

PU LLB Legal Aptitude

Sample Paper – 4

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 is liable for negligence if he owes a duty of care to another, breaks that duty, and thereby causes damage. **Facts:** A surgeon, while operating, carelessly leaves a pair of scissors inside the patient's body, causing the patient serious harm after the surgery. Is the surgeon liable?

- (A) No, because every surgery carries some risk.
- (B) Yes, because he broke his duty of care and caused harm.
- (C) No, because the patient had agreed to the operation.
- (D) Yes, but only if the patient dies of the injury.

Q2. Principle: A person commits private nuisance when he unreasonably and substantially interferes with another's lawful use and enjoyment of



his land. **Facts:** A factory next to B's house releases thick smoke and a foul smell all day, making it impossible for B's family to sit in their own courtyard. Is the factory liable?

- (A) No, because a factory is allowed to produce smoke.
- (B) No, because B can simply move to another house.
- (C) Yes, but only if the smoke is poisonous.
- (D) Yes, because it unreasonably interferes with B's enjoyment of his land.

Q3. Principle: A person commits defamation when he publishes to others a false statement that lowers the reputation of another in the eyes of right-thinking members of society. **Facts:** A, addressing a public meeting, falsely states that B, a respected shopkeeper, cheats his customers with fake weights. The crowd begins to distrust B. Is A liable?

- (A) No, because A only spoke and did not write anything.
- (B) No, because B suffered no money loss.
- (C) Yes, because A published a false statement lowering B's reputation.
- (D) Yes, but only if B's shop actually closes down.

Q4. Principle: A person commits trespass to land when he enters another's land without lawful permission, even if he causes no damage. **Facts:** A, taking a short cut, walks across B's fenced private field without B's permission, although he treads carefully and harms no crop. Is A liable for trespass?

- (A) No, because A caused no damage to the field.
- (B) Yes, because A entered the land without permission.
- (C) No, because it was only a short cut.
- (D) Yes, but only if B had put up a warning board.

Q5. Principle: A master is liable for the wrongful acts of his servant done in the course of employment. **Facts:** A bus driver employed by a transport



company, while driving passengers on his usual route, negligently hits a cyclist and injures him. Who is liable to the cyclist?

- (A) The transport company, because the driver acted in the course of employment.
- (B) Only the cyclist, for riding on the road.
- (C) No one, because driving is always risky.
- (D) Only the passengers, for travelling in the bus.

Q6. Principle: A person commits public nuisance when he unlawfully obstructs the public in the exercise of a common right, such as the right to use a public road. **Facts:** A dumps a large heap of building material across a public street, blocking it completely so that no vehicle or pedestrian can pass. Is A liable?

- (A) No, because the material belongs to A.
- (B) No, because the street was not damaged.
- (C) Yes, but only if someone is actually injured.
- (D) Yes, because A unlawfully obstructed the public's use of the road.

Q7. Principle: A person is liable for negligence only if his breach of the duty of care is the actual cause of the damage suffered. **Facts:** A leaves an open manhole on the footpath without any sign. B, who is fully blind and using a guide, is led safely around it, but trips separately over his own untied shoelace and is hurt. Is A liable for B's injury?

- (A) Yes, because A left the manhole open.
- (B) Yes, because B was on the same footpath.
- (C) No, because A's negligence did not cause B's injury.
- (D) No, because B is blind and should not walk alone.

Q8. Principle: A statement is not defamatory if it is true and is made for the public good. **Facts:** A newspaper publishes, after verifying official



records, that B, a public contractor, was convicted of using sub-standard cement in a bridge that later collapsed. B sues for defamation. Will B succeed?

- (A) No, because the statement is true and serves the public good.
- (B) Yes, because it harmed B's reputation.
- (C) Yes, because newspapers must never name a person.
- (D) No, but only if B forgives the newspaper.

Q9. Principle: A person who is given permission to enter land for a particular purpose becomes a trespasser if he stays for a different purpose after the permission ends. **Facts:** A is allowed into B's shop to buy goods. After the shop closes and A is asked to leave, A refuses and stays inside to hold a private meeting. Is A now a trespasser?

- (A) No, because A was first allowed to enter.
- (B) Yes, because A stayed on after the permission ended.
- (C) No, because A did not damage anything.
- (D) Yes, but only if A is carrying weapons.

