

**DIAS LAW ACADEMY**

**DELHI JUDICIAL SERVICES-2019**

**MOCK TEST PAPER-III**

1. Which of the following is not an eligibility criterion for election as President of India?
- (a) should be citizen of India.
- (b) should be at least 35 years of age
- (c) should be qualified for election to the House of the People.
- (d) He should be elected as a member of the House of the People
2. Who is the current speaker of the Lok Sabha?
- (a) Meira Kumar
- (b) Somnath Chatterjee
- (c) P A Sangma
- (d) Om Birla
3. Who is the ex-officio Chairman of the Rajya Sabha?
- (a) Vice President of India
- (b) President of India
- (c) Home Minister of India
- (d) Prime Minister of India
4. Fundamental Rights are contained in which Part of the Constitution of India?
- (a) Part II
- (b) Part III
- (c) Part IV
- (d) Part V
5. The term of the President of India is
- (a) 5 years from date of his election.
- (b) 5 years from date of his entering upon his office.
- (c) 7 years from date of his election.
- (d) 7 years from date of his entering upon his office.
6. Who is the current Solicitor General of India?
- (a) G Subramaniam
- (b) Ranjit Kumar
- (c) Tushar Mehta
- (d) Rohinton Nariman
7. How many elected members are there in the Council of States?
- (a) 250
- (b) 240
- (c) 238
- (d) 235
8. What is the minimum qualifying age for being a member of the Parliament?
- (a) 21 yrs.
- (b) 18 yrs.
- (c) 35 yrs.
- (d) 25 yrs.
9. How many spokes does the Ashoka Chakra have?
- (a) 12
- (b) 18
- (c) 24

(d) 30

10. Which one of the following is an incorrect statement?

(a) Fundamental rights are in Part III of the Constitution

(b) Directive Principles of State Policy are in Part IV of the Constitution

(c) Fundamental Duties are in Part IV of the Constitution

(d) Union Territories are in Part VIII of the Constitution

11. Retirement age of a High Court judge

(a) is the same as the retirement age for a District Judge

(b) is the same as the retirement age of a Supreme Court Judge

(c) is lower than the retirement age for a District Judge

(d) is lower than the retirement age for a Supreme Court Judge

12. Habeas Corpus literally means

(a) produce the body

(b) produce the record

(c) produce the evidence

(d) produce the testimony

13. The full form of UNESCO is

(a) United Nations Education, Science and Culture Organization

(b) United Nations Educational, Scientific and Cultural Organization

(c) United Nations Educational, Social and Culture Organization

(d) United Nations Economic, Social and Cultural Organization

14. Which of the following is not true?

(a) The Guwahati High Court exercises jurisdiction over 7 states

(b) The Bombay High Court has original jurisdiction

(c) Filings in the Supreme Court can only be done by an Advocate-on-Record

(d) Supreme Court is the only Court of Record

15. Which of the following rivers does not flow west to east?

(a) Ganga

(b) Yamuna

(c) Satluj

(d) Narmada

16. Deepak Punia is related to which sports?

(a) Wrestling

(b) Boxing

(c) Weightlifting

(d) Hockey

17. Blood cancer is commonly known as

(a) Anaemia

(b) Leukaemia

(c) Leucoderma

(d) Bulimia

18. The skill development ministry has announced an association with the \_\_\_\_\_ to build Rs .300 crore modern training and skill development centre in Mumbai.

(a) Reliance Industries

(b) Infosys

(c) Microsoft

(d) Tata Trust

19. Name the veteran actress who died recently?

(a) Vidya Sinha

(b) Tara Sehgal

(c) Divya Chandra

(d) Madhvi Kumar

20. Which disease is caused by the plasmodium micro-organism?

(a) typhoid

(b) gastroenteritis

(c) tetanus

(d) malaria

21. Who designed the Indian flag?

(a) Alluri Sitarama Raju

(b) Pingali Venkayya

(c) Sarojini Naidu

(d) Potti Sreeramulu

22. Extreme old age when a man behaves like a child is called:

(a) Imbecility

(b) Dotage

(c) Senility

(d) Superannuation

23. The Tropic of Cancer passes through which one of the following states?

(a) Jharkhand

(b) Bihar

(c) Jammu and Kashmir

(d) Himachal Pradesh

24. Which of the following is the oldest mountain range in India?

(a) Himalaya

(b) Aravalli

(c) Satpura

(d) Nilgiri

25. The Theory of Separation of Powers is associated with:

(a) Aristotle

(b) Montesquieu

(c) Voltaire

(d) Rousseau

26. Who among the following became the first batsman to score 20,000 international runs in a single decade?

(a) Rohit Sharma

(b) Shikhar Dhawan

(c) Virat Kohli

(d) M S Dhoni

27. To prevent signal loss, satellites remained in geostationary orbit above the base, i.e.:

(a) the satellites were designed for digging soil.

(b) the satellites were on paper.

(c) the satellites watched the earth's rotation.

(d) the satellites were stationary.

28. Where is the RSS head office situated?

(a) Delhi

(b) Kolkata

(c) Mumbai

(d) Nagpur

29. Identify the State sharing its boundary with maximum number of States.

- (a) Assam
- (b) Uttar Pradesh
- (c) Maharashtra
- (d) Jharkhand

30. The largest salt-producing State in India is

- (a) Tamil Nadu
- (b) Andhra Pradesh
- (c) Gujarat
- (d) Maharashtra

31. The power of Supreme Court to transfer cases and appeals from one High Court to another High Court can be exercised on an application by

- (a) Registrar of High Court Concerned
- (b) Attorney General of India
- (c) Solicitor General of India
- (d) Advocate General

32. In which of the following cases the Supreme Court has declared S. 303 of IPC as unconstitutional?

- (a) Bachchan Singh v. State of Punjab
- (b) Rajendra Kr v. State of U.P.
- (c) Machchi Singh v. State of Punjab
- (d) Mithu Singh v. State of Punjab

