

AIBE Sample Paper

All India Bar Examination XXI

Duration: 210 Minutes

Maximum Marks: 100

Instructions

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

Part A: Constitutional & Public Law

- Q1.** Which Article of the Constitution of India guarantees the right to equality before the law and equal protection of the laws?
- (A) Article 12
(B) Article 13
(C) Article 14
(D) Article 15
- Q2.** The writ of *habeas corpus* can be issued under which provisions?
- (A) Article 32 by the Supreme Court only
(B) Article 226 by the High Courts only
(C) Both Article 32 and Article 226



(D) Article 136 by the Supreme Court

Q3. In which landmark judgment did the Supreme Court hold that the right to privacy is a fundamental right under Article 21?

(A) Maneka Gandhi v. Union of India

(B) K. S. Puttaswamy v. Union of India

(C) Kesavananda Bharati v. State of Kerala

(D) Govind v. State of Madhya Pradesh

Q4. Reasonable restrictions on the freedom of speech and expression under Article 19(1)(a) can be imposed on which of the following grounds?

(A) Sovereignty and integrity of India, public order, decency, morality, contempt of court, defamation, incitement to an offence

(B) Only public order and morality

(C) Only national security and defamation

(D) Any ground that Parliament considers fit

Q5. The doctrine of basic structure of the Constitution was first propounded in which case?

(A) Golaknath v. State of Punjab

(B) Kesavananda Bharati v. State of Kerala

(C) Minerva Mills v. Union of India

(D) Indira Nehru Gandhi v. Raj Narain

Q6. In case of a conflict between a Fundamental Right and a Directive Principle of State Policy, the established position of the Supreme Court is that:

(A) Directive Principles always prevail because they secure socio-economic justice



- (B) Fundamental Rights and Directive Principles are to be harmoniously construed; both are complementary parts of the Constitution
- (C) Fundamental Rights always prevail absolutely
- (D) The President's decision is final

Q7. A Proclamation of Emergency under Article 352 on grounds of *armed rebellion* requires:

- (A) Written advice of the Prime Minister alone
- (B) Written advice of the Cabinet (Council of Ministers headed by the Prime Minister)
- (C) Concurrence of the Supreme Court
- (D) A simple majority resolution of the Lok Sabha

Q8. Under Article 368, an amendment that seeks to change the federal structure (for example, the representation of States in Parliament) requires:

- (A) A simple majority of both Houses
- (B) Special majority of both Houses
- (C) Special majority of both Houses plus ratification by the Legislatures of not less than one-half of the States
- (D) A two-thirds majority of the Lok Sabha alone

Q9. The Election Commission of India is a constitutional body established under:

- (A) Article 280
- (B) Article 315
- (C) Article 324
- (D) Article 338

Q10. The twin test of valid classification under Article 14, settled in *State of West Bengal v. Anwar Ali Sarkar*, requires:



- (A) Intelligible differentia and a rational nexus to the object sought to be achieved
- (B) Mathematical equality between all persons
- (C) Approval of the legislature for every classification
- (D) Identical treatment of all citizens irrespective of context

Q11. Public Interest Litigation in India was popularised by relaxing the rule of *locus standi*. In which case did the Supreme Court formally recognise this relaxation?

- (A) S. P. Gupta v. Union of India
- (B) A. K. Gopalan v. State of Madras
- (C) State of Bombay v. F. N. Balsara
- (D) In re Berubari Union

Q12. Epistolary jurisdiction in PIL means:

- (A) The Court treats a letter or postcard addressed to it as a writ petition
- (B) Only registered advocates may file PIL
- (C) PIL can be filed only by elected representatives
- (D) The Court issues notice through registered post only

Q13. The Supreme Court has held that a Public Interest Litigation will not be entertained where:

- (A) The petitioner is not an aggrieved person
- (B) It involves a purely individual grievance disguised as a public cause, or is filed for private gain, publicity or political vendetta
- (C) It is filed by an NGO
- (D) It is filed in the High Court

Q14. Which of the following is NOT a recognised feature of PIL in India?

- (A) Relaxed rules of standing and procedure



- (B) Continuing mandamus and monitoring of court directions
- (C) Court-appointed commissioners and amicus curiae
- (D) Mandatory payment of court fee equal to that in a civil suit

Q15. The principle *audi alteram partem* forms part of:

- (A) Doctrine of pleasure
- (B) Principles of natural justice
- (C) Doctrine of severability
- (D) Doctrine of harmonious construction

Q16. The doctrine of legitimate expectation is best described as:

- (A) An enforceable contractual right
- (B) An expectation, grounded in past practice or an express promise of a public authority, which gives a person a right to be heard before being deprived of a benefit
- (C) A guarantee of a particular outcome by the State
- (D) A statutory entitlement under a specific Act

Q17. Which of the following is NOT a control mechanism over delegated legislation in India?

- (A) Parliamentary control through laying procedure
- (B) Judicial review on grounds of ultra vires
- (C) Procedural control such as prior publication and consultation
- (D) Mandatory ratification by the President for every rule

Q18. The polluter pays principle was incorporated into Indian environmental jurisprudence by the Supreme Court in:

- (A) Vellore Citizens Welfare Forum v. Union of India
- (B) M. C. Mehta v. Kamal Nath



- (C) Subhash Kumar v. State of Bihar
- (D) Rural Litigation and Entitlement Kendra v. State of UP

- Q19.** Under the National Green Tribunal Act, 2010, the NGT exercises jurisdiction over:
- (A) All criminal offences relating to forests
 - (B) Civil cases involving a substantial question relating to environment arising out of implementation of the enactments specified in Schedule I
 - (C) Constitutional matters under Article 32
 - (D) Election disputes

Part B: Criminal Law

- Q20.** *A* administers poison to *B* intending only to cause hurt, but *B* dies. Under the Indian Penal Code, *A* is most appropriately liable for:
- (A) Murder under Section 302
 - (B) Culpable homicide not amounting to murder (Section 304 Part II)
 - (C) Causing hurt (Section 323)
 - (D) No offence
- Q21.** The defence of unsoundness of mind under Section 84 IPC is available only if at the time of doing the act, the accused was incapable of knowing:
- (A) The nature of the act, or that the act was either wrong or contrary to law, by reason of unsoundness of mind
 - (B) Only the legal consequences of his act
 - (C) Only the moral wrongness of his act
 - (D) The political consequences of his act



- Q22.** The right of private defence of the body extends to causing death only when the offence reasonably causing apprehension is one of:
- (A) Simple hurt
 - (B) Defamation
 - (C) Assault causing reasonable apprehension of death, grievous hurt, rape, kidnapping or similar offences enumerated in Section 100 IPC
 - (D) Theft of any kind
- Q23.** The distinction between Section 34 IPC (common intention) and Section 149 IPC (common object) is that:
- (A) Section 34 requires a prior meeting of minds and is not a substantive offence; Section 149 requires an unlawful assembly of five or more persons and creates constructive liability
 - (B) Both require five or more persons
 - (C) Section 34 is confined to property offences only
 - (D) Section 149 applies only to two persons
- Q24.** Under the offence of rape as it stands in the IPC, consent obtained when the woman is under the misconception that the man is her husband:
- (A) Is valid consent
 - (B) Is not consent in law, and the act amounts to rape
 - (C) Becomes valid if a religious ceremony is performed
 - (D) Becomes valid after one year of cohabitation
- Q25.** The essential ingredient of theft under Section 378 IPC is:
- (A) Use of force or threat
 - (B) Dishonest intention to take movable property out of the possession of any person without that person's consent
 - (C) Permanent retention of the property
 - (D) Sale of the property



- Q26.** For the offence of cheating under Section 415 IPC, the deception must induce the person deceived:
- (A) Only to part with money
 - (B) To do or omit to do anything which he would not have done if not so deceived, and which causes or is likely to cause damage or harm to him in body, mind, reputation or property
 - (C) Only to commit a criminal act
 - (D) Only to write a contract
- Q27.** Truth as a defence to a charge of defamation under Section 499 IPC:
- (A) Is always a complete defence
 - (B) Is a defence only if the imputation is true AND its publication is for the public good (First Exception to Section 499)
 - (C) Is never a defence
 - (D) Is a defence only if the accused is a journalist
- Q28.** Under Section 154 CrPC, an FIR can be lodged in respect of:
- (A) Any non-cognizable offence
 - (B) Any cognizable offence
 - (C) Civil disputes
 - (D) Only offences punishable with death
- Q29.** A police officer may arrest a person without warrant under Section 41 CrPC if the person:
- (A) Is suspected of any offence whatsoever
 - (B) Has committed, or there is credible information that he has committed, a cognizable offence and the conditions in Section 41(1)(b) are satisfied
 - (C) Has been named in any private complaint
 - (D) Has failed to pay civil dues



- Q30.** Under Section 167(2) CrPC, the maximum period of police plus judicial custody during investigation, beyond which the accused becomes entitled to default bail in cases punishable with death, imprisonment for life or imprisonment for not less than ten years, is:
- (A) 60 days
 - (B) 90 days
 - (C) 120 days
 - (D) 180 days
- Q31.** Under Section 437 CrPC, bail in a non-bailable offence *shall not* ordinarily be granted to a person where there appear to be reasonable grounds for believing that he has been guilty of an offence:
- (A) Punishable with imprisonment up to one year
 - (B) Punishable with death or imprisonment for life
 - (C) Punishable with fine only
 - (D) Compoundable
- Q32.** The inherent powers of the High Court under Section 482 CrPC may be exercised to:
- (A) Modify a legislative enactment
 - (B) Give effect to any order under the Code, prevent abuse of the process of any court, or otherwise secure the ends of justice
 - (C) Override the Constitution
 - (D) Try fresh evidence as a court of first instance
- Q33.** Compounding of offences under Section 320 CrPC is permissible:
- (A) For all offences
 - (B) Only for offences specifically listed in the Table appended to Section 320; offences listed in the second part also require the permission of the Court



- (C) Only for offences punishable with death
- (D) Only at the appellate stage

Q34. A statement recorded by the police under Section 161 CrPC:

- (A) Must be signed by the maker
- (B) Shall not be signed by the person making it and shall not, save as provided, be used for any purpose at any inquiry or trial except to contradict the witness under Section 145 of the Evidence Act
- (C) Is admissible as substantive evidence
- (D) Has the same value as a dying declaration

Q35. The charge sheet filed by the police on completion of investigation under Section 173 CrPC is also known as:

- (A) Final report
- (B) Complaint
- (C) Plaint
- (D) Bail bond

Q36. An order of maintenance under Section 125 CrPC can be passed in favour of:

- (A) Wife, legitimate or illegitimate minor child, legitimate or illegitimate child (not a minor) unable by physical or mental abnormality to maintain itself, and parents unable to maintain themselves
- (B) Only a Hindu wife
- (C) Only the husband
- (D) Distant relatives

Q37. Sanction for prosecution under Section 197 CrPC is required when the offence is alleged to have been committed by a public servant:

- (A) In his private life



- (B) While acting or purporting to act in the discharge of his official duty
- (C) After retirement, in any context
- (D) Only outside India

Q38. Under the Indian Evidence Act, “facts in issue” mean:

- (A) Any fact however remotely connected to the case
- (B) Facts which, either by themselves or in connection with other facts, are such that the existence, non-existence, nature or extent of any right, liability or disability asserted or denied in a suit or proceeding necessarily follows
- (C) Only documentary facts
- (D) Facts proved by police investigation

Q39. Section 8 of the Evidence Act makes relevant:

- (A) Hearsay statements
- (B) Motive, preparation and previous or subsequent conduct of a person whose conduct is the subject of, or affects, the fact in issue
- (C) Character of witnesses generally
- (D) Statements made under duress

Q40. A confession made to a police officer is:

- (A) Always admissible
- (B) Inadmissible under Section 25 of the Evidence Act, irrespective of voluntariness
- (C) Admissible if made in the presence of two witnesses
- (D) Admissible only if recorded in writing

Q41. Under Section 27 of the Evidence Act, so much of an information received from a person accused of an offence in police custody is admissible as:



- (A) Relates to motive
- (B) Distinctly relates to the fact thereby discovered
- (C) Relates to the accused's character
- (D) Relates to hearsay

Q42. Section 65B of the Evidence Act deals with the admissibility of:

- (A) Oral evidence
- (B) Documentary evidence of public records
- (C) Electronic records, requiring a certificate as mandated in *Anvar P. V. v. P. K. Basheer and Arjun Panditrao Khotkar*
- (D) Confessions

Q43. Section 105 of the Evidence Act provides that when an accused person claims the benefit of any of the General Exceptions in the IPC, the burden of proving the existence of circumstances bringing the case within the exception lies on:

- (A) The prosecution
- (B) The accused
- (C) The Court
- (D) No one

Q44. Section 114 of the Evidence Act enables the Court to:

- (A) Refuse to record evidence
- (B) Presume the existence of any fact which it thinks likely to have happened, regard being had to the common course of natural events, human conduct and public and private business
- (C) Pass a decree without evidence
- (D) Withdraw cognizance

Q45. A dying declaration is admissible under Section 32(1) of the Evidence Act provided:



- (A) The maker actually dies and the statement relates to the cause of his death or to circumstances of the transaction which resulted in his death
- (B) The maker survives
- (C) The statement is made to the police only
- (D) The statement is recorded by a magistrate only

Part C: Civil & Procedural Law

- Q46.** Section 9 of the Code of Civil Procedure, 1908 provides that civil courts shall have jurisdiction to try all suits of a civil nature *except*:
- (A) Suits involving Hindus
 - (B) Suits the cognizance of which is either expressly or impliedly barred
 - (C) All suits involving the Government
 - (D) All suits below Rs. 1,000
- Q47.** The principle of *res judicata* embodied in Section 11 CPC bars:
- (A) Filing an appeal
 - (B) A court from trying any suit or issue which has been directly and substantially in issue in a former suit between the same parties and has been heard and finally decided by a court of competent jurisdiction
 - (C) Withdrawal of a suit
 - (D) Filing of a written statement
- Q48.** The rule that the plaint must contain a concise statement of the material facts but not the evidence by which those facts are to be proved is contained in:
- (A) Order 6 of the CPC
 - (B) Order 18 of the CPC
 - (C) Order 41 of the CPC



(D) Order 45 of the CPC

Q49. Under Order 7 Rule 11 CPC, the plaint shall be rejected when, inter alia:

(A) The defendant fails to file a written statement

(B) It does not disclose a cause of action, the relief claimed is undervalued and not corrected, the suit appears from the statement to be barred by any law, etc.