Q10. Principle: A master is liable only for those acts of his servant that are done in the course of employment, and not for acts done on a purely personal venture of the servant. **Facts:** A driver, employed only to deliver goods, takes the company van after work hours, without permission, on a personal trip to a wedding and there negligently injures a guest. Is the company liable?

- (A) Yes, because the van belongs to the company.
- (B) Yes, because he is the company's driver.
- (C) No, because no one can be liable for an accident.
- (D) No, because the trip was a personal venture outside his employment.

Q11. The Right against Exploitation is guaranteed under which group of Articles of the Constitution?



- (A) Articles 14 to 18
- (B) Articles 19 to 22
- (C) Articles 23 to 24
- (D) Articles 29 to 30

Q12. Article 24 of the Constitution specifically prohibits the employment of children below 14 years of age in:

- (A) factories, mines, and other hazardous work
- (B) all forms of schooling
- (C) agricultural family work only
- (D) playing competitive sports

Q13. Article 23 of the Constitution prohibits which of the following?

- (A) freedom of speech and expression
- (B) the right to form associations
- (C) the right to property
- (D) traffic in human beings, begar, and forced labour

Q14. Articles 29 and 30 of the Constitution mainly protect the rights of:

- (A) government employees
- (B) minorities, to conserve their culture and run educational institutions
- (C) members of Parliament
- (D) only foreign nationals

Q15. The right to establish and administer educational institutions of their choice is guaranteed to minorities by which Article?

- (A) Article 19
- (B) Article 25
- (C) Article 30



(D) Article 32

Q16. Which set of words in the Preamble describes the nature of the Indian State?

(A) Sovereign, Socialist, Secular, Democratic, Republic

(B) Federal, Unitary, Royal, Imperial, Colonial

(C) Capitalist, Religious, Monarchic, Feudal, Tribal

(D) Liberal, Communist, Theocratic, Aristocratic, Provincial

Q17. An agreement that is not enforceable by law from the very beginning is called:

(A) a voidable contract

(B) a valid contract

(C) a void agreement

(D) an unenforceable contract

Q18. A contract which is enforceable at the option of one party but not at the option of the other is:

(A) voidable

(B) void

(C) illegal

(D) fully valid for both

Q19. A contract that is otherwise valid but cannot be enforced in a court because of a technical defect, such as the lack of required stamping or registration, is best described as:

(A) illegal

(B) unenforceable

(C) voidable



(D) void from the beginning

Q20. Under the Indian Contract Act, an agreement by way of wager (a bet on an uncertain event) is:

- (A) fully valid and enforceable
- (B) voidable at the loser's option
- (C) enforceable only if in writing
- (D) void

Q21. As a general rule, an agreement that restrains a person from carrying on any lawful trade, profession, or business is:

- (A) always valid
- (B) voidable
- (C) void to that extent
- (D) enforceable like any other contract

Q22. Nothing is an offence which is done by accident or misfortune, without any criminal intention, while doing a lawful act in a lawful manner. This is the general exception of:

- (A) accident
- (B) necessity
- (C) consent
- (D) mistake of fact

Q23. Harm caused to a person above eighteen years who has voluntarily agreed to undergo that harm, where death or grievous hurt was not intended, may be excused under the general exception of:

- (A) necessity
- (B) accident



- (C) consent
- (D) act of a child

Q24. An act done to prevent a greater harm, without any criminal intention and in good faith, may be excused under the general exception of:

- (A) consent
- (B) necessity
- (C) mistake of fact
- (D) accident

Q25. A person who, in good faith and by reason of a mistake of fact, believes himself bound or justified by law in doing an act is protected under the exception of:

- (A) mistake of law
- (B) necessity
- (C) accident
- (D) mistake of fact

Q26. Nothing is an offence which is done by a child under seven years of age. This general exception is based on the idea that such a child:

- (A) lacks the capacity to form a guilty intention
- (B) is always physically weak
- (C) can never cause any harm
- (D) is protected only by his parents' consent

Q27. The rule of absolute liability in Indian tort law, under which an enterprise carrying on a hazardous activity is liable for any harm it causes, was laid down by the Supreme Court mainly in connection with:

- (A) a contract dispute between two companies



- (B) the escape of hazardous gas from a factory
- (C) a road accident case
- (D) a defamation suit

Q28. A key difference of absolute liability from strict liability is that under absolute liability:

