public document; all other documents are private. Which of the following is correctly a public document?

- (A) A private letter between two individuals



- (B) The public records kept in a State of private documents
- (C) A personal diary maintained by a citizen
- (D) An unregistered agreement of sale between two private parties

Q44. When the court has to form an opinion on a point of foreign law, science, art, or as to the identity of handwriting or finger impressions, the opinions of persons specially skilled in such matters are relevant. This rule on expert opinion is contained in s.45, and the opinion of a person acquainted with the handwriting of another is made relevant by:

- (A) Section 46 of the Indian Evidence Act, 1872
- (B) Section 47 of the Indian Evidence Act, 1872
- (C) Section 50 of the Indian Evidence Act, 1872
- (D) Section 60 of the Indian Evidence Act, 1872

Q45. The admissibility of electronic records is governed by s.65B of the Indian Evidence Act, 1872. As clarified in *Anvar P.V. v. P.K. Basheer* and *Arjun Panditrao Khotkar v. Kailash Kushanrao Gorantyal*, secondary electronic evidence (such as a printout or CD of a computer output) is admissible only when:

- (A) It is merely produced before the court, without any certificate
- (B) The opposite party admits its genuineness orally
- (C) Only the original computer is physically brought to court in every case
- (D) It is accompanied by a certificate under s.65B(4) satisfying the statutory conditions, the certificate being a mandatory pre-condition for admitting such secondary electronic evidence

Part C: Civil & Procedural Law

Q46. Under Order XXI of the Code of Civil Procedure, 1908, a decree-holder who has obtained a money decree may apply for its execution by which of the following modes against the judgment-debtor?



- (A) by arrest and detention in civil prison, attachment and sale of property, or appointment of a receiver, among other modes
- (B) only by attachment and sale of immovable property
- (C) only by the appointment of a receiver
- (D) only by issuing a fresh suit for the decretal amount

Q47. Under the proviso to Section 51 of the Code of Civil Procedure, 1908, the court executing a money decree shall not order the arrest and detention of the judgment-debtor in civil prison unless it is satisfied that the judgment-debtor:

- (A) is a person of substantial means in general
- (B) has, since the date of the decree, the means to pay and refuses or neglects to pay, or has dishonestly transferred or concealed property
- (C) resides outside the local limits of the court
- (D) has merely failed to pay within thirty days

Q48. A judgment-debtor against whom a money decree is executed cannot, by reason of Section 60 of the Code of Civil Procedure, 1908, have which of the following attached and sold in execution?

- (A) houses and buildings belonging to him
- (B) money lying in his bank account
- (C) the necessary wearing apparel, cooking vessels, beds and tools of artisans which are expressly exempted from attachment
- (D) shares held by him in a company

Q49. The doctrine of constructive res judicata, embodied in Explanation IV to Section 11 of the Code of Civil Procedure, 1908, provides that a matter which:

- (A) was actually decided in a former suit cannot be reopened only if appealed



- (B) arises in a wholly different cause of action is always barred
- (C) is purely a question of law can never operate as res judicata
- (D) might and ought to have been made a ground of attack or defence in the former suit shall be deemed to have been a matter directly and substantially in issue therein

Q50. Under Section 24 of the Code of Civil Procedure, 1908, the power of the High Court or the District Court to transfer and withdraw suits, appeals or other proceedings may be exercised:

- (A) on the application of any party after notice to the parties and after hearing such of them as desire to be heard, or by the court of its own motion
- (B) only on the joint application of all parties
- (C) only where the trial has not yet commenced
- (D) solely by the Supreme Court

Q51. Under Order XXIII Rule 1 of the Code of Civil Procedure, 1908, where a plaintiff withdraws a suit without the permission of the court to file a fresh suit on the same subject-matter, the consequence is that the plaintiff:

- (A) may institute a fresh suit on the same subject-matter at any time
- (B) may continue the very same suit before another court
- (C) shall be precluded from instituting any fresh suit in respect of such subject-matter
- (D) is entitled to recover his costs from the defendant

Q52. Under Order XXIII Rule 3 of the Code of Civil Procedure, 1908, where a suit is adjusted wholly or in part by a lawful agreement or compromise in writing and signed by the parties, the court shall:

- (A) ignore the compromise and proceed with the trial on merits
- (B) refer the parties to arbitration in every case



- (C) dismiss the suit for default
- (D) order the agreement or compromise to be recorded and pass a decree in accordance therewith so far as it relates to the parties to the suit

Q53. Under Section 196 of the Indian Contract Act, 1872, where acts are done by one person on behalf of another but without that other's authority or knowledge, the person on whose behalf the acts were done may:

- (A) never adopt those acts in any circumstance
- (B) elect to ratify or to disown such acts, and if he ratifies, the same effects follow as if the acts had been performed by his authority
- (C) ratify only the acts that are beneficial and reject the burdensome part of the same transaction
- (D) ratify the acts only with the consent of the third party concerned

Q54. Under Sections 188 and 189 of the Indian Contract Act, 1872, the authority of an agent to do an act includes authority to do every lawful thing necessary for that purpose, and in an emergency an agent has authority to:

- (A) bind the principal to entirely new ventures of the agent's own choosing
- (B) delegate all his duties to a stranger without limit
- (C) act only after obtaining fresh written instructions
- (D) do all such acts for protecting the principal from loss as would be done by a person of ordinary prudence under similar circumstances

Q55. Under Sections 190 to 192 of the Indian Contract Act, 1872, where an agent, having no authority to do so, appoints a sub-agent, the position regarding acts of that sub-agent is that the:

- (A) agent stands towards such sub-agent in the relation of a principal to an agent and is responsible for the sub-agent's acts to the principal and to third persons, while the principal is not represented by, nor responsible for, the sub-agent's acts



- (B) principal is bound by, and is responsible for, the acts of the sub-agent as if he were an agent originally appointed by the principal
- (C) sub-agent alone is liable to the principal in all respects
- (D) appointment is void and creates no relationship whatsoever

Q56. Under Section 201 of the Indian Contract Act, 1872, an agency is terminated by which of the following, among other modes?

- (A) the mere passage of a calendar month from creation
- (B) a unilateral demand by a third party
- (C) the principal revoking his authority, or the agent renouncing the business, or the business of the agency being completed, or either party dying or becoming of unsound mind
- (D) the agent appointing a sub-agent

Q57. Under Section 172 of the Indian Contract Act, 1872, the bailment of goods as security for payment of a debt or performance of a promise is called a pledge, and the parties to such a pledge are described as the:

- (A) mortgagor and mortgagee
- (B) lessor and lessee
- (C) trustee and beneficiary
- (D) pawnor (the bailor) and pawnee (the bailee)

Q58. Under Section 148 of the Indian Contract Act, 1872, a bailment is the delivery of goods by one person to another for some purpose, upon a contract that they shall, when the purpose is accomplished, be:

- (A) retained absolutely by the person to whom they are delivered
- (B) returned or otherwise disposed of according to the directions of the person delivering them
- (C) sold and the proceeds shared equally
- (D) treated as an outright gift to the bailee



- Q59.** Under Section 134 of the Indian Contract Act, 1872, a surety is discharged where the creditor:
- (A) merely demands payment from the surety
 - (B) gives time to the surety alone
 - (C) by any contract with the principal debtor releases the principal debtor, or by any act or omission of the creditor the legal consequence of which is the discharge of the principal debtor
 - (D) assigns the guarantee to a third person
- Q60.** The essential point of distinction between a public nuisance and a private nuisance in the law of torts is that a public nuisance:
- (A) is an act or omission which materially affects the reasonable comfort and convenience of the public or a class of the public at large, whereas a private nuisance affects an individual's use or enjoyment of his land
 - (B) is an interference with the use or enjoyment of a particular person's land only
 - (C) can never be the subject of any legal remedy
 - (D) is actionable only by the State and never gives any private person a remedy
- Q61.** In the law of torts relating to trespass to the person, the wrong of false imprisonment consists of:
- (A) a mere threat of force creating apprehension of imminent harm, without contact
 - (B) any intentional application of force to the person of another
 - (C) the total restraint of the liberty of a person, for however short a time, without lawful justification
 - (D) the negligent infliction of physical injury



- Q62.** Under Section 6 of the Limitation Act, 1963, where a person entitled to institute a suit or make an application is, at the time from which the prescribed period is to be reckoned, under a legal disability such as minority, insanity or idiocy, that person may institute the suit or make the application:
- (A) only within the ordinary period regardless of the disability
 - (B) within the same period after the disability has ceased as would otherwise have been allowed from the time prescribed
 - (C) at any time without any limitation whatsoever
 - (D) only if a guardian is appointed during the disability

Part D: Personal & Specialised Laws

- Q63.** Under the Hindu Adoptions and Maintenance Act, 1956, a Hindu female who is married may give her own child in adoption only:
- (A) with the consent of her husband, unless the husband has completely and finally renounced the world, has ceased to be a Hindu, or has been declared of unsound mind by a court
 - (B) at her sole discretion without reference to her husband
 - (C) only after obtaining the permission of the District Court
 - (D) only if she is the natural guardian of the child
- Q64.** A Hindu male, aged 40, having a living Hindu wife of sound mind, wishes to adopt a child. Under Section 7 of the Hindu Adoptions and Maintenance Act, 1956, the adoption will be valid only if:
- (A) he is above 45 years of age
 - (B) he obtains the consent of his wife, unless she has renounced the world, ceased to be a Hindu, or been declared of unsound mind
 - (C) the child is of the same caste as the adopter
 - (D) the wife independently joins as a co-adopter in the deed



- Q65.** A bachelor adopted a son in 2010. In 2013 he married and a natural son was born to him in 2015. Regarding the adopted son's position under the Hindu Adoptions and Maintenance Act, 1956:
- (A) the adoption automatically stands cancelled on the birth of the natural son
 - (B) the natural son alone inherits, the adopted son being excluded
 - (C) the adopted son and the after-born natural son take shares together, the adoption remaining valid and irrevocable
 - (D) the adopted son becomes a mere dependant entitled only to maintenance
- Q66.** The doctrine of "relation back" in Hindu adoption law operated to:
- (A) permit a child to be adopted retrospectively from its date of birth for all purposes including succession that has already opened
 - (B) allow the adopter to revoke the adoption with retrospective effect
 - (C) relate the adoption back to the date the deed of adoption was registered
 - (D) treat an adoption by a widow as relating back to the date of the deceased husband's death so as to divest property already vested in collaterals, a doctrine now abrogated by Section 12 of the Hindu Adoptions and Maintenance Act, 1956
- Q67.** "D" is the only daughter of "F", a coparcener in a Mitakshara joint family. "F" died in 2001, before the Hindu Succession (Amendment) Act, 2005 came into force on 9 September 2005. In a 2024 partition suit "D" claims a coparcener's share by birth. Applying the law as settled in *Vineeta Sharma v. Rakesh Sharma*:
- (A) "D" is a coparcener by birth and is entitled to her share, since the coparcener father need not be alive on 9 September 2005 for the daughter to claim under the amended Section 6
 - (B) "D" gets nothing because her father died before the 2005 Amendment



- (C) “D” can claim only maintenance, not a coparcenary share
- (D) “D” is entitled only if she was unmarried on 9 September 2005

Q68. Under the amended Section 6 of the Hindu Succession Act, 1956, when a female coparcener dies, her interest in the coparcenary property devolves by:

- (A) survivorship upon the surviving coparceners
- (B) testamentary or intestate succession under the Act, and not by survivorship
- (C) escheat to the State
- (D) reversion to the karta of the family

