

PU LLB Legal Aptitude

Sample Paper – 10

Duration: 36 Minutes

Maximum Marks: 40

Instructions

- This paper contains **40** Multiple Choice Questions (Single Correct Answer), modelled on the Legal Aptitude section of the **PU LLB** (Panjab University 3-Year LLB) entrance.
- Each correct answer carries **+1 mark**. **0.25 marks** are deducted for every incorrect answer. Unattempted questions carry **no penalty**.
- In principle-fact questions, assume the given principle is true and apply it to the facts, even if the principle differs from the actual law.
- Only **one** option is correct. Choose carefully.
- The actual exam is held **offline** on an OMR sheet in English, Hindi, or Punjabi.
- Use of mobile phones, calculators, or other electronic gadgets is strictly prohibited.

- Q1. Principle:** A person who, for his own purposes, brings onto his land and keeps there anything likely to do mischief if it escapes, is liable for all the damage that naturally follows if it escapes, even without negligence.
- Facts:** P installs a large industrial water reservoir on the roof of his factory for his own use. Without any carelessness on his part, the reservoir bursts and floods the adjoining shop of Q, ruining Q's goods. Is P liable?
- (A) No, because P took no part in causing the burst.
- (B) No, because Q should have stored his goods higher.
- (C) Yes, because the stored water escaped and caused damage.
- (D) Yes, but only if P was proved to be negligent.

- Q2. Principle:** The keeper of an animal known to be of a dangerous or vi-



cious disposition is liable for any harm it causes, irrespective of negligence. **Facts:** R keeps a pet leopard that has bitten people twice before. One day the leopard, without any fresh provocation, mauls a visitor, S. Is R liable for S's injuries?

- (A) No, because S should not have come near a wild animal.
- (B) Yes, because R knew the leopard was dangerous and it caused harm.
- (C) No, because R did not set the leopard on S.
- (D) Yes, but only if R had been warned by the police earlier.

Q3. Principle: A manufacturer who puts a defective product into the market that reaches the consumer without any reasonable chance of intermediate inspection is liable for harm caused by the defect. **Facts:** A sealed bottle of soft drink manufactured by M contains a decomposed insect. The buyer, N, drinks it and falls seriously ill. N had no way of inspecting the contents of the sealed bottle. Is M liable?

- (A) No, because N chose to drink it himself.
- (B) No, because the seller, not the manufacturer, sold it.
- (C) Yes, but only if N first complained to the shopkeeper.
- (D) Yes, because the defective sealed product reached N and harmed him.

Q4. Principle: An occupier of premises owes a duty to take reasonable care for the safety of visitors who are lawfully on the premises. **Facts:** A shopping mall, the occupier, leaves an open, unguarded service pit in a customer walkway with no barrier or warning. T, a shopper, falls into the pit and is injured. Is the mall liable?

- (A) Yes, because the occupier failed to keep a lawful visitor reasonably safe.
- (B) No, because T should have watched the floor.
- (C) No, because a mall cannot be responsible for every shopper.
- (D) Yes, but only if T had bought something that day.



- Q5. Principle:** An enterprise engaged in a hazardous or inherently dangerous activity is absolutely liable for any harm caused by an escape of toxic substances, and cannot escape liability by pleading that it took all reasonable care. **Facts:** A chemical plant, despite using the best safety equipment, accidentally leaks poisonous gas that injures people living nearby. The plant claims it took every precaution. Is the plant liable?
- (A) No, because it used the best available safety equipment.
(B) No, because the leak was an accident.
(C) Yes, because liability for a hazardous activity is absolute.
(D) Yes, but only up to the cost of the safety equipment.
- Q6. Principle:** A person who brings a dangerous thing onto his land is not liable for its escape if the escape is caused solely by the deliberate and unforeseeable act of a stranger over whom he has no control. **Facts:** U stores water in a tank on his land. A trespasser, whom U could not have foreseen or prevented, secretly opens the tank's valve at night, flooding the neighbour's field. Is U liable?
- (A) Yes, because the water came from U's tank.
(B) No, because the escape was caused solely by an unforeseeable stranger.
(C) Yes, because U should have guarded the tank day and night.
(D) No, because water is not a dangerous thing.
- Q7. Principle:** One who keeps a dangerous thing on his land is liable if it escapes and damages his neighbour's property, even in the absence of negligence. **Facts:** V lights a large bonfire of dry leaves on his own land on a still day. A sudden gust of wind, of a kind common in that season, carries the burning embers to W's adjoining haystack, which is destroyed. Is V liable?
- (A) No, because the wind, not V, carried the fire.
(B) No, because W should have kept the haystack elsewhere.
(C) Yes, but only if V intended to burn the haystack.