- (A) the defendant is never liable at all
- (B) liability arises only if there is a contract
- (C) the plaintiff must prove negligence
- (D) the usual defences and exceptions are not allowed

Q29. The traditional rule of strict liability (Rylands v. Fletcher) applies where a person brings onto his land something likely to do harm if it escapes, and it then escapes. Strict liability therefore generally requires:

- (A) a written agreement
- (B) proof of a guilty mind
- (C) an escape of the dangerous thing from the defendant's land
- (D) harm caused only to the defendant himself

Q30. Under absolute liability, an enterprise engaged in a hazardous or inherently dangerous activity owes:

- (A) an absolute and non-delegable duty to ensure no harm results
- (B) no duty at all to outsiders
- (C) a duty only to its own employees
- (D) a duty that can be avoided by a simple notice

Q31. The maxim "locus standi" refers to:

- (A) the right or capacity of a person to bring an action in court
- (B) the place where a crime was committed



- (C) the burden of proof on the accused
- (D) a judgment delivered in open court

Q32. The expression “bona fide” means:

- (A) beyond reasonable doubt
- (B) against public policy
- (C) in good faith
- (D) without lawful authority

Q33. An act done “ultra vires” is one that is:

- (A) done in good faith
- (B) beyond the legal powers or authority of the person or body doing it
- (C) within the proper powers conferred by law
- (D) done after hearing both sides

Q34. When a court takes up a matter “suo motu”, it means the court acts:

- (A) only after a formal petition is filed
- (B) on the direction of the government
- (C) on the advice of the Attorney General
- (D) on its own motion, without any party asking it to

Q35. In which landmark case did the Supreme Court hold that the right to livelihood is a part of the right to life under Article 21?

- (A) Shreya Singhal v. Union of India
- (B) Navtej Singh Johar v. Union of India
- (C) Olga Tellis v. Bombay Municipal Corporation
- (D) A. K. Gopalan v. State of Madras

Q36. In which case did the Supreme Court strike down Section 66A of the Information Technology Act as a violation of the freedom of speech?



- (A) Shreya Singhal v. Union of India
- (B) Olga Tellis v. Bombay Municipal Corporation
- (C) Navtej Singh Johar v. Union of India
- (D) Vishaka v. State of Rajasthan

Q37. In which case did the Supreme Court read down Section 377 to decriminalise consensual same-sex relations between adults?

- (A) Olga Tellis v. Bombay Municipal Corporation
- (B) Shreya Singhal v. Union of India
- (C) Indra Sawhney v. Union of India
- (D) Navtej Singh Johar v. Union of India

Q38. The Attorney General of India, the first law officer of the Government of India, is provided for under which Article of the Constitution?

- (A) Article 124
- (B) Article 76
- (C) Article 148
- (D) Article 280

Q39. The Advocate General, who is the highest law officer of a State, is provided for under which Article of the Constitution?

- (A) Article 76
- (B) Article 124
- (C) Article 165
- (D) Article 215

Q40. The Solicitor General of India is best described as:

- (A) the second-highest law officer, who assists the Attorney General
- (B) the head of the Indian judiciary



- (C) the presiding officer of the Rajya Sabha
- (D) the chief electoral officer of India



Detailed Solutions

Q1.

Solution

Concept — Negligence: Liability arises from a duty of care, its breach, and resulting damage.

Step 1 — Apply the principle: A surgeon owes a clear duty of care to his patient; carelessly leaving scissors inside the body breaks that duty.

Step 2 — Conclusion: The breach directly caused the patient serious harm, so the surgeon is liable.

Why other options are wrong:

- Option A: The general risk of surgery does not excuse careless conduct.
- Option C: Consent to an operation is not consent to a negligent mistake.
- Option D: Liability does not depend on whether the patient dies.

Final Answer: The surgeon broke his duty of care and is liable ⇒ **B**

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

Q2.

Solution

Concept — Private Nuisance: Unreasonable, substantial interference with the use and enjoyment of land is a nuisance.

Step 1 — Apply the principle: The factory's day-long smoke and foul smell substantially interfere with B's use of his own courtyard.

Step 2 — Conclusion: This is an unreasonable interference with B's enjoyment of his land, so the factory is liable.

Why other options are wrong:

- Options A and B: A factory's right to operate does not allow it to spoil a neighbour's land, and B is not bound to move away.
- Option C: Nuisance does not require the smoke to be actually poisonous.

