

D.J.S-2019
PRELIMINARY
TEST
SERIES



DIAS LAW ACADEMY

DELHI JUDICIAL SERVICES -2019

MOCK TEST PAPER-I

1. The hearing is going on in the Supreme Court on article 35-A of Indian Constitution. What is the provision of this article?

- (a) Right of Jammu and Kashmir Assembly to declare independence of the state
- (b) The right to declare the date of elections for the state assembly by the state assembly
- (c) the right to decide the presence of Indian Army in Jammu and Kashmir by the State Assembly
- (d) State Assembly's right to define the permanent residents of the state

2. The famous hill station 'Kodaikanal' lies in:

- (a) Nilgiri hills
- (b) Palani hills
- (c) Cardamom hills
- (d) Javadi hills

3. The Andaman and Nicobar Islands are submerged parts of mountain range called:

- (a) Arakan Yoma
- (b) Pegu Yoma
- (c) Aksai Chin
- (d) Tien Shan

4. Which of the following ranges form a dividing line between the Ganges Plain and the Deccan Plateau?

- (a) Aravalli
- (b) Vindhya
- (c) Satpura
- (d) Ajanta

5. Which of the following Mountain passes forms the 'tri-junction' of India, China and

Myanmar?

- (a) Nathu La
- (b) Jelep La
- (c) Bombi La
- (d) Diphu

6. At which among the following places, Brahmaputra takes a U-turn at the time of entering

into India?

- (a) Kula Kangri
- (b) Lunpo Gangri
- (c) Namcha Barwa
- (d) Noijin Kangsang

7. In case a President dies while in office, the Vice-President can act as President for a

maximum period of

- (a) 1 month
- (b) 3 months
- (c) 6 months
- (d) 2 years

8. The Union Council of Ministers consists of

- (a) Cabinet Ministers, Minister of State and Deputy Ministers
- (b) Cabinet Ministers and Chief Ministers of the States
- (c) Prime Minister
- (d) Cabinet Ministers

9. Who administers the oath of office to the President of India before he enters upon the office

- (a) Chief Justice
- (b) Speaker
- (c) Vice President
- (d) Prime Minister

10. Which Article of the Constitution empowers the President to appoint a Commission to

investigate the condition of backward classes in general and suggest ameliorative measures?

- (a) Art 342
- (b) Art 344
- (c) Art 340
- (d) Art 339

11. When Parliament is not in session, the President can promulgate an ordinance which is to be ratified by the Parliament within

- (a) 6 weeks from the reassembly of Parliament
- (b) 6 months from the reassembly of the Parliament
- (c) 6 weeks from the date of issue of ordinance
- (d) 3 months from the date of issue of the ordinance

12. Which country won Women's World Cup Hockey Tournament 2018?

- (a) Australia
- (b) Netherlands
- (c) England
- (d) New Zealand

13. Indian Government has decided to merge the Central Statistical Office (CSO) and National Sample Survey Office under the Ministry of Statistics and Programme Implementation (MOSPI) into a single entity. What will be the name of this new entity?

(a) National Sample Survey and Statistics Office

(b) National Statistics Survey Office

(c) National Statistics Office

(d) None of the above

14. What is the name of the world's largest radio telescope?

(a) Arecibo Observatory

(b) RATAN-600

(c) Green Bank Telescope

(d) Square Kilometre Array

15. Narendra Modi was sworn-in as the India's Prime Minister for the second term on which of the days?

(a) 30 May 2019

(b) 1 June 2019

(c) 3 June 2019

(d) 29 May 2019

16. G-20 Summit 2019 was held in which country?

(a) Japan

(b) India

(c) USA

(d) China

17. Which of the 3 words were added later to the Preamble?

(a) Justice, Liberty, Equality

(b) Socialist, Republic, Justice

(c) Sovereign, Fraternity, Political

(d) Secular, Socialist, Integrity

18. Which Article in the Constitution provides guidelines for amending the Preamble?

(a) Article 30

(b) Article 200

(c) Article 368

(d) Article 256

19. Which famous case involved the term “basic structure” of the Constitution?

(a) Kesavananda Bharti v. State of Kerala (1973)

(b) Maneka Gandhi v. Union of India (1978)

(c) Vishakha v. State of Rajasthan (1997)

(d) Indira Sawhney v. Union of India (1992)

20. The feature of ‘Concurrent List’ in our Constitution is borrowed from which country’s Constitution?

(a) Japan

(b) Ireland

(c) United States

(d) Australia

21. Which Constitutional Amendment added the part of Fundamental Duties to the Constitution?

(a) 42nd Constitutional Amendment

(b) 62nd Constitutional Amendment

(c) 78th Constitutional Amendment

(d) 34th Constitutional Amendment

22. The lifespan of Red Blood Cells is ____ days.

(a) 60

(b) 120

(c) 180

(d) 240

23. Which is the outermost planet in the solar system?

(a) Mercury

(b) Pluto

(c) Neptune

(d) Uranus

24. Severe deficiency of Vitamin D results in _____.

(a) scurvy

(b) rickets

(c) night blindness

(d) osteomalacia

25. Who discovered antiseptic surgery?

(a) Alexander Fleming

(b) Edward Jenner

(c) Joseph Lister

(d) Louis Pasteur

26. Which one of the following prevents bleeding?

(a) Leukocytes

(b) Lymphocytes

(c) Neutrophils

(d) Platelets

27. Court of small causes, under section 3 of CPC is subordinate to

(a) District Court

(b) High Court

(c) Both a and b

(d) Neither a nor b

28. Pecuniary jurisdiction of the court has been dealt with in

(a) section 3 of CPC

(b) section 4 of CPC

(c) section 5 of CPC

(d) section 6 of CPC

29. Courts have jurisdiction to try all suits of a civil nature excepting suits, the cognizance of which is either expressly or impliedly barred, by virtue of

- (a) section 8 of CPC
- (b) section 9 of CPC
- (c) section 10 of CPC
- (d) section 11 of CPC

