

# FINAL ANSWER KEY

Question Paper Code: 19/2024/OL

Exam:LLM 2024

Date of Test: 25-08-2024

1. Which one of the following statement is correctly matched?

- A) Social contract is not a historical fact but a hypothetical construction of reason – Locke
- B) Law is the result of constant struggle – Duguit
- C) The Law of a community is to be found in social facts and not in formal source of law – Ehrlich
- D) Law has its source in general consciousness of the people (Volksgeist) - Maine

Correct Answer : Option C

Match List-I (Name of Books) with List-II (Name of writers) and select the correct answer using the codes given below the lists:

2.

List – I	List – II
(i) Pure theory of Law	A. Hans Kelson
(ii) Three Lectures on Vedanta philosophy	B. Max Muller
(iii) Judiciary attacks and survivals	C. Justice V.D. Tulzapurkar
(iv) The growth of law.	D. Justice Cardozo

- A) (i)-A, (ii)-B, (iii)-C, (iv)- D
- B) (i)-D, (ii)- C, (iii)- B, (iv)-A
- C) (i)-C, (ii)- A, (iii)- D, (iv)-B
- D) (i)-B, (ii)- D, (iii)- A , (iv)-C

Correct Answer : Option A

Match List-I with List-II by using the codes given below:  
Possession must be protected because:

3.

List – I	List – II
(i) Kent	A. Man by taking possession has brought the object within the sphere of will.
(ii)Hegel	B. In possession, there is manifestation of individual's will.
(iii) Holland	C. Every act of violence is unlawful.
(iv) Savigny	D. It is essential for preservation of peace.

- A) (i)-C, (ii)-B, (iii)-D, (iv)- A
- B) (i)-A, (ii)- D, (iii)- B, (iv)-C
- C) (i)-B, (ii)- D, (iii)- C, (iv)-A
- D) (i)-A, (ii)- B, (iii)- C , (iv)-D

Correct Answer : Option B

4. “No one has any other right than always to do this duty.” It was stated by:

- A) Kelson
- B) Prof. Duguit
- C) Holland
- D) Salmond

Correct Answer : Option B

Read Assertion (A) and Reason (R) and find correct answer using codes given below:

5. Assertion (A) : Custom is per se law, independent of its prior recognition by the sovereign or the judge.  
Reason (R) : Custom is a source of law.

- A) Both (A) and (R) are true but (R) is the correct explanation of (A).
- B) Both (A) and (R) are true but (R) is not a correct explanation of (A).
- C) (A) is true but (R) is false.
- D) (A) is false but (R) is true

**Correct Answer :** Option D

**6.** Imperative theory of law was propounded by:

- A) Pound
- B) Kelsen
- C) Austin
- D) Salmond

**Correct Answer :** Option C

**7.** The jurist who gave more predominance to the rule of law than Droit Administratif was:

- A) Jennings
- B) Dicey
- C) Salmond
- D) Hall

**Correct Answer :** Option B

**8.** Which of the following is not correct regarding Legislation and Precedent?

- A) Legislation reflects the formal will of the state and precedent has its source in judgement of court
- B) Legislation is the formal expression of new laws by legislature and precedent is the creation of law by recognition.
- C) Legislation is general declaration of law in abstract form and precedent is the manifestation of law in action.
- D) Legislations are based on the minority opinion and precedents are created or based for future decisions.

**Correct Answer :** Option D

**9.** 'Social Solidarity' principle was propounded by

- A) Maine
- B) Duguit
- C) Austin
- D) Bodin

**Correct Answer :** Option B

**10.** 'Vienna School' of law is known as

- A) 'Systematic Theory of Law'
- B) 'Private Theory of Law'
- C) 'Pure Theory of Law'
- D) 'Old Theory of Law'

**Correct Answer :** Option C

**11.** Which of the following school in jurisprudence encompasses the 'functional approach'?

- A) Philosophical school
- B) Natural school
- C) Sociological school
- D) Historical school

**Correct Answer :** Option C

**12.** A legal system which works to ensure a fair division of social benefits and burdens among the member of a community. It serves a secure balance and equilibrium among the members of the society. What is the name of this legal system?

- A) Distributive justice
- B) Corrective justice

- c) Remedial justice
- d) Adversarial justice

**Correct Answer :** Option A

**13.** Which of the following is not a 'kind of possession'?

- A) *De facto* and *De jure*
- B) Concurrent and duplicate
- C) Corporeal and immediate
- D) Infinity and Antiquity

**Correct Answer :** Option D

**14.** *Obiter dicta* has no binding authority but it helps to:

- A) Rationalise legal sanctions
- B) Encourages providing solution for future litigations
- C) It allows greater prestige to the judge
- D) It makes the acceptability of precedents more flexible

**Correct Answer :** Option A

**15.** Which one of the following Jurists distinguished between 'expositorial jurisprudence (what the law is) and censorial jurisprudence (what the law ought to be)?

- A) John Austin
- B) Hans Kelsen
- C) Jeremy Bentham
- D) H.L.A. Hart

**Correct Answer :** Option C

**16.** "The task of 'Social Engineering' is to build as efficient structure of the society as possible with minimum friction and waste." This statement is of:

- A) Kelsen
- B) Roscoe Pound
- C) Savigny
- D) Karl Marx

**Correct Answer :** Option B

**17.** Ratio decidendi may be defined as:

- A) Statement of law applied to the legal problems disclosed by the facts.
- B) Finding of material facts, direct and inferential, based on earlier case law.
- C) The rule of law, which others regard as being of binding authority.
- D) All of the above

**Correct Answer :** Option D

**18.** Which one of the following groups indicate the four sanctions as enumerated by Bentham for various kinds of pleasure and pain?

- A) Physical, Moral, Ethical and Political
- B) Physical, Political, Moral and Religious
- C) Moral, Social, Legal and Political
- D) Legal, Ethical, Moral and Social

**Correct Answer :** Option B

**19.** Which one of the following is not a theory of the nature of 'Legal Persons'?

- A) Purpose theory
- B) Fiction theory
- C) Interest theory

D) Bracket theory

**Correct Answer :** Option C

Match List-I with List-II and select the correct answer using the codes given below the lists:

20.

List – I (Books)	List – II (Author)
1. The Concept of law	(i) Gray
2. The Nature and Sources of the Law	(ii) Julius Stone
3. Some Reflections on Jurisprudence	(iii) Buckland
4. The province and Function of Law	(iv) H.L.A. Hart

- A) 1-(iv), 2-(i), 3-(iii), 4-(ii)
- B) 1-(iv), 2-(ii), 3-(i), 4-(iii)
- C) 1-(iv), 2-(i), 3-(ii), 4-(iii)
- D) 1-(i), 2-(iii), 3-(iv), 4-(ii)

**Correct Answer :** Option A

21. "Case law is gold in the mine, a few grains of the precious metal to the tons of useless matter, while statute law is coin of realm ready for immediate use." Who said these words?