33. Clause (k) to Article 51A was added by

- (a) the Constitution (73<sup>rd</sup> Amendment) Act, 1992
- (b) the Constitution (85<sup>th</sup> Amendment) Act, 2001

(c) the Constitution (86<sup>th</sup> Amendment) Act, 2002

(d) the Constitution (93<sup>rd</sup> Amendment) Act, 2005

34. In which of the following cases, free and fair election is recognized as basic structure of the Indian Constitution?

- (a) Indira Gandhi v. Raj Narain
- (b) Golaknath v. State of Punjab
- (c) K. Prabhakaran v. P. Jayarajan
- (d) Minerva Mills v. Union of India

35. Which one of the following cases is not related to the doctrine of severability?

- (a) Kihoto-Hollohan v. Zachillhu
- (b) RMDC v. Union of India
- (c) Minerva Mills v. Union of India
- (d) A. K. Gopalan v. State of Madras

36. The Parliament has power to legislate with respect to a matter in the State List, provided it is in the

- (a) public interest
- (b) national interest
- (c) central interest
- (d) regional interest

37. "Courts are flooded with large number of PILs, so it is desirable for Courts to filter out frivolous petitions and dismiss them with costs." In which of the following judgments, it was held?

- (a) M. C. Mehta v. Union of India
- (b) Dharampal v. State of UP
- (c) Holicow Pictures Pvt. Ltd. v. Premchandra Mishra

(d) PUCL v. Union of India

38. Who among the following expressed that the Indian Constitution is federal as much as it establishes what may be called a dual polity?

(a) Dr. B. R. Ambedkar

(b) Sir William Ivor Jennings

(c) Sir B. N. Rau

(d) Prof. K. C. Wheare

39. The law declared by the Supreme Court becomes law of the land under

(a) Article 131

(b) Article 136

(c) Article 141

(d) Article 151

40. The power of the President of India to issue an ordinance is a/an

(a) legislative power

(b) executive power

(c) quasi-judicial power

(d) judicial power

41. In first instance, the President can issue a proclamation of financial emergency for a period of

(a) fifteen days

(b) two months

(c) one month

(d) six months

42. In which of the following landmark judgments, right to privacy has been declared as a fundamental right?

(a) Shreya Ghoshal v. State of UP

(b) Justice K. S. Puttaswamy (Retd.) v. Union of India

(c) Narendra v. K. Meena

(d) Kharak Singh v. State of UP

43. In which of the following judgments of the Supreme Court, Triple Talaq was declared unconstitutional?

(a) Shayara Bano v. Union of India

(b) Gulshan Parveen v. Union of India

(c) Both a and b

(d) None of the above

44. Which of the following does not find place in the Preamble of the Constitution of India?

(a) Liberty of thought and expression

(b) Economic justice for all

(c) Education for everyone

(d) Dignity of the individual

45. Prof. K. C. Wheare said that the Constitution of India is

(a) weak federation

(b) non-federal

(c) strong federation

(d) quasi-federal

46. Which one of the following major ports of India is renamed as Deen Dayal Port?

(a) Nhava Sheva

(b) Ennore

(c) Kandla

(d) Tuticorin

47. Which country hosted the FIFA World Cup, 2018?

- (a) Australia
- (b) Russia
- (c) USA
- (d) Britain

48. Who has been awarded with the Dr A.P.J Abdul Kalam Award by the Tamil Nadu Government?

- (a) K Sivan
- (b) A S Kiran Kumar
- (c) K Radhakrishnan
- (d) B N Suresh

49. Who among the following became the first Indian to win a world title in motorsports?

- (a) Aishwarya Pissay
- (b) Armaan Ebrahim
- (c) Aditya Patel
- (d) Sameera Singh

50. Reliance Jio has entered into a long-term alliance with \_\_\_\_\_ to accelerate digital transformation with the launch of new cloud data centres.

- (a) Microsoft
- (b) Google
- (c) Infosys
- (d) Wipro

51. What does the term “a priori” mean?

- (a) Deductive
- (b) Presumed
- (c) Inductive
- (d) Without reasoning

52. An ex parte decree can be set aside

- (a) Under Order 9, Rule 5 of CPC
- (b) Under Order 9, Rule 10 of CPC
- (c) Under 9, Rule 13 of CPC
- (d) Under Order 9, Rule 11 of CPC

53. A garnishee order is an order:

- (a) Prohibiting the judgment debtor’s debtor from making any payment to the judgment debtor.
- (b) Directing the decree holder to take the payment from the judgment debtor’s debtor
- (c) Both a and b above
- (d) None of the above

54. A suit may be defeated due to:

- (a) Non joinder of a proper party.
- (b) Misjoinder of a necessary party
- (c) Non joinder of a necessary party
- (d) Misjoinder of a proper party

55. Arbitration awards rendered in arbitration proceedings commenced before the coming into force of the Arbitration and Conciliation Act, 1996:

- (a) Are to be challenged as per the provisions of the Arbitration Act, 1940 Act only.
- (b) Are to be challenged as per the provisions of the 1996 Act.
- (c) Are to be challenged as per the provisions of the Arbitration Act, 1940 only unless otherwise agreed by the parties
- (d) Cannot be challenged since the 1940 Act stands repealed on coming into force of the 1996 Act.

56. An arbitration award under the Arbitration and Conciliation Act, 1996

(a) Has the status of a decree immediately on publication/pronouncement thereof.

(b) Does not have the status of a decree.

(c) Has the status of a decree only after the time of three months for making an application to set aside the same has expired or such application having been made has been refused.

(d) Has the status of a decree only after time of three months and a further period of 30 days for making an application to set aside the same has expired or such application having been made has been refused.

57. An application under Section 11 of the Arbitration and Conciliation Act, 1996 can be filed

(a) Only in the High Court.

(b) In the court of appropriate pecuniary jurisdiction dependent upon the subject matter of the dispute i.e. either before the Civil Judge or the District Judge or the High Court.