30. Which of the following is a right of civil nature

- (a) right to worship in a temple
- (b) right to share in offerings in a temple
- (c) right to take out procession
- (d) all the above

31. Which of the following is not a right of civil nature

- (a) caste and religion
- (b) right to services which are honorary and gratuitous
- (c) brij jijmam rights
- (d) both a and b

32. Jurisdiction of civil court can be barred

- (a) expressly only
- (b) impliedly only
- (c) either expressly or impliedly
- (d) neither expressly nor impliedly

33. Principle of res sub-judice is contained in

- (a) section 10 of CPC
- (b) section 11 of CPC
- (c) section 13 of CPC
- (d) section 14 of CPC

34. Dhulabhai etc. v. State of Madhya Pradesh and another, AIR 1969 SC 78, lays down certain principles regarding the exclusion of jurisdiction of civil courts. Which of the following is not a principle laid down:

(a) Where a statute gives a nullity to the orders of the special tribunals, the civil courts jurisdiction must be held to be excluded if there

is adequate remedy to do what the civil court would normally do in a suit

(b) Where there is an express bar of jurisdiction of the court, an examination of the scheme of the particular Act to find out the adequacy or sufficiency of the remedies provided may be relevant but is not decisive to sustain the jurisdiction of the civil court

(c) Questions as to the correctness of the assessment apart from its constitutionality are the decisions of the authorities and a civil suit lies even if the orders of the authorities are declared to be final

(d) none of the above

35. Under section 10 of CPC, a suit is liable to be

- (a) stayed
- (b) dismissed
- (c) rejected
- (d) either a or b or c

36. For the application of the principle of res subjudice, which of the following is essential

- (a) suits between the same parties or litigating under the same title
- (b) the two suits must be pending disposal in a court
- (c) the matters in issue in the two suits must be directly and substantially the same
- (d) all the above

37. Summons to the defendant under Order V, Rule 9(1) of CPC, can be delivered for the purposes of serving the same on the defendant, to a courier service as

- (a) approved by the defendant
- (b) approved by the court
- (c) approved by the plaintiff
- (d) either a or b or c

38. Under Order VI, Rule 17 at any stage of proceedings the court can allow to alter or amend pleadings to

- (a) either party
- (b) to plaintiff only
- (c) to defendant only
- (d) to only one defendant if there are more than one defendant

39. The expenses for the service of summons to the defendant have to be borne, under Order V, Rule 9(3) of CPC, by

- (a) the plaintiff
- (b) the court
- (c) the defendant
- (d) partly by the plaintiff and partly by the defendant

40. If a document, which ought to be produced in the court alongwith the pleadings, is not produced, under Order VII, Rule 14(3) of CPC, at the hearing of the suit

- (a) the same shall not be received in evidence on behalf of the plaintiff
- (b) the same shall not be received in evidence on behalf of the defendant
- (c) the same shall not be received in evidence on behalf of either party
- (d) the same shall not be received in evidence on behalf of a third party

41. A prayer for extension of time beyond the period of 90 days or filing the written statement

- (a) can be oral
- (b) has to be in writing
- (c) can be either oral or in writing
- (d) Neither a nor b, as the time cannot be extended beyond 90 days

42. In computing the period of limitation for appeal, review or revision, the time requisite for obtaining a copy of the decree or order appealed shall be excluded under

- (a) section 12(1)
- (b) section 12(2)

- (c) section 13(3)
- (d) section 14(4)

43. In computing the period of limitation for application to set aside an award, the time requisite in obtaining a copy of the award shall be excluded under

- (a) section 12(1)
- (b) section 12(2)
- (c) section 12(3)
- (d) section 12(4)

44. Limitation for filing appeal commences from

- (a) the date of judgment
- (b) the date of signing of the decree
- (c) the date of application for copy of the judgment
- (d) the date of availability of copy of the judgment

45. Time requisite under section 12(2) of Limitation Act means

- (a) minimum time
- (b) maximum time
- (c) actual time taken
- (d) absolutely necessary time

46. Time excluded has to be considered on the basis of

- (a) information available from the copy of judgment/ decree placed on record
- (b) information as to copies obtained by the parties for court purposes
- (c) information as to copies obtained by the parties for other purposes
- (d) information as to copies not placed on record but made available to the court

47. Section 13 of Limitation Act applies to

- (a) suit filed in forma pauperis

(b) appeal filed in forma pauperis

(c) both a and b

(d) none of the above

48. Under section 13 of Limitation Act, the time is excluded

(a) if the application for leave to sue or appeal as a pauper is allowed

(b) if the application for leave to sue or appeal as a pauper is rejected

(c) in both the cases

(d) in none of the case

49. Section 14 and Section 5 of Limitation Act are:

(a) independent of each other

(b) mutually exclusive of each other

(c) both independent and mutually exclusive

(d) neither independent nor mutually exclusive

50. Under section 14 defect in jurisdiction must relate to

(a) territorial jurisdiction

(b) pecuniary jurisdiction

(c) subject matter jurisdiction

(d) either a or b or c

51. Section 15 excludes from computation of limitation

(a) period of notice

(b) time taken in granting previous consent

(c) time taken in grant of sanction

(d) all the above

52. Section 15 does not apply to

(a) suits

(b) appeal

(c) execution application

(d) None of the above

53. Period during which proceedings stand stayed by an injunction or order is excluded

(a) under section 14

(b) under section 15

(c) under section 13

(d) under section 16

54. Section 15 applies to

(a) suits

(b) execution applications

(c) both suits and execution applications

(d) neither suits nor execution proceedings

55. Time taken in proceedings to set aside the sale, in suit for possession by a purchaser in execution, is liable to be excluded

(a) under section 15(4)

(b) under section 15(2)

(c) under section 15(3)

(d) under section 15(1)

56. Section 16 applies to

(a) suits to enforce rights of pre-emption

(b) suits for possession of immovable property

(c) suits to enforce right to a hereditary office

(d) none of the above

57. A sum directed to be paid by an arbitral award shall carry interest

(a) @ 6% per annum from the date of the award till the date of payment

(b) @ 12% per annum from the date of the award till the date of payment

(c) @ 18% per annum from the date of the award till the date of payment

(d) @ 24 % per annum from the date of the award till the date of payment.

