

Question Booklet Series: **A**

Question Booklet Serial No.

110202

**CET (PG) – 2016**

**LL.M. (Master of Laws)**

**Important:** Please consult your Admit Card/Roll No. slip before filling your Roll Number on the Test Booklet and Answer Sheet.

Roll No.

*In Figure*

*In Words*

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O.M.R. Answer Sheet Serial No.

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Signature of Candidate: \_\_\_\_\_

Signature of Invigilator: \_\_\_\_\_

**Time: 90 Minutes**

**Number of Questions: 75**

**Maximum Marks: 75**

**DO NOT OPEN THE SEAL ON THE BOOKLET UNTIL ASKED TO DO SO.**

**INSTRUCTIONS:**

1. Write your Roll No. on the Questions Booklet and also on the OMR Answer Sheet in the space provided and nowhere else.
2. Enter the Question Booklet Serial No. on the OMR Answer Sheet. Darken the corresponding bubbles with **Black Ball Point/Black Gel Pen**.
3. Do not make any identification mark on the Answer Sheet or Question Booklet.
4. Please check that this Question Booklet contains 75 Questions. In case of any discrepancy, inform the Assistant Superintendent within 10 minutes of the start of Test.
5. Each question has four alternative answer (A,B,C,D) of which only one is correct. For each question, darken only one bubble (A or B or C or D), whichever you think is the correct answer, on the Answer Sheet with **Black Ball Point/Black Gel Pen**. There shall be negative marking for wrong answer,  $\frac{1}{4}$  of the marks of the question will be deducted for every wrong answer. A wrong answer means incorrect answer or wrong filling of bubble.
6. If you do not want to answer a question, leave all the bubbles corresponding to that question blank in the Answer Booklet. No marks will be deducted in such cases.
7. Darken the bubbles in the OMR Answer Sheet according to the Serial No. of the question given in the Question Booklet.
8. If you want to change an already marked answer, erase the shade in the darkened bubble completely.
9. For rough work only the blank sheet at the end of the Question Booklet be used.
10. The Answer Sheet is designed for computer evaluation. Therefore, if you do not follow the instructions given on the Answer Sheet, it may make evaluation by the computer difficult. Any resultant loss to the candidate on the above account, i.e. not following the instructions completely, shall be of the candidate only.
11. After the test, hand over the Question Booklet and the Answer Sheet to the Assistant Superintendent on duty.
12. In no case the Answer Sheet, the Question Booklet, or its part or any material copied/noted from this Booklet is to be taken out of the examination hall. Any candidate found doing so would be expelled from the examination.
13. A candidate who creates disturbance of any kind or changes his/her seat or is found in possession of any paper possibly of any assistant or found giving or receiving assistant or found using any other unfair means during the examination will be expelled from the examination by the Centre Superintendent/Observer whose decision shall be final.
14. Communication equipment such as mobile phones, pager, wireless set, scanner, camera or any electronic/digital gadget etc., is not permitted inside the examination hall. Use of calculators is not allowed.
15. The candidates will not be allowed to leave the Examination Hall/Room before the expiry of the allotted time.



1. Which of the following is true?
  - A) An eye for an eye is deterrent theory
  - B) Causing fear to refrain a criminal is retributive theory
  - C) Prevention is better than cure is covered by reformatory theory
  - D) Treating criminals as sick persons is covered by reformatory theory
  
2. Right to private defence of property falls short of causing death in
  - A) Robbery
  - B) House breaking by night
  - C) Mischief by fire committed on a place used as human dwelling
  - D) Mischief causing apprehension of hurt
  
3. Death under IPC denotes
  - A) Death of human being
  - B) Death of animal
  - C) Death of animal and human being
  - D) Death of either human being or animal
  
4. The maxim *de minimus non curat lex* means
  - A) Law would not take action on small and trifling matter
  - B) Law does not ignore any act done by anyone
  - C) Law ignores actions done by minor
  - D) Law ignores action done by persons of unsound mind
  
5. Grave and sudden provocation is
  - A) Matter of fact
  - B) Matter of law
  - C) Presumption
  - D) Mixed question of law and fact
  