Final Answer: The factory unreasonably interferes with B's enjoyment of his land ⇒ **D**

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



Q3.

Solution

Concept — Defamation: Publishing a false statement that lowers another's reputation is defamation.

Step 1 — Apply the principle: A falsely told a crowd that B cheats customers, which is a false statement published to others.

Step 2 — Conclusion: The statement lowered B's reputation in the eyes of society, so A is liable.

Why other options are wrong:

- Option A: Spoken words to a crowd are still a publication; defamation is not limited to writing.
- Option B: Defamation does not require proof of money loss.
- Option D: The wrong is complete once reputation is lowered; the shop need not close.

Final Answer: A published a false statement lowering B's reputation ⇒

[Go Back to Q3](#)

Q4.

Solution

Concept — Trespass to Land: Entering another's land without permission is trespass, even without damage.

Step 1 — Apply the principle: A walked across B's fenced field without B's permission.

Step 2 — Conclusion: Since unauthorised entry alone is enough, A is liable for trespass.

Why other options are wrong:

- Options A and C: The principle expressly makes entry actionable even with no damage, and taking a short cut is no excuse.
- Option D: Trespass does not depend on a warning board being put up.

Final Answer: A entered the land without permission, so it is trespass ⇒

[Go Back to Q4](#)



Q5.

Solution

Concept — Vicarious Liability: A master is liable for a servant's wrong done in the course of employment.

Step 1 — Apply the principle: The driver was carrying passengers on his usual route, which is the very work he was employed to do.

Step 2 — Conclusion: The negligent act occurred in the course of employment, so the transport company is liable.

Why other options are wrong:

- Options B and D: Blaming the cyclist or the passengers ignores the driver's negligence.
- Option C: Saying driving is risky does not remove liability for negligence.

Final Answer: The company is liable as the driver acted in the course of employment ⇒

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

Q6.

Solution

Concept — Public Nuisance: Unlawfully obstructing a common public right is a nuisance.

Step 1 — Apply the principle: A dumped material across a public street and blocked it completely.

Step 2 — Conclusion: This unlawfully obstructs the public's right to use the road, so A is liable.

Why other options are wrong:

- Option A: Owning the material does not allow A to block a public road.
- Option B: The wrong is the obstruction, not damage to the street.
- Option C: The obstruction itself is enough; an actual injury is not required.

Final Answer: A unlawfully obstructed the public road ⇒

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



Q7.

Solution

Concept — Causation in Negligence: The breach must actually cause the damage.

Step 1 — Apply the principle: Although A left the manhole open, B was led safely around it and was not hurt by it.

Step 2 — Conclusion: B's injury came from his own untied shoelace, not from A's open manhole, so the breach did not cause the damage.

Why other options are wrong:

- Options A and B: Merely leaving the manhole open or B being on the foot-path is not enough without causation.
- Option D: B's blindness is irrelevant; the point is that A's act did not cause the fall.

Final Answer: A's negligence did not cause B's injury ⇒

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

Q8.

Solution

Concept — Defence of Truth: A true statement made for the public good is not defamatory.

Step 1 — Apply the principle: The newspaper verified official records, so the statement about B's conviction is true.

Step 2 — Conclusion: As the truth was published for the public good, the defence applies and B cannot succeed.

Why other options are wrong:

- Option B: Harm to reputation alone does not win when the statement is true and for public good.
- Option C: Newspapers may name a person where the truth serves the public good.
- Option D: The defence does not depend on B forgiving the newspaper.

Final Answer: The statement is true and for the public good, so B fails ⇒

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



Q9.

Solution

Concept — Trespass after Permission Ends: One who overstays a limited permission becomes a trespasser.

Step 1 — Apply the principle: A was allowed in only to buy goods; once the shop closed and he was asked to leave, his permission ended.

Step 2 — Conclusion: By staying on for a different purpose, A became a trespasser.

Why other options are wrong:

- Options A and C: Lawful initial entry and the absence of damage do not save A once he overstays.
- Option D: Trespass here does not depend on A carrying weapons.

Final Answer: A stayed on after permission ended and is a trespasser ⇒ **B**

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

Q10.

Solution

Concept — Course of Employment: A master is not liable for a servant's purely personal venture.

Step 1 — Apply the principle: The driver took the van after work hours, without permission, for a personal trip to a wedding.

Step 2 — Conclusion: This was outside the course of employment, so the company is not liable.