58. Finality to arbitral awards within meaning of section 35 of the Arbitration and Conciliation Act, 1996 shall

- (a) not be binding on parties
- (b) be binding on government authority
- (c) be binding on first party only
- (d) be binding on the parties and person claiming under them respectively.

59. An arbitral award shall be enforced in the same manner as if it were a decree of

- (a) local authority
- (b) the court
- (c) the tribunal
- (d) both (b) and (c).

60. An arbitral award becomes enforceable when

- (a) the time for making an application for setting aside the arbitral award has expired and no such

application has been made

- (b) an application for setting aside the arbitral award has been refused
- (c) either (a) or (b)
- (d) neither (a) nor (b).

61. Which of the following is the correct statement

- (a) an arbitral award can be set aside if it is contrary to the substantive provisions of the Act or against the terms of the contract
- (b) an arbitral award can be set aside if the arbitral tribunal has not followed the mandatory procedure prescribed under the Act
- (c) an arbitral award can be set aside if it is contrary to fundamental policy of Indian law, or the interest of India, or justice or morality
- (d) all of the above.

62. Which one of the following is incorrect statement:

- (a) an arbitral award is a contract
- (b) an arbitral award must be in writing and signed.
- (c) an arbitral award includes an interim award.
- (d) none of the above.

63. To invoke international commercial arbitration it is necessary that at least one of the parties is:

- (a) a body corporate which is incorporated in any country other than India
- (b) Government of a foreign country
- (c) an individual who is a national of, or habitually resident in any country other than India.
- (d) all of the above.

64. Private arbitration is also described as:

- (a) integral arbitration
- (b) consensual arbitration
- (c) domestic arbitration
- (d) none of the above.

65. Ad-hoc arbitration can be sought:

- (a) when the parties involved in commercial transaction choose to incorporate arbitration clause as a part of agreement to refer their future disputes
- (b) when a dispute that arose between the parties to a business transaction could not be settled through mediation or conciliation
- (c) when the parties agree to submit to arbitration 'all or any' differences which have arisen or may arise
- (d) only (b) and (c).

66. Statutory arbitration is:

- (a) imposed on the parties by operation of law '
- (b) a compulsory arbitration
- (c) where consent of the parties is not necessary

(d) all of the above.

67. Which is correct statement:

(a) Institutional arbitration has its own set of rules.

(b) Indian Council of Arbitration is the apex body

(c) the rules may provide for domestic or international arbitration or for both

(d) all of the above.

68. Which is incorrect statement:

(a) Arbitrator is a person to whom the matters in the dispute are submitted by the parties

(b) the Arbitral Tribunal can make law of its own

(c) the Arbitral Tribunal is the creature of an agreement

(d) both (b) and (c) are incorrect.

69. Court under section 2(1)(e), Arbitration and Conciliation Act means

(a) Court of Small Causes

(b) Principal Civil Court and Civil Court of an inferior grade

(c) Principal Civil Court of original jurisdiction

(d) all of the above.

70. A 'party' within the meaning of section 2, Arbitration & Conciliation Act, 1996 means

(a) party to the contract

(b) party to the arbitration agreement

(c) party to the suit/ proceedings

(d) either (a) or (b) or (c).

71. The definition of 'Arbitral Tribunal' under the Arbitration and Conciliation Act, 1996 means

(a) sole arbitrator or a panel of arbitrators

(b) sole arbitrator only

(c) panel of arbitrators only

(d) presiding officer. "

72. A partnership form comes into existence by agreement between all the partners, and such agreement should be

(a) Express agreement only

(b) Implied agreement only

(c) Either express or implied

(d) Registered

73. A partnership deed usually contain the particulars relating to

(a) Name of the firm and partners

(b) Nature of business and duration of firm

(c) Capital contribution, profit/loss sharing ratios and other agreed terms

(d) All of these

74. Which of the following statement is incorrect?

(a) A person who receives the profits is always a partner

(b) A person who receives the profits is not necessarily a partner.

(c) The true test of partnership is the mutual agency i.e. agency relationship among partners

(d) The partnership comes into existence only by an agreement

75. A, a contractor, appointed B to manage his entire work. It was agreed that B would receive 50% of the profits as his remuneration and would bear all the losses, if any. Here, B is

(a) A's partner

(b) A's agent

(c) Sole proprietor

(d) None of these

76. Which of the following statement is correct?

(a) A servant or an agent who agrees to receive, in addition to or in place of his regular remuneration, a portion of profits of business, is considered to be a partner.

(b) A widow or child of a deceased partner who receives a portion of profits as annuity, is considered to be a partner.

(c) A seller of goodwill who is given a share in the profits of a business he has sold, is considered to be a partner.

(d) A joint-owner of property of property who receives a share of profit arising from the property, is not considered to be a partner.

77. Which of the following statement about a minor partner is incorrect?

(a) A minor can be admitted only to the benefits of an existing firm.

(b) A minor cannot be admitted to the benefits of a new firm taking minor as partner.

(c) A minor cannot be a full-fledged partner in a firm.

(d) A minor can be a full-fledged partner in a firm.

78. A partnership where its duration is fixed and cannot be dissolved by any partner at his will, is known as

(a) Particular partnership

(b) General partnership

(c) Partnership for fixed period

(d) Partnership at will

79. In a partnership firm, the difference of opinion over some 'fundamental matter' can be settled

(a) All the partners

(b) Majority of partners

(c) Senior partners

(d) Managing partner

80. In the absence of any agreement, the interest to partners on the amount of loan advanced to the firm, is allowed at _____.