- A) Ihering
- B) Austin
- C) Kelson
- D) Salmond

**Correct Answer :** Option D

22. "Sovereignty must be determinate, it is essential, is indivisible and is unlimited and illimitable." Who conceived this about the sovereignty?

- A) Hobbes
- B) Austin
- C) Jean Bodin
- D) Plato

**Correct Answer :** Option B

23. Who propounded Jurisprudence as 'Science of Positive Law'?

- A) John Austin
- B) Ihering
- C) Holland
- D) J. S. Mill

**Correct Answer :** Option C

24. Who was the first to coin the term 'Legal theory'?

- A) Kelsen
- B) Bentham
- C) W.Friedman
- D) Roscoe Pound

**Correct Answer :** Option C

25. 'Law must be changed in a manner to get pleasure and to avoid painful change with social circumstances' is the contribution of:

- A) Historical theory
- B) Sociological theory
- C) Anthropological theory
- D) Analytical theory

**Correct Answer :** Option B

26. Which of the following statement(s) about fundamental rights is/are correct?  
A. They are meant for promoting the idea of political democracy.  
B. They are inspired by the USA- Bill of Rights.  
C. They are absolute in nature.  
D. All fundamental rights can be suspended during emergency.

- A) (A) and (C) only  
B) (B) and (D) only  
C) (A) and (B) only  
D) (B) and (C) only

**Correct Answer :** Option C

27. The Supreme Court of India has adopted new approach for the interpretation of the concept 'Equality' in  
A) State of West Bengal v. Anwar Ali Sarkar, (1952)  
B) E.P. Royappa v. State of Tamil Nadu, (1973)  
C) Keshavanand Bharati v. State of Kerala, (1974)  
D) State of Karnataka v. Appa Balu Ingale, (1993)

**Correct Answer :** Option B

28. The Supreme Court of India for the first time struck down the 'Carry Forward Rule' as unconstitutional in the following case:  
A) Balaji v. State of Mysore, (1963)  
B) General Manager, Southern Railways v. Rangachari, (1961)  
C) Ashok Kumar Thakur v. State of Bihar, (2008)  
D) T.Devadasan v. Union of India, (1963)

**Correct Answer :** Option D

Match List-I with List-II and select the correct answer using the codes given below the lists:

	List - I	List - II
29.	1. Article 15 clause (4) providing for special provisions for socially and educationally backward classes.	(i) 25 <sup>th</sup> Constitutional Amendment Act, 1971
	2. Article 13 clause (4) providing for nothing shall apply to any constitutional amendment.	(ii) 85 <sup>th</sup> Constitutional Amendment Act, 2001
	3. Article 16 clause 4-A providing for consequential seniority with promotion to SC/ST.	(iii) 86 <sup>th</sup> Constitutional Amendment Act, 2002
	4. Article 21A providing for Right to Education as Fundamental rights.	(iv) 1 <sup>st</sup> Constitutional Amendment Act, 1951

- A) 1-(i), 2-(ii), 3-(iii), 4-(iv)  
B) 1-(iv), 2-(i), 3-(ii), 4-(iii)  
C) 1-(iii), 2-(iv), 3-(i), 4-(ii)  
D) 1-(ii), 2-(iii), 3-(iv), 4-(i)

**Correct Answer :** Option B

30. The Supreme Court of India, while upholding the right to marriage, a right protected under Article 21 of the Constitution directed the police and administrations not to harass or subject to act of threat or violence, those who marry outside their caste or religion. It was so held in:  
A) Lata Singh v. State of Uttar Pradesh, (2006)  
B) Ashok Kumar v. State of West Bengal, (2003)  
C) P U C L v. Union of India, (1996)  
D) Priyanka v. State of M.P. (2023)

**Correct Answer :** Option A

31. 31. The expression 'minority' in Article 30 of the Constitution of India includes \_\_\_\_\_ .
- Religious and Linguistic Minority
  - Religious, Cultural and Linguistic Minority
  - Religious, Linguistic and Ethnic Minority
  - Linguistic and Cultural Minority

**Correct Answer :** Option A

32. "Secularism as the basic structure of the constitution has been held to be so on the basis of more than 50 years experience of the working of the constitution. The complete apathy for all kinds of religious teachings in institutions of the State have not helped in removing mutual misunderstanding and intolerance inter se between sections of the people of different religious faith and beliefs." This was stated by the Supreme Court of India in:
- Aruna Roy v. Union of India, (2002)
  - Arunditi Roy v. Union of India, (2024)
  - P.A. Inamdhar v. State of Maharashtra, (2005)
  - Unni Krishnan v. State of A.P. (1993)

**Correct Answer :** Option A

Match List-I with List-II and select the correct answer using the codes given below the lists:

List – I	List – II
(I) Right to go abroad.	A. Olga Tellis's Case, (1985)
(II) Right to Livelihood	B. Mohini Jain's Case, (1992)
(III) Right against Sexual Harassment	C. Menaka Gandhi's Case, (1978)
(IV) Right to Education	D. Vishaka's Case, (1997)

- 33.
- (I)-D, (II)-B, (III)-A, (IV)-C
  - (I)-B, (II)-C, (III)-D, (IV)-A
  - (I)-C, (II)-A, (III)-D, (IV)-B
  - (I)-B, (II)-A, (III)-C, (IV)-D

**Correct Answer :** Option C

34. The Supreme Court observed that Parliamentary privileges are not subject of Fundamental rights in:
- Ganapati Reddy v. Nafisul Hasan, (1952)
  - M.S.M. Sharma v. Sri Krishna Sinha, (1958)
  - Keshav Singh v. The Speaker, State of UP, (1965)
  - S.P. Mittal v. Union of India, (1982)

**Correct Answer :** Option A

35. Which of the given Schedule of the Indian Constitution including the provisions regarding Anti-defection law?
- Sixth Schedule
  - Seventh Schedule
  - Ninth Schedule
  - Tenth Schedule

**Correct Answer :** Option D

36. Article 360 of the Constitution of India relates to
- Ordinance making power
  - Amendment
  - Election Commission
  - Financial Emergency

**Correct Answer :** Option D

37. A writ of certiorari can be issued against
- A Lower Court/Tribunal to prevent it from proceeding further.

- B) Parliament to stop the proceedings taking place in the House
- C) Lower Courts to remit all the documents to the writ court for verification
- D) To give direction to the executive to perform their duties.