(c) In the court of appropriate pecuniary jurisdiction dependent upon the subject matter of the dispute i.e. either before the Civil Judge or the District Judge or the High Court only is the Chief Justice has delegated his powers under Section 11 to the Civil Judges and the District Judges.

(d) Either in the Supreme Court or in the High Court

58. A Civil Court before which an action is brought in a matter which is subject matter of arbitration, while referring the parties to arbitration on application of any party, is under the Arbitration and Conciliation Act, 1996 required to:

(a) Dispose of the suit in terms of said reference.

(b) Dismiss the suit

(c) Decree the suit

(d) Stay further proceedings in the suit and adjourn the suit sine die

59. The Arbitration and Conciliation (Amendment) Act, 2015 came into force on

(a) 23<sup>rd</sup> October, 2015

(b) 31<sup>st</sup> December, 2015

(c) 23<sup>rd</sup> September, 2015

(d) None of the above

60. The arbitrator in case of international commercial arbitration is appointed by

(a) the parties themselves

(b) the Attorney-General of India

(c) the Chief Justice of India

(d) Both a and c

61. The provision for substituted service of summons on the defendant(s) has been made under

(a) Order V, Rule 19 of CPC

(b) Order V, Rule 19A of CPC

(c) Order V, Rule 20 of CPC

(d) Order V, Rule 21 of CPC

62. The Court may impose a fine for default upon a person required to give evidence or to produce documents directed under Section 30(b) of CPC, and such fine as per Section 32(c) is not to exceed

(a) Rs. 500

(b) Rs. 1000

(c) Rs. 5000

(d) Rs. 10000

63. Appointment of receiver has been dealt with

(a) under Order XLIV

(b) under Order XLII

(c) under Order XL

(d) under Order XLV

64. In cases of urgent or immediate relief, where leave to investigate the suit without service of notice under Section 86 of CPC has been granted

(a) no interim or otherwise, ex parte relief can be granted

(b) interim or otherwise, ex parte relief can be granted generally

(c) interim or otherwise, ex parte relief may be granted under certain circumstances

(d) Either a or c

65. A decision in a suit may operate as 'res judicata' against persons not expressly named as parties to the suit by virtue of Explanation

(a) II to Section 11 of CPC

(b) IV to Section 11 of CPC

(c) VI to Section 11 of CPC

(d) VIII to Section 11 of CPC

66. Which of the following does not come under the definition of 'decree'?

(a) An adjudication which conclusively determines the rights of the parties with regard to some of the matters in issue before the court

(b) Rejection of a plaint

(c) Determination of any question under section 144 of CPC

(d) Dismissal of suit for default

67. Under Order 8 Rule 6 CPC, set-off may be permitted if:

(a) the suit is for recovery of property

(b) set-off claimed by the defendant is ascertained sum of money

(c) value of property recoverable is less than rupees two lacs

(d) defendant present a written statement of account at any stage of hearing of the suit

68. 'Rejection of Plaint' is mentioned under:

(a) Order VII Rule 11

(b) Order VI Rule 13

(c) Order VII Rule 12

(d) Order VIII Rule 4

69. Order XXI of CPC is related with:

(a) Affidavits

(b) Costs

(c) Execution of decree

(d) Appointment of receiver

70. Which of the following section of CPC prohibit the arrest of women in the execution of a decree for money?

(a) S. 56

(b) S. 57

(c) S. 58

(d) S. 59

71. Section 114 of CPC should be read with

(a) Order 46 Rule 1

(b) Order 47 Rule 1

(c) Order 49 Rule 3

(d) Order 41

72. Which of the following statements is incorrect about the second appeal?

(a) It may lie in any court



- (b) It may lie against ex-parte decree
- (c) It may lie in case where the substantial question of law involves
- (d) All the above

Directions (Questions 73-82): Read the following passage carefully and choose the best answer to each question given below it.

Reasoning is an argument in which certain things being laid down, something other than these necessarily comes about through them. It is a 'demonstration', when the premises from which the reasoning starts are true and primary, or are such that our knowledge of them has originally come through premises which are primary and true. Reasoning on the other hand is dialectical, if it reasons from opinions that are generally accepted. Things are 'true' and 'primary' which are believed on the strength not of anything else but of themselves: for in regard to the first principle of science it is improper to ask any further for the why and wherefore of them; each of the first principle should command belief in and by itself. On the other hand, those opinions are "generally accepted" which are accepted by everyone or by the majority or by the philosophers, that is, by all or by the majority or by the most notable and illustrious of them. Again reasoning is contentious if it starts from opinions that seem to reason from opinions that are or seem to be generally accepted. For not every opinion that seems to be generally accepted is the illusion entirely on the surface, as happens in the case of the principals of contentious arguments; for the nature of the fallacy in these is obvious immediately, and as a rule even to persons with little power of comprehension. So then, of the contentious reasoning's mentioned, the former really deserves to be called "reasoning" as well, but the other should be called "contentious reasoning", but not reasoning's since it appears to reason, but does not really do so. Further, besides all the reasoning's we have mentioned there are the reasoning's that start from the premises peculiar to the special sciences, as

happens (for example) in the case of geometry and her sister sciences. For this form of reasoning appears to differ from the reasonings mentioned above; the man who draws a false figure reasons from things that are neither true and primary, nor yet generally accepted. For he does not fall within the definition; he does not assume opinions that are received either by everyone, or by the majority, or the philosophers – that is to say, by all, or by most, or by the most illustrious of them. But he conducts his reasoning upon assumptions, which though appropriate to the science in question-, are not true; for the effects his misreasoning either by describing the semi Circles wrongly, or by drawing certain lines in a way in which they could not be drawn.