Why other options are wrong:

- Options A and B: Owning the van or employing the driver is not enough; the act must be in the course of employment.
- Option C: Calling it an accident does not address the personal-venture point.

Final Answer: The trip was a personal venture outside employment, so the company is not liable ⇒ **D**

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



Q11.

Solution

Concept — Right against Exploitation: This right occupies a fixed set of Articles.

Explanation: The Right against Exploitation is guaranteed by **Articles 23 to 24**, covering prohibition of traffic in human beings and forced labour, and prohibition of child labour in hazardous work.

Why other options are wrong:

- Articles 14 to 18 cover equality; 19 to 22 cover freedoms; 29 to 30 cover cultural and educational rights.

Final Answer: The Right against Exploitation is in Articles 23 to 24 ⇒

[Go Back to Q11](#)

Q12.

Solution

Concept — Article 24: It protects young children from dangerous work.

Explanation: Article 24 prohibits the employment of children below 14 years in **factories, mines, and other hazardous work**.

Why other options are wrong:

- It does not bar schooling, ordinary family farm work, or sport; it targets hazardous employment.

Final Answer: Article 24 bars child labour in hazardous work ⇒

[Go Back to Q12](#)

Q13.

Solution

Concept — Article 23: It strikes at exploitation of the person.

Explanation: Article 23 prohibits **traffic in human beings, begar, and other forms of forced labour**.

Why other options are wrong:

- Freedom of speech and the right to form associations fall under Article 19;



the right to property is no longer a fundamental right.

Final Answer: Article 23 prohibits traffic in human beings and forced labour ⇒

D

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

Q14.

Solution

Concept — Cultural and Educational Rights: These protect minority identity.

Explanation: Articles 29 and 30 mainly protect the rights of **minorities** to conserve their language, script, and culture, and to establish and administer educational institutions of their choice.

Why other options are wrong:

- They are not special rights for government employees, members of Parliament, or foreign nationals.

Final Answer: Articles 29 and 30 protect minorities' cultural and educational rights ⇒ B

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

Q15.

Solution

Concept — Article 30: It secures minority education.

Explanation: Article 30 gives minorities, whether based on religion or language, the right to establish and administer educational institutions of their choice.

Why other options are wrong:

- Article 19 deals with freedoms; Article 25 with freedom of religion; Article 32 with remedies for enforcing rights.

Final Answer: The right is in Article 30 ⇒ C

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



Q16.

Solution

Concept — The Preamble: Its key words describe the character of the State.

Explanation: The Preamble declares India to be a **Sovereign, Socialist, Secular, Democratic, Republic** (the words “Socialist” and “Secular” were added by the 42nd Amendment).

Why other options are wrong:

- The other sets list terms such as imperial, monarchic, or theocratic that do not describe the Indian State.

Final Answer: The words are Sovereign, Socialist, Secular, Democratic, Republic

⇒

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

Q17.

Solution

Concept — Void Agreement: Some agreements have no legal force from the outset.

Explanation: An agreement not enforceable by law from the very beginning is a **void agreement**.

Why other options are wrong:

- A voidable contract is valid until set aside; a valid contract is fully enforceable; an unenforceable contract fails only on a technical defect.

Final Answer: It is a void agreement ⇒

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



Q18.

Solution

Concept — Voidable Contract: One party may choose to enforce or avoid it.

Explanation: A contract enforceable at the option of one party but not the other is **voidable**, for example where consent was obtained by coercion or fraud.

Why other options are wrong:

- A void agreement binds no one; an illegal agreement is forbidden by law; a fully valid contract binds both parties equally.

Final Answer: Such a contract is voidable \Rightarrow

[Go Back to Q18](#)

Q19.

Solution

Concept — Unenforceable Contract: A technical defect can block enforcement.

Explanation: A contract that is otherwise valid but cannot be enforced because of a defect such as missing stamping or registration is **unenforceable**.

Why other options are wrong:

- It is not illegal or void from the start, and the defect is technical, not a defect of consent as in a voidable contract.

Final Answer: It is an unenforceable contract \Rightarrow

[Go Back to Q19](#)

Q20.

Solution

Concept — Wagering Agreement: Bets are not enforced by law.

Explanation: An agreement by way of wager is **void**, and no suit can be brought to recover anything won or staked on such an agreement.

Why other options are wrong:

- A wager is not valid or merely voidable, and putting it in writing does not make it enforceable.