**Correct Answer :** Option C

- 38.** Assertion (A) : Powers and functions are distributed between the two tiers of government.  
Reason (R) : Union and the States are completely independent of each other under the Indian Constitution.
- A) (A) is correct and (R) is the correct explanation of (A)
  - B) (A) is correct but (R) is not the correct explanation of (A)
  - C) (A) is correct but (R) is wrong
  - D) (A) is wrong but (R) is correct

**Correct Answer :** Option C

- 39.** Assertion (A) : A person shall be disqualified for being chosen as, and for being, a member of either House of Parliament if he holds any office of profit under the Government.  
Reason (R) : if 'pecuniary gain' is receivable in connection with the office. Then it shall not become an office of profit, irrespective of whether such gains are actually promised or not.
- A) (A) is correct and (R) is the correct explanation of (A)
  - B) (A) is correct but (R) is not the correct explanation of (A)
  - C) (A) is correct but (R) is wrong
  - D) (A) is wrong but (R) is correct

**Correct Answer :** Option C

- 40.** In which of the following case the Parliament has no power to legislate on the State List?
- A) Consent of two states
  - B) Implementing international agreements
  - C) Emergency is in operation
  - D) In the public interest if so declared by house of the people

**Correct Answer :** Option D

- 41.** For the purpose of creating a new State in India an amendment to the Constitution of India must be passed by
- A) 2/3rd majority of the members of both Houses of Parliament present and voting.
  - B) 2/3rd majority of the members of both Houses of Parliament and ratification by not less than 2/3rd majority of the States.
  - C) A single majority in Parliament and ratification by not less than half of the States.
  - D) A single majority by the Parliament.

**Correct Answer :** Option D

- 42.** In which one of the following cases, the Supreme Court of India considered whether the constitutional amendment can be invalidated for non compliance with the procedure contained in provisions to clause (2) of Article 368?
- A) Kihoto Hollohan v. Zachilhu and others, (1992)
  - B) Keshavananda Bharathi v. State of Kerala, (1973)
  - C) Golaknath v. State of Punjab, (1967)
  - D) State of West Bengal v. Union of India, (1962)

**Correct Answer :** Option A

- 43.** If the President of India is satisfied that a grave emergency exists whereby the security of India or any part of the territory thereof is threatened whether by war or external aggression or armed rebellion he may by proclamation make a declaration to that effect. Here the 'satisfaction' of the President of India means:
- A) The personal satisfaction of the President of India
  - B) The personal satisfaction of the Prime Minister and all the Council of Ministers and informing to the President of India.
  - C) The decision of the Union cabinet that such a proclamation may be issued, has been communicating to him in writing.

- D) The decision of the Union cabinet, that such a proclamation may be issued, has been communicated to him in writing along with 2/3rd Parliament Member's signature.

**Correct Answer :** Option C

**44.** Who has the power to dissolve the House of the People?

- A) The Council of Ministers
- B) The Prime Minister
- C) The Speaker of the Lok Sabha
- D) The President

**Correct Answer :** Option D

In which of these cases, Fundamental Duties are judicially invoked? Answer using codes given below:

- 45.**
1. Prem Prakash v. Punjab University, (1970)
  2. Suresh Koshy George v. University of Kerala, (1968)
  3. Rural Litigation and Entitlement Kendra v. State of Uttar Pradesh, (1985)
  4. Shri Sachidanand Pandey Vs. State of West Bengal, (1987)

- A) 1 and 2 are correct.
- B) 2 and 3 are correct.
- C) 3 and 4 are correct.
- D) 1, 2, 3 and 4 are correct.

**Correct Answer :** Option C

**46.** The Supreme Court has laid down guidelines for imposing emergency under Art. 356 in one of the following cases :

- A) A.K. Roy v. Union of India, (1981)
- B) S.R. Bommai v. Union of India, (1994)
- C) State of Rajasthan v. Union of India, (1977)
- D) Rameswar Prasad v. Union of India, (2006)

**Correct Answer :** Option B

**47.** Justice Pasayat held that 'pardon obtained on the basis of manifest mistake or fraud can be rescinded or cancelled' in the following case:

- A) G.Krishta Goud v. State of A.P. (1975)
- B) Maru Ram v. Union of India, (1980)
- C) Epuru Sudhakar v. Government of A.P. (2006)
- D) Kehar Singh v. Union of India, (1988)

**Correct Answer :** Option C

Consider the following statements:

- 48.**
1. Article 148 provides for an independent office of the Comptroller and Auditor General of India (CAG).
  2. The CAG controls the entire financial system of the country at both the Centre and the state levels.
  3. The CAG holds the office at the pleasure of the President of India.
- Which of the statements given above is/are not correct?

- A) 1 and 2 only
- B) 2 only
- C) 3 only
- D) 1 and 3 only

**Correct Answer:-Question Cancelled**

With reference to the 103rd Constitution (Amendment) Act, 2019, consider the following statements:

- 49.**
1. It introduced the 10% EWS (Economically Weaker Section) Quota.
  2. It amended Article 15 and Article 16 of the Indian Constitution.
- Which of the statements given above is/are not correct?

- A) 1 only
- B) 2 only
- C) Neither 1 nor 2
- D) Both 1 and 2



**Correct Answer :** Option C

Consider the following statements:

- 50.** 1. The official language of the Indian Union shall be Hindi in the Brahmi script.  
2. The Constitution recognizes English as the primary language of the Supreme Court and the High Courts.  
Which of the above statement/s are correct?
- A) 1 only
  - B) 2 only
  - C) Both 1 and 2
  - D) Neither 1 nor 2

**Correct Answer :** Option B

- 51.** 'A' a child is in a house with 'Z' which has caught fire. Neighbouring people spreads a blanket to save the child. 'Z' in the interest of the child throw him on the blanket, but the child dies. 'Z' has committed an offence of:
- A) Murder
  - B) Culpable Homicide amounting to Murder
  - C) Culpable Homicide covered under exception
  - D) Not committed any offence

**Correct Answer :** Option D

- 52.** Because of grave and sudden provocation of 'Z' 'A' fires at 'Z', but 'Z' does not die. 'A' has committed the offence of:
- A) Attempt to murder
  - B) Culpable homicide not amounting to murder
  - C) Attempt to commit culpable homicide
  - D) Grievous hurt

**Correct Answer :** Option D

- 53.** 'X' dishonestly take possession from 'Y' a box containing jewellery. While going home 'X' saw 'Y' is chasing him. 'X' left the box and started pelting stones on 'Y' to stop him from chasing. 'X' has committed:
- A) No offence at all
  - B) Offence of theft
  - C) Offence of Robbery
  - D) Offence of extortion

**Correct Answer :** Option C

- 54.** The actus reus of omission commands \_\_\_\_\_ .
- A) There must be moral duty
  - B) There should be legal duty to act
  - C) The State has option to fix criminal liability
  - D) The act performed is due to unavoidable accident

**Correct Answer :** Option B

- 55.** Ignorance of law does not permit acquittal as it is built against justification of a crime, while in extreme cases it allows:
- A) Pardon
  - B) Suspended sentence
  - C) Deferred sentence
  - D) Paper sentence

**Correct Answer :** Option A

- 56.** In which of the circumstances an instigation to commit a crime is said to be incomplete?
- A) Withdrew from the act after instigation.
  - B) The letter posted could not reach the person so sent.
  - C) When the crime results through the conspiracy of another person.

D) When the purported crime is different from that of instigation.