Q69. The rule of survivorship, by which the interest of a deceased Mitakshara coparcener passed to the surviving coparceners, was finally and completely abrogated for devolution of a coparcener’s interest by:

- (A) the original Hindu Succession Act of 1956 in all cases
- (B) the Hindu Marriage Act, 1955
- (C) the substituted Section 6 introduced by the Hindu Succession (Amendment) Act, 2005
- (D) the Hindu Adoptions and Maintenance Act, 1956

Q70. Among the forms of talaq-ul-sunnat, the talaq-ahsan (most approved form) is characterised by:

- (A) three pronouncements made in a single sitting in one breath
- (B) three pronouncements made in three successive tuhrs
- (C) an immediate and irrevocable divorce taking effect the moment it is uttered
- (D) a single pronouncement of divorce during a tuhr (period of purity), followed by abstinence from intercourse throughout the iddat, becoming irrevocable on completion of iddat



- Q71.** Talaq-e-biddat (triple talaq pronounced in one sitting) was declared unconstitutional and set aside by the Supreme Court. Which proposition most accurately states the present legal position?
- (A) triple talaq in one sitting remains a valid but disapproved form
 - (B) it is valid only if pronounced before a qazi
 - (C) instantaneous triple talaq is void and has been further made a punishable offence by the Muslim Women (Protection of Rights on Marriage) Act, 2019
 - (D) it is valid only among Shia Muslims
- Q72.** A divorce effected at the instance of the wife, where she agrees to give some consideration (often returning or foregoing her mahr) to the husband for her release, with the husband's consent, is known in Muslim law as:
- (A) ila
 - (B) khula
 - (C) zihar
 - (D) talaq-e-tafweez
- Q73.** Where both husband and wife mutually desire a separation and dissolve the marriage by common consent, the divorce is termed:
- (A) mubarat
 - (B) lian
 - (C) faskh
 - (D) hasan
- Q74.** A judicial dissolution of a Muslim marriage decreed by the court at the suit of the wife on grounds such as cruelty, desertion or the husband's failure to maintain, under the Dissolution of Muslim Marriages Act, 1939, is an instance of:



- (A) talaq-e-tafweez
- (B) mubarat
- (C) faskh (judicial rescission)
- (D) khula

Q75. A Muslim woman whose marriage is dissolved is, under the doctrine of iddat, generally required to observe a waiting period (where she is not pregnant and the marriage was consummated) of:

- (A) forty days
- (B) six months
- (C) until she remarries
- (D) three menstrual courses (or three lunar months)

Q76. Under the Transfer of Property Act, 1882, the difference between a lease and a licence, as explained in cases such as *Associated Hotels of India Ltd. v. R.N. Kapoor*, turns essentially on whether:

- (A) the document is registered or unregistered
- (B) rent is paid monthly or annually
- (C) the grantor is a natural person or a company
- (D) an interest in the immovable property (exclusive possession) is created in favour of the grantee, a lease creating such an interest while a licence is a mere personal permission

Q77. Under Section 111 of the Transfer of Property Act, 1882, a lease of immovable property determines by “forfeiture” when:

- (A) the lease period simply expires by efflux of time
- (B) the lessee breaks an express condition providing that on breach the lessor may re-enter, and the lessor signifies his intention to determine the lease
- (C) the lessor dies during the term



(D) the parties mutually surrender the lease

Q78. A lessee whose fixed-term lease has expired continues in possession and the lessor accepts rent from him. Under Section 116 of the Transfer of Property Act, 1882 (holding over), the effect is that:

(A) the lessee becomes a trespasser liable to immediate ejectment

(B) the lessee acquires absolute ownership by adverse possession

(C) the lease is renewed, in the absence of agreement to the contrary, from year to year or month to month according to the purpose for which the property is leased

(D) the original fixed term is automatically extended by an identical period

Q79. Under Section 108 of the Transfer of Property Act, 1882, in the absence of a contract to the contrary, the duty to make ordinary repairs necessary to keep the property in the condition in which it was let, and to pay the rent, rests on the:

(A) lessor alone in all cases

(B) lessor's mortgagee

(C) local municipal authority

(D) lessee

Q80. Under the Companies Act, 2013, which of the following decisions must be passed only by a special resolution (requiring at least a three-fourths majority)?

(A) declaration of a final dividend recommended by the Board

(B) alteration of the articles of association of the company

(C) adoption of audited financial statements at the annual general meeting

(D) appointment of a first auditor



- Q81.** Under the Companies Act, 2013, the minimum period of clear notice required to be given to members for calling a general meeting (other than where shorter notice is consented to) is:
- (A) seven days
 - (B) fourteen days
 - (C) twenty-one clear days
 - (D) thirty days
- Q82.** An application alleging that the affairs of a company are being conducted in a manner oppressive to some members or prejudicial to the public interest, seeking relief for oppression and mismanagement under Sections 241–242 of the Companies Act, 2013, lies before the:
- (A) National Company Law Tribunal (NCLT)
 - (B) Securities and Exchange Board of India
 - (C) Registrar of Companies
 - (D) Company Law Board, which continues to function
- Q83.** Following the Insolvency and Bankruptcy Code, 2016 and amendments to the Companies Act, 2013, the winding up of a company on the ground that it is “unable to pay its debts” is now dealt with primarily under:
- (A) the insolvency resolution and liquidation process of the Insolvency and Bankruptcy Code, 2016
 - (B) the winding-up provisions of the Companies Act, 2013, by the NCLT
 - (C) the High Court under the Companies Act, 1956
 - (D) the Debts Recovery Tribunal exclusively
- Q84.** Under the Trade Marks Act, 1999, a “well-known trade mark” enjoys protection that:
- (A) extends across different classes of goods or services, so that use of the mark on dissimilar goods may be restrained where it would indicate a connection and damage the proprietor’s interests



- (B) is confined strictly to the very goods or services for which it is registered
- (C) exists only if the mark is registered in every class
- (D) lasts only for the lifetime of the original proprietor

Q85. The essential distinction between an action for “infringement” of a registered trade mark and an action for “passing off” is that:

- (A) passing off is available only to registered proprietors
- (B) infringement is a statutory remedy available to the registered proprietor, while passing off is a common-law remedy that protects unregistered marks and the goodwill attached to them
- (C) infringement requires proof of actual damage in every case while passing off never does
- (D) both remedies are available only after criminal prosecution

Q86. Under the Trade Marks Act, 1999, an assignment of a registered trade mark “without goodwill” of the business concerned is:

- (A) wholly void in every circumstance
- (B) permitted only for unregistered marks
- (C) permissible, the Act allowing assignment with or without the goodwill of the business, subject to the conditions and advertisement requirements prescribed
- (D) allowed only if the Central Government grants prior sanction

Q87. Under the Information Technology Act, 2000, which provision was the legislative response after the Supreme Court in *Shreya Singhal v. Union of India* struck down Section 66A, and continues to deal with the liability of intermediaries subject to “due diligence”?

- (A) Section 79, which grants intermediaries a safe-harbour exemption from liability provided they observe due diligence and act on actual knowledge or government notification



- (B) Section 66A, which was revived
- (C) Section 67, dealing with obscene electronic material only
- (D) Section 43A alone

Q88. 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 Consumer Disputes Redressal Commission
- (C) National Consumer Disputes Redressal Commission
- (D) civil court of ordinary original jurisdiction

Part E: ADR & Professional Ethics

Q89. An arbitral tribunal decides one separable head of claim conclusively while the remaining issues continue to be heard. Under Section 31(6) of the Arbitration and Conciliation Act, 1996, the tribunal is empowered to:

- (A) Make only a single composite award at the very end of the proceedings
- (B) Make an interim arbitral award on any matter with respect to which it may make a final arbitral award
- (C) Refer the decided head to the civil court for a decree
- (D) Postpone all decisions until the parties jointly consent in writing

Q90. Within thirty days of receipt of the arbitral award a party requests the tribunal to decide a claim that was presented in the proceedings but omitted from the award. Which power under the Arbitration and Conciliation Act, 1996 does the tribunal exercise to deal with this request?

- (A) Making an additional arbitral award under Section 33(4)
- (B) Setting aside its own award under Section 34



- (C) Remitting the matter to the court under Section 36
- (D) Reopening the reference under Section 29A

Q91. In an arbitration that is not an international commercial arbitration, by when must the arbitral award ordinarily be made under Section 29A of the Arbitration and Conciliation Act, 1996, as it now stands?

- (A) Within ninety days of the appointment of the sole arbitrator
- (B) Within six months of the reference in every case, with no extension
- (C) Within twelve months from the date of completion of pleadings, extendable by six months by party consent and thereafter only by the court
- (D) Within three years, on the analogy of the general law of limitation

Q92. In a purely domestic arbitration, a party seeks to set aside an award contending that the tribunal's view is contrary to the substantive law of India and is not a possible view at all. Under Section 34 of the Arbitration and Conciliation Act, 1996, as amended in 2015, this contention is examined under which ground?

- (A) Lack of a valid arbitration agreement under Section 34(2)(a)(i)
- (B) Improper constitution of the tribunal under Section 34(2)(a)(v)
- (C) Mere error of fact, which is always a ground to set aside
- (D) Patent illegality appearing on the face of the award under Section 34(2A)

Q93. A party applies under Section 34 of the Arbitration and Conciliation Act, 1996 to set aside an award, alleging that it was procured by fraud. Under the Explanation to Section 34(2)(b)(ii), an award in conflict with the public policy of India includes an award:

- (A) The making of which was induced or affected by fraud or corruption, or was in violation of Section 75 or Section 81
- (B) That merely awards a sum higher than the claimant expected



- (C) That contains a typographical or clerical mistake
- (D) That was delivered after the agreed date by a few days

Q94. A domestic arbitral award has been made and the period for filing a Section 34 application has expired without any such application being filed. Under Section 36 of the Arbitration and Conciliation Act, 1996, the award is then:

- (A) Of no effect until separately confirmed by the High Court
- (B) Enforced in accordance with the Code of Civil Procedure, 1908, in the same manner as if it were a decree of the court
- (C) Enforceable only after registration under the Registration Act
- (D) Required to be re-published in the Official Gazette before execution

Q95. Under the Legal Services Authorities Act, 1987, the power to organise Lok Adalats at such intervals and places and for exercising such jurisdiction as it thinks fit is conferred on the State Authority, District Authority and Taluk Committees by which provision?

- (A) Section 12, dealing with criteria for legal services
- (B) Section 4, listing the functions of the Central Authority
- (C) Section 19, which provides for the organisation of Lok Adalats and their composition
- (D) Section 2(1)(a), the definition clause

Q96. A dispute over a delayed electricity connection, where no cause of action has yet been filed in any court, is brought before a Permanent Lok Adalat. Under Sections 22B and 22C of the Legal Services Authorities Act, 1987, the Permanent Lok Adalat is established to deal with disputes:

- (A) Of any kind whatsoever, including offences punishable with imprisonment
- (B) Only after a regular suit has been instituted and decreed
- (C) Involving only land title and matrimonial matters



(D) In respect of one or more public utility services, and it may decide the dispute on merits where conciliation fails (except in compoundable and non-compoundable offences)

Q97. Parties to a money dispute pending in a civil court reach a compromise before a Lok Adalat, which then passes an award. As to the status of that award under Section 21 of the Legal Services Authorities Act, 1987:

(A) It is deemed to be a decree of a civil court and is final, with no appeal lying against it

(B) It is only a recommendation that the civil court may accept or reject

(C) It can be freely appealed to the District Judge within thirty days

(D) It binds only the party that initiated the reference

Q98. On a complaint of professional misconduct against an advocate, the State Bar Council refers the case for disposal to its disciplinary committee. The power to refer such a case to the disciplinary committee is conferred by which provision of the Advocates Act, 1961?