(D) Yes, because the fire he kept escaped and damaged W's property.

Q8. Principle: Liability for a dangerous thing arises only if the thing actually “escapes” from the defendant’s land or control to a place outside it; harm caused while it remains within the defendant’s own premises does not attract this rule. **Facts:** G stores explosives in a shed on his land. A worker employed by G is injured when the explosives go off while he is inside the shed. The worker sues G under the escape rule. Will this rule apply?

(A) No, because there was no escape outside G’s premises.

(B) Yes, because explosives are always dangerous.

(C) Yes, because the worker was injured.

(D) No, because the worker was paid for the job.

Q9. Principle: An occupier owes a higher duty of care towards children, and must guard against dangers that may tempt or allure a child onto the premises. **Facts:** A builder leaves an unfenced, brightly coloured open well on a plot beside a public park. A young child, attracted by the bright cover, wanders in and falls into the well. Is the builder liable?

(A) No, because the child was a trespasser.

(B) No, because the parents should have watched the child.

(C) Yes, because the occupier must guard against dangers that allure children.

(D) Yes, but only if the well belonged to the park.

Q10. Principle: The owner of cattle is liable for any damage done by them when they stray onto and trespass upon a neighbour’s land. **Facts:** H’s buffaloes break through a gap in his fence, wander into K’s vegetable garden next door, and trample and eat the crops. Is H liable for the damage to K’s crops?

(A) No, because the buffaloes acted on their own.



- (B) Yes, because the owner is liable when his cattle trespass and cause damage.
- (C) No, because K should have built a stronger fence.
- (D) Yes, but only if H drove the buffaloes there himself.

Q11. Citizenship of India at the commencement of the Constitution is dealt with by which group of Articles?

- (A) Articles 1 to 4
- (B) Articles 12 to 35
- (C) Articles 36 to 51
- (D) Articles 5 to 11

Q12. The Indian Constitution provides for:

- (A) single citizenship for the whole of India
- (B) separate citizenship for each State
- (C) double citizenship, one for the Union and one for the State
- (D) no concept of citizenship at all

Q13. Which writ is issued to question the authority of a person who unlawfully holds a public office?

- (A) Habeas Corpus
- (B) Mandamus
- (C) Quo Warranto
- (D) Certiorari

Q14. The writ of Prohibition is issued by a higher court to:

- (A) produce a detained person before the court
- (B) stop a lower court or tribunal from exceeding its jurisdiction
- (C) compel a public authority to perform its duty



(D) declare a law unconstitutional

Q15. After the commencement of the Constitution, the acquisition and termination of Indian citizenship is regulated by:

(A) a law made by Parliament

(B) the President alone

(C) each State Legislature

(D) the Supreme Court

Q16. The main purpose of the writ of Quo Warranto is to:

(A) quash an illegal order of a tribunal

(B) release a person from unlawful detention

(C) direct an official to do a public duty

(D) prevent a person from holding a public office he is not entitled to

Q17. Under the law of agency, an “agent” is a person who is:

(A) employed only to give legal advice

(B) employed to act for another in dealings with third persons

(C) the owner of the goods being sold

(D) a witness to a contract

Q18. Where a person acts on behalf of another without authority and that other later approves the act, this subsequent approval is called:

(A) revocation

(B) rescission

(C) ratification

(D) novation

Q19. Authority that an agent appears to have because of the principal's own conduct, even if not actually granted, is known as:



- (A) apparent or ostensible authority
- (B) express written authority
- (C) private authority
- (D) void authority

Q20. Which of the following does NOT by itself terminate an agency?

- (A) death of the principal
- (B) the principal revoking the agent's authority
- (C) completion of the business of the agency
- (D) a single third party refusing to deal with the agent

Q21. Under the Sale of Goods Act, a contract whereby the seller transfers or agrees to transfer the property in goods to the buyer for a price is a contract of:

- (A) bailment
- (B) sale of goods
- (C) agency
- (D) gift

Q22. Which new law has replaced the Code of Criminal Procedure (CrPC) as the main law of criminal procedure in India?

- (A) Bharatiya Nagarik Suraksha Sanhita
- (B) Bharatiya Nyaya Sanhita
- (C) Bharatiya Sakshya Adhinyam
- (D) Bharatiya Dand Prakriya Sanhita

Q23. The Indian Evidence Act, 1872 has been replaced by which new law?