Final Answer: A wagering agreement is void ⇒

[Go Back to Q20](#)

Q21.

Solution

Concept — Restraint of Trade: The law favours free trade.

Explanation: An agreement that restrains a person from carrying on a lawful trade, profession, or business is **void to that extent**, subject to the recognised exceptions.

Why other options are wrong:

- Such a restraint is not always valid, merely voidable, or enforceable like an ordinary contract.

Final Answer: An agreement in restraint of trade is void to that extent ⇒

[Go Back to Q21](#)

Q22.

Solution

Concept — General Exception of Accident: An unintended mishap during a lawful act is excused.

Explanation: An act done by **accident** or misfortune, without criminal intention, while doing a lawful act in a lawful manner, is not an offence.

Why other options are wrong:

- Necessity concerns avoiding a greater harm; consent and mistake of fact rest on different conditions.

Final Answer: The exception is accident ⇒

[Go Back to Q22](#)



Q23.

Solution

Concept — General Exception of Consent: Voluntary consent can excuse certain harm.

Explanation: Harm caused to a person above eighteen who has voluntarily consented to that harm, where death or grievous hurt was not intended, may be excused under the exception of **consent**.

Why other options are wrong:

- Necessity, accident, and the act of a child rest on different facts, not on the victim's consent.

Final Answer: The exception is consent ⇒

[Go Back to Q23](#)

Q24.

Solution

Concept — General Exception of Necessity: A smaller harm may be allowed to prevent a greater one.

Explanation: An act done in good faith, without criminal intention, to prevent or avoid a greater harm may be excused under the exception of **necessity**.

Why other options are wrong:

- Consent depends on the victim's agreement; mistake of fact and accident rest on different conditions.

Final Answer: The exception is necessity ⇒

[Go Back to Q24](#)



Q25.

Solution

Concept — General Exception of Mistake of Fact: A genuine factual mistake can excuse an act.

Explanation: A person who, in good faith and by reason of a **mistake of fact** (and not a mistake of law), believes himself bound or justified by law in doing an act, is protected.

Why other options are wrong:

- A mistake of law is not excused; necessity and accident rest on different conditions.

Final Answer: The exception is mistake of fact ⇒

[Go Back to Q25](#)

Q26.

Solution

Concept — Act of a Child: A very young child cannot form criminal intent.

Explanation: Nothing is an offence done by a child under seven, because such a child **lacks the capacity to form a guilty intention** (mens rea).

Why other options are wrong:

- The exception does not depend on physical weakness, an assumption that the child can cause no harm, or the parents' consent.

Final Answer: The exception rests on the child's lack of criminal capacity ⇒

[Go Back to Q26](#)

Q27.

Solution

Concept — Absolute Liability: The rule was laid down for hazardous enterprises.

Explanation: The rule of absolute liability was laid down by the Supreme Court in connection with the **escape of hazardous gas from a factory**, where an enterprise carrying on a dangerous activity is held liable for the harm it causes.

Why other options are wrong:



- The rule did not arise from a contract dispute, an ordinary road accident, or a defamation suit.

Final Answer: The rule arose from the escape of hazardous gas from a factory ⇒

B

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

Q28.

Solution

Concept — Absolute vs Strict Liability: Absolute liability removes the usual escapes.

Explanation: Under absolute liability, **the usual defences and exceptions are not allowed**, unlike strict liability, which permits defences such as act of God or the plaintiff's own fault.

Why other options are wrong:

- The defendant is not always free; liability does not need a contract; and the plaintiff need not prove negligence.

Final Answer: Under absolute liability the usual exceptions do not apply ⇒ **D**

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

Q29.

Solution

Concept — Strict Liability (Rylands v. Fletcher): It turns on an escape.

Explanation: Strict liability generally requires an **escape of the dangerous thing from the defendant's land** onto another's, after the defendant brought it onto his land in a non-natural use.

Why other options are wrong:

- It does not require a written agreement or a guilty mind, and harm to the defendant alone is not enough.

Final Answer: Strict liability requires an escape from the defendant's land ⇒ **C**

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



Q30.

Solution

Concept — Duty under Absolute Liability: The duty is absolute and cannot be passed on.

Explanation: An enterprise engaged in a hazardous or inherently dangerous activity owes an **absolute and non-delegable duty** to ensure that no harm results from its activity.