(a) 4% per annum

(b) 6% per annum

(c) 8% per annum

(d) Market rate

81. Which of the following is an absolute duty and cannot be excluded by an agreement to the contrary?

(a) Duty to share losses annually

(b) Duty to indemnify for loss caused by partner's fraud

(c) Duty to indemnify for loss caused by negligence

(d) Duty to account for profits of a competing business

82. It is the duty of every partner to act within the scope of

(a) Actual authority

(b) Implied authority

(c) Both a and b

(d) Only b

83. Before attaining the age of majority, a minor admitted to the benefits of a firm has the right to

(a) Receive agreed share of property and of profits

(b) Access and to inspect the accounts of the firm

(c) Sue the firm for his share of property or profits

(d) All of the above

84. Which of the following acts are within the implied authority of a partner?

(a) To engage a lawyer and defend the action brought against the firm

(b) To purchase goods of the kind used in firm's business

(c) To engage servants to perform the business of the firm

(d) All of the above

85. Which of the following act has not been statutorily excluded from the scope of implied authority of a partner

(a) To withdraw a suit or proceedings filed on behalf of the firm

(b) To submit a dispute, relating to the business of the firm, to arbitration

(c) To receive payments of the debts due to the firm and give receipts for the same.

(d) To acquire or transfer immovable property on behalf of the firm

86. The firm is bound by an act of a partner done without any express or implied authority if such act is

(a) Done in emergency

(b) Done to protect the firm from loss threatened by the emergency

(c) Reasonable in the circumstances

(d) All of these

87. The concept of suspension of Fundamental Rights during Emergency is taken from:

(a) Weimer Constitution of Germany

(b) United States

(c) Japan

(d) Australia

88. Which Schedule contains the provisions relating to the administration and control of scheduled areas and scheduled tribes?

(a) Fourth Schedule

(b) Fifth Schedule

(c) Sixth Schedule

(d) Seventh Schedule

89. By which Constitutional amendment was the voting age brought down from 21 to 18?

(a) 37th Constitutional Amendment Act of 1985

(b) 61st Constitutional Amendment Act of 1988

(c) 56th Constitutional Amendment Act of 1993

(d) 46th Constitutional Amendment of 1985

90. What form of government does India follow?

(a) Presidential system with President as most important authority

(b) Fully Federal structure

(c) Federal system of government but showing a unitary bias

(d) None of the above

Directions (Questions 91-96): Read the passage carefully and answer the questions that follow

Many aspects of the motion-picture industry and its constituent companies are dissimilar to those observable in advanced-technology industries and firms. For instance, company longevity does not represent a consistent concern across the two organisational contexts. In the advanced-technology company for example, one new-product innovation – which is expected to generate financial returns to the firm – is insufficient for the company to be successful. Rather, a stream of new product innovations is required. By contrast with the independent production company of this case, each new firm – which is expected to generate financial returns to the principals – is sufficient for the company to be successful. Any subsequent new films involving the firm's participants will be produced by a different independent company. As another instance, people's learning is expected to have different contributors and beneficiaries across the two organizational contexts. In the advanced-technology company, for example, each new product innovation provides an opportunity for participants on the project team to learn and acquire experience, and this same company intends to retain such participants, hence,

benefit from their increased experience on the next project. By contrast with the independent production company, each new film provides an opportunity for participants on the project team to learn and acquire this experience also, but this same company has little or no expectation of retaining such participants, and hence, benefitting from their increased experience in the next project. Experience is paramount in the motion-picture industry. Generally, on film projects, budgets are very tight, and schedules are very demanding. People are hired largely based on their experience and are expected to perform well immediately when called to do so. There is negligible slack time or margin for learning through trial and error, but experienced people learn exactly through trial and error. Because experience is valued so highly and film-production houses have such short time horizons, entry into the industry is very difficult for most people. Further, the role played by schools and colleges is minimal in this industry.

Some skills and techniques can be learned and refined through formal education (e.g. Acting schools, theatre, film degrees), but the majority come through direct experience. Mentoring plays an important role. True, the film business focuses heavily on exploitation over exploration. Yet success of the industry as a whole is critically dependent upon learning and exploration overtime.

91. What is not a consistent concern across the two organisational contexts?

- (a) Dissimilarity
- (b) Product package
- (c) Financial return
- (d) Company longevity

92. What will be sufficient for an independent production company to be successful?

- (a) New product innovations
- (b) Financial returns from each new film
- (c) Active role by film's participants
- (d) Organisational context

93. What does an advanced-technology company expect from the learning experience of its participants?

- (a) Benefit for the next project
- (b) Opportunity for more learning
- (c) Little expectation of retaining them
- (d) Help in marketing the previous product

94. What is not the expectation of an independent production company in the case of its participants?

- (a) Absence from the next project
- (b) Retention for the next project
- (c) Participation in the current project
- (d) Use of opportunity to acquire experience

95. Why do film production houses value experience highly?

- (a) Because of the importance of trial and error methods
- (b) Because of the margin for learning
- (c) Because of short time horizons
- (d) Because it allows easy entry to everyone into the film world

96. According to the author, what has been the focus of film business?

- (a) Formal education
- (b) Mentoring
- (c) Exploitation
- (d) Indirect experience

97. Synonym of ACQUAINT

- (a) Withhold
- (b) Conceal
- (c) Familiarise
- (d) Risky

98. Synonym of AGGRAVATE

- (a) Decline
- (b) Acquire
- (c) Excited
- (d) Irritate

99. Assentio Mentium

- (a) The meeting of minds
- (b) In good faith
- (c) An argument directed at the person
- (d) Injury without damage

100. Pacta sund servanda

- (a) Treaties are legally binding
- (b) Treaties are legally binding only to the contracting parties
- (c) Goods without an owner
- (d) With an intention of making a will

101. Bona Vacantia

- (a) Goods without an owner
- (b) Let the seller beware
- (c) To the extreme contrary
- (d) The law does not note trifling matters

102. Persona non-grata

- (a) By the fact itself
- (b) Person non-wanted
- (c) State recognition of law
- (d) Principle of equity

103. Alibi

- (a) A friend of the court
- (b) From elsewhere
- (c) Equity follows the law
- (d) At another place

104. Pari passu

- (a) An amount
- (b) In proportion
- (c) In the opinion of the court
- (d) On an equal footing

