

# CUET PG 2026 LLM Question Paper with Solutions(Memory Based)

Time Allowed :1 Hours 30 min	Maximum Marks :300	Total Questions :75
------------------------------	--------------------	---------------------

## General Instructions

1. The exam lasts 90 minutes (1 hour 30 minutes).
2. There are 75 Multiple Choice Questions (MCQs) to be answered.
3. +4 marks for every correct answer. -1 mark (negative marking) for every incorrect answer. 0 marks for unanswered or un-attempted questions.
4. For any discrepancy in questions, the English version is considered final (except for language-specific papers).
5. Click one of the four options to choose an answer.
6. You must click "Save & Next" to confirm your response. Only saved answers are considered for evaluation.
7. Use "Mark for Review & Next" to flag a question for later. You can unselect or change your answer using the "Clear Response" button.
8. All calculations must be done on the Rough Sheets provided at the centre. These must be returned to the invigilator after the exam.

**1. Which Article of the Indian Constitution is known as the "Heart and Soul" of the Constitution?**

- (A) Article 14
- (B) Article 19
- (C) Article 21
- (D) Article 32

**Correct Answer:** (4) Article 32

**Solution:**

**Concept:** The phrase "Heart and Soul of the Constitution" was used by Dr. B.R. Ambedkar to describe a particular Article that ensures the protection and enforcement of Fundamental Rights. This Article gives citizens the power to directly approach the Supreme Court for the enforcement of their rights.

**Step 1: Understanding the importance of Article 32.**

Article 32 provides the right to constitutional remedies, allowing individuals to move the Supreme Court if their Fundamental Rights are violated.

**Step 2: Why it is called the "Heart and Soul".**

Dr. B.R. Ambedkar stated that Article 32 is the "Heart and Soul" of the Constitution because it guarantees the enforcement of Fundamental Rights. Without this provision, the rights would be meaningless.

**Step 3: Eliminating other options.**

- Article 14: Right to Equality
- Article 19: Freedom Rights
- Article 21: Right to Life and Personal Liberty

Although important, these do not provide enforcement mechanisms like Article 32.

### Quick Tip

Always remember: Article 32 = Right to Constitutional Remedies = "Heart and Soul" of the Constitution (as called by Dr. B.R. Ambedkar).

## 2. Who propounded the theory of "Grundnorm" in Jurisprudence?

- (A) John Austin
- (B) Hans Kelsen
- (C) H.L.A. Hart
- (D) Roscoe Pound

**Correct Answer:** (2) Hans Kelsen

### Solution:

**Concept:** The theory of "Grundnorm" is a fundamental concept in legal theory introduced under the Pure Theory of Law. It refers to the basic norm or foundational rule from which all other legal norms derive their validity.

**Step 1: Understanding Grundnorm.**

"Grundnorm" means "basic norm." It is a hypothetical rule that serves as the ultimate source of validity for a legal system.

**Step 2: Identifying the propounder.**

Hans Kelsen, an Austrian jurist, developed the Pure Theory of Law and introduced the concept of Grundnorm as the foundation of a legal system.

**Step 3: Eliminating other options.**

- John Austin: Known for the Command Theory of Law
- H.L.A. Hart: Known for the Concept of Law and Rule of Recognition
- Roscoe Pound: Known for Sociological Jurisprudence

Thus, only Hans Kelsen is associated with the theory of Grundnorm.

### Quick Tip

Grundnorm = Basic Norm = Foundation of legal validity → Proposed by Hans Kelsen.

**3. In which case was the "Doctrine of Basic Structure" first propounded?**

- (A) Golaknath v. State of Punjab
- (B) Kesavananda Bharati v. State of Kerala
- (C) Minerva Mills v. Union of India
- (D) Shankari Prasad v. Union of India

**Correct Answer:** (2) Kesavananda Bharati v. State of Kerala

**Solution:**

**Concept:** The Doctrine of Basic Structure is a principle in constitutional law which states that the Parliament cannot amend the basic structure or essential features of the Constitution.

**Step 1: Understanding the doctrine.**

This doctrine limits the amending power of Parliament under Article 368, ensuring that the core values of the Constitution remain intact.

**Step 2: Identifying the landmark case.**

The doctrine was first propounded by the Supreme Court in the landmark case of Kesavananda Bharati v. State of Kerala (1973).

**Step 3: Eliminating other options.**

- Golaknath v. State of Punjab: Held that Fundamental Rights cannot be amended (later modified)
- Minerva Mills v. Union of India: Strengthened the Basic Structure doctrine
- Shankari Prasad v. Union of India: Earlier view allowing amendment of Fundamental Rights

**Quick Tip**

Basic Structure Doctrine → First introduced in Kesavananda Bharati case (1973).