**Correct Answer :** Option D

**57.** The principle of proximity of crime under criminal law is irrelevant, while deciding the liability for the offence of

- A) Theft and dacoity
- B) Culpable homicide and murder
- C) Kidnapping and abduction
- D) Abetment and conspiracy

**Correct Answer :** Option D

**58.** 'A' picked up a revolver and believing it to be loaded, pulled the trigger with the criminal intention of shooting 'B's' head. Fortunately the revolver was not loaded and 'B' escaped unhurt. 'A' has committed the offence of

- A) Murder
- B) Attempt to Murder
- C) Culpable homicide not amounting to murder
- D) 'A' has committed no offence

**Correct Answer :** Option B

**59.** 'A' is at work with a hatchet, the head flies off and kills a man who is standing by. No want of proper caution on the part of 'A'. His act is:

- A) Murder
- B) Culpable homicide not murder
- C) Causing death by negligence
- D) His act is excusable, not an offence

**Correct Answer :** Option D

**60.** Right to private defence of the body extends to voluntarily causing death if the offence which occasions the exercise of right:

- A) reasonably causes apprehension that death will be caused.
- B) reasonably causes an apprehension that simple injury will be caused.
- C) is of escaping with stolen property immediately after the theft.
- D) is of arresting a person who is running away after having committed an offence of voluntarily causing hurt.

**Correct Answer :** Option A

**61.** 'A' instigates 'B' to murder 'C'. 'B' refuses to do so,

- A) 'A' has not committed any offence.
- B) 'A' is guilty of abetting 'B' to commit murder.
- C) 'A' has committed an offence of attempt to murder.
- D) 'A' has committed offence of criminal conspiracy.

**Correct Answer :** Option B

**62.** 'A' by putting 'Z' in fear of grievous hurt, dishonestly induces 'Z' to sign and affix his seal to a blank paper and deliver it to 'A'. 'Z' signs and deliver the paper to 'A'. 'A' is guilty:

- A) of forgery
- B) of robbery
- C) of extortion
- D) of cheating

**Correct Answer :** Option C

**63.** "Non-cognizable offence" means

- A) A police officer has authority to arrest without warrant.
- B) Police officer cannot arrest without warrant.
- C) It depends on the discretion of the police officer.
- D) On request of complainant arrest can be made.

**Correct Answer :** Option B

- 64.** 'A' under the influence of madness attempts to kill 'B'. Here:
- A) 'A' is guilty of attempt to murder and 'B' has right of private defence
  - B) 'A' is guilty of no offence but 'B' has the right of private defence
  - C) 'A' is guilty of no offence and therefore 'B' has no right of private defence
  - D) None of the above answers is correct.

**Correct Answer :** Option B

- 65.** 'A' instigates 'B' to burn 'C's house. 'B' sets fire to the house and at the same time commits theft of property there. In this case:
- A) 'A' is guilty of burning the house and also for theft
  - B) 'A' is guilty of abetting burning of the house as well as for theft.
  - C) 'A' is guilty of abetting burning of the house but not for theft.
  - D) None of the above

**Correct Answer :** Option C

- 66.** The case of R v. Dudley and Stephen is related to the defence of:
- A) Insanity
  - B) Intoxication
  - C) Mistake of fact
  - D) Necessity

**Correct Answer :** Option D

- 67.** 'A', a priest, beats a boy for curing him from evil spirit. The boy dies. 'A' is:
- A) Not liable for any offence
  - B) Liable for culpable homicide
  - C) Entitled to the defence of good faith
  - D) Liable for attempt to murder.

**Correct Answer :** Option B

Consider the following statements:

- 68.** I. A person is not guilty of dacoity unless he has committed or attempted to commit or aided in committing robbery.  
II. When two person conjointly commit robbery each person so committing robbery is said to commit dacoity.
- A) 1 and 2 are true
  - B) 1 and 2 are false
  - C) 1 is true but 2 is false
  - D) 1 is false but 2 is true

**Correct Answer :** Option C

- 69.** The right to private defence is based on the natural instinct of
- A) Self-preservation
  - B) Self-respect
  - C) Self-sufficiency
  - D) Self-reliance

**Correct Answer :** Option A

- 70.** As per Indian Penal Code, whoever dishonestly receives or retains any stolen property, knowing or having reason to believe the same to be stolen property, shall be
- A) Punished with imprisonment of either description for a term which may extend to one year or with fine or with both
  - B) Punished with imprisonment of either description for a term which may extend to two years or with fine or both
  - C) Punished with imprisonment of either description for a term which may extend to six months or with fine or with both
  - D) Punished with imprisonment of either description for a term which may extend to three years or with fine or with both

**Correct Answer :** Option D

71. Which one of the following are essential elements of crime:  
A. Human being  
B. *Mens rea*  
C. *Actus reus*  
D. Motive  
Select the correct answer using the codes given below:

- A) A, B and D
- B) B, C and D
- C) A, C and D
- D) A, B and C

**Correct Answer :** Option D

72. Which one of the following statements correctly defines the term unlawful assembly?  
A) An assembly of five or more persons  
B) An assembly of five more persons armed with lethal weapons  
C) An assembly of five or more persons with common object of doing a crime  
D) An assembly of two or more persons having some common object of doing a criminal act.

**Correct Answer :** Option C

73. Which one of the following will amount to criminal conspiracy?  
A) Two or more persons agreed to commit an act in furtherance of their common intention.  
B) Intention of each of the accused persons is known to the rest of them and is shared.  
C) Unity of criminal behaviour actuated by common consent.  
D) Agreement to commit an offence even if no step is taken to carry out that agreement.

**Correct Answer :** Option D

- In which of the following case(s) a dishonest misappropriation has NOT been committed?  
(i) 'A' takes a book from his friend 'B's library for reading it overnight. 'B' was not present when 'A' took the book. The next day while coming to return the book 'A' was tempted to see a cinema but had no money, so he pawned the book to pay for the cinema.  
74. (ii) 'A' and 'B' were joint owners of a horse. 'A' took the horse another station for his exclusive use, without informing 'B'. Later inspite of demand from 'B', 'A' did not return the horse and when it grew old. 'A' sold it and pocketed the money.  
(iii) 'A' found a purse on the road, he picked it up and kept it in his pocket. Immediately, he was arrested and the purse was recovered.  
A) (i) and (ii)  
B) (ii) and (iii)  
C) (iii) alone  
D) (i), (ii) and (iii)

**Correct Answer :** Option C

75. 'X' intends to kill 'A' instead killed 'B' whom he had no intention to kill. Under which doctrine is 'X' liable for the murder of 'B'?  
A) Doctrine of Transfer of malice  
B) Doctrine of extended malice  
C) Doctrine of mens rea  
D) Doctrine of diminished responsibility

**Correct Answer :** Option A

76. In Indian Contract Act, the term voidable contract has been defined under:  
A) Section 2(e)  
B) Section 2(h)  
C) Section 2(i)  
D) Section 2(g)