105. Non-sequitur

- (a) An inconsistent statement
- (b) Guilty state of mind
- (c) No one can be a judge in his own cause
- (d) In the matter of

106. A man who rarely speaks the truth:

- (a) Crook
- (b) Liar
- (c) Scoundrel
- (d) Hypocrite

107. A remedy for all diseases

- (a) Narcotics
- (b) Antiseptic
- (c) Panacea
- (d) Lyric

108. International destruction of racial groups:

- (a) Matricide
- (b) Regicide
- (c) Genocide
- (d) Homicide

109. Custom of having many wives

- (a) Misogamy
- (b) Bigamy
- (c) Polygamy
- (d) Monogamy

110. A pioneer of a reform movement:

- (a) Apostle
- (b) Apothecary
- (c) Apotheosis
- (d) Renegade

111. All jobs are respectable _____ of their nature.

- (a) irrespective
- (b) irresponsible
- (c) immaterial
- (d) irrelevant

112. That story would make a good subject _____ a novel.

- (a) of
- (b) in
- (c) to
- (d) for

113. I felt as if the ground were _____ beneath my feet.

- (a) smashing
- (b) crumbling
- (c) slipping
- (d) sinking

114. On my return from a long holiday, I had to _____ with a lot of work.

- (a) catch on
- (b) catch up
- (c) take up
- (d) make up

115. Only one of the boys _____ not done the home-work given yesterday.

- (a) can

(b) could

(c) has

(d) have

116. A contract creates

- (a) Rights in Personam
- (b) Rights in Rem
- (c) No obligations
- (d) Only obligations and no rights

117. A invites B for coffee in coffee-day restaurant and B accepts the invitation. On the appointed

date, B goes there but A is not found. In this case

- (a) B has no remedy against A
- (b) B has to wait for another invitation from A
- (c) B has the right to sue A for not honouring his words
- (d) A has to invite B again, to perform the promise.

118. Drawing cash form ATM, sale by fall of hammer at an auction sale, etc., are example of

- (a) Express Contract
- (b) Implied Contract
- (c) Tacit Contract
- (d) Unlawful Contract

119. A advertises in paper that any person who found his lost dog can get a reward of Rs. 5000. Any person who finds the dog can claim the reward. This is a case of

- (a) General offer
- (b) Specific offer
- (c) Implied offer
- (d) Invalid offer

120. A notice inviting tender is an offer.

- (a) True
- (b) An Invitation to Offer
- (c) A Counter – Offer
- (d) A Contra – Offer

121. In which of the following cases, the principle of an offer to public at large was recognized?

- (a) Balfour vs Balfour
- (b) Harvey vs Facie
- (c) Carlill vs carbolic smoke ball co.
- (d) Both a and b

122. Capacity to contract has been defined in

- (a) Section 10
- (b) Section 11
- (c) Section 12
- (d) Section 25

123. A minor's agreement is void. This was held in the case of

- (a) Mohiri Bibee Vs Dharmadas Ghosh
- (b) Salma begam Vs Jan Mohamed Khan
- (c) Balfour vs balfour
- (d) Chinnaiya vs Ramaya

124. Past consideration is _____ in India.

- (a) Valid consideration
- (b) No consideration
- (c) Illegal consideration
- (d) Unlawful consideration

125. A finds B's mobile Phone, and gives it back to him. B promises to give A Rs. 500. This is a/an

- (a) agreement

- (b) contract
- (c) acceptance
- (d) offer

126. An agreement not supported by consideration is called

- (a) Nudum Pactum
- (b) Invalid consideration
- (c) Ab intio
- (d) Nemo dat quod non habet

127. In which of the following important cases, the exception of 'trust or charge' to the rule of privity of contract was recognized?

- (a) Lalman shukla Vs Gauri Dutt
- (b) Khuaja Mohdkhan vs Hussani Begum
- (c) Carlill vs Carbolic smoke ball Co
- (d) Balfour vs Balfour

128. D threatens to kill A if he does not sell his hose to B at a very low price. Even if D is a stranger to the transaction between A and B, the agreement is caused by

- (a) Undue Influence
- (b) Coercion
- (c) Fraud
- (d) Misrepresentation

129. Contracts with a pardanashin woman raises the presumption of

- (a) domination of will
- (b) undue influence
- (c) fraud
- (d) None of the above

130. An Agreement to murder a person is an example of

- (a) Voidable Agreement

(b) Illegal Agreement

(c) Either a or b

(d) Both a and b

131. The relief by way of mandatory injunction is

(a) prohibitory

(b) mandatory

(c) discretionary

(d) none of the above

132. The provision of liquidated damages or penalty in a contract in the event of breach

(a) is not sufficient to rebut the presumption under section 10 of the Specific Relief Act, 1963

(b) is sufficient to rebut presumption under section 10 of the Specific Relief Act, 1963

(c) liquidated damage is not a subject-matter under the Specific Relief Act, 1963

(d) none of the above

133. Mere possession of title is

(a) enough to maintain an action under section 5 of the Specific Relief Act, 1963

(b) not enough to maintain an action under section 5 of the Specific Relief Act, 1963

(c) only b is correct

(d) none of the above

134. Specific performance of any contract may, in discretion of the court, be enforced

(a) When there exists no standard for ascertaining actual damage caused by the non-performance of the act agreed to be done

(b) When the act agreed to be done is such that compensation in money for its non-performance would not afford inadequate relief

(c) Both a and b

(d) None of the above

135. A contract made by a trustee in excess of his powers or in breach of trust

(a) cannot be specifically enforced

(b) can be specifically enforced

(c) does not come under specification

(d) None of the above

136. A contract to sell or let any immovable property cannot be specifically enforced in favour of a vendor or lesser:

(a) who, knowingly not to have any title to the property, has contracted to sell or let the property

(b) who, though he entered the contract believing that he had a good title to the property, cannot at the time fixed by the parties or by the court for the completion of the sale or letting, give the purchaser or lessee a title free from reasonable doubts