(A) Section 16, classifying advocates into senior and other advocates

(B) Section 35, on punishment of advocates for misconduct

(C) Section 49, the rule-making power of the Bar Council of India

(D) Section 30, the right of advocates to practise

Q99. The disciplinary committee of a State Bar Council orders that an advocate be suspended from practice for one year. The advocate is aggrieved. Under the Advocates Act, 1961, the correct hierarchy of appeal is:

(A) Directly to the High Court under Section 37, then to the Supreme Court

(B) To the Central Government under Section 38, then to the Bar Council of India

(C) An appeal to the Bar Council of India under Section 37, and a further appeal to the Supreme Court under Section 38



(D) No appeal lies; the State Bar Council's order is final and conclusive

Q100. An advocate who has been advising and representing Company X in an ongoing commercial matter is approached by Company Y to appear against Company X in a connected dispute arising from the same set of facts. As a matter of professional ethics under the Bar Council of India Rules, the advocate should:

- (A) Accept the brief from Company Y, since each client pays a separate fee
- (B) Accept and use the confidential information already received from Company X
- (C) Appear for whichever client offers the higher fee
- (D) Decline to appear against his own client, as the conflict of interest and the duty to preserve the client's confidence forbid it



Detailed Solutions

Q1.

Solution

Concept — Non-justiciability of Directive Principles: Part IV (Articles 36–51) embodies the DPSP. Article 37 declares them not enforceable by any court, yet fundamental in governance and a duty of the State to apply in making laws.

Step 1 — Eliminate distractors: Article 32 (Part III) is the right to constitutional remedies; Article 51A (Part IVA) covers Fundamental Duties; Article 36 only defines "the State" for Part IV. Only Article 37 carries the non-enforceability clause.

Tip: Remember the trio — Art 36 defines, Art 37 declares non-justiciable, Art 38 onwards lists the principles.

Final Answer: Part IV, Article 37 ⇒

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

Q2.

Solution

Concept — Village panchayats (Art 40): Article 40 directs the State to take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.

Step 1 — Distinguish: Article 39 deals with economic justice and distribution of resources; Article 44 with a uniform civil code; Article 48A with environment and forests. Self-government at the village level is exclusively Article 40, later strengthened by the 73rd Amendment.

Tip: Art 40 is the constitutional seed of Panchayati Raj.

Final Answer: Article 40 ⇒

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



Q3.

Solution

Concept — Equal justice and free legal aid (Art 39A): Inserted by the 42nd Amendment, Article 39A directs the State to secure that the operation of the legal system promotes justice and to provide free legal aid so that opportunities for justice are not denied due to economic or other disabilities.

Step 1 — Eliminate: Article 38 concerns social order and minimising inequalities; Article 41 the right to work and education; Article 43A worker participation in management. Free legal aid is the specific subject of Article 39A.

Tip: Link Art 39A with the Legal Services Authorities Act, 1987.

Final Answer: Article 39A ⇒

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

Q4.

Solution

Concept — Separation of judiciary from executive (Art 50): Article 50 directs the State to take steps to separate the judiciary from the executive in the public services of the State, securing judicial independence at the grassroots.

Step 1 — Distinguish: Article 48 concerns agriculture and cattle; Article 49 protection of monuments; Article 51 promotion of international peace. Only Article 50 addresses judiciary–executive separation.

Tip: Art 50 underlies the Criminal Procedure Code’s separation of magistracy.

Final Answer: Article 50 ⇒

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

Q5.

Solution

Concept — Fundamental Duties (Art 51A): Article 51A lists eleven duties, including protecting the environment (51A(g)), safeguarding public property and abjuring violence (51A(i)), and developing scientific temper (51A(h)).

Step 1 — Spot the odd one: There is no Fundamental Duty to pay taxes honestly. Although a civic obligation, it finds no place in Article 51A. The other three options are verbatim duties.



Tip: Fundamental Duties were added by the 42nd Amendment on the Swaran Singh Committee's recommendation; 51A(k) was added later by the 86th Amendment.

Final Answer: Paying taxes honestly is not a duty under Art 51A ⇒

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

Q6.

Solution

Concept — Art 51A(k) and the 86th Amendment: The Constitution (Eighty-sixth Amendment) Act, 2002 inserted Article 21A (right to education) and added clause (k) to Article 51A, casting a duty on parents/guardians to provide education to children aged six to fourteen.

Step 1 — Eliminate: The 73rd Amendment introduced Panchayati Raj; the 61st lowered the voting age to 18; the 97th dealt with co-operative societies. The education duty is tied to the 86th Amendment.

Tip: The 86th Amendment package = Art 21A + Art 45 recast + Art 51A(k).

Final Answer: Eighty-sixth Amendment ⇒

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

Q7.

Solution

Concept — Parliament's power over citizenship (Art 11): Article 11 declares that nothing in the preceding citizenship provisions shall derogate from Parliament's power to make any law with respect to acquisition, termination and all other matters relating to citizenship — the basis of the Citizenship Act, 1955.

Step 1 — Distinguish: Article 5 covers citizenship at commencement; Article 9 bars dual citizenship; Article 10 ensures continuance of citizenship. The plenary law-making power rests in Article 11.

Tip: Articles 5–10 are transitional; Article 11 is the enduring enabling provision.

Final Answer: Article 11 ⇒

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



Q8.

Solution

Concept — Bar on dual citizenship (Art 9): Article 9 provides that any person who has voluntarily acquired the citizenship of a foreign State shall not be a citizen of India by virtue of Article 5, nor be deemed a citizen under Article 6 or Article 8.

Step 1 — Reason: India does not permit dual citizenship. Voluntary acquisition of foreign nationality terminates Indian citizenship at commencement under Article 9; the other options wrongly suggest retention or automatic revival.

Tip: Art 9 (Constitution) and Section 9 of the Citizenship Act both bar dual nationality.

Final Answer: Such a person is not a citizen under Arts 5, 6 or 8 ⇒

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

Q9.

Solution

Concept — Definition of Money Bill (Art 110): Article 110 defines a Money Bill as one dealing only with the matters specified in clause (1) — taxation, borrowing, the Consolidated/Contingency Fund, appropriation and incidental matters.

Step 1 — Distinguish: Article 109 prescribes the special procedure for Money Bills; Article 112 deals with the annual financial statement (Budget); Article 117 with Financial Bills generally. The definition itself is in Article 110.

Tip: Art 110 = what is a Money Bill; Art 109 = how it is passed.

Final Answer: Article 110 ⇒

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

Q10.

Solution

Concept — Speaker's certificate (Art 110(3)&(4)): If any question arises whether a Bill is a Money Bill, the decision of the Speaker of the House of the People is final, and the Speaker's certificate is endorsed on the Bill when transmitted to the Council of States.

Step 1 — Eliminate: The President assents but does not classify; the Rajya Sabha Chairman has no such power; a Joint Committee plays no role here. The finality vests in the Lok Sabha Speaker.



Tip: The Speaker's certification was at the centre of the *Aadhaar* Money-Bill debate.

Final Answer: The Speaker of the House of the People ⇒

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

Q11.

Solution

Concept — Parliamentary privileges (Art 105): Article 105 guarantees freedom of speech in Parliament, immunity from court proceedings for anything said or any vote given, and the other powers, privileges and immunities of each House, its members and committees.

Step 1 — Distinguish: Article 100 deals with voting and quorum; Article 118 with rules of procedure; Article 122 bars courts from inquiring into proceedings. Privileges as such are in Article 105 (and Article 194 for States).

Tip: Art 105 protects MPs; Art 194 mirrors it for MLAs.

Final Answer: Article 105 ⇒

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

Q12.

Solution

Concept — Discharge of President's functions: Under Article 65 the Vice-President acts as President on a vacancy. If both offices are vacant, the Supreme Court Judges (Conditions of Service) Act and constitutional practice provide that the Chief Justice of India discharges the President's functions.

Step 1 — Reason: The Speaker acts only when the Vice-President's office falls vacant during a Lok Sabha vacancy in limited contexts; the Prime Minister and Governors have no such role. The CJI steps in when both top offices are vacant.

Tip: Recall the precedent of CJI M. Hidayatullah acting as President in 1969.

Final Answer: The Chief Justice of India ⇒

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



Q13.

Solution

Concept — Governor’s pardoning power (Art 161): Article 161 empowers the Governor to grant pardons, reprieves, respites or remissions of punishment, and to suspend, remit or commute sentences, for offences against laws on matters within the State’s executive power.

Step 1 — Distinguish: Article 72 is the President’s pardoning power; Article 163 deals with the Council of Ministers aiding the Governor; Article 213 with the Governor’s ordinance power. The clemency power is Article 161.

Tip: Art 161 cannot extend to court-martial sentences or central laws — those fall under Art 72.

Final Answer: Article 161 ⇒

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

Q14.

Solution

Concept — NJAC struck down: In *Supreme Court Advocates-on-Record Association v. Union of India* (2015), the Supreme Court struck down the 99th Constitutional Amendment and the NJAC Act as violative of judicial independence, restoring the collegium system.

Step 1 — Eliminate: *S.P. Gupta* (First Judges case) favoured executive primacy; *S.R. Bommai* concerned Article 356; *Sankalchand Sheth* dealt with judicial transfers. The NJAC verdict is the 2015 SCAORA (Fourth Judges) case.

Tip: Sequence — First (1981), Second (1993), Third (1998), Fourth/NJAC (2015).

Final Answer: *SCAORA v. Union of India* (2015) ⇒

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



Q15.

Solution

Concept — Advisory jurisdiction (Art 143): Article 143 empowers the President to refer to the Supreme Court any question of law or fact of public importance for its advisory opinion; the opinion is not binding but carries high persuasive value.

Step 1 — Distinguish: Article 137 is the review power; Article 145 deals with court rules and Constitution-bench requirements; Article 131 is original jurisdiction in federal disputes. Advisory reference is Article 143.

Tip: Recall the *Special Reference No. 1 of 1998* (Third Judges case) under Art 143.

Final Answer: Article 143 ⇒

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

Q16.

Solution

Concept — Review jurisdiction (Art 137): Article 137 provides that, subject to law and rules made under Article 145, the Supreme Court has power to review any judgment pronounced or order made by it.

Step 1 — Distinguish: Article 132 is appellate jurisdiction in constitutional matters; Article 136 is special leave to appeal; Article 141 makes Supreme Court law binding on all courts. The power of self-review is Article 137.

Tip: A still wider remedy — the curative petition — was evolved beyond Art 137 review.

Final Answer: Article 137 ⇒

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

Q17.

Solution

Concept — Duties of the CAG (Art 149): Article 149 provides that the Comptroller and Auditor-General shall perform such duties and exercise such powers in relation to the accounts of the Union and the States as Parliament may by law prescribe — giving rise to the CAG's (DPC) Act, 1971.

Step 1 — Distinguish: Article 148 deals with the appointment, oath and service conditions of the CAG; Article 150 with the form of accounts; Article 151 with submission of audit reports. Duties and powers are governed by Article 149.



Tip: Art 148 = office; Art 149 = duties; Art 151 = reports laid before the legislature.

Final Answer: Article 149 ⇒

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

Q18.

Solution

Concept — Election Commission (Art 324): Article 324 vests the superintendence, direction and control of the preparation of electoral rolls and the conduct of all elections to Parliament, State Legislatures, and the offices of President and Vice-President in the Election Commission of India.