- (A) Bharatiya Nyaya Sanhita
- (B) Bharatiya Nagarik Suraksha Sanhita



- (C) Bharatiya Sakshya Adhinyam
- (D) Bharatiya Praman Adhinyam

Q24. A “cognizable offence” is one in which a police officer may:

- (A) never investigate without the victim’s consent
- (B) arrest without a warrant and investigate without prior court permission
- (C) act only after the accused confesses
- (D) act only on the order of the High Court

Q25. In a “bailable offence”, the grant of bail to the accused is:

- (A) never allowed
- (B) allowed only by the Supreme Court
- (C) allowed only after conviction
- (D) a matter of right for the accused

Q26. A “First Information Report” (FIR) is:

- (A) the information about a cognizable offence first recorded by the police
- (B) the final judgment of a court
- (C) the charge-sheet filed after investigation
- (D) a written confession by the accused

Q27. In the law of torts, the defence of “act of God” applies where the harm is caused by:

- (A) the negligence of the defendant
- (B) a deliberate human act
- (C) natural forces so extraordinary that no human foresight could guard against them



(D) an ordinary, foreseeable rain shower

Q28. The defence of “inevitable accident” is available where the harm:

(A) was intended by the defendant

(B) could not have been avoided despite reasonable care by the defendant

(C) resulted from the defendant’s carelessness

(D) was caused by a known dangerous animal

Q29. The defence of “necessity” in tort allows a person to cause harm where it is done:

(A) purely for personal profit

(B) to take revenge on another

(C) without any reason at all

(D) to prevent a greater harm or evil

Q30. The defence expressed by the maxim “ex turpi causa non oritur actio”, that a plaintiff who is himself the wrongdoer cannot recover, means:

(A) no action arises from a wrongful or illegal cause

(B) the thing speaks for itself

(C) an act of God excuses all harm

(D) consent is a complete defence

Q31. The maxim “functus officio” refers to an authority or officer who:

(A) acts beyond his powers

(B) has discharged his duty and so has no further authority in the matter

(C) is biased in his own cause

(D) must hear both sides



- Q32.** A judicial decision said to be “per incuriam” is one that was decided:
- (A) with the consent of both parties
 - (B) by the highest court of the land
 - (C) after a full and careful hearing
 - (D) in ignorance of a relevant law or binding precedent
- Q33.** The doctrine of “lis pendens” means that during the pendency of a suit concerning property:
- (A) the suit is automatically dismissed
 - (B) the property must be sold by the court
 - (C) the property cannot be transferred so as to affect the rights of the parties to the suit
 - (D) both parties lose all rights in the property
- Q34.** Legal work done “pro bono” is work done:
- (A) free of charge for the public good
 - (B) only for wealthy clients
 - (C) in return for a share of the damages
 - (D) solely to delay proceedings
- Q35.** In which case did the Supreme Court initially take a narrow view of Article 21, holding that “procedure established by law” need not be fair or reasonable?
- (A) Mohini Jain v. State of Karnataka
 - (B) A. K. Gopalan v. State of Madras
 - (C) In re Berubari Union
 - (D) Maneka Gandhi v. Union of India
- Q36.** In which case did the Supreme Court hold (a view later not followed) that the Preamble is NOT a part of the Constitution?



- (A) Kesavananda Bharati v. State of Kerala
- (B) A. K. Gopalan v. State of Madras
- (C) Mohini Jain v. State of Karnataka
- (D) In re Berubari Union

Q37. In which case did the Supreme Court hold that the right to education flows from the right to life and that charging capitation fees is arbitrary?

- (A) In re Berubari Union
- (B) A. K. Gopalan v. State of Madras
- (C) Mohini Jain v. State of Karnataka
- (D) Kesavananda Bharati v. State of Kerala

Q38. Under Article 143 of the Constitution, the President of India may seek the opinion of the Supreme Court on a question of law or fact. This is known as the Court's:

- (A) advisory jurisdiction
- (B) original jurisdiction
- (C) appellate jurisdiction
- (D) review jurisdiction

Q39. A "tribunal" in the Indian legal system is best described as:

- (A) a body that frames new laws
- (B) the highest constitutional court
- (C) a specialised body set up to adjudicate specific kinds of disputes
- (D) a department of the police

Q40. The setting up of "fast-track courts" and the "e-Courts" project in India is mainly aimed at:

- (A) increasing the powers of the police



- (B) speeding up the disposal of cases and using technology in the courts
- (C) abolishing the High Courts
- (D) ending the right of appeal



Detailed Solutions

Q1.