(C) The plaintiff is a minor

(D) There is delay in service of summons

Q50. Under Order 9 CPC, if the defendant does not appear on the day of hearing despite due service of summons, the court may:

(A) Dismiss the suit forthwith

(B) Proceed ex parte against the defendant

(C) Award costs to the defendant

(D) Refer the matter to arbitration suo motu

Q51. The grant of a temporary injunction under Order 39 CPC requires the plaintiff to establish:

(A) Only a prima facie case

(B) A prima facie case, balance of convenience, and irreparable injury

(C) Only irreparable injury

(D) A criminal complaint pending against the defendant

Q52. Section 89 CPC empowers the court to formulate and refer the dispute to one of the following modes of settlement:

(A) Arbitration, conciliation, judicial settlement including settlement through Lok Adalat, or mediation

(B) Only mediation

(C) Only arbitration



(D) Only Lok Adalat

Q53. An appeal from an original decree under Section 96 CPC lies to:

- (A) The same court that passed the decree
- (B) The court authorised to hear appeals from the decisions of the court which passed the decree
- (C) The Supreme Court directly
- (D) Only the High Court

Q54. A second appeal under Section 100 CPC lies to the High Court only on:

- (A) A question of fact
- (B) A substantial question of law
- (C) Sufficient cause for delay
- (D) The court's discretion without any condition

Q55. Power to transfer a suit, appeal or other proceeding from one court to another under Section 24 CPC may be exercised by:

- (A) Only the Supreme Court
- (B) The High Court and the District Court within their respective jurisdictions
- (C) The Magistrate
- (D) The Collector

Q56. Under Section 138 of the Negotiable Instruments Act, 1881, dishonour of a cheque for insufficiency of funds or because it exceeds the arrangement is an offence punishable with:

- (A) Imprisonment which may extend to two years, or fine which may extend to twice the amount of the cheque, or both
- (B) Death
- (C) Life imprisonment



(D) Only civil damages

Q57. For taking cognizance of an offence under Section 138 NI Act, the complaint under Section 142 NI Act must be made:

(A) At any time

(B) Within one month of the date on which the cause of action arises under clause (c) of the proviso to Section 138 (subject to condonation of delay)

(C) Within three years

(D) Within ten years

Q58. Section 139 of the NI Act raises a presumption that:

(A) The holder received the cheque for the discharge, in whole or in part, of any debt or other liability

(B) The cheque is a gift

(C) The cheque was issued under coercion

(D) The cheque is a sham document

Q59. Where an offence under Section 138 NI Act is committed by a company, Section 141 makes liable:

(A) Only the company as a legal person

(B) Every person who, at the time the offence was committed, was in charge of, and was responsible to the company for, the conduct of its business, as well as the company itself

(C) Only the auditors of the company

(D) Only the shareholders

Q60. A cheque under Section 6 of the NI Act is defined as:

(A) Any document promising to pay money



- (B) A bill of exchange drawn on a specified banker and payable on demand, and includes the electronic image of a truncated cheque and a cheque in the electronic form
- (C) Only a printed slip
- (D) Only an instrument used between banks

Q61. Under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, “public purpose” includes:

- (A) Only purposes of the Armed Forces
- (B) Strategic purposes of the State, infrastructure projects, projects for the affected families, housing for income groups specified, planned development and improvement of village and urban sites, etc., as specified in Section 2 of the Act
- (C) Any purpose chosen at the discretion of the Collector
- (D) Only private industrial purposes

Q62. Under the 2013 Land Acquisition Act, compensation payable for land acquired in rural areas is, subject to multipliers and solatium, computed at:

- (A) Half the market value
- (B) Up to four times the market value (with the multiplier specified in the First Schedule), plus 100% solatium on the market value plus other admissible components
- (C) Only the registered sale-deed value
- (D) A flat sum decided by the Collector

Part D: Personal & Specialised Laws

Q63. Under Section 5 of the Hindu Marriage Act, 1955, which of the following is NOT a condition for a valid Hindu marriage?



- (A) Neither party has a living spouse at the time of marriage
- (B) Neither party is incapable of giving valid consent or suffers from a mental disorder of a kind specified
- (C) The bridegroom has completed 21 years and the bride 18 years
- (D) Both parties profess the same religious sect within Hinduism

Q64. Cruelty as a ground for divorce under Section 13(1)(i-a) of the Hindu Marriage Act has been interpreted to include:

- (A) Only physical violence
- (B) Both physical and mental cruelty making it impossible for the parties to live together
- (C) Only verbal abuse
- (D) Only economic deprivation

Q65. Divorce by mutual consent under Section 13B of the Hindu Marriage Act requires:

- (A) No waiting period at all
- (B) The parties to have been living separately for one year or more and to move a second motion not earlier than six months and not later than eighteen months after the first motion (the six-month period may be waived by the Court in appropriate cases per *Amardeep Singh v. Harveen Kaur*)
- (C) A waiting period of five years
- (D) Approval of the parents of both parties

Q66. Under Muslim Personal Law, *Mehr* (dower) is:

- (A) A voluntary gift from the wife
- (B) A consideration for the marriage promised or paid by the husband to the wife, which she is entitled to in her own right
- (C) A gift from the bride's father



(D) A reward paid by the bridegroom to his parents

Q67. The period of *iddat* observed by a divorced Muslim woman not pregnant is, in general:

(A) Three months or three menstrual courses

(B) One year

(C) Six months

(D) No period

Q68. A Hindu wife seeking maintenance has the option of approaching:

(A) Only the civil court under the Hindu Adoptions and Maintenance Act

(B) Both the civil court under the HAMA / Hindu Marriage Act provisions and the Magistrate under Section 125 CrPC; the remedies are concurrent and complementary, not mutually exclusive

(C) Only the criminal court under Section 125 CrPC

(D) Neither court

Q69. Under the Hindu Adoptions and Maintenance Act, 1956, an adoption is valid only if, inter alia:

(A) The person adopting and the person giving in adoption have capacity, and the child is capable of being taken in adoption; and there is the actual ceremony of giving and taking

(B) The adoption is registered with the Bar Council

(C) The adoptive father is below 30 years

(D) The biological father is deceased

Q70. An interim maintenance order under Section 125(1) CrPC, read with the proviso, may be granted:

(A) Only after final disposal of the application



- (B) During the pendency of the proceedings, including a monthly allowance for interim maintenance and expenses of the proceeding
- (C) Only if the wife waives the right to permanent maintenance
- (D) Only on payment of court fees

Q71. The principle that a company is a separate legal person distinct from its members was authoritatively laid down in:

- (A) Foss v. Harbottle
- (B) Salomon v. A. Salomon & Co. Ltd.
- (C) Royal British Bank v. Turquand
- (D) Ashbury Railway Carriage v. Riche

Q72. The doctrine of lifting the corporate veil allows the court to:

- (A) Liquidate any company
- (B) Disregard the separate legal personality of a company and look at the real persons behind it, in cases of fraud, statutory provisions, sham, or to prevent evasion of legal obligations
- (C) Cancel the registration of a company without notice
- (D) Pierce the limited-liability protection routinely on creditor request

Q73. Section 66C of the Information Technology Act, 2000 deals with:

- (A) Hacking
- (B) Identity theft using the electronic signature, password or any other unique identification feature of any other person
- (C) Tampering with computer source documents
- (D) Cyber-terrorism only

Q74. Section 79 of the IT Act provides intermediaries an exemption from liability subject to:

- (A) No conditions



- (B) Observance of due diligence and compliance with such guidelines as the Central Government may prescribe (subject to the conditions in sub-sections (2) and (3))
- (C) Mandatory blocking of all user content
- (D) Payment of an annual licence fee

Q75. Section 25F of the Industrial Disputes Act, 1947 lays down the conditions precedent to retrenchment of a workman who has been in continuous service for not less than one year, which include:

- (A) Only payment of arrears of wages
- (B) One month's notice in writing (or wages in lieu), compensation equivalent to fifteen days' average pay for every completed year of continuous service, and notice to the appropriate Government
- (C) Two years' advance notice
- (D) Approval of the Supreme Court

Q76. Under the Factories Act, 1948, the maximum daily hours of work for an adult worker, subject to certain exceptions, are:

- (A) 8 hours
- (B) 9 hours
- (C) 12 hours
- (D) 14 hours

Q77. The Code on Wages, 2019 consolidates and replaces, among others:

- (A) The Industrial Disputes Act
- (B) The Payment of Wages Act, Minimum Wages Act, Payment of Bonus Act and Equal Remuneration Act
- (C) The Factories Act
- (D) The Employees' State Insurance Act



- Q78.** Under Section 2(s) of the Industrial Disputes Act, “workman” does NOT, in general, include a person:
- (A) Doing manual work
 - (B) Doing skilled or unskilled work
 - (C) Employed mainly in a managerial or administrative capacity, or in supervisory work drawing wages above the prescribed limit
 - (D) Doing clerical work
- Q79.** The “neighbour principle” in the law of negligence was laid down by Lord Atkin in:
- (A) Rylands v. Fletcher
 - (B) Donoghue v. Stevenson
 - (C) Hadley v. Baxendale
 - (D) Carlill v. Carbolic Smoke Ball Co.
- Q80.** The rule in *Rylands v. Fletcher* imposes strict liability where:
- (A) There has been a non-natural use of the land by the defendant, who has brought on it something likely to do mischief if it escapes, and it does escape and cause damage
 - (B) There has been only a natural use of land
 - (C) The plaintiff was a trespasser in all cases
 - (D) The defendant was a public officer
- Q81.** Vicarious liability of a master for the tortious act of his servant arises where the act was:
- (A) Done outside the course of employment in all cases
 - (B) Done in the course of employment, even if the servant exceeded instructions, as long as the act was sufficiently connected to the duties entrusted
 - (C) Done before joining service



(D) Done only after retirement

Q82. Under the Consumer Protection Act, 2019, the pecuniary jurisdiction of the District Commission for complaints filed before it is, as currently notified, up to:

(A) Rs. 10 lakh

(B) Rs. 50 lakh (and any other pecuniary limit as notified by the Central Government from time to time)

(C) Rs. 5 crore

(D) Unlimited

Q83. “Service” under Section 2(42) of the Consumer Protection Act, 2019 includes, inter alia:

(A) Only services rendered free of charge

(B) Service of any description made available to potential users, including banking, financing, insurance, transport, processing, supply of electrical or other energy, telecom, boarding or lodging, etc.

(C) Only services rendered under a contract of personal service

(D) Only government services

Q84. Under Section 166 of the Motor Vehicles Act, 1988, an application for compensation arising out of an accident involving a motor vehicle may be made by:

(A) Only the registered owner of the vehicle

(B) The person who has sustained the injury, the owner of the property damaged, all or any of the legal representatives of the deceased, or any agent duly authorised

(C) The traffic police only

(D) The insurance company only

Q85. Section 163A of the Motor Vehicles Act provides for:



- (A) Punishment for rash driving
- (B) Payment of compensation on a structured-formula basis irrespective of proof of negligence (no-fault liability)
- (C) Cancellation of driving licence
- (D) Insurance of property only

Q86. Under Chapter XI of the Motor Vehicles Act, third-party insurance covering the death of or bodily injury to any person caused by the use of the vehicle in a public place is:

- (A) Optional
- (B) Compulsory for every vehicle being used in a public place
- (C) Required only for commercial vehicles
- (D) Required only in urban areas

Q87. Section 3 of the Patents Act, 1970, which lists what are not inventions, includes among other items:

- (A) All chemical processes
- (B) Discovery of any living thing or non-living substance occurring in nature, a mere scheme or rule, methods of agriculture or horticulture, mathematical or business methods, computer programmes per se, etc.
- (C) Only mechanical devices
- (D) All software inventions of any kind

Q88. A trade mark is registrable under the Trade Marks Act, 1999 only if it is:

- (A) Identical to an existing trade mark
- (B) Capable of being represented graphically and of distinguishing the goods or services of one person from those of others, and is not hit by the absolute or relative grounds of refusal
- (C) Owned by a registered company only



(D) More than ten years old

Part E: ADR & Professional Ethics

Q89. Under Section 7 of the Arbitration and Conciliation Act, 1996, an arbitration agreement must be:

(A) Only oral

(B) In writing, contained in a document signed by the parties, in an exchange of communications providing a record of the agreement, or in a statement of claim and defence in which the existence of the agreement is alleged and not denied

(C) Notarised

(D) Approved by the Government

Q90. An arbitral award may be set aside by the court under Section 34 of the Arbitration and Conciliation Act on grounds including:

(A) Mere dissatisfaction of a party with the outcome

(B) Incapacity of a party, invalidity of the arbitration agreement, lack of proper notice, the award dealing with matters beyond the scope of submission, conflict with the public policy of India, or patent illegality apparent on the face of the award (in domestic arbitration)

(C) Any error of judgement

(D) Insufficient stamp duty alone

Q91. Where parties fail to agree on the procedure for appointing arbitrators, Section 11 of the Arbitration and Conciliation Act permits the appointment by:

(A) The District Magistrate

(B) The Supreme Court or, as the case may be, the High Court, or any person or institution designated by such Court

(C) The State Bar Council



(D) The Central Government

Q92. The Mediation Act, 2023 primarily aims to:

- (A) Abolish arbitration
- (B) Provide a statutory framework for institutional and pre-litigation mediation, with enforceability of mediated settlement agreements similar to court decrees
- (C) Replace all civil suits
- (D) Make mediation compulsory in criminal matters

Q93. Section 35 of the Advocates Act, 1961 deals with:

- (A) Enrolment of advocates
- (B) Punishment of advocates for professional or other misconduct, including reprimand, suspension or removal from the State roll of advocates
- (C) Designation of senior advocates
- (D) Constitution of the Bar Council

Q94. Which of the following is a function of the Bar Council of India under Section 7 of the Advocates Act?