6. Assault cannot be caused by mere
  - A) Words
  - B) Gestures
  - C) Preparation
  - D) Gestures or preparation
  
7. Immovable property can be subject matter of
  - A) Theft
  - B) Robbery
  - C) Extortion
  - D) Dacoity
  
8. Criminal Law (Amendment) Act, 2013 is effective from
  - A) January 2013
  - B) February 2013
  - C) September 2013
  - D) January 2014
  
9. Criminal Law (Amendment) Act, 2013 is based on
  - A) Verma Committee Report
  - B) Malimath Committee Report
  - C) Shah Committee Report
  - D) Mehta Committee Report

10. Consider the following propositions under the Evidence Act
- I. In criminal proceedings, the evidence of good character is admissible generally.
  - II. In civil cases, character evidence is inadmissible unless the character of a party is a fact in issue.
  - III. In criminal proceedings, evidence of bad character is always inadmissible.
  - IV. In criminal proceedings evidence of bad character is admissible when evidence of good character has been given.
- In relation to the above propositions which of the following is correct statement
- A) I, II & III are correct but IV is incorrect
  - B) All the four (I, II, III & IV) are correct
  - C) I, II and IV are correct but III is incorrect
  - D) I & III are correct but II & IV are incorrect
11. Confession of one accused is admissible against co-accused, if
- A) They are tried for different offences and not jointly but separately
  - B) They are tried jointly for the same offences
  - C) They are tried jointly for different offences
  - D) They are tried for the same offences but not jointly
12. Communication made 'without prejudice' are protected under which of the following Section of the Indian Evidence Act
- A) 22
  - B) 23
  - C) 24
  - D) 21
13. Entries contained in books of account are relevant under
- A) Section 31 of Evidence Act
  - B) Section 34 of Evidence Act
  - C) Section 36 of Evidence Act
  - D) Section 40 of Evidence Act
14. Statements made by a conspirator in reference to common design are relevant under section
- A) 9
  - B) 10
  - C) 11
  - D) 12
15. Which of the following does not form part of Res Gestae
- A) Statements made by by-standers
  - B) Statement made in answer to a question
  - C) Statements made after time gap
  - D) Statement made by a relative
16. Which of the following statements refer to epistolary jurisdiction of the Supreme Court
- A) Original jurisdiction of the Supreme Court under Article 131
  - B) Taking cognizance of Public Interest Litigation matters through letters addressed to the Court
  - C) Enforcement of decrees and orders of Supreme Court under Article 142
  - D) Advisory jurisdiction under Article 143.
17. Prorogation of the House means
- A) A House has been brought in Session
  - B) The Session of the House has been terminated
  - C) The House itself stands terminated
  - D) Dissolution of Lok Sabha



18. Prompt Dower is also known as  
 A) Khul            B) Maujjal            C) Zyme            D) Muwajjal
19. Under which of the following provision the Supreme Court of India reviews its own Judgment or Pronouncement  
 A) Article 137    B) Article 132            C) Article 139            D) Article 141
20. Constitution does not provide for impeachment of which of the following functionaries :  
 A) Chief Justice of a High Court            B) Chief Justice of India  
 C) Chief Election Commissioner            D) The Governor
21. The Limitation Act, 1963 applies to  
 A) Tax Tribunals            B) Quasi Judicial Authorities  
 C) Executive Authority            D) Courts
22. Section 5 of Limitation Act condones delay in  
 A) Writ Petitions            B) Suits  
 C) Applications under Order XXI of CPC    D) Appeal
23. Puberty implies  
 A) A form of valid marriage            B) Age of maturity  
 C) Type of Divorce            D) Age of marriage
24. A Muslim marriage on the ground of fosterage is  
 A) Muta            B) Valid (Sahih)            C) Irregular (Fassid)    D) Void (Batil)
25. A Chief Judicial Magistrate may pass  
 A) Sentence of imprisonment exceeding 7 years  
 B) Sentence of imprisonment not exceeding 7 years  
 C) Sentence for life imprisonment  
 D) Death Sentence
26. Who is authorized to appoint Public Prosecutor for District Court  
 A) High Court            B) State Government  
 C) District Judge            D) Chief Judicial Magistrate
27. Acknowledgment under Limitation Act  
 A) Extends period of Limitation            B) Confers title on the person  
 C) Confers an independent right            D) Bars the remedy
28. Period of Limitation for suits relating to tort is  
 A) Maximum 3 years            B) Maximum 12 years  
 C) Maximum 30 years            D) Suits for torts are not covered by Limitation Act
29. Period of Limitation for filing an application for setting aside ex parte decree is  
 A) 30 days            B) 60 days            C) 90 days            D) 1 year