---

**4. What is the minimum number of persons required to constitute the offence of Dacoity?**

- (A) 3
- (B) 4
- (C) 5
- (D) 7

**Correct Answer:** (3) 5

**Solution:**

**Concept:** Dacoity is defined under Section 391 of the Indian Penal Code (IPC). It is an aggravated form of robbery involving multiple persons.

**Step 1: Definition under IPC.**

According to Section 391 IPC, when five or more persons conjointly commit or attempt to commit robbery, it is called dacoity.

**Step 2: Minimum requirement.**

The law clearly specifies that the minimum number of persons required is five.

**Step 3: Eliminating other options.**

Any number less than five will not amount to dacoity; it may constitute robbery but not dacoity.

Quick Tip

Dacoity = Robbery + 5 or more persons (Section 391 IPC).

---

**5. Which section of the Indian Contract Act deals with the doctrine of Frustration?**

- (A) Section 10
- (B) Section 37
- (C) Section 56
- (D) Section 73

**Correct Answer:** (3) Section 56

**Solution:**

**Concept:** The Doctrine of Frustration applies when a contract becomes impossible to perform due to events beyond the control of the parties. Under Indian law, this doctrine is codified in the Indian Contract Act, 1872.

**Step 1: Understanding frustration of contract.**

A contract is said to be frustrated when an unforeseen event makes its performance impossible or unlawful.

**Step 2: Relevant legal provision.**

Section 56 of the Indian Contract Act deals with agreements to do impossible acts and subsequent impossibility (frustration).

**Step 3: Eliminating other options.**

- Section 10: Essentials of a valid contract
- Section 37: Obligation of parties to perform
- Section 73: Compensation for breach of contract

Quick Tip

Doctrine of Frustration → Section 56, Indian Contract Act, 1872.

---

**6. Is a "Stranger to a contract" entitled to sue under Indian law?**

- (A) Yes, always
- (B) No, never
- (C) Yes, in all cases of consideration
- (D) No, except in certain exceptional cases

**Correct Answer:** (4) No, except in certain exceptional cases

**Solution:**

**Concept:** The doctrine of privity of contract states that only parties to a contract can sue or be sued on it. A stranger to a contract cannot enforce it.

**Step 1: Understanding the general rule.**

Under Indian law, only the parties to a contract have the right to enforce it. Therefore, a stranger to a contract cannot sue.

**Step 2: Exceptions to the rule.**

There are certain exceptions where a stranger can sue, such as:

- Trust or beneficiary cases
- Family settlements
- Acknowledgment or estoppel
- Assignment of contract

**Step 3: Conclusion.**

Thus, while the general rule denies the right, exceptions allow enforcement in specific situations.

#### Quick Tip

Privity of Contract: Stranger cannot sue, but remember key exceptions (trust, family arrangement, assignment).

---

### 7. Who is known as the father of Analytical Jurisprudence?

- (A) Salmond
- (B) Austin
- (C) Hart
- (D) Kelsen

**Correct Answer:** (2) Austin

**Solution:**

**Concept:** Analytical Jurisprudence focuses on the logical analysis of legal concepts and the structure of law. It is primarily concerned with law as it is (positive law), rather than law as it ought to be.

**Step 1: Understanding Analytical Jurisprudence.**

This school studies law in a scientific and systematic manner, emphasizing definitions, classifications, and the nature of legal rules.

**Step 2: Identifying the founder.**

John Austin is regarded as the father of Analytical Jurisprudence. He developed the Command Theory of Law, defining law as commands issued by a sovereign backed by sanctions.

**Step 3: Eliminating other options.**

- Salmond: Known for definitions and classifications of law
- Hart: Developed modern analytical jurisprudence (Concept of Law)
- Kelsen: Known for Pure Theory of Law and Grundnorm

**Quick Tip**

Father of Analytical Jurisprudence → John Austin (Command Theory).

---

**8. Under which Article can the Supreme Court issue writs for the enforcement of Fundamental Rights?**

- (A) Article 226
- (B) Article 32
- (C) Article 136
- (D) Article 142

**Correct Answer:** (2) Article 32

**Solution:**

**Concept:** The Constitution of India provides remedies for the enforcement of Fundamental Rights through the issuance of writs by higher courts.

**Step 1: Understanding Article 32.**

Article 32 empowers the Supreme Court to issue writs such as Habeas Corpus, Mandamus, Prohibition, Certiorari, and Quo Warranto for the enforcement of Fundamental Rights.

**Step 2: Importance of Article 32.**

It is itself a Fundamental Right and ensures that individuals can directly approach the Supreme Court in case of violation of their rights.

**Step 3: Eliminating other options.**

- Article 226: Power of High Courts to issue writs
- Article 136: Special Leave Petition
- Article 142: Complete justice provision

**Quick Tip**

Article 32 → Supreme Court's power to issue writs for enforcement of Fundamental Rights.