- (A) Conducting elections to Parliament
- (B) Laying down standards of professional conduct and etiquette for advocates, safeguarding the rights, privileges and interests of advocates, and promoting legal education
- (C) Issuing arrest warrants
- (D) Drafting the Union Budget

Q95. Designation of an advocate as a “Senior Advocate” under Section 16 of the Advocates Act is made on the basis of:

- (A) Years of practice alone



- (B) The Supreme Court or a High Court being of the opinion that, by virtue of the advocate's ability, standing at the Bar or special knowledge or experience in law, he deserves such distinction
- (C) The Bar Council's nomination alone, without judicial assessment
- (D) The advocate's age

Q96. The fundamental right to practise any profession or carry on any occupation, trade or business, including the legal profession, is guaranteed under:

- (A) Article 19(1)(a)
- (B) Article 19(1)(g)
- (C) Article 21
- (D) Article 25

Q97. Which of the following has been recognised as professional misconduct in the case-law on the Bar Council Rules and Section 35 of the Advocates Act?

- (A) Acting against the interest of one's own client, misappropriating client funds, soliciting work in violation of the rules, or fraudulent practice on the court
- (B) Refusing a brief without justification, in all cases
- (C) Speaking respectfully in court
- (D) Filing all written submissions on time

Q98. Section 24 of the Advocates Act prescribes the eligibility for enrolment as an advocate, which includes (subject to other conditions):

- (A) Being at least 18 years of age
- (B) Being a citizen of India, having completed the age of 21 years, holding a degree in law from a University recognised under the Act, and fulfilling other conditions prescribed by the Bar Council



- (C) Being a citizen of any country
- (D) Being a graduate in any subject

Q99. The Standards of Professional Conduct and Etiquette in Chapter II of Part VI of the Bar Council of India Rules forbid an advocate from, inter alia:

- (A) Appearing in court in a sober black-and-white dress
- (B) Bidding for or purchasing any property sold in execution of a decree in a suit in which he was professionally engaged, acting on the instructions of any person other than his client, and stipulating for a fee contingent on the results of litigation
- (C) Filing applications under Order 39 CPC
- (D) Citing precedents during argument

Q100. Under the Contempt of Courts Act, 1971, contempt is classified as:

- (A) Only criminal contempt
- (B) Civil contempt and criminal contempt, as defined in Sections 2(b) and 2(c) respectively
- (C) Only civil contempt
- (D) Statutory contempt only



Detailed Solutions

Q1.

Solution

Concept — Article 14, Constitution of India: Article 14 is the foundational equality clause. It contains two distinct guarantees: *equality before the law* (a negative concept borrowed from the English common law, meaning absence of special privilege) and *equal protection of the laws* (a positive concept borrowed from the United States, meaning equal treatment in similar circumstances).

Step 1 — Identify the right Article:

- Article 12 defines “the State” for Part III; it does not guarantee a right.
- Article 13 deals with laws inconsistent with or in derogation of the fundamental rights.
- **Article 14** expressly guarantees “equality before the law” and “equal protection of the laws.”
- Article 15 prohibits discrimination only on the grounds of religion, race, caste, sex or place of birth.

Tip: Remember the pair: “equality before law” (Dicey, UK) + “equal protection of laws” (US Constitution, 14th Amendment) = Article 14.

Final Answer: Article 14 ⇒

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

Q2.

Solution

Concept — Writ of Habeas Corpus: *Habeas corpus* (“you shall have the body”) is issued to test the legality of a person’s detention. Both the Supreme Court (Article 32) and the High Courts (Article 226) are competent to issue this writ. Article 226 in fact has a wider sweep because it can be invoked for both fundamental rights and other legal rights.

Step 1 — Compare the Articles:

- Article 32 makes the Supreme Court the protector of fundamental rights and empowers it to issue prerogative writs.
- Article 226 confers similar (in fact wider) writ jurisdiction on every High Court.
- Article 136 is special leave; it is not a writ jurisdiction.



Tip: Article 226 > Article 32 in scope because Article 226 is not limited to fundamental rights.

Final Answer: Both Article 32 and Article 226 ⇒

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

Q3.

Solution

Concept — Right to Privacy as a Fundamental Right: The nine-judge Constitution Bench in *K. S. Puttaswamy v. Union of India*, (2017) 10 SCC 1 unanimously held that the right to privacy is a fundamental right intrinsic to Article 21 (right to life and personal liberty) and is also reflected in other freedoms in Part III. It overruled *M. P. Sharma* and *Kharak Singh* to the extent that they held otherwise.

Step 1 — Eliminate the distractors:

- *Maneka Gandhi* (1978) expanded the scope of Article 21 (“procedure established by law” must be “just, fair and reasonable”) but did not directly hold privacy to be a fundamental right.
- *Kesavananda Bharati* (1973) propounded the basic-structure doctrine.
- *Govind v. State of MP* (1975) recognised a limited right to privacy but the matter was unsettled until *Puttaswamy*.

Tip: For privacy questions on AIBE, the safe citation is always *K. S. Puttaswamy*, 2017.

Final Answer: *K. S. Puttaswamy v. Union of India* ⇒

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

Q4.

Solution

Concept — Reasonable Restrictions on Article 19(1)(a): Article 19(2) of the Constitution exhaustively lists the grounds on which the State may impose reasonable restrictions on the freedom of speech and expression. The grounds are: sovereignty and integrity of India, security of the State, friendly relations with foreign States, public order, decency or morality, contempt of court, defamation, and incitement to an offence.

Step 1 — Apply the test of completeness: Option (B) is too narrow. Option (C) is incomplete. Option (D) is constitutionally impermissible because no restriction



beyond the enumerated grounds in Article 19(2) is valid. Option (A) reproduces the constitutional list and is therefore correct.

Tip: Memorise the 8 grounds in Article 19(2) as a set. Any restriction outside this set is per se unconstitutional.

Final Answer: Sovereignty... incitement to an offence ⇒ A

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

Q5.

Solution

Concept — Basic Structure Doctrine: The doctrine of basic structure was first laid down by the Supreme Court in *Kesavananda Bharati v. State of Kerala*, AIR 1973 SC 1461 (a 13-judge Bench). The Court held that Parliament's power to amend the Constitution under Article 368 is wide but not unlimited: it cannot alter the "basic structure" or "basic features" of the Constitution.

Step 1 — Trace the line of cases:

- *Golaknath* (1967) held that fundamental rights could not be abridged by constitutional amendment, but it did not articulate "basic structure."
- *Kesavananda Bharati* (1973) propounded basic structure for the first time.
- *Indira Nehru Gandhi* (1975) and *Minerva Mills* (1980) reaffirmed and refined the doctrine.

Tip: Whenever the AIBE asks "first propounded," the answer is *Kesavananda Bharati*.

Final Answer: *Kesavananda Bharati* ⇒ B

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

Q6.

Solution

Concept — Harmonious Construction of Fundamental Rights and DPSPs: Fundamental Rights (Part III) and Directive Principles (Part IV) are complementary parts of the Constitution. In *Minerva Mills v. Union of India*, AIR 1980 SC 1789, the Court held that "harmony and balance between fundamental rights and directive principles is an essential feature of the basic structure."

Step 1 — Reject extreme positions:



- DPSPs always prevailing would destroy fundamental rights.
- Fundamental Rights always prevailing absolutely would render DPSPs nugatory.
- The President plays no adjudicative role in such conflicts.

The settled doctrine is harmonious construction.

Tip: Remember the formula: FR and DPSP are not antagonistic; they are two wheels of the chariot of socio-economic justice (per the Supreme Court).

Final Answer: Harmonious construction ⇒

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

Q7.

Solution

Concept — Proclamation of Emergency under Article 352: After the 44th Constitutional Amendment, 1978, the President can proclaim a national Emergency only on the basis of the *written* advice of the Cabinet (the Council of Ministers headed by the Prime Minister). Mere oral advice or advice of the Prime Minister alone is insufficient.

Step 1 — Trace the amendment: Before 1978, advice from the Prime Minister alone was sufficient. The 44th Amendment introduced the safeguard of written cabinet advice precisely because of the abuse of the Emergency power in 1975.

Tip: Three grounds for Article 352 Emergency now: war, external aggression, or armed rebellion (“internal disturbance” was removed by the 44th Amendment).

Final Answer: Written advice of the Cabinet ⇒

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

Q8.

Solution

Concept — Procedure for Constitutional Amendment under Article 368: Article 368 lays down three modes of amendment:

- Simple majority of Parliament (used outside Article 368 strictly, e.g., admission of new States).
- Special majority of both Houses (majority of total membership + 2/3 of members present and voting).
- Special majority of both Houses + ratification by Legislatures of not less



than *half* of the States — required for matters affecting the federal structure (entries in Lists, representation of States, election of President, Articles 54, 55, 73, 162, 241, 368 itself, etc.).

Step 1 — Identify the trigger in the question: The question refers to representation of States in Parliament, which is a federal-structure issue. Therefore the third mode applies.

Tip: The list of entrenched provisions in the proviso to Article 368(2) is finite; remember it as the “federal-structure proviso.”

Final Answer: Special majority + ratification by half the States ⇒

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

Q9.

Solution

Concept — Article 324 and the Election Commission: The Election Commission of India is constituted under Article 324 of the Constitution. It is vested with the superintendence, direction and control of the preparation of electoral rolls and the conduct of elections to Parliament, State Legislatures, and offices of the President and Vice-President.

Step 1 — Eliminate the other Articles:

- Article 280 deals with the Finance Commission.
- Article 315 deals with Public Service Commissions (UPSC and State PSCs).
- Article 338 deals with the National Commission for Scheduled Castes.

Tip: Constitutional bodies and their articles are a high-yield AIBE area: ECI (324), CAG (148), UPSC (315), Finance Commission (280), NCSC (338), NCST (338A), Attorney-General (76).

Final Answer: Article 324 ⇒

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

Q10.

Solution

Concept — Twin Test of Reasonable Classification under Article 14: The Supreme Court in *State of West Bengal v. Anwar Ali Sarkar*, AIR 1952 SC 75 and a long line of cases laid down the classic twin test of permissible classification under



Article 14:

- (i) The classification must be founded on an *intelligible differentia* which distinguishes persons or things grouped together from those left out; and
- (ii) That differentia must have a *rational nexus* with the object sought to be achieved by the statute in question.

Step 1 — Reject impossible alternatives: Article 14 does not require mathematical equality (option B) or legislative approval of every classification (option C) or identical treatment in all contexts (option D). Equality is treating like alike, not treating unlikes alike.

Tip: A modern overlay (post-*E. P. Royappa*) is the doctrine that arbitrariness itself violates Article 14, but the classification test is still the bedrock answer for the AIBE.

Final Answer: Intelligible differentia + rational nexus ⇒

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

Q11.

Solution

Concept — Public Interest Litigation and Relaxed Locus Standi: In *S. P. Gupta v. Union of India*, AIR 1982 SC 149 (the “Judges Transfer Case”), Justice P. N. Bhagwati formally recognised that where a legal wrong or injury is caused to a person or to a determinate class of persons by reason of poverty, helplessness or disability, any member of the public acting bona fide can move the court for redress. This relaxed the traditional rule that only an aggrieved person can sue.

Step 1 — Eliminate the distractors: *A. K. Gopalan* dealt with preventive detention. *Balsara* dealt with the Bombay Prohibition Act. *Berubari* was a Presidential reference. None of them concerns PIL.

Tip: The other founder-case of PIL is *Hussainara Khatoon* (1979) – on undertrials – but for the locus-standi rule, the cleanest citation is *S. P. Gupta*.

Final Answer: *S. P. Gupta v. Union of India* ⇒

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

Q12.