30. As per Article 233 of the Constitution of India, District Judge is appointed by
- A) Governor of the State
  - B) Chief Justice of the State High Court
  - C) Chief Justice of India
  - D) Chief Minister of the State
31. Which of the following magistrate is authorized under section 110 Cr.P.C. to require security for good behavior from habitual offenders within his local jurisdiction
- A) District Magistrate
  - B) Executive Magistrate
  - C) Judicial Magistrate First Class
  - D) Chief Judicial Magistrate
32. Who among the following cannot claim maintenance under the Code of Criminal Procedure
- A) Major married daughter unable to maintain herself
  - B) Wife unable to maintain herself
  - C) Minor illegitimate daughter unable to maintain herself
  - D) Mother or father unable to maintain themselves
33. With respect to the principle of *res-judicata* which of the following is incorrect
- A) *Ex-parte* decree will operate as *res judicata*
  - B) Writ petition dismissed on merits operates as *res judicata*
  - C) Writ petition dismissed *in limine* operates as *res judicata*
  - D) *Res Judicata* applies to representative suits
34. Attachment before judgment, in a suit dismissed in default
- A) Revives automatically on the restoration of the suit
  - B) Does not revive automatically on the restoration of the suit
  - C) May or may not revive depending on the facts & circumstances of the case
  - D) Same property cannot be attached again under any other decree
35. A Garnishee order is an order
- A) prohibiting the judgment debtor's debtor from making any payment to the judgment debtor and directing him to pay into court the debt due from him towards the judgment debtor or sufficient part thereof
  - B) directing the judgment debtor's creditor to take the payment from the judgment debtor's debtor
  - C) permitting the judgment debtor's debtor to make the payment to the judgment debtor
  - D) None of the above
36. A partnership has
- A) a distinct legal entity from its partners
  - B) not a distinct legal entity from its partners
  - C) juristic personality
  - D) perpetual succession
37. Which of the following is not an essential requisite for partnership?
- A) agreement to carry on business
  - B) sharing of profits
  - C) mutual agency
  - D) registration



38. In relation to FIR which of the following is incorrect
- It cannot be used as previous statement for any purpose
  - It is merely marks beginning of the investigation
  - It is not a substantive evidence
  - Informant need not be an eye-witness
39. Which of the following is not a kind of partner?
- Sleeping partner
  - Partner by holding out
  - Active partner
  - Principal officer
40. The status of a partner making capital contribution and advances to the firm is that of
- Partner of the firm
  - Debtor of the firm
  - Creditor of the firm
  - Both partner and creditor of the firm
41. The acts of the partner done in ordinary course of business binds
- Employees of the firm
  - Managing partners of the firm
  - Sleeping partners of the firm
  - Entire firm
42. The liability by holding out is an application of principle of
- Undisclosed principle
  - Equity
  - Agency
  - Estoppel
43. A man is prohibited to marry his daughter on the ground of
- Fosterage
  - Affinity
  - Consanguinity
  - None of these
44. Under CPC, High Court in relation to Andaman and Nicobar Islands means
- High Court of Chennai
  - High Court of Mumbai
  - Delhi High Court
  - Calcutta High Court
45. Which of the following is incorrect
- All orders are not appealable but all decrees are *per se* appealable unless appeal is prohibited
  - No second appeal lies in case of appealable orders
  - An appeal lies from consent decree
  - Second appeal lies only on substantial question of law
46. The formalities attending the transfer of property in goods, under the conflict of laws, shall be governed by
- Lex situs
  - Lex contractus
  - Lex fori
  - Locus regit actum.
47. Risk prima facie passes with
- Delivery of goods
  - Verification of goods
  - Ownership of goods
  - Agreement when becomes complete
48. Under Section 61 of the Sales of Goods Act, interest can be awarded
- When there is a term in the contract for award of interest
  - When there is no term in the contract for award of interest
  - Interest cannot be awarded
  - Interest can be awarded under all circumstances