Solution

Concept — Strict Liability and Escape: The principle imposes liability, without proof of negligence, when a dangerous thing brought onto land escapes and causes damage.

Step 1 — Apply the principle: P brought and kept a large body of water on his roof for his own purposes, which is a thing likely to do mischief if it escapes.

Step 2 — Conclusion: The water escaped and flooded Q's shop, so P is liable for the damage that naturally followed, even though he was not careless.

Why other options are wrong:

- Options A and D: Under strict liability, P's lack of fault or negligence is no defence.
- Option B: Blaming Q for the storage of his goods ignores the rule of escape.

Final Answer: The stored water escaped and caused damage, so P is liable ⇒

[Go Back to Q1](#)

Q2.

Solution

Concept — Dangerous Animals: The keeper of an animal known to be vicious is liable for the harm it does, regardless of negligence.

Step 1 — Apply the principle: R kept a leopard that had bitten people twice before, so R had knowledge of its dangerous disposition.

Step 2 — Conclusion: When the leopard mauled S without provocation, R became liable because he knew of the danger and the animal caused harm.

Why other options are wrong:

- Options A and C: Neither S's nearness nor R's failure to set the animal on S removes the keeper's liability.
- Option D: A prior police warning is not required by the principle.

Final Answer: R knew the leopard was dangerous and it caused harm, so R is liable ⇒



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

Q3.

Solution

Concept — Product Liability: A manufacturer is liable for harm from a defective product that reaches the consumer without any reasonable chance of inspection.

Step 1 — Apply the principle: M manufactured a sealed bottle with a decomposed insect, and N had no opportunity to inspect the sealed contents.

Step 2 — Conclusion: The defective product reached N in the same state and made him ill, so M is liable.

Why other options are wrong:

- Option A: N drinking the sealed product is exactly the use intended; it does not excuse M.
- Option B: The manufacturer remains liable even though a retailer sold the bottle.
- Option C: A prior complaint to the shopkeeper is not required by the principle.

Final Answer: The defective sealed product reached N and harmed him, so M is liable ⇒

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

Q4.

Solution

Concept — Occupier's Liability: An occupier must take reasonable care for the safety of lawful visitors.

Step 1 — Apply the principle: T was a shopper lawfully in the mall, so the mall owed him a duty of reasonable care.

Step 2 — Conclusion: Leaving an open, unguarded pit in the walkway without barrier or warning breached that duty and injured T, so the mall is liable.

Why other options are wrong:

- Options B and C: Shifting blame to T or calling the duty impossible ignores the unguarded hazard.



- Option D: The duty to a lawful visitor does not depend on whether T made a purchase.

Final Answer: The occupier failed to keep a lawful visitor reasonably safe, so the mall is liable ⇒

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

Q5.

Solution

Concept — Absolute Liability: An enterprise in a hazardous activity is absolutely liable for harm from an escape of toxic substances, with no exceptions for care taken.

Step 1 — Apply the principle: The chemical plant carried on a hazardous activity and poisonous gas escaped and injured nearby residents.

Step 2 — Conclusion: Since liability is absolute, the plant's plea that it used the best safety equipment is no defence, and it is liable.

Why other options are wrong:

- Options A and B: Taking precautions or calling the leak an accident cannot defeat absolute liability.
- Option D: Liability is not capped at the cost of the safety equipment.

Final Answer: Liability for the hazardous activity is absolute, so the plant is liable ⇒

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

Q6.

Solution

Concept — Act of a Third Party: Strict liability for escape does not apply if the escape is caused solely by the deliberate, unforeseeable act of a stranger.

Step 1 — Apply the principle: A trespasser whom U could not foresee or control secretly opened the valve, causing the flood.

Step 2 — Conclusion: Because the escape was due solely to the unforeseeable act of a stranger, U is not liable.

Why other options are wrong:



- Options A and C: The mere origin of the water in U's tank, or a demand for round-the-clock guarding, does not override this defence.
- Option D: The defence here is the stranger's act, not a claim that water is harmless.

Final Answer: The escape was caused solely by an unforeseeable stranger, so U is not liable ⇒

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

Q7.

Solution

Concept — Escape of a Dangerous Thing: One who keeps a dangerous thing is liable if it escapes and damages a neighbour's property, even without negligence.