Solution

Concept — Epistolary Jurisdiction: Epistolary jurisdiction is a procedural innovation by which the Supreme Court (and High Courts) treat a letter, postcard, telegram, or even a newspaper report as a writ petition where a substantial question of public interest is involved. It dispenses with the formal requirements of a full writ petition for the benefit of the disadvantaged.

Step 1 — Reject the distractors: Restricting PIL to registered advocates, elected representatives, or registered post would defeat its very purpose, which is access to justice for the voiceless.

Tip: Justice Bhagwati's letter-as-PIL approach gave rise to landmark cases such as *Sunil Batra* (jail reform) and the *Bandhua Mukti Morcha* (bonded labour).

Final Answer: Treats a letter as a writ petition ⇒

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

Q13.

Solution

Concept — Bars to Entertaining PIL: The Supreme Court has repeatedly warned that PIL must be “genuine PIL” and not “personal interest litigation” or “private interest litigation.” In *State of Uttaranchal v. Balwant Singh Chauhan*, (2010) 3 SCC 402, the Court issued guidelines: PIL must not be filed for personal gain, publicity, political motivation, or extraneous purposes.

Step 1 — Apply the criteria: Option (B) correctly captures the bar. Option (A) is wrong because PIL deliberately relaxes the requirement of being personally aggrieved. Option (C) is wrong because NGOs can and routinely do file PILs. Option (D) is wrong because PILs can be filed in High Courts.

Tip: The court's hostility is not to PIL itself but to the abuse of PIL.

Final Answer: Private grievance/private gain disguised ⇒

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

Q14.

Solution

Concept — Features of PIL: The principal features of PIL in India include:

- Relaxed standing.
- Relaxed procedure (epistolary jurisdiction).



- Continuing mandamus to monitor compliance.
- Use of court commissioners and amici curiae.
- No requirement of court fee comparable to a civil suit.

A mandatory civil-suit-style court fee would defeat the purpose of PIL and is NOT a feature of PIL.

Step 1 — Apply elimination: Options (A), (B) and (C) are all genuine features of PIL. Option (D) is the odd one out.

Tip: The Supreme Court Rules and various High Court Rules permit a token court fee for PIL precisely to keep access open.

Final Answer: Mandatory court fee equal to a civil suit ⇒ D

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

Q15.

Solution

Concept — Principles of Natural Justice: The two limbs of natural justice are:

- Nemo judex in causa sua* – no one shall be a judge in his own cause (rule against bias).
- Audi alteram partem* – the other side must be heard.

Step 1 — Eliminate the distractors: The doctrine of pleasure (Article 310) deals with tenure of public servants. The doctrine of severability is a constitutional-law principle for testing partial unconstitutionality. Harmonious construction is a rule of statutory interpretation. None of these is a principle of natural justice.

Tip: A third, modern limb often added is the duty to give reasons for decisions.

Final Answer: Principles of natural justice ⇒ B

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

Q16.

Solution

Concept — Doctrine of Legitimate Expectation: Legitimate expectation is a doctrine of administrative law under which a person whose expectation is based on either (i) an express promise by a public authority, or (ii) the existence of a regular practice, has a right to be heard before being deprived of the benefit. It



does not, by itself, create an enforceable substantive right to the benefit; it gives a procedural right at minimum.

Step 1 — Eliminate the distractors:

- (A) An enforceable contractual right – that is the law of contract, not legitimate expectation.
- (C) A guarantee of a particular outcome – legitimate expectation does not guarantee outcomes.
- (D) A statutory entitlement – that is a statutory right, distinct from legitimate expectation.

Tip: Indian leading case: *Food Corporation of India v. Kamdhenu Cattle Feed Industries*, (1993) 1 SCC 71.

Final Answer: Procedural protection grounded in past practice or express promise

⇒

[Go Back to Q16](#)

Q17.

Solution

Concept — Control over Delegated Legislation: Indian administrative law recognises three categories of control over delegated legislation:

- (i) **Parliamentary control** – the “laying” procedure, scrutiny by the Committee on Subordinate Legislation.
- (ii) **Judicial control** – judicial review on grounds of ultra vires (substantive or procedural), unreasonableness, or violation of fundamental rights.
- (iii) **Procedural control** – prior publication, consultation with affected parties, and post-publication.

Step 1 — Spot the odd one: There is no requirement that the President must ratify every rule made under a parent Act. Such a requirement would be administratively unworkable and is not part of Indian law.

Tip: The locus classicus is *In re Delhi Laws Act*, AIR 1951 SC 332, which set the limits on permissible delegation.

Final Answer: Mandatory Presidential ratification ⇒

[Go Back to Q17](#)



Q18.

Solution

Concept — Polluter Pays Principle: The polluter pays principle (PPP) holds that the polluter bears the cost of pollution, including the cost of restoring the environment and compensating victims. The Supreme Court formally read PPP and the precautionary principle into Indian law in *Vellore Citizens Welfare Forum v. Union of India*, (1996) 5 SCC 647.

Step 1 — Eliminate alternatives:

- *M. C. Mehta v. Kamal Nath* introduced the public trust doctrine.
- *Subhash Kumar* recognised the right to a clean environment as part of Article 21.
- *Rural Litigation and Entitlement Kendra* (Doon Valley case) dealt with illegal limestone quarrying.

Tip: PPP, the precautionary principle and the public trust doctrine are the three big environmental doctrines for AIBE. Pair each with its leading Indian case.

Final Answer: Vellore Citizens Welfare Forum ⇒

[Go Back to Q18](#)

Q19.

Solution

Concept — Jurisdiction of the National Green Tribunal: The NGT was established under the National Green Tribunal Act, 2010. Section 14 of the Act gives the NGT jurisdiction over all civil cases where a substantial question relating to the environment, including the enforcement of any legal right relating to the environment, is involved AND such question arises out of the implementation of the enactments specified in Schedule I (Water Act, Air Act, EPA, etc.). It is not a criminal court and does not exercise constitutional review.

Step 1 — Eliminate the distractors:

- Criminal forest offences are tried by the regular criminal courts.
- Constitutional matters under Article 32 are for the Supreme Court.
- Election disputes are tried by the High Courts under the RP Act, 1951.

Tip: The NGT has appellate jurisdiction over orders under Section 16 of certain enactments and original jurisdiction under Section 14.



Final Answer: Civil cases on environmental questions arising under Schedule I enactments ⇒ B

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

Q20.

Solution

Concept — Distinguishing Murder from Culpable Homicide: Section 299 IPC defines culpable homicide; Section 300 defines when culpable homicide is murder. Where the accused administers poison with the intention only of causing hurt (and not death or such bodily injury as is likely to cause death), and death nonetheless follows, the case falls within culpable homicide not amounting to murder under Section 304 Part II, because the act was done with knowledge that death may be caused but without the intention to cause it or such injury.

Step 1 — Test against Section 300: There is no intention to cause death and no intention to cause an injury sufficient in the ordinary course to cause death. Therefore the case does not fall under Section 300.

Step 2 — Apply Section 304 Part II: Knowledge that the act is likely to cause death (poisoning carries that knowledge) without the requisite intention ⇒ Section 304 Part II.

Tip: Murder = intention. Culpable homicide not amounting to murder = knowledge or lesser intention. Pure “hurt” would be Section 323/324, but here death has resulted.

Final Answer: Culpable homicide not amounting to murder ⇒ B

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

Q21.

Solution

Concept — Section 84 IPC, Defence of Unsoundness of Mind: Section 84 IPC reflects the McNaghten Rules (1843). Nothing is an offence done by a person who, at the time of doing it, by reason of unsoundness of mind, is incapable of knowing the nature of the act, or that he is doing what is either wrong or contrary to law.

Step 1 — Identify the two limbs of incapacity:

- Incapacity of knowing the *nature* of the act, OR
- Incapacity of knowing that the act is either *wrong or contrary to law*.



Option (A) captures both limbs accurately.

Tip: The defence is *legal* insanity, not *medical* insanity. The two are not the same.

Final Answer: Nature of the act, or that the act was wrong/contrary to law ⇒

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

Q22.

Solution

Concept — Section 100 IPC, When Death May Be Caused in Private Defence of the Body: Section 100 IPC enumerates the exhaustive list of situations in which the right of private defence of the body extends to causing death: reasonable apprehension of death; grievous hurt; rape; gratification of unnatural lust; kidnapping or abduction; wrongful confinement under circumstances which give reasonable apprehension that the person will be unable to have recourse to the public authorities; and acid attack (added by amendment).

Step 1 — Eliminate the wrong options: Simple hurt, defamation, or simple theft do NOT entitle a person to cause death in private defence.

Tip: Section 100 is a closed list. Memorise the seven situations.

Final Answer: Offences enumerated in Section 100 ⇒

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

Q23.

Solution

Concept — Section 34 versus Section 149 IPC:

- **Section 34** – “Acts done by several persons in furtherance of common intention.” Requires a prior meeting of minds. It is a rule of evidence and constructive liability; not a substantive offence in itself.
- **Section 149** – “Every member of an unlawful assembly guilty of offence committed in prosecution of common object.” Requires an unlawful assembly of *five or more persons* (Section 141). Common object can develop on the spot; no prior meeting of minds is necessary.

Step 1 — Eliminate the wrong options: Option (B) is wrong because Section 34 does not require five or more. Options (C) and (D) are factually incorrect.

Tip: Common intention = prior agreement; common object = membership of the



unlawful assembly + the act done in prosecution of the common object.

Final Answer: Section 34 – prior meeting of minds; Section 149 – unlawful assembly of 5+ ⇒ **A**

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

Q24.

Solution

Concept — Rape and Misconception of Fact: Under the law on rape, consent must be free and informed. Where consent is obtained by impersonation of the husband, it is vitiated by misconception. The IPC makes it explicit that consent obtained under such a misconception is no consent in the eye of the law, and the act amounts to rape.

Step 1 — Eliminate the distractors: Performing a religious ceremony or year-long cohabitation cannot retrospectively validate consent given under fundamental misconception of identity.

Tip: The principle is the same as Section 90 IPC – consent given under misconception of fact is not valid consent.

Final Answer: No consent in law; act amounts to rape ⇒ **B**

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

Q25.

Solution

Concept — Theft under Section 378 IPC: Theft is defined as the dishonest taking of movable property out of the possession of any person, without that person's consent, with the intention of so taking it. Force or threat (which would attract robbery or extortion) is not required for theft.

Step 1 — Identify the five ingredients:

- (i) Dishonest intention;
- (ii) Movable property;
- (iii) Property out of the possession of another;
- (iv) Without that person's consent;
- (v) Moves the property to take it.

Tip: Even a temporary deprivation can amount to theft – “permanent” retention is not required.



Final Answer: Dishonest intention to take movable property without consent ⇒

B

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

Q26.

Solution

Concept — Cheating under Section 415 IPC: Cheating has two limbs:

- (i) Fraudulent or dishonest deception inducing the deceived person to deliver any property or to consent that any person shall retain any property; OR
- (ii) Intentional inducement to do or omit to do anything which the deceived person would not have done if not so deceived, and which causes or is likely to cause damage or harm to him in body, mind, reputation or property.

Step 1 — Apply to the options: Option (B) reproduces the second limb exactly. Money is only one form of property.

Tip: The harm need not be monetary – “body, mind, reputation or property” is the catch-all.

Final Answer: To do or omit any act causing damage to body, mind, reputation or property ⇒ **B**

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

Q27.

Solution

Concept — Section 499 IPC: Truth + Public Good Defence: The First Exception to Section 499 provides that the imputation of truth which public good requires to be made or published is not defamation. Truth alone is not a defence; the publication must also be for the *public good*, which is a question of fact.

Step 1 — Reject extreme positions: Truth as an absolute defence (English common-law model) is NOT the Indian rule. Equally, truth is not entirely irrelevant; combined with public good it is a complete defence.

Tip: There are 10 exceptions to Section 499. The First (truth + public good), the Eighth (good-faith accusation to lawful authority), and the Ninth (imputation in good faith for protection of own interest or another’s interest) are the most commonly tested.



Final Answer: Truth + public good \Rightarrow B

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

Q28.

Solution

Concept — FIR under Section 154 CrPC: Section 154 CrPC mandates the registration of a First Information Report when information of a *cognizable* offence is given to the officer-in-charge of a police station. In *Lalita Kumari v. Government of UP*, (2014) 2 SCC 1, the Supreme Court held that registration of FIR is mandatory if the information discloses a cognizable offence.

Step 1 — Eliminate the wrong options: For non-cognizable offences, the police are governed by Section 155 (entry in NCR book and direction to magistrate). Civil disputes are not the subject of an FIR.

Tip: Cognizable = police can register and arrest without warrant. Non-cognizable = no FIR; complaint to magistrate is the route.

Final Answer: Cognizable offence \Rightarrow B

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

Q29.

Solution

Concept — Arrest without Warrant under Section 41 CrPC: Section 41 CrPC has been substantially recast by the Code of Criminal Procedure (Amendment) Act, 2008. For offences punishable with imprisonment up to seven years, the police officer must record reasons satisfying the conditions in Section 41(1)(b) before arresting without warrant. *Arnesh Kumar v. State of Bihar*, (2014) 8 SCC 273 imposes the additional duty of compliance with the Section 41A notice procedure.

Step 1 — Apply elimination: Suspicion of “any offence whatsoever” is too wide. Being named in a private complaint does not authorise arrest without warrant. Failure to pay civil dues is not a criminal offence.