**Correct Answer :** Option C

- 77.** Contractual liability arises, where
- A) there is intention to create legal relation
  - B) there is offer and acceptance only
  - C) there is loss to one party
  - D) the loss of one party is the gain of other party

**Correct Answer :** Option A

- 78.** The maxim ex turpi causa non oritur actio is applied in all the following decisions except ;
- A) Walsh v. Trebilcock
  - B) Holman v. Johnson
  - C) Folkes v. King
  - D) Murphy v. Culhane

**Correct Answer :** Option C

- 79.** Which one of the following provisions of the Indian Contract Act deals with the reciprocal promise to do things legal and illegal?
- A) Section 56
  - B) Section 57
  - C) Section 58
  - D) Section 17

**Correct Answer :** Option B

- 80.** Section 26 of the Indian Contract Act declares the agreement void on the ground of:
- A) Absolute restraint only
  - B) Partial restraint only
  - C) Both absolute or partial restraint
  - D) None of the above

**Correct Answer :** Option C

- 81.** When consent is given due to mistake, an agreement will be
- A) Voidable
  - B) Legal
  - C) Illegal
  - D) Void

**Correct Answer :** Option D

- 82.** When an acceptance may be revoked:
- A) An acceptance may be revoked at any time before the communication of the acceptance is complete as against the proposer, but not afterwards.
  - B) An acceptance may be revoked at any time before the communication of the acceptance is complete as against the acceptor, but not afterwards.
  - C) An acceptance may be revoked at any time before the communication of the acceptance is incomplete as against the acceptor, but not afterwards.
  - D) An acceptance may be revoked at any time after the communication of the acceptance is complete as against the acceptor, but not afterwards.

**Correct Answer :** Option B

- 83.** In order to convert a proposal into a promise, the acceptance must:
- A) Be absolute and qualified.
  - B) Be expressed in some usual and reasonable manner, unless the proposal prescribes the manner in which it is to be accepted.

- c) Be absolute and unqualified.
- d) Both (b) and (c) only.

**Correct Answer :** Option D

**84.** What is a sound mind for the purposes of contracting:

- A) A person is said to be of sound mind for the purposes of making a contract, if, at the time when he makes it, he is capable of understanding it and of forming a rational judgement as to its effect upon his interest.
- B) A person is said to be of sound mind for the purposes of making a contract, if, at the time when he makes it, he is capable of understanding it.
- C) A person is said to be of sound mind for the purposes of making a contract, if, he is capable of understanding it and of forming a rational judgement as to its effect upon his interest.
- D) None of the above

**Correct Answer :** Option A

**85.** What agreements are contracts:

- A) All agreements are contracts if they are made by the free consent of parties competent to contract, for a lawful consideration and with a lawful object, and are not hereby expressly declared to be void.
- B) All agreements are contracts if they are made by the free consent of parties competent to contract, for a lawful consideration and with a lawful object, and may or may not be expressly declared to be void.
- C) All agreements are contracts if they are made by the consent of parties competent to contract, for a lawful consideration and with a lawful object, and are not hereby expressly declared to be void.
- D) All agreements are contracts if they are made by the free consent of parties competent to contract, for any object, and are not hereby expressly declared to be void.

**Correct Answer :** Option A

**86.** The Consideration or object of an agreement is lawful, unless:

- A) The Court regards it as immoral or opposed to public policy.
- B) It is forbidden by law or is of such a nature that, if permitted, it would defeat the provisions of any law.
- C) It is fraudulent or involves or implies injury to the person or property of another
- D) All of the above.

**Correct Answer :** Option D

**87.** 'A' and 'B' make a contract grounded on the erroneous belief that a particular debt is barred by the Indian Law of Limitation:

- A) The contract is illegal
- B) The contract is not voidable.
- C) The contract is voidable.
- D) The contract is void.

**Correct Answer :** Option B

**88.** A 'Contingent Contract' is a contract to do or not to do something, if some event collateral to such contract:

- A) Happened or will not happen
- B) Does or does not happen
- C) May or may not happen
- D) None of the above

**Correct Answer :** Option B

**89.** In which circumstances the original contract need not be performed:

- A) If the parties to a contract agree to alter it
- B) If the parties to a contract agree to substitute a new contract
- C) If the parties to a contract agree to rescind it
- D) All of the above.

**Correct Answer :** Option D

90. When an agreement is discovered to be void, or when a contract becomes void, any person who has received any advantage under such agreement or contract is:
- A) to make compensation for it, to the person from whom he received it
  - B) is bound to restore it
  - C) need not to do anything in this regard
  - D) options (a) and (b) are correct

**Correct Answer :** Option D

Statement I : Display of goods by a shopkeeper with prices marked on them is not an offer but an invitation to the public to make an offer to buy the goods.

91. Statement II : Price quotations, catalogues and advertisements in newspaper for sale of an article do constitute a valid offer.

In the light of the above statements, choose the most appropriate answer from the options given below:

- A) Both Statement I and Statement II are correct
- B) Both Statement I and Statement II are incorrect
- C) Statement I is correct but Statement II is incorrect
- D) Statement I is incorrect but Statement II is correct

**Correct Answer :** Option C

92. In which of the following cases, the Doctrine of Supervening impossibility will apply?

- A) Difficulty in performance
- B) Commercial impossibility
- C) Impossibility known to the parties at the time of making of the contract
- D) Strikes, lock-outs and civil disturbances

**Correct Answer :** Option C

93. 'A' proposes, by a letter sent by post to sell his house to 'B'. 'B' accepts the proposal by a letter sent by post. When can 'A' revoke the proposal to sell his house to 'B'?

- A) Anytime after 'B' receives the letter of acceptance
- B) Only after 'B's letter of acceptances reaches 'A'
- C) Before or at the moment when 'B' posts his letter of acceptance
- D) After 'B' posts his letter of acceptance

**Correct Answer :** Option C

94. Under Section 16 of the Indian Contract Act, 1872, a person deemed to be in position to dominate the will of another where he holds a real or apparent authority over the other, or where he stands in a \_\_\_\_\_ relation to the other.

- A) Fiduciary
- B) Contractual
- C) Hierarchical
- D) Supervisory

**Correct Answer :** Option A

Assertion (A) : An agreement made without consideration can still be valid if it meets certain criteria.

95. Reason (R) : Because a written and registered agreement made out of a natural love and affection between close relative does not require consideration to be enforceable.

- A) Both (A) and (R) are true and (R) is the correct explanation of (A).
- B) Both (A) and (R) are true but (R) is not the correct explanation of (A).
- C) (A) is true, but (R) is false.
- D) (A) is false but (R) is true.

**Correct Answer :** Option A

96. Find out the incorrect statement:

- A) Every contract is an agreement, but every agreement is not a contract
- B) The test of contractual intention is objective, not subjective

- c) Acceptance is complete only when communicate to the offeror
- d) The party inviting tenders is bound to accept the lowest tender.