(c) a is correct

(d) both a and b are correct

137. Preventive relief is granted at the discretion of the court

(a) by injunction temporary or permanent

(b) by injunction temporary

(c) by injunction permanent only

(d) None of the above

138. An injunction cannot be granted

(a) to restrain any person from instituting or prosecuting any proceeding in a court not subordinate to that from which injunction is sought

(b) to restrain any person from applying to any legislative body

(c) to restrain any person from instituting or prosecuting any proceeding in a criminal matter

(d) All the above

139. For the purpose of Specific Relief Act of 1963 the word 'settlement' means

- (a) an instrument whereby the destination or devolution of successive interests in movable property is disposed of
- (b) an instrument including codicil or will whereby the destination or devolution of successive interests in immovable property is disposed of or is agreed to be disposed of
- (c) an instrument including the codicil or will whereby the devolution of successive interests movable or immovable property is disposed of
- (d) an instrument other than a will or codicil whereby the destination or devolution of successive interests movable or immovable property is disposed of or is agreed to be disposed of

140. Obligation under Specific Relief Act

- (a) is a right in rem
- (b) is a right in personam
- (c) both a and b
- (d) neither a nor b

141. Under the Specific Relief Act, the plaintiff

- (a) does not have subsisting right to claim any subsequent transaction relating to property
- (b) possesses subsisting right to claim any subsequent transaction relating to property
- (c) possesses only pre-existing right to claim any subsequent transaction relating to property
- (d) does not possess any right

142. For violation of decree of personal injunction, remedy

- (a) is to proceed under Order 21, Rule 32 of CPC
- (b) is to proceed by way of application of police protection
- (c) is to proceed through hostile possession
- (d) is not available under CPC

143. In which of the following cases the "Prohibitory injunction under Specific Relief Act, 1908" was discussed?

- (a) Sarvesh v. Smt. Sanju, AIR 2010 Uttraa 16
- (b) Mansha Ram v. Dr. Ved, AIR 2010 Uttra 14
- (c) Daulat Ram v. Gopal Krishna, AIR 2010 Uttra 9
- (d) Vijay Goyal v. State, AIR 2010 Uttra 12

144. Whether specific performance of the contract can be sought when vendor is entitled to sell his specified and determined share in property

- (a) no
- (b) yes
- (c) conditional
- (d) none of the above

145. Absence of Income-tax clearance under section 230 of Income Tax Act is ___ ground for refusing specific performance

- (a) a valid
- (b) not a valid
- (c) conditional
- (d) unconditional

146. Under section 27 of Evidence Act, 'discovery of fact' includes

- (a) the object found
- (b) the place from where it is produced
- (c) both a and b
- (d) neither a nor b

147. Section 27 of Evidence Act applies

- (a) when the person giving information is an accused but not in police custody
- (b) when the person giving information is an accused and is in police custody

(c) when the person is in police custody but not an accused

(d) when the person is neither in police custody nor an accused

148. Under section 27 of Evidence Act

(a) the whole statement is admissible

(b) only that portion which distinctly relates to the discovery is admissible

(c) both are admissible depending on the facts and circumstances of the case

(d) only a and not b

149. Facts discovered in consequences of a joint information

(a) are not admissible and can not be used against any of the accused person

(b) are admissible and can be used against any one of the accused person

(c) are admissible and can be used against all the accused persons

(d) both a and c are correct

150. Confession of an accused is admissible against the other co-accused

(a) under section 28 of Evidence Act

(b) under section 29 of Evidence Act

(c) under section 30 of Evidence Act

(d) under section 31 of Evidence Act

151. Confession of one accused is admissible against co-accused

(a) if they are tried jointly for the same offences

(b) if they are tried jointly for different offences

(c) if they are tried for the same offences but not jointly

(d) if they are tried for different offences and not jointly

152. Confession of a co-accused, not required to be on oath and cannot be tested by cross-examination

I. is no evidence within the meaning of section 3 of Evidence Act and cannot be the foundation of a conviction

II. The only limited use which can be made of a confession of a co-accused is by way of furnishing an additional reason for believing such other evidences as exists

III. It is a very weak type of evidence and is much weaker than the evidence of an approver

In the aforesaid propositions

(a) all I, II and III are correct

(b) only I and III are correct

(c) only I and II are correct

(d) only II and III are correct

153. 'Necessity rule' as to the admissibility of evidence is contained in

(a) section 31 of Evidence Act

(b) section 32 of Evidence Act

(c) section 60 of Evidence Act

(d) section 61 of Evidence Act

154. Necessity rule as to the admissibility of evidence is applicable, when the maker of a statement

(a) is dead or has become incapable of giving evidence

(b) is a person who can be found but his attendance can not be procured without unreasonable delay or expenses

(c) is a person who can not be found

(d) all the above

155. Under section 32 of Evidence Act, a statement of a person who is dead, to be admissible

- (a) must relate to the cause of his own death
- (b) may relate to the cause of someone else's death
- (c) may relate to the cause of his own death or someone else's death
- (d) both b and c are correct

156. The person whose statement is admitted under section 32 of Evidence Act

- (a) must be competent to testify
- (b) need not be competent to testify
- (c) may or may not be competent to testify
- (d) only a is correct and b and c are incorrect

157. A dying declaration is admissible

- (a) only in criminal proceedings
- (b) only in civil proceedings
- (c) in civil as well as criminal proceedings both
- (d) in criminal proceedings alone and not in civil proceedings

158. A dying declaration

- (a) can form the sole basis of conviction without any corroboration by independent evidence
- (b) can form the basis of conviction only on corroboration by independent witness
- (c) cannot form the sole basis of conviction unless corroborated by independent witness
- (d) only b and c are correct

159. A dying declaration to be admissible

- (a) must be made before a Magistrate
- (b) must be made before the police officer
- (c) may be made before a doctor or a private person
- (d) may be made either before a magistrate or a police officer or a doctor or a private person

160. Declarations in course of business are admissible

- (a) under section 32(1) of Evidence Act
- (b) under section 32(2) of Evidence Act
- (c) under section 32(4) of Evidence Act
- (d) under section 32(7) of Evidence Act

161. The motive under section 81 of IPC should be:

- (a) prevention of harm to person
- (b) prevention of harm to property
- (c) both (a) and (b)
- (d) either (a) or (b).