Tip: For AIBE, also remember the Arnesh Kumar guidelines and the Section 41A notice for offences punishable with imprisonment up to seven years.

Final Answer: Credible information of cognizable offence + Section 41(1)(b) conditions \Rightarrow B

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



Q30.

Solution

Concept — Default Bail under Section 167(2) CrPC: Section 167(2) prescribes the outer limits within which the investigation must be completed by filing the charge sheet:

- **90 days** for offences punishable with death, life imprisonment, or imprisonment for not less than 10 years.
- **60 days** for all other offences.

On expiry of this period, if the investigation is not completed, the accused becomes entitled to bail as a matter of indefeasible right – this is the well-known “default bail.”

Step 1 — Read the question carefully: The question specifies death, life or 10+ years, which is the 90-day limb.

Tip: Special statutes such as UAPA and NDPS extend these periods (UAPA up to 180 days, NDPS up to 180 days for certain offences).

Final Answer: 90 days ⇒

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

Q31.

Solution

Concept — Bail in Non-Bailable Offences under Section 437 CrPC: Section 437(1) bars the court (other than a High Court or Court of Session) from granting bail to a person accused of, or suspected of, an offence punishable with death or imprisonment for life unless certain conditions (such as being a minor, woman, sick or infirm) apply, and even then with safeguards.

Step 1 — Apply elimination: Offences punishable with imprisonment up to one year are typically bailable. Offences punishable with fine only are minor. Compoundable offences are governed by Section 320. The restriction in Section 437(1) applies to the most serious offences.

Tip: For Section 437 vs Section 439: Section 439 vests wider bail powers in the High Court and Court of Session.

Final Answer: Death or imprisonment for life ⇒

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



Q32.

Solution

Concept — Inherent Powers of the High Court under Section 482 CrPC: Section 482 CrPC saves the inherent powers of the High Court to (i) give effect to any order under the Code, (ii) prevent abuse of the process of any court, or (iii) otherwise secure the ends of justice. The locus classicus is *State of Haryana v. Bhajan Lal*, 1992 Supp (1) SCC 335, which lays down seven illustrative categories where quashing of FIR/criminal proceedings would be appropriate.

Step 1 — Eliminate the wrong options: The High Court cannot modify legislation, override the Constitution, or take over the role of the trial court as a court of first instance.

Tip: Section 482 is not a substitute for ordinary appellate or revisional remedies; it is exercised sparingly and only when one of the three statutory grounds is engaged.

Final Answer: Give effect to orders, prevent abuse, secure ends of justice ⇒ B

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

Q33.

Solution

Concept — Compounding of Offences under Section 320 CrPC: Section 320 provides two tables. The first table lists offences that may be compounded by the specified person without the permission of the court (for example, voluntary causing hurt – Section 323). The second table lists offences that may be compounded only with the permission of the court (for example, voluntarily causing grievous hurt – Section 325, or theft – Section 379, where the value exceeds certain limits). Section 320(9) expressly bars compounding of any offence not listed in the section.

Step 1 — Eliminate the wrong options: Not all offences are compoundable; offences punishable with death are not compoundable; compounding can be done at any stage *before* judgement (Section 320(7)), not exclusively at the appellate stage.

Tip: Compounding with permission of the court is the typical AIBE point on Section 320; remember it stands apart from “quashing” under Section 482.

Final Answer: Only listed offences; second table needs court’s permission ⇒ B

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



Q34.

Solution

Concept — Statements under Section 161 CrPC: Section 162(1) CrPC provides that a statement made to a police officer in the course of an investigation under Section 161 shall not be signed by the person making it. Such a statement shall not be used at any inquiry or trial except for contradicting the witness under Section 145 of the Evidence Act.

Step 1 — Eliminate the wrong options: Section 161 statements are not signed (option A) and are not substantive evidence (option C); they have nothing in common with a dying declaration (option D), which is admissible under Section 32(1) of the Evidence Act.

Tip: Permitted use: ONLY to contradict, not to corroborate, the witness.

Final Answer: Unsigned; only to contradict under Section 145 Evidence Act ⇒

 B **Answer: (B)** [Go Back to Q34](#)

Q35.

Solution

Concept — Charge Sheet / Final Report under Section 173 CrPC: On completion of investigation, the officer-in-charge of the police station files a report in the form prescribed under Section 173(2). This is commonly called the “charge sheet” or, in formal terms, the “final report.” If the police conclude that no offence is made out, the report is called a “closure report.”

Step 1 — Eliminate the wrong options: A “complaint” under the CrPC is filed by a private person, not the police. A “plaint” is the foundational document in a civil suit. A “bail bond” is a security document.

Tip: The magistrate may accept the charge sheet, take cognizance, and proceed; or treat it as a protest petition and direct further investigation under Section 173(8).

Final Answer: Final report ⇒ A

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

Q36.



Solution

Concept — Maintenance under Section 125 CrPC: Section 125 is a secular, summary remedy. Maintenance can be ordered in favour of: (i) a wife (including a divorced wife who has not remarried – per *Mohd. Ahmed Khan v. Shah Bano Begum*); (ii) a legitimate or illegitimate minor child; (iii) a legitimate or illegitimate child (not a minor) unable by physical or mental abnormality to maintain itself; and (iv) parents unable to maintain themselves.

Step 1 — Eliminate the wrong options: The provision is not confined to Hindus, nor to the husband, nor to distant relatives.

Tip: The proceedings under Section 125 are civil in nature, even though they are within the CrPC.

Final Answer: Wife, child (legitimate or illegitimate), child unable to maintain itself, parents ⇒

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

Q37.

Solution

Concept — Sanction for Prosecution under Section 197 CrPC: Section 197 protects judges, magistrates, and public servants not removable from office save by or with the sanction of the Government, from being prosecuted, while they are in office, in respect of acts done or purported to be done by them in the discharge of their official duty, except with the previous sanction of the appropriate Government.

Step 1 — Eliminate the wrong options: Acts done in private life or after retirement do not enjoy this protection. The geographical location (India or abroad) is not the test.

Tip: The test is the *nexus* between the act and the official duty (see *Devinder Singh v. State of Punjab*, (2016) 12 SCC 87).

Final Answer: While acting/purporting to act in discharge of official duty ⇒

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

Q38.

Solution

Concept — “Facts in Issue” under Section 3 of the Evidence Act: Section 3 defines “facts in issue” as facts that, either by themselves or in connection with



other facts, are such that the existence, non-existence, nature or extent of any right, liability or disability asserted or denied in a suit or proceeding necessarily follows. They are the facts which determine the outcome of the case.

Step 1 — Eliminate the wrong options: Remoteness alone is not enough; mere documentary facts or police-investigation facts are insufficient. The definition is anchored to rights, liabilities or disabilities.

Tip: Distinguish “facts in issue” from “relevant facts” (Sections 6 to 55), which are facts merely connected to facts in issue.

Final Answer: Facts on which existence of right, liability or disability necessarily follows ⇒

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

Q39.

Solution

Concept — Section 8 of the Evidence Act: Section 8 makes the motive, preparation, and previous or subsequent conduct of any person, an offence against whom is the subject of any proceeding, or whose conduct is the subject of, or affects, the issue in any proceeding, relevant facts.

Step 1 — Eliminate the wrong options: Hearsay (option A) is generally not admissible. The character of witnesses generally (option C) is dealt with under Sections 52 to 55, not Section 8. Statements under duress (option D) are not specifically the subject of Section 8.

Tip: Section 8 is one of the most heavily tested provisions; remember motive, preparation, conduct.

Final Answer: Motive, preparation, conduct ⇒

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

Q40.

Solution

Concept — Section 25 of the Evidence Act: Section 25 provides categorically that no confession made to a police officer shall be proved as against a person accused of any offence. The rule is absolute and does not depend on whether the confession is voluntary.

Step 1 — Eliminate the wrong options: The rule is not relaxed by the presence



of two witnesses or by being recorded in writing. The only door that opens is the narrow one under Section 27 (so much as relates to the fact discovered).

Tip: Distinguish Section 25 (confessions to police) from Section 26 (confessions in police custody to anyone, not admissible unless made in the immediate presence of a magistrate).

Final Answer: Inadmissible irrespective of voluntariness ⇒

[Go Back to Q40](#)

Q41.

Solution

Concept — Section 27 of the Evidence Act: Section 27 carves out a limited exception to Sections 25 and 26: so much of the information given by a person accused of an offence while in police custody, as relates distinctly to the fact thereby discovered, may be proved. The provision is grounded on the reasoning that the discovery itself supplies a guarantee of truth.

Step 1 — Eliminate the wrong options: Section 27 has nothing to do with motive, character, or hearsay; its sole link is the *fact discovered*.

Tip: The leading case is *Pulukuri Kottaya v. Emperor*, AIR 1947 PC 67, which restricted Section 27 to the discovery of a fact.

Final Answer: Distinctly relates to the fact thereby discovered ⇒

[Go Back to Q41](#)

Q42.

Solution

Concept — Electronic Records under Section 65B of the Evidence Act: Section 65B governs the admissibility of electronic records. Any computer output (print-out, CD, etc.) is deemed to be a document and is admissible without further proof, subject to the conditions in Section 65B(2) and a Section 65B(4) certificate. The position was clarified by *Anvar P. V. v. P. K. Basheer*, (2014) 10 SCC 473, and conclusively settled by the three-judge Bench in *Arjun Panditrao Khotkar v. Kailash Kushanrao Gorantyal*, (2020) 7 SCC 1.

Step 1 — Eliminate the wrong options: Section 65B is about electronic records, not oral evidence, ordinary documentary evidence, or confessions.

Tip: The Section 65B(4) certificate is mandatory; secondary electronic evidence



without the certificate is not admissible (subject to certain exceptions where the original is produced).

Final Answer: Electronic records with Section 65B certificate ⇒

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

Q43.

Solution

Concept — Section 105 of the Evidence Act: Section 105 reverses the general rule that the prosecution must prove its case beyond reasonable doubt, but only for the limited purpose of establishing the existence of circumstances bringing the case within a General Exception of the IPC. The burden of proving that the case falls within an Exception rests on the accused, on the preponderance-of-probabilities standard.

Step 1 — Eliminate the wrong options: The prosecution always has to prove the basic ingredients of the offence; the court cannot itself prove a defence; “no one” is wrong because someone has to prove it.

Tip: *K. M. Nanavati v. State of Maharashtra*, AIR 1962 SC 605, is the locus classicus on the standard of proof on the accused under Section 105.

Final Answer: The accused ⇒

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

Q44.

Solution

Concept — Section 114 of the Evidence Act: Section 114 enables the court to presume the existence of any fact which it thinks likely to have happened, regard being had to the common course of natural events, human conduct and public and private business, in their relation to the facts of the particular case. The illustrations are themselves valuable – e.g., recent and exclusive possession of stolen goods raises a presumption against the possessor.

Step 1 — Eliminate the wrong options: Refusing to record evidence, passing a decree without evidence, or withdrawing cognizance have nothing to do with Section 114.

Tip: Distinguish “the Court may presume” (Sections 4 and 114 – rebuttable, discretionary) from “the Court shall presume” (mandatory, but rebuttable) and “conclusive proof” (irrebuttable).



Final Answer: Presume the existence of a fact likely to have happened ⇒ B

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

Q45.

Solution

Concept — Dying Declaration under Section 32(1): A dying declaration is a statement made by a person who has since died, relating either to the cause of his death or to any of the circumstances of the transaction which resulted in his death. It is admissible under Section 32(1) of the Evidence Act as an exception to the hearsay rule, on the principle *nemo moriturus praesumitur mentire* (a person on the verge of death is presumed not to lie).

Step 1 — Eliminate the wrong options: If the maker survives, the statement does not qualify as a dying declaration (though it may have other uses under Section 157 or Section 145). The statement need not be made to the police or recorded by a magistrate; oral and even gesture-based declarations are admissible if otherwise credible.

Tip: The leading case is *Khushal Rao v. State of Bombay*, AIR 1958 SC 22 – a dying declaration, if found reliable, can sustain a conviction without corroboration.

Final Answer: Maker dies; statement relates to cause of death or transaction ⇒ A

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

Q46.

Solution

Concept — Section 9 CPC: General Jurisdiction of Civil Courts: Section 9 lays down the general rule: civil courts have jurisdiction to try all suits of a civil nature except those whose cognizance is either expressly or impliedly barred. An express bar arises from a specific statutory provision (e.g., Industrial Disputes Act for industrial disputes). An implied bar arises where the statute creates a self-contained scheme with its own forum.

Step 1 — Apply the test: The exception is not status-based (religion, identity, value); it is bar-based.

Tip: The leading case on Section 9 is *Dhulabhai v. State of MP*, AIR 1969 SC 78 – it lays down propositions on when civil court jurisdiction is impliedly excluded.

Final Answer: Suits expressly or impliedly barred ⇒ B



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

Q47.

Solution

Concept — Res Judicata under Section 11 CPC: Res judicata embodies the principle of finality: no court shall try any suit or issue in which the matter directly and substantially in issue has been directly and substantially in issue in a former suit, between the same parties (or parties under whom they claim) litigating under the same title, in a court competent to try the subsequent suit, and has been heard and finally decided.

Step 1 — Apply the ingredients: Five conditions: same matter, same parties (or privies), same title, competent court, final adjudication.