**Correct Answer :** Option D

- 97.** A contracts to buy of B, at a stated price, 50 maunds of rice, no time being fixed for delivery. A afterwards informs B that he will not accept the rice if tendered to him.
- A) B is not entitled to receive from A, by way of compensation, the amount, if any, by which the contract price exceeds that which B can obtain for the rice at the time when A informs B that he will not accept it
  - B) B is entitled to receive from A, by way of compensation, the amount, if any, by which the contract price does not exceed that which B can obtain for the rice at the time when A informs B that he will not accept it
  - C) B is entitled to receive from A, by way of compensation, the amount, if any, by which the contract price exceeds that which B can obtain for the rice at the time when A informs B that he will not accept it
  - D) None of these

**Correct Answer :** Option C

- 98.** A contract signed between two countries without specifying as to which country's law shall govern in cases of dispute:
- A) it shall be governed by the law of the country where the proposal was made
  - B) it shall be governed by the law of the country where the contract was concluded
  - C) it shall be governed by the law of the country which the parties intended to apply, i.e., where the contract is localised
  - D) it shall be governed by the law where the contract is performed

**Correct Answer :** Option C

- 99.** Which one of the following is prescribed by the maxim *ex nudo pacto non oritur actio*?
- A) Doctrine of privity of contract
  - B) Doctrine of consideration
  - C) Doctrine of implied term
  - D) Quantum Merit

**Correct Answer :** Option B

Which of the following statements is/are not correct?

- 100.** (i) Stranger to the contract cannot sue in both English and Indian Laws.  
 (ii) Stranger to the contract can sue in both English and Indian Laws  
 (iii) Consideration can move from promisee alone in English and Indian Laws  
 (iv) Consideration can move from promise or any other person in Indian Laws
- A) (i) and (iii)
  - B) (ii) and (iii)
  - C) (i) and (iv)
  - D) (ii) only

**Correct Answer :** Option B

Assertion (A): Article 6 of the U.N.Charter provides that a member of the U.N. which had persistently violated the principles contained in the present charter may be expelled from the UNO by the General Assembly on the recommendation of the Security Council.

- 101.** Reason (R): Since expulsion of a member is a substantial question under the Charter, a decision on it will require nine affirmative votes on the Security Council including those of the permanent members and a decision by the General Assembly with two-third majority.
- A) Both (A) and (R) are correct and (R) is the correct explanation of (A).
  - B) Both (A) and (R) are correct but (R) is not the correct explanation of (A).
  - C) (A) is correct, (R) is false.
  - D) (A) is false, (R) is correct.

**Correct Answer :** Option A

- 102.** Which one of the following pairs is not correctly matched?
- A) Sir Thomas Aquinas - Natural Justice
  - B) Kelsen - Monism



- c) Austin - Positivism
- d) Grotius - Sovereignty of State

**Correct Answer :** Option D

**103.** Which one of the following pairs is correctly matched?

- A) Temple of Preah Vihar, (1962) - Acquiescence
- B) Fisheries Jurisdiction case, (1974) - Principle of res judicata
- c) The Western Sahara case, (1975) - ex aquo et bono
- D) The Frontier case, (1986) - Prohibition of the use of armed force

**Correct Answer :** Option D

Assertion (A): The ICJ in case of the Aerial incident of August 10, 1999 decided that it did not have jurisdiction to adjudicate the case brought by Pakistan against India.

**104.** Reason (R): One of the reservations in India's declaration of acceptance of compulsory jurisdiction of the court indicated that it would consider disputes with any State which is a member of the common wealth of nations as excluded from the court's jurisdiction and Pakistan is a member of common-wealth.

- A) Both (A) and (R) are correct and (R) is the correct explanation of (A).
- B) Both (A) and (R) are correct but (R) is not the correct explanation of (A).
- c) (A) is correct, (R) is false.
- D) (A) is false, (R) is correct.

**Correct Answer :** Option A

**105.** 'Continental Shelf' means:

- A) The portion of land which belongs to no state.
- B) The portion of land on the south pole which can be used by any state.
- c) Submerged bed of sea contiguous to a continental land mass where the sea is shallow.
- D) Submerged bed of sea which is adjacent to high seas.

**Correct Answer :** Option C

**106.** According to the 'Floating Island' theory, a 'Floating Island' is:

- A) An island within three nautical miles from the coast of a country.
- B) An island on the high seas, which is not the territory of any particular state.
- c) A ship bearing the national flag of a state.
- D) The public vessels of any state is assimilated with the territory of that state.

**Correct Answer :** Option C

**107.** Statement I: Subject to rules of jus cogens, local customary law can be supplement or derogate from general custom.

Statement II: International law does not recognize the concept of local custom.

- A) Both (I) and (II) are correct and (II) is the correct explanation of (I).
- B) Both (I) and (II) are correct but (II) is not the correct explanation of (I).
- c) (I) is correct, (II) is false.
- D) (I) is false, (II) is correct.

**Correct Answer :** Option C

**108.** According to Article 38(1) of the Statute of the International Court of Justice, which one of the following is not a primary source of International Law?

- A) International Conventions
- B) Decisions of the International Court of Justice
- c) International Customs
- D) General Principles of Law recognized by civilized nations

**Correct Answer :** Option B

**109.** Which one of the following pairs is correctly matched?

- A) *De facto* recognition - Irrevocable
- B) *De jure* recognition - revocable
- C) Constitutive theory - recognition is a formal acknowledgement of a existing fact
- D) Declaratory theory - a new state exists independent of recognition

**Correct Answer :** Option D

**110.** In case of State Succession, which of the following treaties do not pass on to the new State?

- A) Boundary treaties
- B) Territorially grounded treaties
- C) Multilateral human right treaties
- D) Political treaties

**Correct Answer :** Option D

Which of the following are correct according to Constitutive theory of Recognition?

- (i) Recognition is a key to membership of the international community.
  - (ii) It is constitutive of a new international legal personality.
  - (iii) State are under a legal obligation to grant recognition to a newly emerging State.
  - (iv) Recognition clothes the government of the recognised State with authority and opportunity to conduct international relations.
- 111.**
- A) (i), (ii) and (iv)
  - B) (i) and (ii)
  - C) (ii) and (iv)
  - D) (i), (iii) and (iv)

**Correct Answer :** Option A

Match List-I (Judicial Decision) with List-II (Principle) and select the correct answer using the code given below the Lists:

	<b>List – I (Judicial Decision)</b>	<b>List – II (Principle)</b>
<b>112.</b>	(i) Reparations case, (1949)	A. Estoppel
	(ii) Certain Expenses case, (1960)	B. Recognition
	(iii) Temple of Preah Vihear case, (1962)	C. Peace keeping operations
	(iv) Arantzazu Mendi case, (1939)	D. International Personality of UNO

- A) (i)-D, (ii)-C, (iii)-A, (iv)-B
- B) (i)-D, (ii)-A, (iii)-C, (iv)-B
- C) (i)-B, (ii)-A, (iii)-C, (iv)-D
- D) (i)-B, (ii)-C, (iii)-A, (iv)-D

**Correct Answer :** Option A

**113.** *Pacta tertiis nec nocent nec prosunt* means:

- A) Treaties do not impose obligations but confer rights on third state (not parties to the treaty)
- B) Treaties impose obligations and confer rights on third states
- C) Treaties impose obligations but do not confer rights on third states
- D) Treaties neither impose obligations nor confer rights on third states

**Correct Answer :** Option D

**114.** "International law governs relations between independent states. The rule of law binding upon states, therefore, emanates from their own free will as expressed in conventions or usages (in which they are a party). Restrictions

upon the independence of states cannot therefore, be presumed.”  
This view is expressed in which one of the following cases?