Step 1 — Distinguish: Article 280 deals with the Finance Commission; Article 315 with Public Service Commissions; Article 329 bars court interference in electoral matters. The Election Commission's mandate is Article 324.

Tip: Art 324 powers are plenary, as affirmed in *Mohinder Singh Gill v. Chief Election Commissioner*.

Final Answer: Article 324 ⇒

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

Q19.

Solution

Concept — Rule against bias (*nemo iudex in causa sua*): A decision-maker must be free of personal interest. In *Dimes v. Grand Junction Canal* (1852), the House of Lords set aside decrees because the Lord Chancellor held shares in the company — a pecuniary interest vitiating the order.

Step 1 — Distinguish: *Ridge v. Baldwin* and *Cooper v. Wandsworth* are leading cases on the right to be heard, while *Wednesbury* concerns unreasonableness, not bias. *Dimes* is the classic pecuniary-bias authority.

Tip: Even the smallest pecuniary interest disqualifies, irrespective of actual prejudice.

Final Answer: *Dimes v. Grand Junction Canal* ⇒

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



Q20.

Solution

Concept — Criminal Trespass (s.441 IPC): Section 441 covers two situations — (i) *entering* into or upon property in another’s possession with intent to commit an offence or to intimidate, insult or annoy the possessor, and (ii) having *lawfully entered*, *unlawfully remaining* there with such intent.

Step 1 — Match the second limb: The stem already states the first limb, so the “additional situation” is unlawfully remaining after a lawful entry with the requisite intent, which is option C. A mere short cut or entry on one’s own land lacks the guilty intent; not entering at all is no trespass.

Tip: See s.441 IPC — “enter or unlawfully remain, with intent to annoy.”

Final Answer: Unlawfully remaining with intent to intimidate / annoy ⇒ C

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

Q21.

Solution

Concept — House-trespass (s.442 IPC): Section 442 makes criminal trespass aggravated into “house-trespass” when a person commits it by entering into or remaining in any building, tent or vessel used as a human dwelling, or as a place of worship, or as a place for the custody of property.

Step 1 — Eliminate the others: An open agricultural field is not a building/tent/vessel; night-time or numbers are irrelevant to the s.442 definition (they aggravate other forms). Only option A reproduces the statutory test.

Tip: See s.442 IPC — “dwelling, place of worship, or store of property.”

Final Answer: Entering / remaining in a building, tent or vessel as defined ⇒ A

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

Q22.

Solution

Concept — House-breaking by Night (s.446 IPC): Section 446 provides that a person is said to commit “house-breaking by night” who commits house-breaking after sunset and before sunrise. It is the time-aggravated form of house-breaking (s.445).

Step 1 — Apply to A: A breaks open a latched window (a s.445 mode of entry)



at 2 a.m., i.e. between sunset and sunrise, so it is house-breaking by night under s.446. House-breaking can plainly occur at night, time is relevant, and it is not downgraded to simple trespass.

Tip: See s.446 IPC — “after sunset, before sunrise = by night.”

Final Answer: House-breaking by night under s.446 IPC ⇒ D

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

Q23.

Solution

Concept — House-breaking (s.445 IPC): Section 445 says a person commits house-breaking if he effects entry (or quits the house) by any of six specified ways — e.g. through a passage not ordinarily intended for human entrance, a passage opened for the trespass, by scaling/climbing, by opening a fastening, or by unlocking. Ordinary entry through a door used for the purpose is not house-breaking.

Step 1 — Apply: Unlocking, lifting a latch, or entering through a hole made for the purpose all fall within the six enumerated ways, so option A is correct. Walking through an open door, entry by consent, or merely climbing the compound wall do not satisfy s.445.

Tip: See s.445 IPC — “one of the six ways of getting in or out.”

Final Answer: Any of the six specified ways in s.445 ⇒ A

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

Q24.

Solution

Concept — Receiving Stolen Property (s.411 IPC): Section 411 punishes whoever dishonestly receives or retains any stolen property, *knowing or having reason to believe* it to be stolen property. The guilty knowledge (or reason to believe) at the time of receipt or retention is the gist of the offence.

Step 1 — Apply to Z: Z buys a chain at a throwaway price, in a back alley, at midnight, with good reason to believe it is stolen. That “reason to believe” supplies the mental element of s.411, which is option C. Mere negligence, intent to return, or a fair price would not constitute the offence.

Tip: See s.411 IPC — “knowing or having reason to believe it stolen.”

Final Answer: Knowing / having reason to believe it stolen ⇒ C



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

Q25.

Solution

Concept — Stolen Property (ss.410–411 IPC): Section 410 defines “stolen property” (property the possession of which has been transferred by theft, extortion, robbery, criminal misappropriation or criminal breach of trust). Section 411 requires that such stolen property be *dishonestly received or retained*.

Step 1 — Apply: Besides guilty knowledge, the prosecution must show the property answered the s.410 description and that the accused dishonestly received or retained it — option A. The receiver need not be the original thief, recovery by police is not an ingredient, and resale at a profit is irrelevant.

Tip: See ss.410–411 IPC — “s.410 property + dishonest receipt/retention.”

Final Answer: Stolen property (s.410) dishonestly received / retained ⇒ A

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

Q26.

Solution

Concept — “Dishonestly” (s.24 IPC): Section 24 provides that whoever does anything with the intention of causing *wrongful gain* to one person or *wrongful loss* to another is said to do that thing “dishonestly.” The concept is tied to property gain or loss.

Step 1 — Eliminate: Deception is the hallmark of “fraudulently” (s.25), not s.24; mere annoyance, or a public benefit, has nothing to do with the definition. Only option B reproduces s.24.

Tip: See s.24 IPC — “dishonestly = wrongful gain or wrongful loss.”

Final Answer: Wrongful gain to one or wrongful loss to another ⇒ B

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



Q27.

Solution

Concept — Wrongful Gain / Loss (s.23 IPC): Section 23 defines “wrongful gain” as gain by unlawful means of property to which the person gaining is not legally entitled, and “wrongful loss” as the loss by unlawful means of property to which the person losing it is legally entitled.

Step 1 — Eliminate: s.22 defines “movable property,” s.25 defines “fraudulently,” and s.44 defines “injury.” The wrongful gain / loss definitions used in s.24 are in s.23.

Tip: See s.23 IPC — “23 defines wrongful gain and wrongful loss.”

Final Answer: Section 23 IPC ⇒ B

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

Q28.

Solution

Concept — “Dishonestly” vs “Fraudulently” (ss.24–25 IPC): “Dishonestly” (s.24) is anchored to wrongful gain or wrongful loss of property. “Fraudulently” (s.25) involves an intent to defraud — i.e. deceit coupled with either injury or an intended advantage — and, as explained in *Dr. Vimla v. Delhi Administration*, does not necessarily involve gain or loss of property.

Step 1 — Apply: Option C states this distinction correctly. The terms are not interchangeable; “fraudulently” does not always require actual property loss; and neither term is confined to public servants or private persons.

Tip: See ss.24–25 IPC + *Vimla* — “dishonest = property; fraudulent = deceit + advantage/injury.”

Final Answer: Dishonest = property gain/loss; fraudulent = deceit-based ⇒ C

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



Q29.

Solution

Concept — Making a False Document (s.464 IPC): Section 464 defines when a person is said to “make a false document.” It is the core ingredient of forgery, distinguishing a forged document from a document that merely contains a false statement.

Step 1 — Eliminate: s.463 defines “forgery” itself, s.465 prescribes the punishment for forgery, and s.470 defines a “forged document.” The making of a false document is defined in s.464.

Tip: See s.464 IPC — “464 = making a false document.”

Final Answer: Section 464 IPC ⇒

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

Q30.

Solution

Concept — False Document by False-Making (s.464 IPC): Under the first clause of s.464, a person makes a false document if he dishonestly or fraudulently makes, signs, seals or executes a document, or part of one, with the intention of causing it to be believed that it was made by a person by whom he knows that it was not made.

Step 1 — Apply to A: A signs in B’s name, purporting B’s authority when there is none — a false-making as to who made the document, which is option D. Merely writing a lie in a genuine document, signing with real authority, or an oral misrepresentation would not satisfy s.464.

Tip: See s.464 IPC — “falsely make it appear another person made it.”

Final Answer: Document purporting to be made by one who did not make it ⇒

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



Q31.

Solution

Concept — Punishment for Forgery (s.465 IPC): Section 463 defines forgery; the substantive punishment for committing forgery (imprisonment up to two years, or fine, or both) is laid down in s.465.

Step 1 — Eliminate: s.463 only defines the offence, s.415 deals with cheating, and s.405 with criminal breach of trust. The punishment for plain forgery is s.465.

Tip: See s.465 IPC — “463 defines, 465 punishes forgery.”

Final Answer: Section 465 IPC ⇒

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

Q32.

Solution

Concept — Essence of Forgery (ss.463–464 IPC): The gist of forgery is the “making of a false document” as defined in s.464 — a falsity going to the *genuineness* of the document (who made it / its authenticity), not merely a false statement honestly recorded in a genuine document.

Step 1 — Apply: Therefore option C is the distinguishing ingredient. Length, registration with a public authority, or the subject-matter (immovable property) are irrelevant to whether forgery is made out.

Tip: See ss.463–464 IPC — “false document, not a false statement in a true document.”

Final Answer: A false-making under s.464, not a mere lie in a true document ⇒

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

Q33.

Solution

Concept — Object of a Charge (s.211 CrPC): Section 211 prescribes the contents of a charge. The settled object of framing a charge, affirmed in *V.C. Shukla v. State (Delhi Admn.)*, is to give the accused precise and clear notice of the accusation he must meet, so he can prepare his defence.

Step 1 — Eliminate: A charge is not a record of evidence, nor the judgment, nor a fixing of victim compensation. Its purpose is notice to the accused — option D.



Tip: See s.211 CrPC — “charge = clear notice to the accused.”

Final Answer: To give the accused clear notice to prepare his defence ⇒ D

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

Q34.

Solution

Concept — Joinder of Charges (ss.218–223 CrPC): The basic rule (s.218) is a separate charge and separate trial for each distinct offence. The exceptions are: s.219 (up to three offences of the same kind within twelve months), s.220 (offences in the same transaction), s.221 (doubtful offences) and s.223 (joinder of accused, e.g. those accused of the same offence in the same transaction).

Step 1 — Spot the odd one out: Options A, B and C are genuine statutory exceptions. Two wholly unconnected offences by different persons, years apart and with no transactional link, cannot be tried jointly merely for convenience — option D is NOT an exception.

Tip: See ss.219–223 CrPC — “joinder needs same kind / same transaction link.”

Final Answer: Unconnected offences joined merely for convenience ⇒ D

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

Q35.

Solution

Concept — Doubtful Offences (s.221 CrPC): Section 221 provides that where it is doubtful which of several offences the proved facts will constitute, the accused may be charged with having committed all or any of such offences, and any number of such charges may be tried at once; he may also be charged in the alternative.

Step 1 — Apply: The doubt does not lead to automatic acquittal, delayed charging, or discharge. Section 221 squarely permits charging with all or any of the possible offences — option A.

Tip: See s.221 CrPC — “doubtful which offence? charge with all or any.”

Final Answer: Charged with all or any of such offences, tried at once ⇒ A

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



Q36.

Solution

Concept — Alteration of Charge (s.216 CrPC): Section 216 empowers the court to alter or add to any charge at *any time before judgment is pronounced*. Every such alteration or addition must be read and explained to the accused, who may be entitled to recall witnesses if prejudiced.

Step 1 — Eliminate: The power is not confined to the pre-trial stage, is not exclusive to the High Court in revision, and does not need the prosecution's written consent. Option B states the rule.