Tip: Distinguish from *res sub judice* (Section 10): the latter is about pending parallel litigation, the former about already-decided matters.

Final Answer: Bar on retrial of issues finally decided between same parties ⇒ B

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

Q48.

Solution

Concept — Pleadings under Order 6 CPC: Order 6 Rule 2 enacts the cardinal rule that every pleading shall contain a statement in a concise form of the material facts on which the party pleading relies, but not the evidence by which they are to be proved. The distinction between *facta probanda* (facts to be proved) and *facta probantia* (facts by which they are proved) is fundamental.

Step 1 — Eliminate the wrong options: Order 18 deals with hearing of the suit and examination of witnesses. Order 41 deals with appeals from original decrees. Order 45 deals with appeals to the Supreme Court.

Tip: Order 6 Rule 17 (amendment of pleadings) and Order 6 Rule 4 (particulars of fraud) are also frequently tested.

Final Answer: Order 6 ⇒ A

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

Q49.



Solution

Concept — Rejection of Plaintiff under Order 7 Rule 11: The grounds for rejection of plaintiff under Order 7 Rule 11 are: (a) it does not disclose a cause of action; (b) the relief claimed is undervalued and not corrected within fixed time; (c) the plaintiff is on insufficiently stamped paper and the requisite stamp not supplied; (d) the suit appears from the statement in the plaintiff to be barred by any law; (e) it is not filed in duplicate; (f) the plaintiff fails to comply with Rule 9.

Step 1 — Eliminate the wrong options: Defendant's failure to file written statement is governed by Order 8, not Order 7 Rule 11. Plaintiff being a minor is not by itself a ground; the suit can be filed through a next friend. Delay in service of summons is governed by Order 5.

Tip: Rejection of plaintiff under Order 7 Rule 11 must be tested on the averments in the plaintiff alone, without looking at the written statement (*Saleem Bhai v. State of Maharashtra*, (2003) 1 SCC 557).

Final Answer: Statutory grounds in Order 7 Rule 11 ⇒ B

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

Q50.

Solution

Concept — Ex Parte Proceedings under Order 9 CPC: Where the summons has been duly served and the defendant does not appear on the day of hearing, Order 9 Rule 6 empowers the court to proceed ex parte against the defendant. An ex parte decree may follow, against which Order 9 Rule 13 provides the remedy of setting aside.

Step 1 — Eliminate the wrong options: The court does not dismiss the suit forthwith (that is the consequence under Order 9 Rule 8 when the plaintiff is absent, not the defendant). Costs are not awarded to an absentee defendant. Section 89 reference is not automatic.

Tip: Remedies against an ex parte decree: (i) Order 9 Rule 13 – set aside; (ii) Section 96(2) – appeal; (iii) Review under Section 114 read with Order 47.

Final Answer: Proceed ex parte ⇒ B

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

Q51.



Solution

Concept — Temporary Injunction under Order 39: The grant of a temporary injunction is governed by three classical equitable requirements:

- (i) Prima facie case (a serious question to be tried).
- (ii) Balance of convenience (greater inconvenience to the plaintiff if injunction refused than to the defendant if granted).
- (iii) Irreparable injury (injury which cannot be adequately compensated in money).

Step 1 — Apply the triple test: None of these factors alone is sufficient. All three must be present.

Tip: See *Dalpat Kumar v. Prahlad Singh*, (1992) 1 SCC 719, for the classic triple-test formulation.

Final Answer: Prima facie case + balance of convenience + irreparable injury ⇒

B

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

Q52.

Solution

Concept — Section 89 CPC and Court-Annexed ADR: Section 89 was inserted by the CPC (Amendment) Act, 1999 to encourage settlement outside court. Where the court finds that elements of settlement exist, it may formulate the terms and refer the matter to: (a) arbitration; (b) conciliation; (c) judicial settlement, including settlement through Lok Adalat; or (d) mediation.

Step 1 — Eliminate the wrong options: Section 89 is not restricted to any one of these alone; all four modes are available.

Tip: Read with *Salem Advocate Bar Association v. Union of India*, (2005) 6 SCC 344, which clarifies the procedure for referring matters under Section 89.

Final Answer: Arbitration, conciliation, judicial settlement (Lok Adalat), mediation ⇒ **A**

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

Q53.



Solution

Concept — First Appeal under Section 96 CPC: Section 96 provides that a first appeal lies to the court authorised to hear appeals from the decisions of the court which passed the decree. It is a regular appeal on facts and law.

Step 1 — Eliminate the wrong options: An appeal cannot lie to the same court that passed the decree. A direct appeal to the Supreme Court arises only by way of special leave or certificate. The High Court is the appellate forum only where authorised by the hierarchy (e.g., where the trial court is the District Court).

Tip: An appeal also lies against an ex parte decree (Section 96(2)) but not against a consent decree (Section 96(3)).

Final Answer: The court authorised to hear appeals ⇒ B

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

Q54.

Solution

Concept — Second Appeal under Section 100 CPC: After the 1976 amendment, Section 100 strictly limits the second appeal to a *substantial question of law*. The High Court must formulate that question and the hearing is confined to it. Re-appreciation of evidence by the High Court is impermissible.

Step 1 — Eliminate the wrong options: Pure questions of fact, sufficient cause for delay (which is a Section 5 Limitation Act point), or open-ended discretion are not the basis of second appeal.

Tip: *Hero Vinoth v. Seshammal*, (2006) 5 SCC 545, lays down the tests for what amounts to a substantial question of law.

Final Answer: A substantial question of law ⇒ B

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

Q55.

Solution

Concept — Transfer of Suit under Section 24 CPC: Section 24 vests in the High Court and the District Court the general power to transfer any suit, appeal or other proceeding pending in any court subordinate to them, on the application of any of the parties or suo motu, to any other court subordinate to them and competent to try such suit, appeal or proceeding.



Step 1 — Eliminate the wrong options: Section 25 (inter-State transfers) is the power of the Supreme Court. A magistrate or collector has no such transfer power under the CPC.

Tip: For matrimonial cases between different States, the Supreme Court is the appropriate forum under Section 25.

Final Answer: High Court and District Court within their jurisdictions ⇒

[Go Back to Q55](#)

Q56.

Solution

Concept — Section 138 NI Act: Section 138 penalises dishonour of a cheque issued in discharge of a legally enforceable debt or liability, when (i) the cheque is presented within its validity period, (ii) returned unpaid by the bank, (iii) the payee gives a demand notice within 30 days, and (iv) the drawer fails to pay within 15 days. Punishment: imprisonment up to 2 years or fine up to twice the cheque amount, or both.

Step 1 — Eliminate the wrong options: Death, life imprisonment, or merely civil damages are not the punishments prescribed.

Tip: The leading case on *mens rea* is *Dayawati v. Yogesh Kumar Gosain*, (2017) which encourages mediation in Section 138 cases.

Final Answer: Up to 2 years' imprisonment, or fine up to twice the cheque amount, or both ⇒

[Go Back to Q56](#)

Q57.

Solution

Concept — Section 142 NI Act: Cognizance Bar and Limitation: Cognizance of an offence under Section 138 can be taken only on a complaint in writing made by the payee or holder in due course, within **one month** of the date on which the cause of action arises under clause (c) of the proviso to Section 138. The court may condone delay if sufficient cause is shown.

Step 1 — Apply the rule: Cause of action arises when the drawer fails to pay within 15 days of receipt of the notice. One month from that date.

Tip: The complaint must be filed in the territorial jurisdiction where the cheque



was presented for payment, per *Dashrath Rupsingh Rathod v. State of Maharashtra* as modified by the 2015 amendment.

Final Answer: Within one month of cause of action ⇒ B

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

Q58.

Solution

Concept — Section 139 NI Act: Presumption in Favour of the Holder: Section 139 creates a statutory presumption that the holder of a cheque has received it for the discharge, in whole or in part, of any debt or other liability. The presumption is rebuttable; the burden is on the accused to bring a probable defence.

Step 1 — Eliminate the wrong options: Gift, coercion, or sham nature is not the statutory presumption; those are defences that the accused may attempt to establish.

Tip: *Rangappa v. Sri Mohan*, (2010) 11 SCC 441 – the presumption under Section 139 includes the existence of a legally enforceable debt or liability.

Final Answer: Cheque received for discharge of debt or liability ⇒ A

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

Q59.

Solution

Concept — Section 141 NI Act: Offence by Company: Where the offence under Section 138 is committed by a company, both the company AND every person who, at the time of the offence, was in charge of and responsible to the company for the conduct of its business, are liable. The proviso protects a person who shows that the offence was committed without his knowledge or that he exercised due diligence.

Step 1 — Eliminate the wrong options: The company alone is not the sole accused; auditors and shareholders are not liable by virtue of Section 141 alone.

Tip: *S. M. S. Pharmaceuticals v. Neeta Bhalla*, (2005) 8 SCC 89, sets out the specific averments required in a complaint to make a director liable.

Final Answer: Person in charge + responsible to the company + the company ⇒ B

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



Q60.

Solution

Concept — Section 6 NI Act: Definition of “Cheque”: Section 6 defines a cheque as a bill of exchange drawn on a specified banker and not expressed to be payable otherwise than on demand. By the 2002 Amendment, the definition was expanded to include the electronic image of a truncated cheque and a cheque in the electronic form.

Step 1 — Eliminate the wrong options: Not every document promising money is a cheque (that would be a promissory note). It is not merely a printed slip or a bankers' clearing instrument.

Tip: A cheque is a special species of bill of exchange (Section 5) with a banker as drawee and is always payable on demand.

Final Answer: Bill of exchange on specified banker, payable on demand, including electronic forms ⇒ B

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

Q61.

Solution

Concept — Public Purpose under the 2013 Land Acquisition Act: Section 2(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 defines public purposes to include strategic purposes of the State; infrastructure projects; projects for the affected families; housing for groups specified by the Government; planned development and improvement of village and urban sites; and projects for residential purposes for poor or landless or natural calamity-affected persons.

Step 1 — Apply elimination: Public purpose is not confined to the Armed Forces, nor is it open to the Collector's unfettered choice. A purely private industrial purpose with no public-purpose anchor would not qualify.

Tip: Consent of 70% of affected families is required for public-private partnership projects, and 80% for private acquisitions (Section 2(2) provisos).

Final Answer: Strategic + infrastructure + housing + planned development, etc. ⇒ B

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

Q62.



Solution

Concept — Compensation Formula under the 2013 Act: Section 26 read with the First Schedule of the 2013 Act prescribes the formula for market value plus multipliers:

- Base market value → multiplied by 1 (urban) and up to 2 (rural, sliding scale based on distance from urban areas).
- Add value of assets attached to the land (Section 29).
- Add 100% solatium on the market value plus value of assets.

The effective compensation in rural areas often goes up to four times the market value when all factors are considered.

Step 1 — Eliminate the wrong options: Half the market value is the older 1894 Act mindset. The 2013 Act is deliberately generous to the displaced. A flat sum decided by the Collector or registered sale-deed value alone is not the test.

Tip: Remember R&R: rehabilitation and resettlement entitlements in the Second Schedule are in addition to compensation.

Final Answer: Up to four times market value + 100% solatium + other components ⇒

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

Q63.

Solution

Concept — Section 5, Hindu Marriage Act, 1955: Section 5 prescribes the conditions for a valid Hindu marriage: (i) neither party has a living spouse; (ii) at the time of marriage, neither party is incapable of giving valid consent due to unsoundness of mind, or though capable, has been suffering from a mental disorder of a kind which makes him/her unfit for marriage; (iii) neither party has been suffering from recurrent attacks of insanity; (iv) the bridegroom has completed 21 years and the bride 18 years; (v) the parties are not within the degrees of prohibited relationship; (vi) the parties are not sapindas of each other unless their custom permits.

Step 1 — Eliminate the wrong options: The Act does not require the parties to belong to the same sect within Hinduism.

Tip: A marriage in violation of Section 5(i) is void; in violation of Section 5(ii) is voidable.

Final Answer: Same religious sect is NOT a condition ⇒



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

Q64.

Solution

Concept — Cruelty under Section 13(1)(i-a) HMA: The Supreme Court in *Samar Ghosh v. Jaya Ghosh*, (2007) 4 SCC 511, set out a non-exhaustive list of acts amounting to cruelty, including physical violence, sustained reprehensible conduct, sustained unjustifiable conduct affecting the mental health of the spouse, etc. Cruelty embraces both physical and mental forms.

Step 1 — Reject the narrow alternatives: Cruelty is not confined to physical violence, verbal abuse, or economic deprivation alone. It is conduct, viewed cumulatively, that makes cohabitation impossible.

Tip: The standard is the spouse's reasonable apprehension that it would be harmful to continue living with the other.

Final Answer: Both physical and mental cruelty ⇒ B

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

Q65.

Solution

Concept — Section 13B HMA: Mutual Consent Divorce: The parties must have been living separately for a period of one year or more, must have not been able to live together, and must have mutually agreed to dissolve the marriage. They file a joint petition (first motion), and the second motion must be moved not earlier than six months and not later than 18 months after the first motion. The court may waive the six-month period in fit cases (*Amardeep Singh v. Harveen Kaur*, (2017) 8 SCC 746).

Step 1 — Eliminate the wrong options: No waiting period at all is wrong (cooling-off is the default). Five years or parental approval is not the test.

Tip: The six-month waiver is discretionary and exercised only on showing irretrievable breakdown plus mutual agreement on alimony, custody, etc.