---

**9. The "Preamble" was amended for the only time by which Constitutional Amendment Act?**

- (A) 42nd Constitutional Amendment Act
- (B) 44th Constitutional Amendment Act
- (C) 24th Constitutional Amendment Act
- (D) 86th Constitutional Amendment Act

**Correct Answer:** (1) 42nd Constitutional Amendment Act

**Solution:**

**Concept:** The Preamble of the Constitution of India reflects the ideals and objectives of the Constitution. Although it is not enforceable in a court of law, it serves as a guiding principle for interpretation. The Preamble has been amended only once since the commencement of the Constitution.

**Step 1: Understanding the nature of the Preamble.**

The Preamble declares India to be a Sovereign, Socialist, Secular, Democratic Republic and secures justice, liberty, equality, and fraternity to all its citizens.

**Step 2: Identifying the amendment.**

The 42nd Constitutional Amendment Act, 1976, also known as the "Mini Constitution," made significant changes to the Preamble.

**Step 3: Changes introduced.**

This amendment inserted the words:

- "Socialist"
- "Secular"
- "Integrity" (in the phrase "unity and integrity of the Nation")

**Step 4: Eliminating other options.**

- 44th Amendment: Focused on restoring civil liberties post-Emergency
- 24th Amendment: Related to Parliament's power to amend Fundamental Rights
- 86th Amendment: Introduced Right to Education (Article 21A)

**Step 5: Conclusion.**

Thus, the Preamble was amended only once by the 42nd Constitutional Amendment Act, 1976.

**Quick Tip**

Preamble amended only once → 42nd Amendment (1976) → Added Socialist, Secular, Integrity.

---

**10. What does the legal maxim "Audi Alteram Partem" signify?**

- (A) No one should be a judge in his own cause
- (B) Let the decision stand
- (C) Hear the other side
- (D) Law does not concern itself with trifles

**Correct Answer:** (3) Hear the other side

**Solution:**

**Concept:** “Audi Alteram Partem” is a fundamental principle of Natural Justice. It ensures fairness in decision-making by requiring that both parties to a dispute be given an opportunity to present their case.

**Step 1: Meaning of the maxim.**

The Latin phrase “Audi Alteram Partem” literally translates to “hear the other side” or “listen to the other party.”

**Step 2: Role in Natural Justice.**

This principle ensures that:

- No person is condemned unheard
- Both sides are given a fair opportunity to present evidence and arguments

**Step 3: Practical application.**

It applies in judicial, quasi-judicial, and administrative proceedings. Any decision taken without giving a fair hearing may be declared void.

**Step 4: Related principle.**

Another important principle of natural justice is “Nemo Judex in Causa Sua,” meaning no one should be a judge in their own case.

**Step 5: Eliminating other options.**

- Option (A): Refers to “Nemo Judex in Causa Sua”
- Option (B): “Res Judicata” (let the decision stand)
- Option (D): “De minimis non curat lex”

**Step 6: Conclusion.**

Thus, the maxim ensures procedural fairness by mandating that both parties must be heard before a decision is made.

**Quick Tip**

Audi Alteram Partem = Hear the other side → Core principle of Natural Justice.

---

**11. Which school of law considers law as the ”Command of the Sovereign”?**

- (A) Historical School
- (B) Analytical School

- (C) Sociological School
- (D) Natural Law School

**Correct Answer:** (2) Analytical School

**Solution:**

**Concept:** The Analytical School of Jurisprudence focuses on law as it is (positive law) and emphasizes its structure, form, and logical analysis. It is primarily concerned with the source of law rather than its moral content.

**Step 1: Understanding the Command Theory.**

The idea that law is the "command of the sovereign" was propounded by John Austin. According to him, law consists of commands issued by a sovereign authority, backed by sanctions in case of non-compliance.

**Step 2: Linking to the school of law.**

John Austin belongs to the Analytical School, which studies law in a scientific and systematic manner, independent of moral or social considerations.

**Step 3: Key features of this school.**

- Law is a command
- Issued by a sovereign
- Backed by sanctions

**Step 4: Eliminating other options.**

- Historical School: Law evolves from customs and traditions (Savigny)
- Sociological School: Law is a tool for social engineering (Roscoe Pound)
- Natural Law School: Law is based on morality and natural justice

**Step 5: Conclusion.**

Thus, the Analytical School considers law as the command of the sovereign.

#### Quick Tip

Command Theory of Law → John Austin → Analytical School.

---

**12. "Mortgage by deposit of title deeds" is legally referred to as what type of mortgage?**

- (A) Simple Mortgage
- (B) Usufructuary Mortgage
- (C) Equitable Mortgage
- (D) English Mortgage

**Correct Answer:** (3) Equitable Mortgage

**Solution:**

**Concept:** Under the Transfer of Property Act, 1882, different types of mortgages are recognized. One such type is created without a formal written instrument, merely by depositing title deeds with the lender.