Tip: See s.216 CrPC — “alter the charge any time before judgment.”

Final Answer: Any time before judgment, read and explained to the accused ⇒ B

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

Q37.

Solution

Concept — Effect of Errors in a Charge (ss.215, 464 CrPC): Section 215 provides that no error or omission in the charge is material unless the accused was in fact misled by it and it occasioned a failure of justice. Section 464 likewise saves a trial from being set aside for a charge defect absent a failure of justice.

Step 1 — Apply: Since the accused was not misled or prejudiced, the omitted date is immaterial. An error does not automatically vitiate the trial, nor mandate acquittal irrespective of prejudice; option C is correct.

Tip: See ss.215, 464 CrPC — “defect matters only if it caused failure of justice.”

Final Answer: Material only if it misled the accused and failed justice ⇒ C

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

Q38.

Solution

Concept — Examination of Accused (s.313 CrPC): Section 313 lets the court question the accused to enable him to explain incriminating circumstances. By s.313(2)&(3), *no oath* is administered, and the accused does not render himself liable to punishment by refusing to answer or by giving false answers.

Step 1 — Eliminate: The accused is not on oath and faces no perjury liability;



this is not a cross-examination by the prosecution; and the examination is far from purposeless (it gives the accused a chance to explain). Option B is correct.

Tip: See s.313 CrPC — “no oath, no perjury, just an explanation.”

Final Answer: No oath; no punishment for refusing or false answers ⇒ B

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

Q39.

Solution

Concept — Compensation out of Fine (s.357 CrPC): Section 357(1) allows the court, when imposing a fine, to direct that part of it be applied, among other things, in payment to any person of compensation for any loss or injury caused by the offence, where compensation is recoverable in a civil court. Section 357(3) allows compensation even where no fine forms part of the sentence.

Step 1 — Apply: The whole or part of the fine may be ordered as victim compensation — option C. It is not confined to prosecution costs, the State exchequer, or counsel’s fees.

Tip: See s.357 CrPC — “fine may be paid over as victim compensation.”

Final Answer: In payment of compensation for loss or injury caused by the offence ⇒ C

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

Q40.

Solution

Concept — Victim Compensation Scheme (s.357A CrPC): Section 357A requires every State, in coordination with the Centre, to prepare a Victim Compensation Scheme. The District or State Legal Services Authority decides the quantum, and compensation can be awarded even where the offender is not traced or identified, or where the trial ends in acquittal/discharge.

Step 1 — Apply: This is a State-funded, Legal-Services-Authority-administered scheme, distinct from compensation out of a fine under s.357 — option D. It is not a doubling of fine, a separate civil suit, or a court-fee waiver.

Tip: See s.357A CrPC — “State scheme via Legal Services Authority, even on acquittal.”

Final Answer: State-funded Victim Compensation Scheme via the LSA ⇒ D



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

Q41.

Solution

Concept — Primary Evidence (s.62 Indian Evidence Act, 1872): Section 62 defines “primary evidence” as the document itself produced for the inspection of the court. The explanations cover counterparts and documents made by a uniform process (each being primary as against the others).

Step 1 — Eliminate: s.61 says contents may be proved by primary or secondary evidence, s.63 defines “secondary evidence,” and s.65 lists when secondary evidence may be given. The definition of primary evidence is s.62.

Tip: See s.62 Indian Evidence Act — “62 = the original document itself.”

Final Answer: Section 62 of the Indian Evidence Act, 1872 ⇒

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

Q42.

Solution

Concept — Secondary Evidence (s.65 Indian Evidence Act, 1872): Section 64 requires documents to be proved by primary evidence except in the cases mentioned in the Act. Section 65 enumerates those cases in which secondary evidence of the contents of a document may be given (e.g. when the original is in the possession of the opposite party, lost, or destroyed).

Step 1 — Eliminate: s.62 defines primary evidence, s.63 defines secondary evidence, and s.74 defines public documents. The situations permitting secondary evidence are in s.65.

Tip: See s.65 Indian Evidence Act — “65 lists when secondary evidence is allowed.”

Final Answer: Section 65 of the Indian Evidence Act, 1872 ⇒

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



Q43.

Solution

Concept — Public vs Private Documents (ss.74–75 Indian Evidence Act, 1872): Section 74 lists public documents, including documents forming the acts or records of the acts of sovereign authority, official bodies and tribunals, and of public officers; it expressly includes “public records kept in any State of private documents.” Section 75 declares all other documents private.

Step 1 — Apply: Among the options, “public records kept in a State of private documents” is squarely within s.74 — option B. A private letter, a personal diary, and an unregistered private sale agreement are all private documents under s.75.

Tip: See ss.74–75 Indian Evidence Act — “s.74 public (incl. public records of private docs); rest private.”

Final Answer: The public records kept in a State of private documents ⇒ B

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

Q44.

Solution

Concept — Opinion on Handwriting (s.47 Indian Evidence Act, 1872): Section 45 makes relevant the opinion of *experts* on foreign law, science, art, handwriting and finger impressions. Section 47 separately makes relevant the opinion of a person *acquainted with* the handwriting of another (a non-expert who has seen that person write or received documents in his hand).

Step 1 — Eliminate: s.46 concerns facts bearing on experts’ opinions, s.50 concerns opinion as to relationship, and s.60 deals with oral evidence being direct. The opinion of one acquainted with the handwriting is s.47.

Tip: See ss.45, 47 Indian Evidence Act — “45 expert; 47 person familiar with the hand.”

Final Answer: Section 47 of the Indian Evidence Act, 1872 ⇒ B

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



Q45.

Solution

Concept — Electronic Records (s.65B Indian Evidence Act, 1872): Section 65B(4) requires a certificate identifying the electronic record and describing the manner of its production for secondary electronic evidence (printout, CD, etc.) to be admissible. In *Anvar P.V. v. P.K. Basheer* (2014) and *Arjun Panditrao Khotkar v. Kailash Kushanrao Gorantyal* (2020), the certificate was held to be a mandatory pre-condition.

Step 1 — Apply: Therefore secondary electronic evidence is admissible only with the s.65B(4) certificate — option D. Mere production, an oral admission, or bringing the original computer to court is not the statutory requirement for secondary electronic evidence.

Tip: See s.65B Indian Evidence Act + *Arjun Panditrao* — “65B(4) certificate is mandatory.”

Final Answer: Accompanied by a mandatory s.65B(4) certificate ⇒ D

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

Q46.

Solution

Concept — Modes of execution of a decree (Order XXI, CPC): Order XXI of the Code of Civil Procedure, 1908 read with Section 51 sets out the modes by which a money decree may be executed, including delivery of property, attachment and sale, arrest and detention in civil prison, and appointment of a receiver.

Step 1 — Reject the narrow options: The Code offers several cumulative modes, so confining execution to attachment of immovable property alone, or to a receiver alone, is wrong; a fresh suit is barred since the decree is itself the executable instrument. Only option (A) captures the full menu of modes.

Tip: O21 + s.51 — “delivery, attachment-sale, arrest, receiver.”

Final Answer: Execution may proceed by arrest, attachment-sale, receiver and other O21 modes ⇒ A

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



Q47.

Solution**Concept — Arrest in execution of money decree (proviso to Section 51, CPC):**

The proviso to Section 51 of the Code of Civil Procedure, 1908 bars arrest and detention unless the court records reasons in writing showing the judgment-debtor's means and dishonest conduct, a safeguard affirmed in *Jolly George Varghese v. Bank of Cochin*.

Step 1 — Apply the test: Arrest is permissible only where the debtor, since the decree, has had the means to pay and refuses or neglects, or has dishonestly transferred or concealed property, or committed a breach of trust. Mere general means, residence outside limits, or non-payment within thirty days do not satisfy the proviso.

Tip: Proviso to s.51 — “means + refusal or dishonesty, not poverty.”

Final Answer: Debtor must have the means and refuse, or have acted dishonestly ⇒ B

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

Q48.

Solution

Concept — Property exempt from attachment (Section 60, CPC): The proviso to Section 60 of the Code of Civil Procedure, 1908 lists property not liable to attachment and sale, including necessary wearing apparel, cooking vessels, beds and bedding, and the tools of artisans.

Step 1 — Identify the exempt class: Houses, bank money and company shares are all attachable property of the debtor. Only the necessary wearing apparel, cooking vessels, beds and the tools of artisans fall within the express exemption in the proviso to Section 60.

Tip: Proviso to s.60 — “bare necessities and tools of trade are protected.”

Final Answer: Necessary apparel, vessels, beds and artisans' tools cannot be attached ⇒ C

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



Q49.

Solution

Concept — Constructive res judicata (Explanation IV to Section 11, CPC): Explanation IV to Section 11 of the Code of Civil Procedure, 1908 deems a matter which might and ought to have been raised in the former suit to have been directly and substantially in issue, as explained in *State of U.P. v. Nawab Hussain*.

Step 1 — Apply the deeming fiction: The bar is not limited to matters actually decided; it extends to grounds of attack or defence that a party could and should have urged but did not. Options confining the bar to appealed matters, or excluding all questions of law, misstate the rule.

Tip: Expl. IV to s.11 — “might and ought to have been raised = deemed decided.”

Final Answer: A ground that might and ought to have been raised is deemed in issue ⇒ D

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

Q50.

Solution

Concept — Transfer and withdrawal of suits (Section 24, CPC): Section 24 of the Code of Civil Procedure, 1908 empowers the High Court or District Court to transfer or withdraw any suit, appeal or proceeding at any stage, on the application of a party or of its own motion.

Step 1 — Read the scope: The power may be exercised on the application of any party after notice and hearing, or suo motu by the court; it is not conditioned on the joint application of all parties, nor on the trial not having commenced, and the District Court (not only the Supreme Court) may exercise it.

Tip: s.24 — “on a party’s application, after notice, or court’s own motion, at any stage.”

Final Answer: On any party’s application after notice, or by the court’s own motion ⇒ A

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



Q51.

Solution

Concept — Withdrawal of suit (Order XXIII Rule 1, CPC): Order XXIII Rule 1 of the Code of Civil Procedure, 1908 allows a plaintiff to withdraw a suit, but withdrawal without the court's leave to file afresh bars a subsequent suit on the same subject-matter.

Step 1 — Apply the consequence: Where a plaintiff abandons a suit without permission to bring a fresh one, Rule 1(4) precludes him from instituting any fresh suit on the same subject-matter. He cannot re-litigate freely, continue the suit elsewhere, or claim costs as of right.

Tip: O23 R1 — “no leave to sue afresh = fresh suit barred.”

Final Answer: The plaintiff is precluded from a fresh suit on the same subject-matter ⇒ C

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

Q52.

Solution

Concept — Compromise of suit (Order XXIII Rule 3, CPC): Order XXIII Rule 3 of the Code of Civil Procedure, 1908 requires the court, where a lawful agreement or compromise in writing and signed by the parties is proved, to record it and pass a decree in its terms.

Step 1 — Apply the rule: On a valid written and signed compromise the court must record it and decree accordingly so far as it relates to the parties to the suit; it cannot ignore the settlement, force arbitration in every case, or dismiss for default.

Tip: O23 R3 — “lawful written compromise = recorded and decreed.”

Final Answer: The court records the compromise and passes a decree in its terms ⇒ D

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



Q53.

Solution

Concept — Ratification of unauthorised acts (Section 196, Indian Contract Act): Section 196 of the Indian Contract Act, 1872 provides that where acts are done by one person on behalf of another without authority, that other may elect to ratify or to disown them.