Step 1 — Apply the principle: V kept a large bonfire, a dangerous thing, on his land, and a common seasonal wind carried the embers to W's haystack.

Step 2 — Conclusion: The fire escaped from V's land and destroyed W's property, so V is liable; an ordinary seasonal wind is not an extraordinary, excusing event.

Why other options are wrong:

- Options A and B: The wind carrying the fire and W's placement of the haystack do not defeat liability for an escape.
- Option C: Liability does not require any intention to burn the haystack.

Final Answer: The fire V kept escaped and damaged W's property, so V is liable ⇒

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

Q8.

Solution

Concept — Requirement of Escape: Strict liability for a dangerous thing applies only when it escapes to a place outside the defendant's control; harm within his own premises is not covered.

Step 1 — Apply the principle: The explosives went off inside G's own shed and injured a worker who was inside the premises.

Step 2 — Conclusion: There was no escape to a place outside G's land, so the



escape rule does not apply.

Why other options are wrong:

- Options B and C: The dangerous nature of explosives and the worker's injury do not satisfy the separate requirement of an escape.
- Option D: Whether the worker was paid is irrelevant to the escape rule.

Final Answer: There was no escape outside G's premises, so the rule does not apply ⇒

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

Q9.

Solution

Concept — Occupier's Duty to Children: An occupier owes a higher duty to children and must guard against dangers that allure them.

Step 1 — Apply the principle: The brightly coloured open well beside a public park was an allurements likely to tempt a young child.

Step 2 — Conclusion: The builder failed to guard against this danger to children, so he is liable when the child fell in.

Why other options are wrong:

- Options A and B: Calling the child a trespasser or blaming the parents ignores the higher duty owed against allurements to children.
- Option D: The builder's liability does not depend on who owned the park.

Final Answer: The occupier must guard against dangers that allure children, so the builder is liable ⇒

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



Q10.

Solution

Concept — Cattle Trespass: The owner of cattle is liable for damage they do when they stray onto and trespass on another's land.

Step 1 — Apply the principle: H's buffaloes broke through his fence and trespassed onto K's garden, where they trampled and ate the crops.

Step 2 — Conclusion: Since the cattle trespassed and caused damage, H, as their owner, is liable.

Why other options are wrong:

- Options A and C: The fact that the buffaloes wandered on their own, or that K's fence was weak, does not excuse the owner.
- Option D: Liability does not require H to have driven the buffaloes there himself.

Final Answer: The owner is liable when his cattle trespass and cause damage ⇒

B

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

Q11.

Solution

Concept — Citizenship Articles: The Constitution groups citizenship provisions together.

Explanation: Citizenship at the commencement of the Constitution is dealt with in **Articles 5 to 11** (Part II) of the Constitution.

Why other options are wrong:

- Articles 1 to 4 cover the Union and its territory; Articles 12 to 35 cover Fundamental Rights; Articles 36 to 51 cover the Directive Principles.

Final Answer: Citizenship is in Articles 5 to 11 ⇒ **D**

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



Q12.

Solution

Concept — Single Citizenship: India follows one common citizenship.

Explanation: The Constitution provides for **single citizenship** for the whole of India. Every person is a citizen of India only, and not separately of any State.

Why other options are wrong:

- There is no separate State citizenship or double citizenship in India, and citizenship certainly exists.

Final Answer: India has single citizenship ⇒

[Go Back to Q12](#)

Q13.

Solution

Concept — Writ of Quo Warranto: This writ tests the right to hold a public office.

Explanation: Quo Warranto (“by what authority”) is issued to question the authority of a person who unlawfully occupies a public office and, if the claim is bad, to oust him.

Why other options are wrong:

- Habeas Corpus deals with unlawful detention; Mandamus commands a public duty; Certiorari quashes an order.

Final Answer: The writ is Quo Warranto ⇒

[Go Back to Q13](#)

Q14.

Solution

Concept — Writ of Prohibition: This writ keeps lower bodies within their limits.

Explanation: The writ of **Prohibition** is issued by a higher court to stop a lower court or tribunal from exceeding its jurisdiction or acting without authority. It is preventive, issued while the case is still pending below.

Why other options are wrong:



- Producing a detained person is Habeas Corpus; compelling a public duty is Mandamus; declaring a law unconstitutional is judicial review, not Prohibition.

Final Answer: Prohibition stops a lower body from exceeding its jurisdiction ⇒

B

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

Q15.

Solution

Concept — Citizenship Regulated by Parliament: The Constitution leaves later citizenship law to Parliament.