162. 'Infancy' as an exception has been provided under:

- (a) section 80
- (b) section 81
- (c) section 82
- (d) section 84.

163. Section 82 of IPC provides that nothing is an offence which is done by a child under:

- (a) six years of age
- (b) seven years of age
- (c) nine years of age
- (d) ten years of age.

164. Section 82 of IPC enunciates:

- (a) a presumption of fact
- (b) a rebuttable presumption of law
- (c) a conclusive or irrebuttable presumption of law
- (d) none of the above.

165. A person is stated to be partially incapax under section 83, IPC if he is aged:

- (a) above seven years and under twelve years

- (b) above seven years and under ten years
- (c) above seven years and under sixteen years
- (d) above seven years and under eighteen years.

166. Section 83 of IPC lays down:

- (a) a presumption of fact
- (b) an inconclusive or rebuttable presumption of law
- (c) conclusive or irrebuttable presumption of law
- (d) irrebuttable presumption of fact.

167. Section 82 of IPC lays down the rule of:

- (a) wholly incapax
- (b) partially incapax
- (c) both (a) & (b)
- (d) either (a) or (b).

168. Under section 82 & section 83 of IPC an offence is punishable if it is done by a child:

- (a) of below seven years of age
- (b) of above seven years of age but below twelve years if he has not attained sufficient maturity and understanding
- (c) of above seven years of age but below twelve years having attained sufficient maturity and understanding
- (d) all the above.

169. Which of the following pair is not correctly matched:

- (a) Mens Rea – R. v. Prince
- (b) Necessity – D.P.P. v. Beard
- (c) Insanity – Mc’Naughten case
- (d) Intoxication – Basudeo v. State of Pepsu.

170. The maxim ‘actus non facit rea nisi mens sit rea’ means:

- (a) crime has to be coupled with guilty mind

- (b) there can be no crime without a guilty mind
- (c) crime is the result of guilty mind
- (d) criminal mind leads to crime.

171. “In every statute, mens rea is to be implied unless the contrary is shown.”:

This view was expressed in-

- (a) Sherras v. De Rutzen
- (b) R. v. Dudley & Stephen
- (c) Harding v. Price
- (d) R. v. Prince.

172. Which of the following is correct for the aforesaid:

- I. The physical aspect of crime is actus reas.
- II. The mental aspect of crime is mens rea.
- III. The motive is the desire to commit crime

- (a) I & II are correct but III is not correct
- (b) only II & III
- (c) only II & III
- (d) all the above.

173. Section 84 of IPC provides for:

- (a) medical insanity
- (b) legal insanity
- (c) moral insanity
- (d) unsoundness of mind of any kind.

174. Irresistible impulse is a defence:

- (a) in India
- (b) in England
- (c) in India and England both
- (d) neither in India nor in England.

175. A hangman who hangs the prisoners pursuant to the order of the court is exempt from criminal liability by virtue of:

- (a) section 77 of IPC
- (b) section 78 of IPC
- (c) section 79 of IPC
- (d) section 76 of IPC.

176. Akanksha is accused of disobeying a direction of the law with an intent to save Sonam from punishment. As per Section 213 Cr. P.C.

- (a) the charge must set out the disobedience charged
- (b) the charge must set out the law infringed
- (c) both (A) and (B)
- (d) none of them

177. Which of the following section gives power to issue a warrant in lieu of, or in addition to, a summons and under which condition it applies?

(a) Section 87 Cr. P.C.; (i) the Court believes that the person summoned has absconded or will fail to turn up, (ii) where he has without reasonable caused failed to appear

(b) Section 88 Cr. P.C.; (i) the Court believes that the person summoned has absconded or will fail to turn up, (ii) where he has without reasonable caused failed to appear

(c) Section 89 Cr. P.C.; (i) the Court believes that the person summoned has absconded or will fail to turn up, (ii) where he has without reasonable caused failed to appear

(d) Section 89 Cr. P.C.; (i) the Court believes that the person summoned has absconded or will fail to turn up, (ii) where he has without reasonable caused failed to appear

178. Under Section 320(1) Cr. P.C. for fraudulent removal or concealment of property, etc., to prevent distribution among creditors, which section of IPC is applicable?

- (a) 420
- (b) 421

- (c) 424
- (d) 425

179. Which of the following deals with the order to pay compensation, when a Court imposes a sentence of fine or a sentence including death sentence?

- (a) Section 286 Cr. P.C.
- (b) Section 357 Cr. P.C.
- (c) Section 359 Cr. P.C.
- (d) Section 365 Cr. P.C.

180. Under Section 320(1) Cr. P.C. for fraudulent execution of deed of transfer containing false statement of consideration, which section of IPC is applicable?

- (a) 414
- (b) 415
- (c) 420
- (d) 423

181. Abhijeet is charged u/s. 242 of the Indian Penal Code (45 of 1860), with "having been in possession of counterfeit coin, having known at the time when he became possessed there of that such coin was counterfeit", the word "fraudulently" being omitted in the charge. Applying Section 215 Cr. P.C.:

(a) If it appears that Abhijeet was in fact misled by this omission, the error shall be regarded as material

(b) If it appears that Abhijeet was deliberately misled by this omission, the error shall be regarded as material

(c) Unless it appears that Abhijeet was in fact misled by this omission, the error shall not be regarded as material

(d) none of them

182. The recording of reasons in writing is a condition under Section 87 Cr. P.C. is:

(a) subsequent to the exercise of the power and is not curable under Section 464 Cr. P.C.

(b) precedent to the exercise of the power and is curable under Section 464 Cr. P.C.

(c) precedent to the exercise of the power and is not curable under Section 464 Cr. P.C.