Step 1 — Apply the election: On ratification the same effects follow as if the acts had been done with prior authority. Ratification must be of the whole transaction, so partial ratification of only the beneficial part is impermissible (Section 199); third-party consent is not required, and the right to adopt the acts certainly exists.

Tip: s.196 + s.199 — “ratify or disown; ratification is of the whole act.”

Final Answer: The principal may ratify or disown, and ratification relates back to authority ⇒

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

Q54.

Solution

Concept — Agent’s authority in emergency (Sections 188–189, Indian Contract Act): Section 188 of the Indian Contract Act, 1872 gives an agent authority to do every lawful thing necessary for the act, and Section 189 confers authority in an emergency to act for the principal’s protection.

Step 1 — Apply the prudence test: In an emergency the agent has authority to do all such acts to protect the principal from loss as a person of ordinary prudence would do in similar circumstances. He cannot launch new ventures of his own, delegate without limit, or be paralysed pending fresh instructions.

Tip: s.189 — “emergency authority = ordinary prudence to prevent loss.”

Final Answer: The agent may do what a prudent person would to protect the principal ⇒

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



Q55.

Solution

Concept — Unauthorised sub-agent (Sections 190–192, Indian Contract Act): Section 190 of the Indian Contract Act, 1872 restricts delegation, and Section 193 governs the position where an agent without authority appoints a sub-agent.

Step 1 — Apply Section 193: Where the agent appoints a sub-agent without authority, the agent stands towards the sub-agent as a principal to an agent and is responsible for the sub-agent's acts both to the principal and to third persons; the principal is neither represented by nor responsible for the sub-agent. The appointment is not void, nor is the principal directly bound.

Tip: s.193 — “unauthorised sub-agent binds the agent, not the principal.”

Final Answer: The agent alone is responsible for the unauthorised sub-agent's acts ⇒

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

Q56.

Solution

Concept — Termination of agency (Section 201, Indian Contract Act): Section 201 of the Indian Contract Act, 1872 enumerates the modes by which an agency comes to an end.

Step 1 — List the modes: An agency terminates by the principal revoking authority, by the agent renouncing the business, by completion of the business, by the death or unsoundness of mind of either party, or by either being adjudged insolvent. The mere lapse of a month, a third party's demand, or appointment of a sub-agent do not terminate it.

Tip: s.201 — “revocation, renunciation, completion, death or insanity, insolvency.”

Final Answer: Agency ends by revocation, renunciation, completion, death or insanity ⇒

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



Q57.

Solution

Concept — Pledge and its parties (Section 172, Indian Contract Act): Section 172 of the Indian Contract Act, 1872 defines a pledge as the bailment of goods as security for payment of a debt or performance of a promise.

Step 1 — Name the parties: The bailor in a pledge is the pawnor and the bailee is the pawnee. The relationship is not mortgagor and mortgagee (which concerns immovable property security), nor lessor-lessee, nor trustee-beneficiary.

Tip: s.172 — “pledge = bailment for security; bailor = pawnor, bailee = pawnee.”

Final Answer: The parties are the pawnor (bailor) and the pawnee (bailee) ⇒

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

Q58.

Solution

Concept — Definition of bailment (Section 148, Indian Contract Act): Section 148 of the Indian Contract Act, 1872 defines bailment as the delivery of goods by one person to another for a purpose, upon a contract to return or dispose of them when the purpose is accomplished.

Step 1 — Apply the definition: The essence of bailment is that possession passes but ownership does not, and the goods must be returned or disposed of as directed once the purpose is done. They are not retained absolutely, sold and shared, or gifted to the bailee.

Tip: s.148 — “delivery for a purpose; return or dispose as directed.”

Final Answer: The goods must be returned or disposed of per the deliverer’s directions ⇒

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

Q59.

Solution

Concept — Discharge of surety (Section 134, Indian Contract Act): Section 134 of the Indian Contract Act, 1872 discharges the surety by any contract between creditor and principal debtor releasing the latter, or by any act or omission of the creditor whose legal consequence is the discharge of the principal debtor.

Step 1 — Apply the section: A mere demand on the surety, or giving time to the



surety, or assignment of the guarantee does not discharge the surety. Release of the principal debtor, or a creditor's act or omission discharging him, does. (Note giving time to the principal debtor falls under Section 135, not 134.)

Tip: s.134 — “release of, or discharge of, the principal debtor discharges the surety.”

Final Answer: Release or discharge of the principal debtor discharges the surety ⇒

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

Q60.

Solution

Concept — Public versus private nuisance (law of torts): A public nuisance, also an offence under Section 268 of the Indian Penal Code, 1860, affects the public or a class of the public, whereas a private nuisance affects an individual's enjoyment of his land, as discussed in *Ram Raj Singh v. Babulal*.

Step 1 — Draw the distinction: A public nuisance materially affects the reasonable comfort and convenience of the public at large; a private nuisance interferes with a particular person's use or enjoyment of land. A public nuisance is remediable (by injunction or, with special damage, by a private action), so the options denying any remedy are wrong.

Tip: “Public nuisance = harm to public at large; private nuisance = harm to one's land.”

Final Answer: A public nuisance affects the public at large; private affects an individual's land ⇒

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

Q61.

Solution

Concept — False imprisonment (trespass to the person): False imprisonment is the total restraint of a person's liberty, without lawful justification, for however short a time, a tort distinct from assault and battery, illustrated by *Bird v. Jones*.

Step 1 — Apply the elements: The restraint must be total; a partial obstruction leaving a reasonable means of escape is not false imprisonment. A mere threat creating apprehension is assault, and intentional application of force is battery, while negligent injury is the separate tort of negligence.



Tip: “False imprisonment = total restraint of liberty, no lawful excuse.”

Final Answer: It is the total restraint of liberty without lawful justification ⇒ C

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

Q62.

Solution

Concept — Legal disability (Section 6, Limitation Act): Section 6 of the Limitation Act, 1963 protects a person who is, at the time the period begins, a minor, insane or an idiot, by allowing time after the disability ceases.

Step 1 — Apply the section: Such a person may institute the suit or make the application within the same period, after the disability has ceased, as would otherwise have been allowed from the prescribed time. The period is not unaffected by the disability, nor unlimited, nor dependent on appointment of a guardian.

Tip: s.6 — “disability suspends limitation; clock runs after it ceases.”

Final Answer: Time runs for the like period after the disability ceases ⇒ B

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

Q63.

Solution

Concept — Capacity of a married woman to give in adoption (HAMA): Under Section 9 of the Hindu Adoptions and Maintenance Act, 1956, the father or mother (and in their absence the guardian) may give a child in adoption. Where the mother is married, she may give the child only with the consent of her husband, the husband’s consent being dispensable only on the statutory grounds.

Step 1 — Apply the proviso: The husband’s consent is not required where he has completely and finally renounced the world, has ceased to be a Hindu, or has been declared by a court of competent jurisdiction to be of unsound mind. Hence the giving is valid only with such consent absent those grounds — option (A).

Tip: “Renounced / non-Hindu / unsound mind” is the recurring consent-dispensing trio in HAMA.

Final Answer: She may give the child only with the husband’s consent (subject to the stated exceptions) ⇒ A

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



Q64.

Solution

Concept — Capacity of a male Hindu to adopt (s.7 HAMA): Section 7 of the Hindu Adoptions and Maintenance Act, 1956 permits a male Hindu of sound mind, not a minor, to adopt; but if he has a wife living, he shall not adopt except with her consent.

Step 1 — Apply the proviso: The wife's consent is dispensed with only if she has completely and finally renounced the world, ceased to be a Hindu, or been declared of unsound mind by a court. Age 45 (B), same caste (C), and co-adopter status (D) are not statutory requirements.

Tip: A living wife's consent is the controlling condition for a male adopter under s.7.

Final Answer: Valid only with the living wife's consent (subject to the exceptions)

⇒ B

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

Q65.

Solution

Concept — Irrevocability and effect of adoption (ss.12 & 15 HAMA): Under Section 15, a valid adoption once made cannot be cancelled by the adoptive parent, nor can the adopted child renounce the adoptive status. Under Section 12, the adopted child is deemed the child of the adopter for all purposes from the date of adoption.

Step 1 — Effect of an after-born natural son: The subsequent birth of a natural son does not invalidate the earlier adoption. Both the adopted son and the natural son are sons of the father and take together in the family property; the adoption remains valid and irrevocable — option (C). (A), (B) and (D) wrongly treat the adoption as defeasible.

Tip: Adoption + later natural birth = both are coparceners/sons; adoption is not cancelled.

Final Answer: Adoption stands; adopted and natural sons take together ⇒ C

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



Q66.

Solution

Concept — Doctrine of relation back: Under the old uncodified law, an adoption made by a Hindu widow was deemed to relate back to the date of her deceased husband's death, enabling the adopted son to divest property that had in the meantime vested in collaterals by inheritance.

Step 1 — Effect of HAMA: The proviso to Section 12 of the Hindu Adoptions and Maintenance Act, 1956 abolished this doctrine: the adopted child shall not divest any person of any estate vested in him or her before the adoption. Thus the correct description of the (now abrogated) doctrine is option (D); (A), (B) and (C) misstate it.

Tip: Post-1956, an adopted child cannot “relate back” to divest already-vested estates.

Final Answer: Relation back to the husband's death, now abrogated by the s.12 proviso ⇒

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

Q67.

Solution

Concept — Daughter as coparcener (amended s.6, HSA): The Hindu Succession (Amendment) Act, 2005 made a daughter a coparcener by birth in her own right, with the same rights and liabilities as a son. In *Vineeta Sharma v. Rakesh Sharma* (2020) the Supreme Court held that the right is conferred by birth, so the coparcener father need not be alive on 9 September 2005.

Step 1 — Apply to the facts: Since the daughter's right flows from her own birth and not from the father surviving the amendment, “D” is a coparcener and entitled to her share even though “F” died in 2001 — option (A). (B), (C) and (D) impose disqualifications the Act does not recognise.

Tip: The daughter's coparcenary right is by birth — the father's survival on the cut-off date is irrelevant.

Final Answer: “D” is a coparcener by birth and gets her share ⇒

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



Q68.

Solution

Concept — Devolution of a female coparcener's interest: The amended Section 6 of the Hindu Succession Act, 1956 provides that on the death of a coparcener, the coparcenary interest devolves by testamentary or intestate succession under the Act and *not* by survivorship.

Step 1 — Eliminate: Survivorship (A) is the very mode abolished; escheat (C) arises only when there is no heir; reversion to the karta (D) is unknown to the Act. Hence devolution is by succession — option (B).

Tip: Post-2005, a coparcener's interest is notionally partitioned and passes by succession, not survivorship.

Final Answer: By testamentary or intestate succession, not survivorship ⇒ B

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

Q69.

Solution

Concept — Abrogation of survivorship: While the original Hindu Succession Act, 1956 retained survivorship for Mitakshara coparcenary interest (subject to the proviso to old s.6), the doctrine was finally and completely displaced for devolution of a coparcener's interest by the substituted Section 6 introduced by the Hindu Succession (Amendment) Act, 2005.

Step 1 — Eliminate: (A) is wrong because the 1956 Act did not abrogate survivorship in all cases; (B) the HMA and (D) the HAMA deal with marriage and adoption/maintenance respectively. The correct instrument is the 2005-substituted s.6 — option (C).

Tip: Survivorship for coparceners died with the 2005 substitution of s.6.

Final Answer: The substituted s.6 of 2005 abolished survivorship ⇒ C

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



Q70.