Final Answer: 1 year separation + first motion + 6-18 month second motion (6-month waivable) ⇒ B

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

Q66.



Solution

Concept — Mehr (Dower) under Muslim Personal Law: Mehr is a sum of money or other property which the wife is entitled to receive from the husband in consideration of marriage. It is a right of the wife in her own right, independent of any inheritance or maintenance claim. It may be *mu'ajjal* (prompt) or *mu'wajjal* (deferred).

Step 1 — Eliminate the wrong options: Mehr is not a gift from the wife, the bride's father, or a reward paid by the bridegroom to his parents. It is a husband's obligation to the wife.

Tip: Mehr is essential to a valid Muslim marriage; even if not stipulated, the law implies a "proper" mehr (*mehr-i-misl*) suited to the wife's status.

Final Answer: Consideration for marriage, payable by husband to wife ⇒

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

Q67.

Solution

Concept — Iddat under Muslim Personal Law: *Iddat* is the period a woman must observe after the dissolution of marriage (by divorce or by the death of her husband) before she can remarry. For a divorced woman who is not pregnant, the period is three menstrual courses (or three months for one not menstruating). For a widow, it is four months and ten days. If pregnant, it lasts till delivery.

Step 1 — Apply to the question: The question is about a divorced Muslim woman who is not pregnant, so three months or three menstrual courses.

Tip: Iddat ensures certainty of paternity and gives time for possible reconciliation.

Final Answer: Three months or three menstrual courses ⇒

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

Q68.

Solution

Concept — Concurrent Remedies for Maintenance: The Supreme Court has consistently held that a wife may claim maintenance under the personal law (e.g., Section 18 of the Hindu Adoptions and Maintenance Act, or Section 24/25 HMA) AND simultaneously seek a summary remedy under Section 125 CrPC. The remedies operate in different fields, with different procedures and standards of proof, but the amount granted under one may be adjusted against the other.



Step 1 — Eliminate the wrong options: The remedies are not mutually exclusive; the wife is not confined to either route.

Tip: See *Rajnish v. Neha*, (2021) 2 SCC 324, for the consolidated guidelines on maintenance and to avoid conflicting orders.

Final Answer: Both routes are available, concurrent and complementary ⇒

[Go Back to Q68](#)

Q69.

Solution

Concept — Valid Adoption under HAMA, 1956: Sections 6 to 11 of HAMA prescribe the requirements:

- Capacity of the person taking in adoption (Section 7 for male, Section 8 for female).
- Capacity of the person giving in adoption (Section 9).
- Child capable of being taken in adoption (Section 10).
- Other conditions (Section 11), including the actual giving and taking.

Step 1 — Eliminate the wrong options: Adoption is not registered with the Bar Council. There is no age cap of 30 years on adoptive fathers. The biological father's death is not a precondition.

Tip: A registered deed of adoption raises a presumption under Section 16 HAMA.

Final Answer: Capacity + ceremony of giving and taking ⇒

[Go Back to Q69](#)

Q70.

Solution

Concept — Interim Maintenance under Section 125 CrPC: Section 125(1) read with its proviso (inserted by the 2001 amendment) empowers the Magistrate to order interim maintenance and expenses of the proceeding, during the pendency of the application, and directs that such application be disposed of within sixty days from the date of service of notice.

Step 1 — Eliminate the wrong options: Interim maintenance can be granted during pendency, without waiver of permanent maintenance, and without requiring exhaustion of any waiting period.



Tip: Section 125 maintenance is in addition to (and not in derogation of) any other maintenance right under personal law.

Final Answer: During pendency, including interim allowance and proceedings expenses ⇒ B

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

Q71.

Solution

Concept — Salomon v. Salomon & Co. Ltd. (1897) AC 22: The House of Lords held that, once incorporated, a company is a separate legal person distinct from its members. The corporate person is in law a different person altogether from the subscribers to the memorandum. This principle is the foundation of company law.

Step 1 — Eliminate the wrong options: *Foss v. Harbottle* laid down the rule that the proper plaintiff in a corporate wrong is the company itself (majority rule). *Royal British Bank v. Turquand* laid down the indoor management rule. *Ashbury Railway Carriage* dealt with the doctrine of ultra vires.

Tip: Indian endorsement: *Tata Engineering and Locomotive Co. Ltd. v. State of Bihar*, AIR 1965 SC 40 – a company is distinct from its shareholders.

Final Answer: Salomon v. A. Salomon & Co. Ltd. ⇒ B

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

Q72.

Solution

Concept — Lifting the Corporate Veil: Although the company is a separate legal entity, courts will look behind the corporate facade where the corporate form is used (i) to commit fraud or improper conduct, (ii) to evade a statutory or contractual obligation, (iii) to defeat public policy, or (iv) where the company is a mere sham, agency or alter ego.

Step 1 — Eliminate the wrong options: Liquidation, summary cancellation, or routine piercing are not the bases. The lift is principled and exceptional.

Tip: Indian leading cases: *State of UP v. Renuagar Power Co.*, AIR 1988 SC 1737; *Vodafone International Holdings v. Union of India*, (2012) 6 SCC 613.

Final Answer: Disregard separate personality in fraud, statutory mandate, sham or evasion cases ⇒ B



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

Q73.

Solution

Concept — Section 66C IT Act: Section 66C, inserted by the IT (Amendment) Act, 2008, punishes whoever, fraudulently or dishonestly, makes use of the electronic signature, password or any other unique identification feature of any other person. Punishment: imprisonment up to three years and fine up to one lakh rupees.

Step 1 — Eliminate the wrong options: Hacking simpliciter falls under Section 66 (read with Section 43). Tampering with computer source documents falls under Section 65. Cyber-terrorism is dealt with under Section 66F.

Tip: The companion provisions 66C (identity theft), 66D (cheating by personation), and 66E (privacy violation) are frequently tested as a group.

Final Answer: Identity theft using another person's electronic signature/password/UID ⇒ B

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

Q74.

Solution

Concept — Section 79 IT Act: Intermediary Safe Harbour: Section 79 grants intermediaries a conditional exemption from liability for third-party information, data or communication links made available or hosted by them. The exemption applies if the intermediary's function is limited to providing access; it does not initiate, select, or modify the content; and it observes due diligence and complies with such guidelines as the Central Government may prescribe (the IT Rules 2021, in particular).

Step 1 — Eliminate the wrong options: Unconditional exemption, mandatory blocking of all content, or licensing fee is not the statutory test.

Tip: *Shreya Singhal v. Union of India*, (2015) 5 SCC 1, read down Section 79(3)(b) to require actual knowledge through a court order or government notification.

Final Answer: Conditional on due diligence + compliance with prescribed guidelines ⇒ B

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



Q75.

Solution

Concept — Section 25F ID Act: Conditions Precedent to Retrenchment: Section 25F mandates that no workman employed in any industry who has been in continuous service for not less than one year shall be retrenched until:

- (a) He has been given one month's notice in writing indicating the reasons, or has been paid wages in lieu of such notice;
- (b) He has been paid compensation equivalent to fifteen days' average pay for every completed year of continuous service;
- (c) Notice has been served on the appropriate Government.

Step 1 — Eliminate the wrong options: Mere payment of arrears, two-year notice, or Supreme Court approval is not required.

Tip: Non-compliance with Section 25F renders the retrenchment void ab initio (*Workmen of Subong Tea Estate v. Subong Tea Estate*, AIR 1964 SC 1842).

Final Answer: One month notice/wages + 15 days' average pay per year + notice to Government ⇒ B

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

Q76.

Solution

Concept — Working Hours under the Factories Act, 1948: Section 54 of the Factories Act prohibits an adult worker from being required or allowed to work for more than nine hours in any day, subject to certain exceptions. Combined with Section 51 (48 hours in a week) and Section 55 (rest intervals), this is the basic working-hours regime.

Step 1 — Eliminate the wrong options: 8 is the global ILO recommendation but the Factories Act explicitly says 9. 12 and 14 are clearly excessive.

Tip: Overtime is regulated by Section 59 – double wages for hours beyond 9 hours a day or 48 hours a week.

Final Answer: 9 hours ⇒ B

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

Q77.



Solution

Concept — Code on Wages, 2019: The Code consolidates four central enactments: the Payment of Wages Act, 1936; the Minimum Wages Act, 1948; the Payment of Bonus Act, 1965; and the Equal Remuneration Act, 1976. It is one of the four Labour Codes (the other three being the Industrial Relations Code, the Social Security Code, and the OSH and Working Conditions Code).

Step 1 — Eliminate the wrong options: The Industrial Disputes Act is consolidated in the Industrial Relations Code, not the Wages Code. The Factories Act is consolidated in the OSH Code. The ESI Act is consolidated in the Social Security Code.

Tip: The Code on Wages was the first of the four Labour Codes to be enacted.

Final Answer: Wages, Minimum Wages, Bonus, Equal Remuneration ⇒

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

Q78.

Solution

Concept — Section 2(s) ID Act: “Workman”: The Industrial Disputes Act defines “workman” broadly to include any person employed to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward. The definition expressly excludes (among others) a person employed mainly in a managerial or administrative capacity, and a person employed in a supervisory capacity drawing wages exceeding the prescribed limit and exercising mainly managerial functions.

Step 1 — Eliminate the wrong options: Manual, skilled, unskilled and clerical employees are all included.

Tip: The dominant test is the nature of duties, not the designation.

Final Answer: Mainly managerial/administrative or supervisory above wage limit ⇒

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

Q79.

Solution

Concept — Donoghue v. Stevenson, [1932] AC 562: Lord Atkin formulated the “neighbour principle”: you must take reasonable care to avoid acts or omissions which you can reasonably foresee would be likely to injure your neighbour.



Neighbours are persons so closely and directly affected by your act that you ought reasonably to have them in contemplation as being so affected.

Step 1 — Eliminate the wrong options: *Rylands v. Fletcher* – strict liability. *Hadley v. Baxendale* – remoteness of damages in contract. *Carlill v. Carbolic Smoke Ball* – offer and acceptance.

Tip: The neighbour principle is the conceptual foundation of the modern duty of care in negligence.

Final Answer: Donoghue v. Stevenson ⇒

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

Q80.

Solution

Concept — Rule in Rylands v. Fletcher (1868) LR 3 HL 330: Blackburn J's classic formulation: a person who for his own purposes brings on his land and collects and keeps there anything likely to do mischief if it escapes, must keep it in at his peril, and if he does not do so, is prima facie answerable for all the damage which is the natural consequence of its escape. The House of Lords added the requirement of *non-natural use of land*.

Step 1 — Apply the ingredients: Bringing something dangerous + non-natural use + escape + damage. Natural use does not attract Rylands liability.

Tip: In India, *M. C. Mehta v. Union of India*, AIR 1987 SC 1086 (Oleum Gas Leak case), evolved the doctrine of *absolute liability*, which is stricter than strict liability and has no exceptions.

Final Answer: Non-natural use + bringing on land + escape + damage ⇒

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

Q81.

Solution

Concept — Vicarious Liability of Master for Servant's Tort: The general rule is that a master is liable for the torts of his servant committed in the course of employment. The act may be either (i) a wrongful act authorised by the master, or (ii) a wrongful and unauthorised mode of doing some act authorised by the master. Acts outside the course of employment (frolic of one's own) do not attract vicarious liability.



Step 1 — Eliminate the wrong options: The act must be in the course of employment, even if it exceeded instructions, so long as it was sufficiently connected to the duties entrusted.

Tip: Modern test of “close connection” was articulated in *Lister v. Hesley Hall* [2001] UKHL 22.

Final Answer: In course of employment, even where instructions were exceeded ⇒ B

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

Q82.

Solution

Concept — Consumer Protection Act, 2019 – Pecuniary Jurisdiction: Section 34 of the Consumer Protection Act, 2019 gives the District Commission pecuniary jurisdiction to entertain complaints where the value of the goods or services paid as consideration does not exceed rupees one crore (as it stood originally), and the Central Government has since notified an enhanced limit. The State Commission’s pecuniary jurisdiction extends up to rupees ten crores; beyond that, the National Commission.

Step 1 — Apply elimination: “Rs. 10 lakh” was the old 1986 Act limit. “Rs. 5 crore” or “unlimited” is not the District Commission’s brief. The notified limit of Rs. 50 lakh / Rs. 1 crore (depending on the notification in force) places the answer at (B).

Tip: Pecuniary jurisdiction is now based on the value of consideration paid (per the 2019 Act), not on the value of the relief claimed (as it was under the 1986 Act). The leading case is *Neena Aneja v. Jai Prakash Associates*, (2022) 2 SCC 161.

Final Answer: Up to Rs. 50 lakh (and as notified) ⇒ B

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

Q83.

Solution

Concept — “Service” under Section 2(42) of the Consumer Protection Act, 2019: “Service” is defined inclusively and covers service of any description made available to potential users, including but not limited to the provision of facilities in connection with banking, financing, insurance, transport, processing, supply of electrical or other energy, telecom, boarding or lodging, etc. It excludes services



rendered free of charge or under a contract of personal service.

Step 1 — Eliminate the wrong options: Free services and personal-service contracts are excluded; “only government services” is too narrow.

Tip: *Indian Medical Association v. V. P. Shantha*, (1995) 6 SCC 651 – medical services are within the ambit of “service.”

Final Answer: Inclusive definition covering banking, insurance, transport, telecom, etc. ⇒ B

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

Q84.