Explanation: After the commencement of the Constitution, the acquisition and termination of Indian citizenship are governed by a **law made by Parliament** (the Citizenship Act, 1955), as permitted by Article 11.

Why other options are wrong:

- Neither the President alone, nor State Legislatures, nor the Supreme Court regulates citizenship in this way.

Final Answer: Citizenship is regulated by a law made by Parliament ⇒ **A**

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

Q16.

Solution

Concept — Purpose of Quo Warranto: The writ guards public offices against usurpers.

Explanation: The main purpose of Quo Warranto is to **prevent a person from holding a public office** that he is not legally entitled to, by requiring him to show the authority under which he holds it.

Why other options are wrong:

- Quashing a tribunal's order is Certiorari; releasing a detained person is Habeas Corpus; directing a public duty is Mandamus.

Final Answer: Quo Warranto prevents holding a public office one is not entitled to ⇒ **D**



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

Q17.

Solution

Concept — Meaning of Agent: Agency is about acting for another with third persons.

Explanation: An agent is a person **employed to act for another (the principal)** in dealings with third persons, so as to bind the principal by those acts.

Why other options are wrong:

- Giving legal advice, owning the goods, or being a witness does not by itself make a person an agent in the law of agency.

Final Answer: An agent acts for another in dealings with third persons ⇒

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

Q18.

Solution

Concept — Ratification: A principal may later adopt an unauthorised act done on his behalf.

Explanation: Where an act is done without authority and the principal later approves it, the approval is called **ratification**, and the act then binds the principal as if it had been authorised from the start.

Why other options are wrong:

- Revocation cancels authority; rescission undoes a contract; novation substitutes a new contract; none of these means subsequent approval.

Final Answer: Subsequent approval of an unauthorised act is ratification ⇒

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



Q19.

Solution

Concept — Apparent (Ostensible) Authority: A principal can be bound by the appearance of authority he creates.

Explanation: Apparent or ostensible authority is the authority an agent appears to have because of the principal's own conduct, even though it was never actually granted; the principal is bound to third parties who rely on that appearance.

Why other options are wrong:

- Express written authority is actually granted; “private” and “void” authority are not the recognised terms for this idea.

Final Answer: The authority described is apparent or ostensible authority ⇒

[Go Back to Q19](#)

Q20.

Solution

Concept — Termination of Agency: Agency ends in certain defined ways.

Explanation: Death of the principal, revocation of authority, and completion of the agency's business each terminate the agency. A **single third party refusing to deal with the agent** does NOT by itself end the agency.

Why other options are wrong:

- Death of the principal, revocation, and completion of the business are all genuine ways in which an agency comes to an end.

Final Answer: A third party's refusal to deal does not by itself terminate the agency ⇒

[Go Back to Q20](#)



Q21.

Solution

Concept — Contract of Sale of Goods: Sale transfers property in goods for a price.

Explanation: A contract by which the seller transfers or agrees to transfer the property (ownership) in goods to the buyer for a price is a contract of **sale of goods**.

Why other options are wrong:

- Bailment is only delivery for a purpose without transfer of ownership; agency is acting for another; a gift involves no price.

Final Answer: Transfer of property in goods for a price is a sale of goods ⇒

[Go Back to Q21](#)

Q22.

Solution

Concept — New Criminal Procedure Law: The CrPC has been renamed and replaced.

Explanation: The **Bharatiya Nagarik Suraksha Sanhita** has replaced the Code of Criminal Procedure as the main law of criminal procedure in India.

Why other options are wrong:

- The Bharatiya Nyaya Sanhita replaced the IPC; the Bharatiya Sakshya Adhinyam replaced the Evidence Act; “Bharatiya Dand Prakriya Sanhita” is not the correct name.

Final Answer: The Bharatiya Nagarik Suraksha Sanhita replaced the CrPC ⇒

[Go Back to Q22](#)



Q23.

Solution

Concept — New Law of Evidence: The Evidence Act has been replaced.

Explanation: The Indian Evidence Act, 1872 has been replaced by the **Bharatiya Sakshya Adhinyam**, the new law governing evidence in India.

Why other options are wrong:

- The Bharatiya Nyaya Sanhita replaced the IPC; the Bharatiya Nagarik Suraksha Sanhita replaced the CrPC; “Bharatiya Praman Adhinyam” is not the correct name.

Final Answer: The Evidence Act was replaced by the Bharatiya Sakshya Adhinyam ⇒

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

Q24.