Solution

Concept — Talaq-ahsan (most approved form): Within talaq-ul-sunnat, the ahsan form consists of a *single* pronouncement of divorce during a tuhr (period of purity) when the wife is free from menstruation, followed by abstinence from intercourse throughout the iddat. It is revocable during the iddat and becomes irrevocable only on completion of the iddat.

Step 1 — Distinguish: Three pronouncements in one sitting (A) is biddat; three pronouncements over three tuhrs (B) is hasan; instantaneous irrevocable divorce (C) again describes biddat. The single-pronouncement-during-tuhr description is option (D).

Tip: Ahsan = single revocable pronouncement; it is the most approved because reconciliation remains possible.

Final Answer: Single pronouncement in a tuhr, irrevocable on completing iddat ⇒ D

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

Q71.

Solution

Concept — Triple talaq, present position: In *Shayara Bano v. Union of India* (2017) the Supreme Court held instantaneous triple talaq (talaq-e-biddat) to be void and unconstitutional. The legislature then enacted the Muslim Women (Protection of Rights on Marriage) Act, 2019, declaring such pronouncement void and illegal and making it a punishable offence.

Step 1 — Eliminate: (A) wrongly treats it as still valid; (B) limiting validity to pronouncement before a qazi and (D) confining it to Shia Muslims are both incorrect. The accurate position is option (C): void and now a punishable offence.

Tip: 2017 (void) + 2019 Act (offence) is the two-step to remember.

Final Answer: Void and a punishable offence under the 2019 Act ⇒ C

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



Q72.

Solution

Concept — Khula: Khula is a divorce at the instance of the wife, in which she offers consideration — typically returning or foregoing her mahr — to the husband for releasing her from the marital tie, the dissolution taking effect with the husband's acceptance.

Step 1 — Distinguish the alternatives: Ila (A) is a vow of abstinence; zihar (C) is a comparison of the wife to a prohibited female; talaq-e-tafweez (D) is a delegated talaq. The wife-initiated divorce for consideration is khula — option (B).

Tip: Khula = wife “buys” her freedom by giving up mahr, with the husband's consent.

Final Answer: The arrangement described is khula ⇒ B

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

Q73.

Solution

Concept — Mubarat: Mubarat is a dissolution of marriage by mutual consent, where both husband and wife are equally desirous of separation and agree to release each other from the marital bond. The aversion is mutual, distinguishing it from khula (which proceeds from the wife's side).

Step 1 — Distinguish: Lian (B) is divorce by mutual imprecation on a charge of adultery; faskh (C) is judicial rescission; hasan (D) is a form of talaq. Divorce by common consent is mubarat — option (A).

Tip: Mubarat = “mutual release” — both sides want out.

Final Answer: Divorce by mutual consent is mubarat ⇒ A

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

Q74.

Solution

Concept — Faskh (judicial dissolution): Faskh is the rescission or annulment of a Muslim marriage by judicial decree. Under the Dissolution of Muslim Marriages Act, 1939 a Muslim wife may sue for dissolution on enumerated grounds such as the husband's whereabouts being unknown, failure to maintain, cruelty, impotence or desertion.



Step 1 — Distinguish: Talaq-e-tafweez (A) is delegated talaq; mubarat (B) is by mutual consent; khula (D) is at the wife's instance for consideration. A court-decreed dissolution on the statutory grounds is faskh — option (C).

Tip: The 1939 Act is the vehicle for faskh (judicial divorce) at the wife's suit.

Final Answer: Court dissolution under the 1939 Act is faskh ⇒

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

Q75.

Solution

Concept — Iddat on divorce: Iddat is the period a woman must observe after dissolution of marriage before she may remarry, designed to ascertain whether she is pregnant and thereby to determine the legitimacy of any child.

Step 1 — Apply the rule: For a divorced woman (consummated marriage, not pregnant), the iddat is three menstrual courses, or where she does not menstruate, three lunar months. (Forty days, six months, and “until remarriage” are wrong.) Hence option (D). (On a husband's death the iddat is four months and ten days.)

Tip: Divorce iddat = three courses / three months; death iddat = 4 months 10 days.

Final Answer: Three menstrual courses (or three lunar months) ⇒

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

Q76.

Solution

Concept — Lease vs licence: A lease under Section 105 of the Transfer of Property Act, 1882 transfers a right to enjoy immovable property and creates an interest in the property; a licence (s.52, Indian Easements Act) is a mere permission to do something that would otherwise be unlawful, creating no interest.

Step 1 — Apply the test: In *Associated Hotels of India Ltd. v. R.N. Kapoor* (1959) the Court held that the decisive test is whether an interest in the property (exclusive possession) is created. Registration (A), periodicity of rent (B) and the grantor's legal nature (C) are not determinative. Hence option (D).

Tip: Lease = transfer of an interest/possession; licence = bare personal permission.

Final Answer: The test is whether an interest (exclusive possession) is created



⇒ D

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

Q77.

Solution

Concept — Determination by forfeiture (s.111(g) TPA): A lease determines by forfeiture where the lessee breaks an express condition which provides that on breach the lessor may re-enter, or denies the lessor's title, or is adjudged insolvent (where the lease so provides), and the lessor gives notice signifying his intention to determine the lease.

Step 1 — Distinguish modes: Efflux of time (A) is s.111(a); death of the lessor (C) does not by itself determine a lease; mutual surrender (D) is s.111(e)/(f). Forfeiture is the breach-plus-intention situation in option (B).

Tip: Forfeiture needs both a breach of a re-entry condition and the lessor's signified intention to determine.

Final Answer: Breach of a re-entry condition plus the lessor's intention to determine ⇒ B

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

Q78.

Solution

Concept — Holding over (s.116 TPA): Where a lessee remains in possession after the determination of the lease and the lessor accepts rent or otherwise assents to his continuing, the lease is, in the absence of an agreement to the contrary, renewed from year to year or month to month according to the purpose for which the property is leased.

Step 1 — Eliminate: The lessee does not become a trespasser (A) once rent is accepted; he acquires no ownership by adverse possession (B), assent negating adverse possession; nor is the original fixed term auto-extended identically (D). The renewal is periodic — option (C).

Tip: Acceptance of rent after term-end converts the tenancy into a periodic (year/month) one.

Final Answer: A periodic tenancy by holding over (year to year / month to month) ⇒ C



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

Q79.

Solution

Concept — Rights and liabilities of lessee (s.108 TPA): Section 108 of the Transfer of Property Act, 1882, in the absence of a contract or local usage to the contrary, casts on the lessee the duties to pay the rent, to keep the property in as good condition as it was when let (ordinary tenantable repairs being his), and to restore it on determination.

Step 1 — Eliminate: The lessor's main obligation is to put the lessee in possession and disclose material defects; he is not bound to do ordinary repairs (A). The mortgagee (B) and municipal authority (C) bear no such duty. The obligation is the lessee's — option (D).

Tip: Rent + ordinary repairs + restoration are the lessee's core s.108 duties.

Final Answer: The duty to pay rent and make ordinary repairs rests on the lessee ⇒ D

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

Q80.

Solution

Concept — Ordinary vs special resolution (Companies Act, 2013): A special resolution under Section 114(2) requires votes in favour of not less than three times the votes against (a three-fourths majority). Alteration of the articles of association under Section 14 can be effected only by special resolution.

Step 1 — Eliminate: Declaration of a dividend (A), adoption of financial statements (C) and appointment of the first auditor (D) are ordinary-resolution / Board matters. Only alteration of articles requires a special resolution — option (B).

Tip: "Alter MOA object/AOA, reduce capital, wind up voluntarily" are classic special-resolution items.

Final Answer: Alteration of the articles requires a special resolution ⇒ B

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



Q81.

Solution

Concept — Notice of general meeting (s.101 Companies Act, 2013): Section 101 requires a general meeting of a company to be called by giving not less than twenty-one clear days' notice, in writing or through electronic mode, to the members, directors and auditors.

Step 1 — Apply: "Clear days" excludes the day of service and the day of the meeting. A shorter notice is permissible only with the consent of the requisite majority of members. The minimum is therefore twenty-one clear days — option (C); seven (A), fourteen (B) and thirty (D) days are incorrect.

Tip: 21 clear days is the standard statutory notice for a general meeting.

Final Answer: Twenty-one clear days' notice ⇒

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

Q82.

Solution

Concept — Oppression and mismanagement (ss.241–242): An application complaining that the affairs of a company are being conducted in a manner oppressive to members or prejudicial to the company's or public interest is made under Sections 241–242 of the Companies Act, 2013 to the National Company Law Tribunal (NCLT).

Step 1 — Eliminate: SEBI (B) deals with securities-market regulation; the Registrar (C) handles filings and incorporation; the Company Law Board (D) stood dissolved and replaced by the NCLT. Jurisdiction lies with the NCLT — option (A).

Tip: Post-2016 the NCLT absorbed the Company Law Board's powers, including ss.241–242 relief.

Final Answer: The application lies before the NCLT ⇒

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



Q83.

Solution

Concept — Winding up for inability to pay debts: After the Insolvency and Bankruptcy Code, 2016 and the consequential amendments, “inability to pay debts” as a ground was removed from the Companies Act winding-up scheme and is now addressed through the corporate insolvency resolution and liquidation process under the IBC, 2016 before the NCLT.

Step 1 — Eliminate: The Companies Act, 2013 winding-up route (B) now covers other grounds (such as just and equitable); the High Court under the 1956 Act (C) no longer has this jurisdiction; the DRT (D) handles recovery, not corporate insolvency. The IBC route is option (A).

Tip: Debt-default insolvency = IBC/NCLT; other winding-up grounds = Companies Act/NCLT.

Final Answer: Dealt with under the IBC, 2016 insolvency/liquidation process ⇒ A

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

Q84.

Solution

Concept — Well-known trade mark (Trade Marks Act, 1999): A well-known mark is defined in Section 2(1)(zg) and protected under Sections 11(2) and 29(4): its reputation in the relevant section of the public is such that use of an identical or similar mark on *different* goods or services would indicate a connection with the proprietor and damage his interests.

Step 1 — Eliminate: The protection is precisely *not* confined to the registered goods (A); it does not require registration in every class (C); and it is not limited to the proprietor’s lifetime (D). The trans-class protection is the correct statement — option (A).

Tip: Well-known marks get cross-class protection against dilution and unfair connection.

Final Answer: Protection extends across classes against connection/damage ⇒ A

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



Q85.

Solution

Concept — Infringement vs passing off: Infringement under Section 29 of the Trade Marks Act, 1999 is a statutory remedy available to the registered proprietor for unauthorised use of the registered mark. Passing off is a common-law action protecting the goodwill of a trader's mark, available even where the mark is unregistered.

Step 1 — Eliminate: Passing off is *not* confined to registered proprietors (A); damage need not be proved in every infringement while never in passing off (C) is inaccurate (passing off itself requires misrepresentation causing damage); neither remedy is contingent on criminal prosecution (D). The correct distinction is option (B).

Tip: Registered → infringement (statutory); unregistered/goodwill → passing off (common law).

Final Answer: Infringement is statutory; passing off is the common-law goodwill remedy ⇒ B

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

Q86.

Solution

Concept — Assignment of a trade mark (ss.37–42 Trade Marks Act, 1999): The Act permits assignment of a registered trade mark both with and without the goodwill of the business. Section 39 allows assignment without goodwill, subject to the restrictions in Sections 40–42, including the requirement (s.42) of advertisement of the assignment within the prescribed period and obtaining the Registrar's directions.

Step 1 — Eliminate: It is not wholly void (A); it is not limited to unregistered marks (B); nor does it need prior Central Government sanction (D). Assignment without goodwill is permissible on the prescribed conditions — option (C).