Solution

Concept — Section 166 Motor Vehicles Act, 1988: Section 166 lists the persons who can apply to the Motor Accidents Claims Tribunal: (a) the person who has sustained the injury; (b) the owner of the property; (c) where death has resulted, all or any of the legal representatives of the deceased; or (d) any agent duly authorised by the injured person or, as the case may be, by all or any of the legal representatives of the deceased.

Step 1 — Eliminate the wrong options: Restricting the right to the registered owner, traffic police, or insurance company is contrary to Section 166.

Tip: Limitation period for filing the application was previously six months but has been reintroduced/modified by the 2019 Amendment.

Final Answer: Injured / property owner / legal representatives / duly authorised agent ⇒ B

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

Q85.

Solution

Concept — Section 163A MV Act: No-Fault Liability: Section 163A provides for the payment of compensation on a structured-formula basis (Second Schedule) for death or permanent disablement arising out of the use of a motor vehicle, without the claimant needing to plead or prove the wrongful act, neglect or default of the owner or any other person.

Step 1 — Eliminate the wrong options: Punishment for rash driving lies in Section 304A IPC and the Motor Vehicles Act offences chapter. Cancellation of



licence falls under Section 19. Property-only insurance is dealt with elsewhere.

Tip: Section 140 is the older “interim compensation” on no-fault basis – much smaller amounts – whereas Section 163A operates as a final no-fault remedy on the structured formula.

Final Answer: Structured-formula no-fault compensation ⇒

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

Q86.

Solution

Concept — Third Party Insurance under Chapter XI MV Act: Section 146 makes it compulsory for every owner of a vehicle being used in a public place to take out an insurance policy in respect of any liability that may be incurred by him for death of, or bodily injury to, any person, or damage to any property of a third party.

Step 1 — Eliminate the wrong options: Optional, commercial-only, or urban-only – none of these reflects the statutory mandate.

Tip: Driving without third-party insurance is itself an offence under Section 196 MV Act.

Final Answer: Compulsory for every vehicle used in a public place ⇒

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

Q87.

Solution

Concept — Section 3 of the Patents Act, 1970: Section 3 enumerates 16 categories of subject matter which are NOT inventions and therefore not patentable: frivolous claims, contrary to morality, mere discovery of any scientific principle, the formulation of an abstract theory, discovery of any living thing or non-living substance occurring in nature, methods of agriculture or horticulture, mathematical or business methods or computer programmes per se or algorithms, literary/dramatic/musical/artistic works, schemes/rules/methods of performing mental act or game, presentation of information, topography of integrated circuits, traditional knowledge, etc.

Step 1 — Eliminate the wrong options: “All chemical processes” is wrong (many are patentable). “Only mechanical devices” or “all software inventions of any kind” is too narrow/broad.



Tip: *Novartis AG v. Union of India*, (2013) 6 SCC 1 – Section 3(d) bar on incremental innovation of known substances lacking enhanced efficacy.

Final Answer: Discovery of natural substance, schemes/rules, agriculture methods, software per se, etc. ⇒

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

Q88.

Solution

Concept — Trade Mark Registrability under the Trade Marks Act, 1999: A mark is registrable only if (i) it is capable of being represented graphically; (ii) it is capable of distinguishing the goods or services of one person from those of others (Section 2(1)(zb) read with Section 9); (iii) it is not hit by absolute grounds (Section 9 – descriptive, generic, customary, deceptive, scandalous, etc.); and (iv) it is not hit by relative grounds (Section 11 – conflict with earlier marks).

Step 1 — Eliminate the wrong options: Identical marks would be barred. Marks need not be owned by a company. Age of ten years is not a registrability criterion.

Tip: Distinctiveness can be inherent or acquired through use (Section 9(1) proviso).

Final Answer: Capable of graphical representation + distinctiveness, not hit by absolute/relative grounds ⇒

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

Q89.

Solution

Concept — Section 7 of the Arbitration and Conciliation Act, 1996: An “arbitration agreement” is an agreement by the parties to submit to arbitration all or certain disputes which have arisen, or which may arise, between them in respect of a defined legal relationship. It must be in writing. Section 7(4) elaborates: in writing means (a) signed document, or (b) exchange of letters/electronic communications providing a record of the agreement, or (c) exchange of statements of claim and defence where existence of the agreement is alleged and not denied.

Step 1 — Eliminate the wrong options: Oral agreements do not satisfy Section 7. Notarisation and Government approval are not required.

Tip: A reference in a contract to a document containing an arbitration clause constitutes an arbitration agreement (Section 7(5)) if the reference is such as to



make that clause part of the contract.

Final Answer: In writing – signed document / exchange / pleadings ⇒

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

Q90.

Solution

Concept — Section 34 Arbitration Act: Setting Aside an Award: The grounds in Section 34 are exhaustive: (a) incapacity of a party; (b) invalid arbitration agreement; (c) absence of proper notice or inability to present case; (d) award dealing with matters beyond submission; (e) improper composition of the tribunal or procedure; (f) subject matter not arbitrable; (g) conflict with the public policy of India. For domestic awards, an additional ground of *patent illegality apparent on the face of the award* was added by the 2015 Amendment (Section 34(2A)).

Step 1 — Eliminate the wrong options: Mere dissatisfaction, any error of judgement, or insufficient stamp duty alone are not statutory grounds.

Tip: “Public policy of India” has been narrowly construed since *Renusagar* and is now defined in the explanation to Section 34 itself.

Final Answer: Statutory grounds in Section 34 ⇒

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

Q91.

Solution

Concept — Section 11 Arbitration Act: Appointment of Arbitrators: Where the parties fail to agree on the procedure for appointing an arbitrator, or fail to appoint an arbitrator under the agreed procedure, the appointment is made by the Supreme Court (for international commercial arbitration) or the High Court (for other arbitrations) or by an institution designated by such Court.

Step 1 — Eliminate the wrong options: The District Magistrate, State Bar Council, or Central Government have no role under Section 11.

Tip: Post-amendment, the Court’s role under Section 11 is confined to a prima facie examination of the existence of an arbitration agreement (*Vidya Drolia v. Durga Trading*, (2021) 2 SCC 1).

Final Answer: Supreme Court / High Court or designated institution ⇒

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



Q92.

Solution

Concept — Mediation Act, 2023: The Mediation Act, 2023 was enacted to promote and facilitate mediation, especially institutional mediation, for the resolution of civil and commercial disputes. It provides for pre-litigation mediation, recognises mediated settlement agreements as enforceable in the same manner as a judgement or decree of a court, and establishes the Mediation Council of India.

Step 1 — Eliminate the wrong options: The Mediation Act does not abolish arbitration, replace civil suits, or make mediation compulsory in criminal matters (mediation in some criminal contexts is covered by separate Section 320 CrPC compounding etc.).

Tip: See Sections 27 to 29 of the Mediation Act for enforceability of mediated settlement agreements.

Final Answer: Statutory framework + enforceability of settlement ⇒

[Go Back to Q92](#)

Q93.

Solution

Concept — Section 35 Advocates Act: Disciplinary Action: Section 35 empowers a State Bar Council that receives a complaint or otherwise has reason to believe that an advocate on its roll has been guilty of professional or other misconduct to refer the case to its Disciplinary Committee, which may, after hearing, (a) dismiss the complaint or, where the proceedings were initiated suo motu, drop them; (b) reprimand the advocate; (c) suspend him for such period as it may deem fit; or (d) remove his name from the State roll.

Step 1 — Eliminate the wrong options: Enrolment is in Section 24. Senior Advocate designation is Section 16. Constitution of the Bar Council is in Sections 3 (State Bar Council) and 4 (Bar Council of India).

Tip: An appeal lies to the Bar Council of India under Section 37 and a further appeal to the Supreme Court under Section 38.

Final Answer: Punishment for professional/other misconduct ⇒

[Go Back to Q93](#)

Q94.



Solution

Concept — Functions of the Bar Council of India under Section 7: Section 7 of the Advocates Act lists the functions of the BCI: laying down standards of professional conduct and etiquette for advocates; safeguarding the rights, privileges and interests of advocates; promoting legal education and laying down standards in consultation with the universities; recognising universities whose degree in law shall be a qualification for enrolment; promoting and supporting law reform; and other ancillary functions.

Step 1 — Eliminate the wrong options: Conducting Parliamentary elections, issuing arrest warrants, and drafting the Union Budget are not BCI functions.

Tip: The BCI is the apex body for the Indian legal profession and its functions are essentially regulatory and developmental.

Final Answer: Setting professional standards, safeguarding interests, legal education ⇒ B

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

Q95.

Solution

Concept — Section 16 Advocates Act: Senior Advocates: Section 16(2) provides that an advocate may, with his consent, be designated as a Senior Advocate if the Supreme Court or a High Court is of the opinion that, by virtue of his ability, standing at the Bar or special knowledge or experience in law, he is deserving of such distinction. The criteria and procedure have been further structured by *Indira Jaising v. Supreme Court of India*, (2017) 9 SCC 766.

Step 1 — Eliminate the wrong options: Years of practice alone, age, or BCI nomination without judicial assessment are not the test.

Tip: The Bar is divided by the Act into Senior Advocates and other advocates – Section 16(1).

Final Answer: Court's opinion on ability, standing, or special knowledge/experience ⇒ B

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

Q96.



Solution

Concept — Article 19(1)(g): Article 19(1)(g) guarantees to all citizens the right to practise any profession, or to carry on any occupation, trade or business. The legal profession falls squarely within “profession.” Reasonable restrictions can be imposed in the interests of the general public under Article 19(6).

Step 1 — Eliminate the wrong options: Article 19(1)(a) is freedom of speech. Article 21 is right to life and personal liberty. Article 25 is freedom of religion.

Tip: See *Bar Council of India v. A. K. Balaji*, (2018) 5 SCC 379, on the right to practise law and the regulatory scheme of the Advocates Act.

Final Answer: Article 19(1)(g) ⇒

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

Q97.

Solution

Concept — Professional Misconduct: Although “professional misconduct” is not exhaustively defined in the Advocates Act, decisions have recognised it to include: acting against the interest of one’s own client; misappropriating client funds; soliciting work in violation of the BCI Rules; fraudulent practice on the court; gross negligence; and breach of trust. *Noratanmal Chaurasia v. M. R. Murli*, (2004) 5 SCC 689, summarises the principles.

Step 1 — Eliminate the wrong options: Refusing a brief without justification may sometimes raise a question, but is not categorically misconduct. Respectful demeanour in court and timely filing of submissions are clearly not misconduct.

Tip: Strict liability is not the standard; bona fide error of judgement is not misconduct.

Final Answer: Acting against client, misappropriation, illegal solicitation, fraud on court ⇒

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

Q98.

Solution

Concept — Section 24 Advocates Act: Eligibility for Enrolment: Section 24 specifies that a person shall be qualified to be admitted as an advocate on a State roll if he (a) is a citizen of India (subject to the proviso on reciprocity); (b) has completed the age of 21 years; (c) has obtained a degree in law from a recognised



University; (d) fulfils such other conditions as may be specified in the rules made by the State Bar Council; and (e) has paid the prescribed enrolment fee.

Step 1 — Eliminate the wrong options: 18 years of age, any-country citizenship, or any-subject graduation – none of these matches the statutory requirements.

Tip: The All India Bar Examination (AIBE) is conducted by the Bar Council of India and is a condition for grant of the Certificate of Practice; the eligibility under Section 24 is the gateway to enrolment, after which the AIBE is taken.

Final Answer: Citizen of India + 21 years + recognised law degree + prescribed conditions ⇒

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

Q99.

Solution

Concept — BCI Standards of Professional Conduct (Chapter II, Part VI of BCI Rules): The BCI Standards forbid an advocate from, inter alia, (a) bidding for or purchasing any property sold in execution of a decree in a suit in which he was professionally engaged (Rule 23 of the Standards relating to advocate's duty to the court); (b) acting on the instructions of any person other than his client or his client's authorised agent (Rule 19); and (c) stipulating for a fee contingent on the results of the litigation, or agreeing to share the proceeds of the litigation (Rule 20).

Step 1 — Eliminate the wrong options: A sober dress is in fact required of advocates. Filing Order 39 CPC applications and citing precedents are routine and proper.

Tip: BCI Rules on professional conduct fall into four chapters: duty to court; duty to client; duty to opponent; duty to colleagues – in addition to advertising and fee rules.

Final Answer: Bidding for execution property + outside-client instructions + contingent fee ⇒

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

Q100.



Solution

Concept — Contempt of Courts Act, 1971: Section 2(a) defines “contempt of court” as civil contempt or criminal contempt. Section 2(b) defines civil contempt as wilful disobedience to any judgement, decree, direction, order, writ or other process of a court, or wilful breach of an undertaking given to a court. Section 2(c) defines criminal contempt as the publication of any matter or the doing of any other act whatsoever which scandalises or tends to scandalise, lowers or tends to lower the authority of any court, prejudices or interferes with the due course of any judicial proceeding, or obstructs the administration of justice.

Step 1 — Apply elimination: Both civil and criminal contempt are recognised; option (B) is correct.

Tip: Truth as a defence in criminal contempt is now expressly recognised by Section 13(b) of the Act, subject to conditions.

Final Answer: Civil contempt and criminal contempt (Sections 2(b) and 2(c)) ⇒ B

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



Answer Key

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