73. According to the author, misreasoning is:

- (a) A form of reasoning
- (b) Contentious reasoning
- (c) Dialectical reasoning
- (d) Demonstrative reasoning

74. A 'First Principle' is:

- (a) Anything that is generally accepted as.
- (b) A belief that is true and primary.
- (c) Things that are generally accepted but not really are such.
- (d) None of the above

75. Which form of reasoning draws from neither true and primary, nor yet generally accepted?

- (a) Dialectic
- (b) Demonstration
- (c) Contentious
- (d) Misreasoning

76. Reasoning based on subjective opinions will best be called

- (a) Demonstration
- (b) Contentious
- (c) Misreasoning
- (d) Dialectic

77. How many forms of contentious reasoning are mentioned by the author?

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

78. Arguments that are derived from premises that are believed to be true on their own strength are

- (a) Dialectical
- (b) Demonstrative
- (c) Contentious
- (d) Misreasoning

79. Which one of the following is not a synonym of fallacy?

- (a) Erroneous belief
- (b) Myth
- (c) Canard
- (d) Platitude

80. Which one of the following is not an antonym of 'illustrious'?

- (a) Unknown
- (b) Nameless
- (c) Anonymous

(d) Distinguished

81. Which of the following statements is correct?

- (a) Opinions that are generally accepted may not be true and primary.
- (b) Opinions that are true and primary can never be the premises for reasoning.
- (c) Arguments that start from false statements or figures do not lead to the correct conclusions.
- (d) Misreasoning can only be used to prove geometrical theorems.

82. Contentious means

- (a) Given
- (b) Debatable
- (c) Obvious
- (d) Without doubt

Directions (Questions 83-86): Find the synonym for the (bracketed) word

83. He is showing (immutable) courage under these circumstances.

- (a) unchanging
- (b) upbeat
- (c) weak
- (d) wavering

84. I enjoy Delhi because of the (balmy) winters.

- (a) rainy
- (b) warm
- (c) humid
- (d) sultry

85. She found the smell of the bottle (repugnant) and asked for another bottle.

- (a) delightful
- (b) disgusting
- (c) stale
- (d) attractive

86. Looking at the hot samosa made her drool (incessantly)

- (a) instantly
- (b) continuously
- (c) greedily
- (d) momentarily

87. In the Law of Evidence Fact means and includes:

- (a) Anything perceived by the senses.
- (b) State of things capable of being perceived by the senses.
- (c) Mental condition of which a person is conscious.
- (d) All of the above

88. Only such facts are made relevant by the Evidence Act as are encompassed by:

- (a) Section 5 to Section 55 of the Evidence Act.
- (b) Section 5 to Section 32 of the Evidence Act.
- (c) All the Sections of the Evidence Act.
- (d) Only such facts which can be proved as per Section 59 and Section 60 of the Evidence Act.

89. A dying declaration is relevant evidence under Section 32 of the Evidence Act notwithstanding it being hearsay evidence because:

(a) A statement by a person as to the cause of his death is treated in law as a solemn statement.

(b) If a person is dead and anything said by the person as to the cause of the death is relevant, since the dead person cannot be brought before the court to testify, necessity makes it inevitable to admit said statement

(c) Because it is believed that a person would not meet his maker with lies in his mouth.

(d) Because society owes a duty to dead persons to give them justice.

90. Police Remand of an Accused cannot exceed:

- (a) 7 days
- (b) 9 days
- (c) 12 days
- (d) 15 days

91. A person accused of an offence before a criminal court can be called upon to give evidence on oath:

- (a) Upon a request in writing from the public prosecutor.
- (b) By an application made by the complainant.
- (c) By a direction of the court.
- (d) By the accused, on his own request in writing.

92. Test Identification Parade pertains to the field of:

- (a) Investigation
- (b) Trial
- (c) Satisfaction of the Investigating Officer that he is proceeding in the right direction.
- (d) Both a and b above

93. Pardon may be tendered to an accomplice under Section 306 Cr.P.C. when:

- (a) He is not in a position to stand trial due to infirm health.
- (b) When he is declared insane.
- (c) He undertakes to make full and true disclosure of the facts relating to the offence.
- (d) All of the above

94. Statement of a witness recorded during investigation under Section 161 Cr.P.C. cannot be used at a criminal trial except:

- (a) to contradict the witness.
- (b) When the witness dies after recording examination-in-chief and before cross-examination commences.
- (c) Where the Court feels that it would be safe to rely upon the said statement.
- (d) Both a and b above

95. Criminal justice system in India is based on:

- (a) It is the duty of the State to prosecute whosoever commits a wrong.
- (b) Adversarial trial.
- (c) A wrong doer must be punished.
- (d) Both a and b above

96. What does the term "de jure" mean?

- (a) As per law
- (b) As per a jury
- (c) Without reference to law
- (d) Factually

Directions (Questions 97-101): Select the appropriate response to complete these sentence below:

97. \_\_\_\_\_ most important event in India's history was the revolution of 1857.

- (a) The
- (b) It was the
- (c) That the
- (d) There was a

98. Vegetables are excellent source \_\_\_\_\_ vitamins.

- (a) of
- (b) has
- (c) where
- (d) that

99. Microscopes make small things appear larger than \_\_\_\_\_

- (a) really are
- (b) are really
- (c) are they really
- (d) they really are

100. The city of Gurugram \_\_\_\_\_ over square miles.

- (a) covers
- (b) that covers
- (c) covering
- (d) is covered

101. Her struggle to make a place for herself in corporate law is the kind of life story \_\_\_\_\_ a fascinating novel might be written.

- (a) of
- (b) by
- (c) for whom

(d) about which

102. Communication of acceptance is complete as against the proposer:

(a) When it comes to the knowledge of the proposer

(b) When it is put in the course of transmission to him so as to be out of power of the acceptor.

(c) When the acceptance is communicated to the proposer.