Why other options are wrong:

- The enterprise is not free of duty to outsiders, the duty is not limited to its own employees, and it cannot be avoided by a mere notice.

Final Answer: The duty is absolute and non-delegable ⇒

[Go Back to Q30](#)

Q31.

Solution

Concept — Locus Standi: It is about who may approach the court.

Explanation: “Locus standi” refers to the **right or capacity of a person to bring an action** or be heard in a court of law.

Why other options are wrong:

- It is not the place of a crime, the burden of proof, or a judgment delivered in court.

Final Answer: Locus standi is the capacity to bring an action ⇒

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Q32.

Solution

Concept — Bona Fide: It points to honest intention.

Explanation: “Bona fide” means **in good faith**, that is, done honestly and without fraud or deceit.

Why other options are wrong:



- “Beyond reasonable doubt” is a standard of proof; “against public policy” and “without lawful authority” are unrelated ideas.

Final Answer: Bona fide means in good faith ⇒

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Q33.

Solution

Concept — Ultra Vires: It means acting beyond one’s powers.

Explanation: An act done “ultra vires” is one done **beyond the legal powers or authority** conferred on the person or body, and such an act is generally invalid.

Why other options are wrong:

- Acting in good faith, within proper powers (intra vires), or after hearing both sides does not describe ultra vires.

Final Answer: Ultra vires means beyond legal authority ⇒

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Q34.

Solution

Concept — Suo Motu: A court can act on its own.

Explanation: When a court acts “suo motu”, it takes up a matter **on its own motion**, without any party formally asking it to do so.

Why other options are wrong:

- It is the opposite of acting only on a petition, and it is not on the direction of the government or the Attorney General.

Final Answer: Suo motu means on the court’s own motion ⇒

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Q35.

Solution

Concept — Right to Livelihood: Livelihood is read into the right to life.

Explanation: In **Olga Tellis v. Bombay Municipal Corporation** (1985), the Supreme Court held that the right to livelihood is an important part of the right to life under Article 21.

Why other options are wrong:

- Shreya Singhal dealt with Section 66A; Navtej Singh Johar with Section 377; A. K. Gopalan took a narrow view of Article 21.

Final Answer: The case is Olga Tellis v. Bombay Municipal Corporation ⇒

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Q36.

Solution

Concept — Section 66A struck down: A vague speech law was held void.

Explanation: In **Shreya Singhal v. Union of India** (2015), the Supreme Court struck down Section 66A of the IT Act as an unconstitutional restriction on the freedom of speech and expression.

Why other options are wrong:

- Olga Tellis concerned livelihood; Navtej Singh Johar concerned Section 377; Vishaka concerned workplace harassment.

Final Answer: The case is Shreya Singhal v. Union of India ⇒

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Q37.

Solution

Concept — Section 377 read down: Consensual adult relations were decriminalised.

Explanation: In **Navtej Singh Johar v. Union of India** (2018), the Supreme Court read down Section 377 to decriminalise consensual same-sex relations between adults.



Why other options are wrong:

- Olga Tellis concerned livelihood; Shreya Singhal concerned Section 66A; Indra Sawhney concerned reservations.

Final Answer: The case is Navtej Singh Johar v. Union of India ⇒

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Q38.

Solution

Concept — Attorney General of India: The Constitution provides for this office.

Explanation: The Attorney General of India, the first law officer of the Government of India, is provided for under **Article 76**.

Why other options are wrong:

- Article 124 deals with the Supreme Court; Article 148 with the CAG; Article 280 with the Finance Commission.

Final Answer: The Attorney General is under Article 76 ⇒

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Q39.

Solution

Concept — Advocate General of a State: Each State has its top law officer.

Explanation: The Advocate General of a State, the highest law officer of the State, is provided for under **Article 165**.

Why other options are wrong:

- Article 76 deals with the Attorney General; Article 124 with the Supreme Court; Article 215 with High Courts as courts of record.

Final Answer: The Advocate General is under Article 165 ⇒

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Q40.

Solution

Concept — Solicitor General of India: He ranks just below the Attorney General.

Explanation: The Solicitor General of India is the **second-highest law officer**, who assists the Attorney General in representing the Union in court.

Why other options are wrong:

- The head of the judiciary is the Chief Justice; the Rajya Sabha is presided over by the Vice-President; elections are run by the Chief Election Commissioner.

Final Answer: The Solicitor General is the second-highest law officer ⇒

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Answer Key

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