Tip: Assignment may be “with or without goodwill”, the latter carrying the s.42 advertisement safeguard.

Final Answer: Permissible subject to the prescribed conditions and advertisement ⇒ C

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



Q87.

Solution

Concept — Intermediary safe harbour (s.79 IT Act, 2000): In *Shreya Singhal v. Union of India* (2015) the Supreme Court struck down Section 66A as unconstitutionally vague and also read down Section 79. Section 79 grants an intermediary exemption from liability for third-party information provided it observes due diligence and removes/disables content on actual knowledge or appropriate government/court notification.

Step 1 — Eliminate: Section 66A was *not* revived (B is wrong); Section 67 (C) deals only with obscene material; Section 43A (D) concerns compensation for data-security failures. The continuing intermediary-liability provision is Section 79 — option (A).

Tip: s.79 = safe harbour conditional on due diligence and prompt takedown on notice.

Final Answer: Section 79 provides the conditional intermediary safe harbour ⇒ A

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

Q88.

Solution

Concept — Pecuniary jurisdiction (Consumer Protection Act, 2019): The 2019 Act fixes pecuniary jurisdiction on the value of consideration paid. After the 2021 revision, the District Commission hears complaints up to fifty lakh rupees, the State Commission above fifty lakh up to two crore, and the National Commission above two crore rupees.

Step 1 — Apply to the slab: A complaint where the consideration exceeds two crore but does not exceed ten crore rupees falls within the National Commission's jurisdiction. Therefore among the listed for the appropriate one is the National Consumer Disputes Redressal Commission — option (C). (District (A) and State (B) limits are exceeded; a civil court (D) is ousted.)

Tip: Above two crore → National Commission under the 2019 Act (post-2021 slabs).

Final Answer: The National Consumer Disputes Redressal Commission ⇒ C

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



Q89.

Solution

Concept — Interim and Final Awards: Section 31(6) of the Arbitration and Conciliation Act, 1996 expressly allows the arbitral tribunal, at any time during the proceedings, to make an interim arbitral award on any matter with respect to which it may make a final award. An interim award is itself an “award” and is enforceable as such, as recognised in *Satwant Singh Sodhi v. State of Punjab* (1999).

Step 1 — Eliminate the distractors: The Act does not compel a single composite award, does not require reference of a decided head to the civil court, and does not condition partial decisions on fresh written consent. The tribunal may dispose of a ripe, separable issue at once.

Tip: See s.31(6) Bare Act — “interim award on any matter on which a final award may be made.”

Final Answer: It may make an interim award on any such matter ⇒ B

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

Q90.

Solution

Concept — Additional Award (s.33): Section 33 of the Arbitration and Conciliation Act, 1996 deals with correction, interpretation and additional awards. Under Section 33(4), a party may, within thirty days of receipt of the award (and after notice to the other party), request the tribunal to make an additional award as to claims *presented* in the proceedings but *omitted* from the award.

Step 1 — Distinguish the powers: A tribunal cannot set aside its own award (that is the court’s power under s.34), s.36 is enforcement (not remission), and s.29A fixes the time-limit, not the reopening of a reference. An omitted-claim grievance is cured only by an additional award under s.33(4).

Tip: s.33(1) = correction/interpretation; s.33(4) = additional award for omitted claims.

Final Answer: Additional arbitral award under Section 33(4) ⇒ A

Answer: (A) [Go Back to Q90](#)



Q91.

Solution

Concept — Time-Limit for the Award (s.29A): Section 29A of the Arbitration and Conciliation Act, 1996 requires the award in a matter other than international commercial arbitration to be made within twelve months from the date of completion of pleadings under Section 23(4). The parties may, by consent, extend this period by a further six months; any extension beyond that lies only with the court for sufficient cause.

Step 1 — Eliminate the others: There is no ninety-day or rigid six-month-without-extension rule, and the three-year limitation period governs the *commencement* of arbitration, not the making of the award. The statutory clock is twelve months plus six.

Tip: See s.29A(1)/(3) Bare Act — “12 months from completion of pleadings, +6 by consent.”

Final Answer: Within twelve months of completion of pleadings, extendable by six months ⇒ C

Answer: (C) [Go Back to Q91](#)

Q92.

Solution

Concept — Patent Illegality (s.34(2A)): The 2015 Amendment inserted Section 34(2A) into the Arbitration and Conciliation Act, 1996, providing that a purely domestic award may be set aside if it is vitiated by patent illegality appearing on the face of the award. As clarified in *Ssangyong Engineering v. NHAI* (2019), this covers a view that no reasonable person could take, but not a mere erroneous application of law or re-appreciation of evidence.

Step 1 — Eliminate the others: Section 34(2)(a)(i) is about the validity of the agreement and (a)(v) about the composition/procedure of the tribunal; a mere error of fact is *not* a ground at all. A view that is not even a possible view of Indian substantive law is patent illegality under s.34(2A).

Tip: Patent illegality is available only in *domestic* arbitrations, not international commercial ones.

Final Answer: Patent illegality on the face of the award under Section 34(2A) ⇒ D

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



Q93.

Solution

Concept — Public Policy: Fraud and Corruption: Explanation 1 to Section 34(2)(b)(ii) of the Arbitration and Conciliation Act, 1996 declares that an award is in conflict with the public policy of India only if the making of the award was induced or affected by fraud or corruption, or was in violation of Section 75 (confidentiality) or Section 81, or contravenes the fundamental policy of Indian law or basic notions of morality and justice. *Venture Global Engineering v. Satyam* (2010) illustrates fraud-tainted awards.

Step 1 — Eliminate the others: A higher-than-expected sum, a clerical mistake (curable under s.33), or a few days' delay in delivery do not engage the public-policy ground. Only fraud, corruption or the enumerated violations do.

Tip: Post-2015, “public policy” is narrow — fraud/corruption, fundamental policy, morality/justice.

Final Answer: An award induced or affected by fraud or corruption ⇒

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

Q94.

Solution

Concept — Enforcement of Domestic Award (s.36): Section 36 of the Arbitration and Conciliation Act, 1996 provides that where the time for making a Section 34 application has expired, the award shall be enforced in accordance with the Code of Civil Procedure, 1908, in the same manner as if it were a decree of the court. After the 2015 Amendment and *BCCI v. Kochi Cricket* (2018), mere filing of a s.34 application no longer operates as an automatic stay; a separate stay order is needed.

Step 1 — Eliminate the others: No separate High Court confirmation, no registration under the Registration Act, and no Gazette re-publication is required. The unchallenged award is executed as a decree.

Tip: See s.36(1) Bare Act — “enforced under the CPC as if a decree of the court.”

Final Answer: Enforced under the CPC as if it were a decree of the court ⇒

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



Q95.

Solution

Concept — Organisation of Lok Adalats: Section 19 of the Legal Services Authorities Act, 1987 empowers every State Authority, District Authority, Supreme Court Legal Services Committee, High Court Legal Services Committee and Taluk Committee to organise Lok Adalats at such intervals and places and for exercising such jurisdiction as it thinks fit, and prescribes their composition (serving or retired judicial officer plus other members).

Step 1 — Eliminate the others: Section 12 sets the criteria of eligibility for free legal services, Section 4 lists the Central Authority's functions, and Section 2(1)(a) is merely the definition clause. The organisation and composition of Lok Adalats is governed by Section 19.

Tip: s.19 = organisation/composition; s.20 = cognizance; s.21 = award.

Final Answer: Section 19 of the Legal Services Authorities Act, 1987 ⇒ C

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

Q96.

Solution

Concept — Permanent Lok Adalat for Public Utility Services: Sections 22B and 22C of the Legal Services Authorities Act, 1987 (inserted in 2002) provide for Permanent Lok Adalats to deal with disputes in respect of one or more *public utility services* (transport, postal/telegraph, power, water, insurance, etc.). Where pre-litigation conciliation fails, the Permanent Lok Adalat may decide the dispute on its merits, provided the dispute does not relate to an offence and the pecuniary limit is not exceeded.

Step 1 — Eliminate the others: It does not entertain offences punishable with imprisonment, it acts at the *pre-litigation* stage (no decreed suit needed), and it is not confined to land or matrimonial matters. Its domain is public utility services with a power to adjudicate on merits.

Tip: “Public utility service” is defined in s.22A(b); the merits-deciding power is the key distinction from an ordinary Lok Adalat.

Final Answer: Disputes in public utility services, decidable on merits where conciliation fails ⇒ D

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



Q97.

Solution

Concept — Finality of a Lok Adalat Award: Section 21 of the Legal Services Authorities Act, 1987 provides that every award of a Lok Adalat shall be deemed to be a decree of a civil court, shall be final and binding on all the parties, and that *no appeal* shall lie against the award to any court. *State of Punjab v. Jalour Singh* (2008) holds that a valid award presupposes a genuine compromise between the parties.

Step 1 — Eliminate the others: The award is not a mere recommendation, no appeal to the District Judge is available, and it binds *all* parties, not only the one who sought the reference. Its hallmark is finality with no appeal.

Tip: See s.21(1)/(2) Bare Act — “deemed a decree, final, no appeal.”

Final Answer: Deemed a decree of a civil court, final, with no appeal ⇒

[Go Back to Q97](#)

Q98.

Solution

Concept — Disciplinary Reference (s.35): Section 35(1) of the Advocates Act, 1961 provides that where a State Bar Council has reason to believe that an advocate on its roll has been guilty of professional or other misconduct, it shall refer the case for disposal to its disciplinary committee. The committee, after notice and hearing, may pass an order under s.35(3), as elaborated in *Bar Council of Maharashtra v. M.V. Dabholkar* (1976).

Step 1 — Eliminate the others: Section 16 only classifies advocates as senior and other advocates, Section 49 is the BCI’s rule-making power, and Section 30 confers the right to practise. The reference of a misconduct case to the disciplinary committee is made under Section 35.

Tip: s.35(1) = reference to committee; s.35(3) = punishment after hearing.

Final Answer: Section 35 of the Advocates Act, 1961 ⇒

[Go Back to Q98](#)



Q99.

Solution

Concept — Appellate Hierarchy in Disciplinary Matters: Under the Advocates Act, 1961, a person aggrieved by an order of the disciplinary committee of a State Bar Council may appeal to the Bar Council of India under Section 37, and a person aggrieved by an order of the disciplinary committee of the Bar Council of India may further appeal to the Supreme Court under Section 38. The order can be stayed and modified at each stage.

Step 1 — Eliminate the others: The first appeal does not lie to the High Court, it does not go to the Central Government, and the State Bar Council's order is certainly not final. The correct route is State committee → BCI (s.37) → Supreme Court (s.38).

Tip: s.35 (first instance) → s.37 (appeal to BCI) → s.38 (appeal to Supreme Court).

Final Answer: Appeal to the Bar Council of India (s.37), then to the Supreme Court (s.38) ⇒ C

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

Q100.

Solution

Concept — Conflict of Interest: The Bar Council of India Rules (Chapter II, Part VI — duty to the client) forbid an advocate from acting in a way that creates a conflict of interest or from using a client's confidence against him. He must not appear against a client whom he is already advising or representing in the same or a connected matter, as the relationship is fiduciary; *P.D. Khandekar v. Bar Council of Maharashtra* (1984) underscores the standard of fidelity expected.

Step 1 — Eliminate the others: Accepting a fee from each side, exploiting confidential information already received, or choosing the higher-paying client all breach the duty of loyalty and confidence. The advocate must decline the brief against his own client.

Tip: "No advocate shall appear against a party he is already representing in a connected matter."

Final Answer: Decline to appear against his own client ⇒ D

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



Answer Key

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