(d) All of the above

103. If only a part of the consideration or object is unlawful, the contract under Section 24 of the Indian Contract Act, 1872 shall be:

(a) Valid to the extent the same are lawful

(b) Void to the extent the same are unlawful

(c) Void as a whole

(d) Valid as a whole

104. Two parties entered into a contract. They later realized that there was a mistake in their understanding of the law as applicable in India. This makes their contract:

(a) Non est

(b) Void

(c) voidable

(d) None of these

105. A contract caused by mistake of law not in force in India:

(a) Is void

(b) Is voidable

(c) Has the same effect as though it was caused by a mistake of fact

(d) None of the above

106. An agreement in restraint of trade is:

(a) Valid

(b) Void

(c) Void to the extent of such restraint

(d) Voidable

107. Which of the following is an offer?

(a) A bid at an auction sale

(b) Menu card at a restaurant

(c) Banker's catalogue of charges

(d) All of the above

108. If a future event on which a contract is contingent is the way in which a person will act at an unspecified time, the event shall be considered to become impossible:

(a) When such person does anything which renders it impossible that he should so act within any definite time.

(b) Otherwise than under further contingencies.

(c) Both a and b above

(d) None of the above

109. In which of the following cases, a contingent contract becomes void:

(a) If the contract contemplates the happening of the event within a certain time, and event does not happen or its happening becomes impossible.

(b) If the performance is made to depend upon an event which is already impossible.

(c) If the event contemplated does not happen.

(d) Both a and b above

110. The section of the Arbitration and Conciliation Act, 1996 empowering the arbitral tribunal to rule on its jurisdiction is

- (a) Section 16
- (b) Section 17
- (c) Section 18
- (d) Section 19

111. The procedure for expert appointment by arbitral tribunal on specific issues is laid down in the Arbitration and Conciliation Act, 1996 under

- (a) Section 24
- (b) Section 25
- (c) Section 26
- (d) Section 31

112. A party shall be precluded from raising the question of jurisdiction of arbitral tribunal under Section 16(2) of the Arbitration and Conciliation Act, 1996

- (a) where he has appointed the arbitrator
- (b) where he has participated in the appointment of the arbitrator
- (c) both a and b
- (d) neither a nor b

113. Which is the incorrect statement

- (a) the arbitral tribunal is bound by the Code of Civil Procedure, 1908
- (b) the arbitral tribunal is bound by the Indian Evidence Act, 1872
- (c) both a and b
- (d) none of the above

114. Under Section 7, Arbitration and Conciliation Act, 1996, an arbitration agreement shall be in writing if it is contained in

- (a) a document signed by the parties

(b) an exchange of letters, telex, telegrams or other means of telecommunication which provide a record of the agreement

(c) an exchange of statements of claim and defence in which the existence of the agreement is alleged by one party and not denied by the other party

- (d) either a or b or c

115. The section of the Arbitration and Conciliation Act, 1996 providing for place of arbitration is

- (a) Section 20
- (b) Section 34
- (c) Section 30
- (d) Section 26

116. A plea questioning the jurisdiction of the arbitral tribunal

- (a) must be raised before or at the time of submission of statement of defence
- (b) may be raised after the submission of the statement of defence
- (c) can be raised at any time before the conclusion of arbitral proceedings
- (d) can be raised at any time before the making of arbitral award

117. Under Section 12(3) of the Arbitration and Conciliation Act, 1996 an arbitrator can be challenged on the grounds which give rise to justifiable doubts as to his

- (a) independence
- (b) impartiality
- (c) qualifications
- (d) all of the above

118. A Magistrate has the power to direct the police to investigate into

- (a) a non-cognizable offence
- (b) a cognizable offence
- (c) only a non-cognizable offence, as in a cognizable offence the police is under a duty to investigate
- (d) both a and b

119. A summons issued by a Court must be in

- (a) writing
- (b) duplicate
- (c) signed by the presiding officer of the Court or other officer as directed by the High Court
- (d) all the above

120. Period of limitation for filing a suit to establish the right over the property attached, by a person other than the person proclaimed, who has filed claims and objection to attachment, is

- (a) three months from the date of disallowing the claim
- (b) six months from the date of disallowing the claim
- (c) one year from the date of disallowing the claim
- (d) None of the above

121. Under Section 154(3) of Cr.P.C., 1973, if the officer-in-charge of a police station refuses to record the first information, the aggrieved person may send, in writing and by post, the substance of such information to the

- (a) Sessions Judge
- (b) Judicial Magistrate
- (c) Superintendent of Police
- (d) Commissioner of Police

122. Which of the following is correct

- (a) trial before a Court of Session: Section 225-Section 237
- (b) trial of warrant-cases: Section 238- Section 250
- (c) trial of summons-cases: Section 251-Section 259
- (d) all of the above

123. "Plea Bargaining" inserted by Code of Criminal Procedure (Amendment) Act, 2006 does not apply in case of

- (a) offences affecting socio-economic condition of the country
- (b) offences committed against women
- (c) offences against children below the age of fourteen years
- (d) all of the above

124. The judgment delivered by a Court in cases of plea bargaining is

- (a) final
- (b) appealable and appeal lies to the High Court
- (c) final and no appeal except SLP under Article 136 and writ petition under Articles 226 and 227 lies
- (d) appeal lies directly to the Supreme Court

125. The statements or facts stated by an accused in an application for plea bargaining

- (a) can be used by the Court in any other case against the accused
- (b) can be used in any other case against the accused only with the permission of the court before which the application for plea bargaining was made

(c) cannot be used for any purpose except of the purpose of this chapter

(d) none of the above

126. Mark the incorrect statement

(a) The provisions of Chapter XXIA of Code of Criminal Procedure, 1973 are subject to the other provisions of the Code

(b) The court, in cases of plea bargaining does not have all the powers vested in respect of bail and other matters relating to disposal of a case as provided in other provisions of the Code

(c) The statements or facts stated by an accused in an application for plea bargaining may, with the permission of the Court before which the application was made, be used in other cases