Solution

Concept — Cognizable Offence: These are the more serious offences with wider police powers.

Explanation: In a **cognizable offence**, a police officer may **arrest without a warrant and start investigation without prior permission of the court**. Such offences are usually the more serious ones.

Why other options are wrong:

- The police are not barred from acting without the victim’s consent, a confession, or a High Court order in cognizable cases.

Final Answer: In a cognizable offence the police may arrest without a warrant and investigate without court permission ⇒

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



Q25.

Solution

Concept — Bailable Offence: In lighter offences, bail is the accused's right.

Explanation: In a **bailable offence**, bail is a **matter of right** for the accused, who may be released on furnishing the required bail. In a non-bailable offence, bail is at the court's discretion.

Why other options are wrong:

- Bail in a bailable offence is not barred, not limited to the Supreme Court, and not postponed until after conviction.

Final Answer: In a bailable offence bail is a matter of right ⇒

[Go Back to Q25](#)

Q26.

Solution

Concept — First Information Report: The FIR sets the criminal process in motion.

Explanation: A **First Information Report** is the information about a cognizable offence first given to and recorded in writing by the police, which starts the investigation.

Why other options are wrong:

- A court's judgment, the charge-sheet filed after investigation, and a confession by the accused are all different documents, not the FIR.

Final Answer: An FIR is the first recorded information about a cognizable offence ⇒

[Go Back to Q26](#)



Q27.

Solution

Concept — Act of God: An extraordinary natural event can excuse liability.

Explanation: The defence of **act of God** applies where harm is caused by **natural forces so extraordinary that no human foresight** could have guarded against them, such as an unprecedented flood or earthquake.

Why other options are wrong:

- The defendant's negligence or a deliberate human act is not an act of God; an ordinary, foreseeable rain shower is not extraordinary enough.

Final Answer: Act of God covers extraordinary natural forces beyond human foresight ⇒ C

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

Q28.

Solution

Concept — Inevitable Accident: Harm despite reasonable care is excused.

Explanation: The defence of **inevitable accident** applies where the harm **could not have been avoided in spite of reasonable care** taken by the defendant, so there is no negligence.

Why other options are wrong:

- Intended harm or harm from carelessness is not inevitable; harm by a known dangerous animal is a separate head of liability.

Final Answer: Inevitable accident is harm unavoidable despite reasonable care ⇒ B

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



Q29.

Solution

Concept — Necessity: Lesser harm may be justified to prevent a greater one.

Explanation: The defence of **necessity** allows a person to cause harm where it is done **to prevent a greater harm or evil**, such as pulling down a house to stop the spread of a fire.

Why other options are wrong:

- Acting purely for profit, for revenge, or for no reason is not necessity; necessity requires the aim of avoiding a greater harm.

Final Answer: Necessity justifies harm done to prevent a greater harm ⇒ **D**

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

Q30.

Solution

Concept — Plaintiff the Wrongdoer: The law does not aid one founding a claim on his own wrong.

Explanation: The maxim “ex turpi causa non oritur actio” means **no action arises from a wrongful or illegal cause**. A plaintiff who is himself the wrongdoer cannot generally recover.

Why other options are wrong:

- “The thing speaks for itself” is res ipsa loquitur; act of God and consent are separate defences, not the meaning of this maxim.

Final Answer: It means no action arises from a wrongful or illegal cause ⇒ **A**

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



Q31.

Solution

Concept — Functus Officio: An authority loses power once its task is done.

Explanation: “Functus officio” describes an authority or officer who **has discharged his duty and so has no further power** in that matter, for example a judge after delivering and signing the judgment.

Why other options are wrong:

- Acting beyond powers is ultra vires; bias in one’s own cause and the duty to hear both sides are principles of natural justice, not this maxim.

Final Answer: Functus officio means the authority has discharged its duty and has no further power ⇒

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

Q32.

Solution

Concept — Per Incuriam: A decision in ignorance of the law carries no binding force.

Explanation: A decision is “per incuriam” when it is given **in ignorance of a relevant statutory provision or a binding precedent**. Such a decision is not a binding authority.

Why other options are wrong:

- Consent of parties, the rank of the court, or a careful hearing does not describe a per incuriam decision.

Final Answer: A per incuriam decision is one given in ignorance of a relevant law or binding precedent ⇒

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



Q33.

Solution

Concept — Lis Pendens: Property in dispute should not change hands to defeat the suit.