(d) precedent to the exercise of the power and is curable under Section 454 Cr. P.C.

183. Which of the following deals with cases in which bail is to be taken?

(a) Section 286 Cr. P.C.

(b) Section 287 Cr. PC.

(c) Section 436 Cr. P.C.

(d) Section 289 Cr. P.C.

184. Which of the following section deals with victim compensation scheme?

(a) Section 280B Cr. P.C.

(b) Section 287D Cr. P.C.

(c) Section 357A Cr. P.C.

(d) Section 289B Cr. P.C.

185. Under Section 320(1) Cr. P.C. for fraudulent removal or concealment of property, which section of IPC is applicable?

(a) 424

(b) 420

(c) 422

(d) 425

186. Which Section of Cr. P.C. overrides Section 72 Cr. PC.?

(a) Section 78

(b) Section 68

(c) Section 58

(d) Section 48

187. Under Section 320(1) Cr. P.C. for fraudulent execution of deed of transfer containing false statement of consideration, which section of IPC is applicable?

(a) 414

(b) 415

(c) 420

(d) 423

188. The recording of reasons in writing is a condition under Section 87 Cr. P.C. is:

(a) subsequent to the exercise of the power and is not curable under Section 464 Cr. P.C.

(b) precedent to the exercise of the power and is curable under Section 464 Cr. P.C.

(c) precedent to the exercise of the power and is not curable under Section 464 Cr. P.C.

(d) precedent to the exercise of the power and is curable under Section 454 Cr. P.C.

189. Which of the following section deals with victim compensation scheme?

(a) Section 280B Cr. P.C.

(b) Section 287D Cr. P.C.

(c) Section 357A Cr. P.C.

(d) Section 289B Cr. P.C.

190. Armaan is charged with cheating Benny, and the manner in which he cheated Benny is not set out in the charge, or is set out incorrectly. Armaan defends himself, calls witnesses and gives his own account of the transaction. What will the Court infer from this while applying Section 215 Cr. PC.?

(a) the Court may infer from this that the omission to set out the manner of the cheating is valid

(b) the Court may infer from this that the omission to set out the manner of the cheating is a cognizable offence

(c) the Court may infer from this that the omission to set out the manner of the cheating is not Material

(d) none of them

191. Which part of eye which can be transplanted?

(a) Retina

(b) Cornea

(c) Optic nerves

(d) Complete eye

192. The following is not a source of vitamin

(a) Milk

(b) Amla (Gooseberry)

(c) Lemon

(d) Green chilli

193. Aflatoxin induces cancer in

(a) Lung

(b) Liver

(c) Kidney

(d) Heart

194. Hemolytic Anaemia disease is caused by

(a) AIDS

(b) Leprosy

(c) ABO incompatibility

(d) Liver cirrhosis

195. The causative agent of Malaria is

(a) Plasmodium

(b) Trypanosoma

(c) Leishmania

(d) Bacillus

196. Chagos Archipelago is located in which of the following ocean?

(a) Pacific Ocean

(b) Indian Ocean

(c) Arctic Ocean

(d) Atlantic Ocean

197. Who has been elected as the new President of South Africa?

(a) Omar Al-Bashir

(b) Robert Mugabe

(c) Jose Eduardo dos Santos

(d) Cyril Ramaphosa

198. 5 kg LPG refill will be made available under which of the following government scheme?

(a) Ujjwal Discom Assurance Yojna

(b) Jawaharlal Nehru National Solar Mission

(c) Pradhan Mantri Ujjwala Yojana

(d) Atal Jyothi Yojana

199. Who among the following has been awarded with the Ramon Magsasay Award 2019?

(a) Ravish Kumar

(b) Sonam Wangchuk

(c) Bharat Vatwani

(d) Sanjiv Chaturvedi

200. Which city has been named as the world's best city for students according to the 'QS Best Student Cities Rankings'?

(a) Melbourne

(b) London

(c) Tokyo

(d) Bengaluru

DELHI

DELHI JUDICIAL SERVICES-2019

MOCK TEST PAPER-I: ANSWER KEY

1.d	26.d	51.d	76.d	101.a	126.a
2.b	27.c	52.b	77.d	102.b	127.b
3.a	28.d	53.b	78.c	103.d	128.b
4.b	29.b	54.c	79.a	104.d	129.b
5.d	30.d	55.a	80.b	105.a	130.b
6.c	31.d	56.d	81.b	106.d	131.c
7.c	32.c	57.c	82.c	107.c	132.a
8.a	33.a	58.d	83.d	108.c	133.a
9.a	34.c	59.c	84.d	109.c	134.c
10.c	35.a	60.c	85.c	110.a	135.a
11.a	36.d	61.d	86.d	111.a	136.d
12.b	37.b	62.a	87.a	112.d	137.a
13.c	38.a	63.d	88.b	113.c	138.d
14.d	39.a	64.b	89.b	114.b	139.d
15.a	40.a	65.b	90.c	115.c	140.b
16.a	41.b	66.d	91.d	116.a	141.a
17.d	42.b	67.d	92.b	117.a	142.a
18.c	43.d	68.b	93.a	118.c	143.c
19.a	44.a	69.c	94.b	119.a	144.b
20.d	45.c	70.b	95.c	120.c	145.a
21.a	46.a	71.a	96.c	121.c	146.c
22.b	47.a	72.c	97.c	122.b	147.b
23.c	48.b	73.d	98.d	123.a	148.b
24.b	49.d	74.a	99.a	124.a	149.a
25.c	50.d	75.b	100.a	125.b	150.c

151.a	161.d	171.a	181.c	191.b
152.a	162.c	172.d	182.c	192.a
153.b	163.b	173.b	183.c	193.b
154.d	164.c	174.d	184.c	194.c
155.a	165.a	175.b	185.a	195.a
156.c	166.b	176.c	186.a	196.b
157.c	167.a	177.a	187.d	197.d
158.a	168.c	178.b	188.c	198.a
159.d	169.b	179.b	189.c	199.a
160.b	170.b	180.d	190.c	200.b