(d) All the above

Directions (Questions 127-131): Select the nearest and most accurate meaning

127. Stolid

(a) stubbornly rebellious

(b) one who leads a simple life of self-denial

(c) solemn moral talk; sermon

(d) showing little emotion

128. Encroach

(a) Severity

(b) acting as a dictator

(c) having an affordable manner; carefree

(d) to trespass or intrude

129. Potent

(a) brag; glory over

(b) a gentle wind; breeze

(c) having great power or physical strength

(d) moral corruption; badness

130. Impolitic

(a) separate, split

(b) improper; unfortunate

(c) unwise, imprudent

(d) to disagree; differ in opinion

131. Frenetic

(a) unrest; agitation

(b) thrift; economical use or expenditure

(c) frenzied

(d) to grow together

132. The Limitation Act, 1963 does not apply to

(a) Suits

(b) Appeals

(c) Applications

(d) Writ petition's

133. Where no period is prescribed for exercise of power in statute like Limitation Act, such power must be exercised:

(a) Within reasonable time

(b) Within minimum time

(c) Within maximum time

(d) Depends upon the court's discretion

134. As per Section 3 of Limitation Act

(a) Every suit instituted after the prescribed period shall be dismissed, although limitation has not been set-up as defence

(b) Every suit instituted after the prescribed period shall be dismissed or not, it depends on the court's discretion



(c) Every suit instituted after the prescribed period shall be dismissed, although limitation has been set-up as defence

(D) None of the above

135. The defendant may be allowed to raise the point of limitation

(a) At any stage of suit or proceeding

(b) For the first time in appeal

(c) Both a and b

(d) None of the above

136. Limitation Act

(a) Only bars the remedy but does not destroy the right

(b) Bars the remedy and also destroy the right

(c) Either a or b, depends upon discretion of court

(D) None of the above

137. Which section of Limitation Act is an exception to the general rule that personal actions, the Limitation Act bars only the remedy and does not extinguish the right

(a) Section 25

(b) Section 26

(c) Section 27

(d) Section 29

138. A party who prays for condonation of delay, has to establish that

(a) No negligence on his part

(b) He was vigilant

(c) No lack of bona fides on his part

(d) All of the above

139. Delay in filing the suit

(a) Can be condoned under Order VII, Rule 6, CPC

(b) Cannot be condoned

(c) Can be condoned under section 3, Limitation Act

(d) Can be condoned under Section 6, Limitation Act

140. Section 3 and Section 14 of Limitation Act are:

(a) Both independent and not mutually exclusive

(b) Mutually exclusive of each other

(c) Neither independent not mutually exclusive

(d) None of the above

141. Identify the correct statement

(a) The Section 10 of the Indian Limitation Act, 1963 is applicable only to the situation where the appeal is already filed.

(b) The Section 5 of the Indian Limitation Act, 1963 is applicable only to the situation where the suit or appeal is already filed and pending for disposal.

(c) The Section 5 of the Indian Limitation Act, 1963 is applicable only to the situation where suit is to be filed

(d) None of the above

142. Limitation period prescribing in filing a suit by a mortgagor to recover possession of immovable property mortgaged

(a) 20 years

(b) 12 years

(c) 10 years

(d) 30 years

143. A time barred debt can be claimed:

- (a) As a set off
- (b) As a counter claim
- (c) As a fresh suit
- (d) None of the above

144. Acknowledgement after the period of limitation:

- (a) Is of no effect.
- (b) Gives rise to an independent and enforceable contract.
- (c) Is of great value.
- (d) None of the above.

145. In a suit for maintenance, arrears can be claimed for the last:

- (a) seven years
- (b) Twelve years
- (c) One year
- (d) Three years

146. Legal disability contemplated by Section 6 of the Limitation Act providing for extension of the period of Limitation include:

- (a) Minority
- (b) Insanity
- (c) Idiocy
- (d) All of the above

147. A partner by holding out is:

- (a) a partner to arrange the capital for the firm
- (b) a partner to share in profit of firm
- (c) a person liable for the loss of the firm

(d) a person liable to another who incurs liability believing him as a partner

148. Which of the following statement is correct?

- (a) Every agency is partnership
- (b) Every partnership is agency
- (c) Every partnership is limited company
- (d) Every private limited company is partnership

149. A minor may be admitted to the benefit of a partnership firm:

- (a) With the consent of all existing partners
- (b) With the consent of majority of partners
- (c) By inheritance under a will
- (d) By the direction of the court

150. Which of the following section of Indian Partnership Act, 1932 is related with the expulsion of a partner?

- (a) Sec. 30
- (b) Sec. 31
- (c) Sec. 32
- (d) Sec. 33

151. Which of the following is not an essential of partnership?

- (a) An association of two or more persons
- (b) Existence of contract
- (c) Sharing of profit
- (d) Mandatory Registration

152. Which of the following section of partnership Act, 1932 defines 'businesses'?

- (a) Sec. 2 (a)

(b) Sec. 2(b)

(c) Sec. 2(c)

(d) Sec.2(d)

153. If a partner withdraws from a firm by dissolving it, then

(a) It is a dissolution and not retirement of a partner

(b) It is a novation and not retirement of a partner

(c) It is a retirement of a partner

(d) None of the above

154. According to Section 44 of the Indian Partnership Act, 1932, the Court may dissolve a firm on the suit of a partner on any of the following grounds:

(a) Insanity

(b) Permanent incapacity

(c) Breach of agreement

(d) All of the above

155. Who among the following is a partner?

(a) A moneylender sharing the profits

(b) A person sharing the profits of business carried on by all or any of them

(c) A person sharing the return arising from joint property

(d) A seller of goodwill sharing the profits of business

156. A partnership is partnership at will

(a) when no provision is made for duration of partnership

(b) when no provision is made for determination of partnership

(c) Both a and b are true

(d) Either a or b is true

157. Which of the following is not essential ingredient of holding out u/s 28 of the Partnership Act?

(a) Representation as a partner

(b) Knowledge of representation

(c) Giving credit to the firm

(d) Representation without knowledge

158. Which of the following is not correct about a minor?

(a) He cannot become a partner.

(b) He can be admitted to the benefits of partnership.

(c) He is personally liable for the acts of the firm.

(d) He can elect to become or not to become a partner on attaining the majority.