- A) Chorzow factory case, (1928)
- B) Youman’s case, (1927)
- C) S.S. Lotus case, (1927)
- D) I’m Alone case, (1935)

**Correct Answer :** Option A

Match List-I with List-II and select the correct answer using the code given below the Lists:

	<b>List – I (Case)</b>	<b>List – II (Court)</b>
<b>115.</b>	A. The Paquette Habana and Lola Case, (1900)	(i) The International Court of Justice
	B. The S.S. Lotus Case, (1927)	(ii) The U.S. Supreme Court
	C. The Island of Palmas Case, (1928)	(iii) The Permanent Court of International Justice
	D. The Asylum case (Haya Dela Torre Case), (1950)	(iv) The Permanent Court of International Arbitration

- A) A-(iv)    B-(i)    C-(ii)    D-(iii)
- B) A-(ii)    B-(iii)    C-(iv)    D-(i)
- C) A-(iv)    B-(iii)    C-(ii)    D-(i)
- D) A-(ii)    B-(i)    C-(iv)    D-(iii)

**Correct Answer :** Option B

Assertion (A) : Article 2(4) of the U.N.Charter authorises the Security Council to constitute UN Peace-keeping force as an anti-escalative device.

**116.** Reason (R) : The principle of non-intervention envisaged by the U.N.Charter is one of the main purposes and principles of the United Nations.

- A) Both (A) and (R) are correct and (R) is the correct explanation of (A).
- B) Both (A) and (R) are correct but (R) is not the correct explanation of (A).
- C) (A) is correct, (R) is false.
- D) (A) is false, (R) is correct.

**Correct Answer :** Option D

**117.** The voting procedure in the Security Council for admission of a member of the United Nations is by:

- A) A two-third majority of the members present and voting.
- B) An affirmative vote of nine members.
- C) An affirmative vote of nine members including the concurring votes of the permanent members.
- D) Concurring votes of all members of the Security Council.

**Correct Answer :** Option C

**118.** Assertion (A): Custom is an ineffective means of development of international law.

Reason (R): Custom is uncertain in content and develops slowly.

- A) Both (A) and (R) are correct and (R) is the correct explanation of (A).
- B) Both (A) and (R) are correct but (R) is not the correct explanation of (A).
- C) (A) is correct, (R) is false.
- D) (A) is false, (R) is correct.

**Correct Answer :** Option D

**119.** “The rule of state succession in International Law was incorporated by Grotius which he had adopted from Roman Law.” This was stated by:

- A) Charles Fenwick
- B) L. Oppenheim
- C) J.G. Starke
- D) Swartzberger

**Correct Answer :** Option A

**120.** “*Pacta sunt Servanda*” means:

- A) Treaties are accepted in good faith
- B) Treaties are revocable
- C) Treaties are irrevocable
- D) Treaties are not binding

**Correct Answer :** Option A

**121.** “Administrative Law is the law concerning the powers and procedures of administrative agencies including especially the law governing judicial review of administrative action.” Who said so?

- A) Ivor Jennings
- B) William Wade
- C) K.C. Davis
- D) Griffith and Street

**Correct Answer :** Option C

Assertion (A): The system of *Droit Administratif* is not at all based on the doctrine of Separation of powers.

**122.** Reason (R): The most original aspect of the French Administrative law is the independence of the administration from judicial control.

- A) Both (A) and (R) are true and (R) is the correct explanation of (A).
- B) Both (A) and (R) are true but (R) is not the correct explanation of (A).
- C) (A) is true, but (R) is false.
- D) (A) is false, but (R) is true.

**Correct Answer :** Option D

**123.** “Administration is a study of pathology of power in a developing society. Accountability of the holders of public power for the ruled is the focal point of the formulation.” Who among the following jurists has given this definition?

- A) A.V. Dicey
- B) Davis
- C) Ivor Jennings
- D) Prof. U. Baxi

**Correct Answer :** Option D

**124.** Administrative law primarily does not concern itself with \_\_\_\_\_ functions?

- A) Rule-making
- B) Rule-application
- C) Quasi-judicial action
- D) Private law

**Correct Answer :** Option D

**125.** Assertion (A): Administrative Law is a branch of public law in contradistinction to private law.  
Reason (R): Administrative Law primarily deals with relationship of individuals inter se.

- A) Both (A) and (R) are correct and (R) is the correct explanation of (A).
- B) Both (A) and (R) are correct but (R) is not the correct explanation of (A).
- C) (A) is correct (R) is incorrect.
- D) (A) is incorrect but (R) is correct.

**Correct Answer :** Option C

Assertion (A): Administrative Law is a Law, but it is not law in the Lawyer's sense of the term like property or contract law.

Reason (R): In India, Administrative Law basically and wholly remain a judge made law.

- A) Both (A) and (R) are correct and (R) is the correct explanation of (A).
- B) Both (A) and (R) are correct but (R) is not the correct explanation of (A).
- C) (A) is correct (R) is incorrect.
- D) (A) is incorrect but (R) is correct.

**Correct Answer :** Option A

127. Rule of Law is anti-thesis to arbitrariness in all civilized societies was observed by:

- A) Justice Bhagwathi
- B) Justice V.R. Krishna Iyer
- C) Justice H.R.Khanna
- D) Justice Y.V. Chandrachud

**Correct Answer :** Option A

128. Which of the following is the basic feature of discretion?

- A) Power to make choice between alternatives.
- B) Power to make rules in excise of powers conformed by statutes.
- C) Power to review the decision of sub-ordinate officers.
- D) Power to adjudicate administrative dispute.

**Correct Answer :** Option A

Assertion (A): It is true that any intensive form of government, the government cannot function without exercise of some discretion by its official.

Reason (R): Giving discretion to Government officials is necessary for the welfare of people.

- A) Both (A) and (R) are right and (R) is the correct explanation of (A).
- B) Both (A) and (R) are right but (R) is not the correct explanation of (A).
- C) (A) is right, but (R) is wrong.
- D) Both (A) and (R) are wrong.