**Step 1: Understanding mortgage by deposit of title deeds.**

When a borrower delivers the title deeds of immovable property to the lender with an intent to create security, it is known as a mortgage by deposit of title deeds.

**Step 2: Legal terminology.**

This type of mortgage is commonly referred to as an **Equitable Mortgage**.

**Step 3: Legal provision.**

It is recognized under Section 58(f) of the Transfer of Property Act, 1882.

**Step 4: Key characteristics.**

- No formal registration required (in notified towns)
- Created by mere delivery of documents
- Based on trust and intention of parties

**Step 5: Eliminating other options.**

- Simple Mortgage: No transfer of possession, but requires a formal agreement
- Usufructuary Mortgage: Possession is given to the lender
- English Mortgage: Absolute transfer with a condition of retransfer

**Step 6: Conclusion.**

Thus, a mortgage by deposit of title deeds is known as an Equitable Mortgage.

Quick Tip

Deposit of title deeds = Equitable Mortgage (Section 58(f), TPA).

---

**13. Which Article of the Constitution deals with the Protection of life and personal liberty?**

- (A) Article 19
- (B) Article 20
- (C) Article 21
- (D) Article 22

**Correct Answer:** (3) Article 21

**Solution:**

**Concept:** Fundamental Rights are essential for ensuring the dignity, freedom, and liberty of individuals. Among them, Article 21 is one of the most important provisions in the Indian Constitution.

**Step 1: Understanding Article 21.**

Article 21 states: *“No person shall be deprived of his life or personal liberty except according to procedure established by law.”*

**Step 2: Scope and interpretation.**

The Supreme Court has interpreted Article 21 broadly to include various rights such as:

- Right to live with dignity
- Right to privacy
- Right to clean environment
- Right to education (before Article 21A)

**Step 3: Importance of Article 21.**

It acts as a safeguard against arbitrary actions of the State and ensures protection of individual liberty.

**Step 4: Eliminating other options.**

- Article 19: Freedom of speech and other freedoms
- Article 20: Protection in respect of conviction for offences
- Article 22: Protection against arrest and detention

**Step 5: Conclusion.**

Thus, Article 21 specifically deals with the protection of life and personal liberty.

**Quick Tip**

Article 21 = Life + Personal Liberty → Most expanded Fundamental Right.

---

**14. The "Rule of Law" was famously advocated by which jurist?**

- (A) Austin
- (B) Dicey
- (C) Kelsen
- (D) Bentham

**Correct Answer:** (2) Dicey

**Solution:**

**Concept:** The "Rule of Law" is a fundamental principle in constitutional law which emphasizes that law is supreme and governs all individuals, including those in authority.

**Step 1: Understanding the Rule of Law.**

It ensures that no one is above the law and that all actions of the government must be based on law.

**Step 2: Identifying the jurist.**

A.V. Dicey, a British jurist, is credited with developing and popularizing the concept of the Rule of Law in his work on the English Constitution.

**Step 3: Key principles given by Dicey.**

- Supremacy of law
- Equality before law
- Predominance of legal spirit

**Step 4: Eliminating other options.**

- Austin: Command theory of law
- Kelsen: Pure Theory of Law and Grundnorm
- Bentham: Utilitarian theory of law

**Step 5: Conclusion.**

Thus, A.V. Dicey is the jurist who famously advocated the Rule of Law.

**Quick Tip**

Rule of Law → A.V. Dicey → Supremacy, Equality, Legal Spirit.

---

**15. Under the Specific Relief Act, can a contract be specifically enforced if it involves personal service?**

- (A) Yes, always
- (B) No, never
- (C) Yes, with court permission
- (D) Only in exceptional cases

**Correct Answer:** (2) No, never

**Solution:**

**Concept:** Specific performance is an equitable remedy under the Specific Relief Act, 1963, where the court orders a party to perform their contractual obligations. However, certain types of contracts are not specifically enforceable.

**Step 1: Understanding contracts of personal service.**

Contracts involving personal skill, talent, or confidence (such as employment contracts) are termed contracts of personal service.

**Step 2: Legal position under the Act.**

Under Section 14 of the Specific Relief Act, contracts that involve personal qualifications, skill, or volition of a party cannot be specifically enforced.

**Step 3: Reason for non-enforceability.**

- Courts cannot supervise personal performance
- It would amount to forced labour
- It may violate personal liberty

**Step 4: Exceptions (clarificatory).**

Although personal service contracts are not specifically enforceable, courts may grant:

- Compensation for breach
- Declaration in certain employment matters (e.g., public servants under statutory protection)

**Step 5: Conclusion.**

Thus, contracts involving personal service cannot be specifically enforced under the Specific Relief Act.

Quick Tip

Personal Service Contracts → Not specifically enforceable (Section 14, Specific Relief Act).