49. After notice to stop in transit to the carrier, the right of the unpaid seller as to stoppage in transit shall
- A) be defeated by mistaken delivery of goods by the carrier to the buyer
  - B) be defeated by a wrongful delivery of goods by the carrier to the buyer
  - C) be defeated by either mistaken or wrongful delivery
  - D) neither be defeated by mistake or by wrongful delivery
50. Right of lien is lost by the unpaid seller, under the circumstances stated in
- A) Section 47 of the *Sales of Goods Act*
  - B) Section 48 of the *Sales of Goods Act*
  - C) Section 49 of the *Sales of Goods Act*
  - D) Section 50 of the *Sales of Goods Act*
51. Right to sue a carrier lies
- A) with the seller who delivers the goods to the carrier
  - B) with the buyer whom goods have been transmitted
  - C) with the party in whom property in the goods vest
  - D) only buyer and not the seller
52. The rule of estoppel as contained in Section 27 of the Sales of Goods Act, 1930 is on the principle of
- A) *Lickbarrow v. Mason*
  - B) *Woodley v. Conventary*
  - C) *Cole v. North Western Bank*
  - D) *Greg v. Wells*
53. 'A' dies leaving behind a son X & a married daughter Y, a suit filed by 'A', can be continued by
- A) 'X' alone as legal representative
  - B) 'Y' alone as legal representative
  - C) 'X', 'Y' and the husband of Y as legal representatives
  - D) 'X' and 'Y' both, as legal representatives
54. A 'next friend' or guardian, under Order 32 of CPC
- A) can enter into an agreement without the leave of the court but can not compromise a suit
  - B) can neither enter into an agreement nor compromise the suit on behalf of the minor without the leave of the court
  - C) cannot enter into an agreement without leave of the court but can enter into a compromise
  - D) can enter into an agreement and also compromise in a suit on behalf of a minor without the leave of the court.
55. For the purposes of Order 12, Rule 6 of CPC, admissions of fact
- A) must be in pleading
  - B) may be otherwise
  - C) may be either in pleadings or otherwise
  - D) only in pleading and not otherwise



56. The cardinal principle of criminal law *nullum crimen nulla poena sine lege* means :
- No crime or punishment exist without a pre-existing penal law
  - A man is presumed to be innocent until proven guilty
  - Ignorance of law is no excuse
  - Act must be accompanied by a criminal intent
57. Which of the following statement is/are correct?
- Preparation to commit dacoity is not an offence
  - Preparation to commit murder is not an offence
  - Attempt to commit murder is not an offence
  - Both (1) & (2) above
58. Section 511 does not apply in case:
- Attempt of riot
  - Attempt of murder
  - Attempt of theft
  - Attempt of affray
59. A woman ran to a well stating that she would jump into the well but she was caught before she could reach the well, she is guilty of:
- Attempt of murder
  - Attempt of culpable homicide
  - Attempt to commit suicide
  - No offence
60. Under which general principle of criminal law, the jurisdiction to try a person for offence depends upon:
- Place where such person is found
  - Where crime is committed
  - The nationality of the offender
  - Place of Residence of Offender
61. The difference between S. 149 & 34 of IPC is :
- That whereas in S.34 there must be atleast 5 persons, S.149 required only 2 persons
  - That S.149 is only a rule of evidence whereas S.34 creates a specific offence & provides punishment for that
  - That S.34 requires active participation in action whereas S.149 requires mere passive membership of the unlawful assembly
  - That s.34 need not be joined with the principal offence
62. Which one of the following punishments cannot be awarded under the IPC :
- Death
  - Forfeiture of property
  - Transportation for life
  - Rigorous imprisonment
63. A police officer is directed by court to arrest B. He arrests C after reasonable inquiry believing C to be B :
- A has committed the offence of wrongful confinement as he arrested C instead of B.
  - A has committed the offence of wrongful confinement as he was negligent in arresting C.
  - He has committed no offence because he arrested C in good faith believing himself to be bound by law to do so.
  - A has committed an offence of Defamation of C





73. A contract with minor is

- A) voidable at the instance of the minor
- B) voidable at the instance of other party
- C) void
- D) valid

74. Goods displayed in a shop with a price tag is an

- A) Offer
- B) invitation to offer
- C) counter offer
- D) none of the above

75. Provision regarding Constructive *res-judicata* is contained in

- A) Explanation III to section 11
- B) Explanation IV to section 11
- C) Explanation VI to section 11
- D) Explanation VII to section 11

x-x-x