159. Which of the following is not a condition precedent for filing a suit u/s 69 of the Partnership Act?

(a) The firm should be registered

(b) Person suing should be shown as a partner in the register of firms

(c) The enforcement of a right arising from a contract or conferred by the Act

(d) The enforcement of any statutory right

160. The mode of determining the existence of partnership has been laid down in

(a) Section 5

(b) Section 6

(c) Section 9

(d) Section 10

161. If a partner chooses to use any assets of the partnership firm for his own purpose, it gives rise to

- (a) civil liability of the partner
- (b) criminal liability of the partner
- (c) Both a and b
- (d) Either a or b

162. Readiness may mean capacity of plaintiff to perform contract which includes

- (a) performance of plaintiff
- (b) potential of plaintiff
- (c) willingness of plaintiff
- (d) financial ability of plaintiff.

163. Where applicant neither necessary nor proper party in suit of specific performance whether his presence is necessary for effective adjudication?

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

164. Specific relief can be granted for

- (a) enforcing individual civil rights
- (b) enforcing penal laws
- (c) both civil rights and penal laws
- (d) neither civil rights nor penal laws.

165. Under the Specific Relief Act, a suit for recovery of possession can be filed

- (a) only in respect of movable property
- (b) only in respect of immovable property

(c) in respect of both movable and immovable property

(d) neither movable nor immovable property.

166. Specific Relief Act, 1963 is the product of

- (a) 8th Report of Law Commission of India on Specific Relief Act of 1877
- (b) 9th Report of Law Commission of India on Specific Relief Act of 1877
- (c) 10th Report of Law Commission of India on Specific Relief Act of 1877
- (d) none of above.

167. A suit for possession of an immovable property, under section 6 of Specific Relief Act can be filed within

- (a) 1 year of dispossession
- (b) 6 months of dispossession
- (c) 3 years of dispossession
- (d) 12 years of dispossession.

168. A suit for recovery of possession of an immovable property under section 6 of Specific Relief Act can be filed against

- (a) a private individual only
- (b) a government
- (c) both a private individual and a government
- (d) neither (a) nor (b).

169. Burden to prove adverse possession is on

- (a) court
- (b) defendant
- (c) plaintiff
- (d) none of above.

170. To maintain suit under section & of the Act, the possession must be

- (a) actual judicial possession

- (b) symbolic possession
- (c) constructive possession
- (d) either actual or symbolic or constructive.

171. An order or decree under section 6 of the Act is

- (a) appealable
- (b) reviewable
- (c) neither appealable nor reviewable
- (d) both appealable and reviewable.

172. A suit under section 6 can be brought by

- (a) trespasser
- (b) tenant holding over
- (c) servant
- (d) manager.

173. In a suit under section 6

- (a) title of the plaintiff is relevant
- (b) title of dispossessor is relevant
- (c) the defendant is allowed to prove his title
- (d) none of the above.

174. A suit for possession under section 5 of Specific Relief Act, can be filed within

- (a) 3 years
- (b) 6 months
- (c) 12 years
- (d) 30 years.

175. In a suit under section 6, the court can

- (a) adjudicate on the title
- (b) direct the defendant(s) to remove the structures

(c) permit the plaintiff to pull down the structure

(d) neither (a) nor (b) nor (c).

176. The question of title is

(a) relevant under section 6 of the Specific Relief Act, 1963

(b) irrelevant under section 6 of the Specific Relief Act, 1963

(c) question of title is not a provision under the Specific Relief Act, 1963

(d) none of above.

177. Relevancy and admissibility under the Indian Evidence Act are

(a) synonymous

(b) co-extensive

(c) neither synonymous nor co-extensive

(d) synonymous & co-extensive both.

178. 'Self-regarding' statements

(a) can be self-serving statements

(b) can be self-harming statements

(c) can be self-serving or self-harming

(d) none of the above.

179. What is correct as regards the admissibility of self-regarding statements

(a) self-harming statement is admissible but a self-serving statement is not generally admissible

(b) self-serving statement is admissible but a self-harming statement is not generally admissible

(c) self-serving and self-harming statements both are generally admissible

(d) self-serving and self-harming statements both are generally inadmissible.

180. Under the law of evidence, as a general rule

- (a) opinion on a matter of fact is relevant but not on a matter of law
- (b) opinion on a matter of law is relevant but not on a matter of fact
- (c) opinion on a matter of fact and law both are relevant
- (d) opinion whether on a matter of fact or law, is irrelevant.

181. Indian Evidence Act applies to

- (a) proceedings before tribunals
- (b) proceedings before the arbitrator
- (c) judicial proceedings in courts
- (d) all the above.

182. Law of evidence is

- (a) lex tallienis
- (b) lex fori
- (c) lex loci solutionis
- (d) lex situs.

183. Law of evidence is

- (a) a substantive law
- (b) an adjective law
- (c) both (a) & (b)
- (d) neither (a) nor (b).

184. Facts can be

- (a) physical facts
- (b) psychological facts
- (c) physical as well as psychological facts
- (d) only physical facts & not psychological facts.

185. Under the Evidence Act, fact means

- (a) factum probandum
- (b) factum probans
- (c) both factum probandum and factum probans
- (d) none of the above.

186. Fact in issue means

- (a) fact, existence or non-existence of which is admitted by the parties
- (b) fact, existence or non-existence of which is disputed by the parties
- (c) fact existence or non-existence of which is not disputed by the parties
- (d) all the above.

187. Evidence under the Indian Evidence Act means & includes

- (a) ocular evidence
- (b) documentary evidence
- (c) ocular and documentary evidence both
- (d) ocular evidence based on documents only.

188. Propositions under Evidence Act are

- I. Affidavit is an evidence.
- II. Everything produced before the court for inspection is evidence.
- III. Anything of which judicial notice can be taken is evidence.
- IV. Written statement of an accused is evidence.