Explanation: The doctrine of “lis pendens” means that during the pendency of a suit about property, the **property cannot be transferred so as to affect the rights** of any party to the suit; a buyer takes it subject to the outcome.

Why other options are wrong:

- The suit is not dismissed, the court need not sell the property, and the parties do not lose all their rights in it.

Final Answer: Lis pendens bars a transfer that would affect the parties’ rights in the suit ⇒

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

Q34.

Solution

Concept — Pro Bono: Some legal work is done free, for the public good.

Explanation: Work done “pro bono” (short for “pro bono publico”) is legal work done **free of charge for the public good**, often for those who cannot afford a lawyer.

Why other options are wrong:

- Pro bono work is not reserved for wealthy clients, not done for a share of the damages, and not aimed at delaying proceedings.

Final Answer: Pro bono work is done free of charge for the public good ⇒

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



Q35.

Solution

Concept — Early View of Article 21: The first reading of Article 21 was narrow.

Explanation: In *A. K. Gopalan v. State of Madras* (1950), the Supreme Court took a narrow view of Article 21, holding that “procedure established by law” meant any procedure laid down by a valid statute, which need not be fair or reasonable.

Why other options are wrong:

- Mohini Jain dealt with the right to education; Berubari with the Preamble; Maneka Gandhi later overruled this narrow view.

Final Answer: The narrow early view came from *A. K. Gopalan v. State of Madras*

⇒ B

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

Q36.

Solution

Concept — Status of the Preamble: An early case said the Preamble was not part of the Constitution.

Explanation: In *In re Berubari Union* (1960), the Supreme Court held that the Preamble was not a part of the Constitution. This view was later not followed, and in *Kesavananda Bharati* the Court treated the Preamble as part of the Constitution.

Why other options are wrong:

- *Kesavananda Bharati* took the later, contrary view; *Gopalan* dealt with Article 21; *Mohini Jain* with education.

Final Answer: The case holding the Preamble not part of the Constitution was *In re Berubari Union* ⇒ D

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



Q37.

Solution

Concept — Right to Education and Capitation Fees: Education was linked to the right to life.

Explanation: In *Mohini Jain v. State of Karnataka* (1992), the Supreme Court held that the right to education flows from the right to life under Article 21 and that charging capitation fees for admission is arbitrary and unconstitutional.

Why other options are wrong:

- Berubari concerned the Preamble; Gopalan dealt with Article 21's early view; Kesavananda with the basic structure.

Final Answer: The case on the right to education and capitation fees was *Mohini Jain v. State of Karnataka* ⇒ C

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

Q38.

Solution

Concept — Advisory Jurisdiction: The President may seek the Court's opinion.

Explanation: Under Article 143, the President may refer a question of law or fact to the Supreme Court for its opinion. This power of the Court is called its **advisory jurisdiction**.

Why other options are wrong:

- Original jurisdiction covers disputes between governments; appellate jurisdiction hears appeals; review jurisdiction re-examines the Court's own decisions.

Final Answer: A Presidential reference under Article 143 invokes the Court's advisory jurisdiction ⇒ A

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



Q39.

Solution

Concept — Tribunals: Specialised bodies decide particular disputes.

Explanation: A tribunal is a **specialised body set up to adjudicate specific kinds of disputes**, such as those relating to tax, service matters, or company law, often more quickly and with technical expertise.

Why other options are wrong:

- A tribunal does not frame laws, is not the highest constitutional court, and is not a part of the police.

Final Answer: A tribunal is a specialised body to adjudicate specific disputes ⇒

C

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

Q40.

Solution

Concept — Fast-Track and e-Courts: Reforms aim at speedier, tech-enabled justice.

Explanation: Fast-track courts and the e-Courts project are mainly aimed at **speeding up the disposal of cases and using technology** in the courts, so as to reduce delay and pendency.

Why other options are wrong:

- These reforms do not increase police powers, abolish the High Courts, or end the right of appeal.

Final Answer: They aim at speeding up cases and using technology in the courts

⇒ B

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



Answer Key

Q	Ans	Q	Ans	Q	Ans	Q	Ans	Q	Ans
1	C	2	B	3	D	4	A	5	C
6	B	7	D	8	A	9	C	10	B
11	D	12	A	13	C	14	B	15	A
16	D	17	B	18	C	19	A	20	D
21	B	22	A	23	C	24	B	25	D
26	A	27	C	28	B	29	D	30	A
31	B	32	D	33	C	34	A	35	B
36	D	37	C	38	A	39	C	40	B