Which of the following is true in respect of the aforesaid propositions

- (a) I, II, III & IV all are correct
- (b) I, II & III are correct but IV is incorrect
- (c) I, II & IV are correct but III is incorrect
- (d) I is incorrect but II, III & IV are correct

189. Which of the following shall not be an unlawful assembly within the meaning of section 141 of IPC:

- (a) an assembly of five or more persons with the common object of only maintaining possession
- (b) an assembly of five or more persons to vindicate a supposed right of one or all, by show of force
- (c) an assembly of five or more persons to prevent arrest of a person, by the court under the orders of the court
- (d) an assembly of five or more persons with common object of taking possession of property.

190. Rioting means use of force or violence by an unlawful assembly, or by a member thereof, in prosecution of the common object of such assembly, as per:

- (a) section 144 of IPC
- (b) section 145 of IPC
- (c) section 146 of IPC
- (d) section 148 of IPC.

191. For rioting, which of the following is correct

- A. actual force or violence must be used
- B. mere show of force is sufficient
- C. mere possession of deadly weapon is sufficient
- D. all the above.

192. Section 149 of IPC is:

- (a) declaratory provision
- (b) creates a distinct offence
- (c) a rule of evidence
- (d) all the above.

193. For application of section 149 of IPC:

(a) a person should be a member of the unlawful assembly and should actively participate in the commission of offence

(b) a person should be a member of unlawful assembly but need not necessarily participate himself in the commission of the offence

(c) need not be a member of unlawful assembly but must share a common intention to commit the offence

(d) need not be a member of unlawful assembly but must participate in the commission of offence.

194. Under section 149 of IPC if an offence is committed by a member of the unlawful assembly in furtherance of their common object:

(a) every person who at that time was a member of that assembly shall be guilty of that offence

(b) only the person committing the offence shall be guilty of that offence and all shall be guilty of unlawful assembly only

(c) only that person committing the offence shall be guilty and others shall not be guilty of any offence

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

195. For application of section 149 of IPC:

(a) the offender must be a member of unlawful assembly

(b) the offence must have been committed in prosecution of the common object

(c) both (a) & (b)

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

196. 10 persons were charged for offence under section 302/149 IPC, out of which six persons were acquitted, the remaining four:

- (a) cannot be convicted for offence under section 302/149 of IPC
- (b) cannot be convicted for offence under section 302 of IPC
- (c) cannot be convicted for offence under section 149 of IPC
- (d) all the above.

197. 10 persons were charged for offence under section 302/149 of IPC which has been committed by only one person, and out of the 10, nine except the one who actually committed the offence, were acquitted, the person who actually committed the offence:

- (a) cannot be convicted for offence under section 302/149 of IPC
- (b) cannot be convicted for offence under section 302 of IPC
- (c) cannot be convicted for offence under section 149 of IPC
- (d) can be convicted for offence under section 302 of IPC.

198. 'B' happened to be a member of unlawful assembly. A factional fight ensued during

which 'B' was injured and retired to the side, later on a man was killed. Now:

- (a) 'B' is guilty of murder being member of unlawful assembly
- (b) 'B' is not guilty of murder as he ceased to be a member of unlawful assembly at the time when the murder was committed
- (c) B is not guilty of murder though he happened to be a member of unlawful assembly
- (d) none of the above.

199. The legal principle, which was laid down in the case of Harvey v. Facey, was firstly followed by the Supreme Court of India in which of the following cases?

- (a) Badri Prasad v. State of MP
- (b) Byomkesh Banerjee v. Nani Gopal Baanik
- (c) D. I. MacPherson v. M. N. Appanna
- (d) Carlill v. Carbolic Smoke Ball Co.

200. Following is a case on Promissory Estoppel-

- (a) Kedar Nath v. Gorie Mohammed
- (b) Delhi Cloth and General Mills Ltd. v. Union of India
- (c) Both a and b
- (d) None of the above



**Delhi Judicial Services-2019**

**MOCK TEST III : ANSWER KEY**

1.d	37.c	73.b	109.d	145.d	181.c
2.d	38.a	74.b	110.a	146.d	182.b
3.a	39.c	75.c	111.c	147.d	183.b
4.b	40.a	76.a	112.d	148.b	184.c
5.b	41.b	77.a	113.c	149.a	185.c
6.c	42.b	78.b	114.d	150.d	186.b
7.c	43.c	79.d	115.a	151.d	187.c
8.d	44.c	80.d	116.a	152.b	188.d
9.c	45.d	81.a	117.d	153.a	189.a
10.c	46.c	82.b	118.d	154.d	190.c
11.d	47.b	83.a	119.d	155.b	191.a
12.a	48.a	84.b	120.c	156.c	192.b
13.b	49.a	85.b	121.c	157.d	193.b
14.d	50.a	86.b	122.b	158.c	194.a
15.d	51.a	87.d	123.c	159.d	195.c
16.a	52.c	88.a	124.b	160.b	196.a
17.b	53.b	89.b	125.d	161.c	197.d
18.d	54.c	90.d	126.d	162.a	198.b
19.a	55.c	91.d	127.d	163.b	199.c
20.d	56.b	92.d	128.d	164.a	200.c
21.b	57.a	93.c	129.c	165.c	
22.b	58.a	94.a	130.c	166.b	
23.a	59.a	95.b	131.a	167.b	
24.b	60.c	96.a	132.d	168.a	
25.b	61.c	97.a	133.a	169.b	
26.c	62.c	98.a	134.a	170.a	
27.c	63.c	99.d	135.c	171.c	
28.d	64.a	100.a	136.a	172.b	
29.b	65.c	101.d	137.c	173.a	
30.c	66.d	102.b	138.d	174.c	
31.b	67.d	103.a	139.a	175.a	
32.d	68.a	104.d	140.b	176.a	
33.c	69.c	105.a	141.d	177.c	
34.a	70.a	106.b	142.d	178.c	
35.c	71.b	107.d	143.d	179.a	

36.b

72.d

108.c

144.a

180.b

DISAS