**Correct Answer :** Option A

130. Which one of the following is not treated as abuse of discretion?

- A) Malafide exercise of power.
- B) Leaving out irrelevant consideration.
- C) Using the power for improper purpose.
- D) Colourable exercise of power

**Correct Answer :** Option B

131. When administrative authorities further delegate the power delegated to them it is known as:

- A) Sub-delegation
- B) Quasi-delegation
- C) Re-delegation
- D) Conditional delegation

**Correct Answer :** Option A

132. "Two Treatises on Civil Government" was written by:

- A) Austin
- B) Bentham
- C) John Locke
- D) Wade and Phillips

**Correct Answer :** Option C

Consider the given statements regarding 'administrative discretion', and choose the correct answer from the codes given below:

- 133.** 1. Discretion implies power to make a choice between alternative courses of action  
2. Discretion implies power to do according to will and private affection  
3. Discretion is an understanding discern between right and wrong
- A) Only (i) is correct  
B) (i) and (ii) are correct  
C) (i) and (iii) are correct  
D) All are correct

**Correct Answer :** Option C

Assertion (A): The Court can direct competent authority to exercise discretion in accordance with law but Court cannot direct to exercise the discretion in a particular manner.

- 134.** Reason (R): The Supreme Court strikes down a decision of competent authority on ground of 'extraneous consideration' and 'improper purpose'.
- A) Both (A) and (R) are correct and (R) is the correct explanation of (A).  
B) Both (A) and (R) are correct but (R) is not the correct explanation of (A).  
C) (A) is right but (R) is wrong.  
D) (A) is wrong, but (R) is right.

**Correct Answer :** Option A

- 135.** The Administrative Tribunals in India were established under which Constitutional provisions?

- A) Article 323-A  
B) Article 323-B  
C) Article 323-C  
D) Article 323-D

**Correct Answer :** Option A

Assertion (A): One of the principles of natural justice is, 'No man shall be judge of his own cause'.

- 136.** Reason (R): Principles of Natural Justice require fair play in action.
- A) Both (A) and (R) are true and (R) is correct explanation of (A).  
B) Both (A) and (R) are true, but (R) is not correct explanation of (A).  
C) (A) is true, (R) is false.  
D) (A) is false, but (R) is true.

**Correct Answer :** Option A

Assertion (A): Administrative authority cannot take into account extraneous or irrelevant consideration.

- 137.** Reason (R): If the authority fails to take into account relevant consideration even then the exercise of power would be bad.
- A) Both (A) and (R) are correct and (R) is the correct explanation of (A).  
B) Both (A) and (R) are correct but (R) is not the correct explanation of (A).  
C) (A) is right but (R) is wrong.  
D) Both are wrong.

**Correct Answer :** Option A

- 138.** Who of the following jurists observed that, "it is logically impossible to distinguish Administrative law from Constitutional Law and all attempts to do so are artificial?"

- A) Holland  
B) Ivor Jennings  
C) A.V. Dicey  
D) Keith

**Correct Answer :** Option D

- 139.** The decisions in Queen v. Burah deals with \_\_\_\_\_ .

- A) Audi alteram partem  
B) Excessive delegation

- c) Legitimate Expectations
- d) Conditional Legislation

**Correct Answer :** Option D

**140.** Which of the following are the components of Natural Justice?

- A) Fair hearing, Rule against Bias and Reasoned decision.
- B) Fair hearing and Rule Against Bias only.
- C) Fair hearing and Reasoned decision only.
- D) Rule against Bias and Reasoned Decision only.

**Correct Answer :** Option A

**141.** The right conferred to the mortgagor by Section 60 is called a right to redeem and a suit to enforce it is a suit for \_\_\_\_\_ .

- A) Recovery
- B) Foreclosure
- C) Pre-emption
- D) Redemption

**Correct Answer :** Option D

**142.** Novation means \_\_\_\_\_ .

- A) Subrogation
- B) Merger
- C) Renewal
- D) Equal security is offered in the place of other

**Correct Answer :** Option D

**143.** The part performance in the transfer of property is provided in \_\_\_\_\_ .

- A) Section 53-A of the Transfer of Property Act, 1882
- B) Section 53 of the Indian Partnership Act, 1930
- C) Section 53 of the Indian Registration Act, 1908
- D) Section 53 of the Specific Relief Act, 1908

**Correct Answer :** Option A

**144.** Onerous gift is explained under the Transfer of Property Act, 1882 in \_\_\_\_\_ .

- A) Section 127
- B) Section 124
- C) Section 128
- D) Section 125

**Correct Answer :** Option A

**145.** The term 'actionable claim' is defined in \_\_\_\_\_ .

- A) Section 130
- B) Section 131
- C) Section 133
- D) Section 3

**Correct Answer :** Option D

**146.** Section 83 of the Transfer of Property Act, 1882 deals with power of:

- A) Mortgagee to sue for foreclosure or sale
- B) Mortgagor to sue for redemption
- C) Mortgagor to deposit remaining due on mortgage
- D) Mortgagor to deposit the mortgage money

**Correct Answer :** Option C

**147.** 'Qui facit per alium facit per se' means:

- A) He who is first in time is first in
- B) It may 'become operative than null
- C) No one if the heir of a living person
- D) He who acts through another is deemed to act in person

**Correct Answer :** Option D

**148.** 'Nemo dat quod non habet' means \_\_\_\_\_ .

- A) He who is first time is first in law.
- B) It may become operative than null.
- C) No one is the heir of a living person.
- D) No one can transfer better title than he himself has.

**Correct Answer :** Option D

**149.** \_\_\_\_\_ is not transferable.

- A) Vested interest
- B) Contingent interest
- C) Spes-Successions
- D) Actionable claims

**Correct Answer :** Option C

**150.** Anirudh sells his house to Bishal with a condition that, Bishal cannot transfer his house to anyone except Chandu. The sale is \_\_\_\_\_

- A) Valid but condition is void
- B) Void
- C) Unlawful
- D) Voidable

**Correct Answer :** Option A

**151.** In which type of mortgage the immovable property is ostensibly sold?

- A) Mortgage by conditional sale
- B) Simple Mortgage
- C) English Mortgage
- D) Usufructuary Mortgage

**Correct Answer :** Option A

**152.** Who can use the doctrine of Part-Performance?

- A) Both defendant-plaintiff
- B) Only Plaintiff
- C) Only Defendant
- D) Unborn person

**Correct Answer :** Option C

**153.** How long the period of election can be?

- A) One month within the date of possession
- B) One month within the date of transfer
- C) One year within the date of transfer
- D) One year within the date of possession

**Correct Answer :** Option C



**154.** In which type of mortgage the property is transferred absolutely?

- A) English Mortgage
- B) Simple Mortgage
- C) Usufructuary Mortgage
- D) Anomalous Mortgage

**Correct Answer :** Option A

**155.** What should be not made while transfer of gift?

- A) Voluntarily transfer
- B) Consideration
- C) Acceptance
- D) Existence of the property

**Correct Answer :** Option B

**156.** 'Mortis causa' gift is valid \_\_\_\_\_

- A) If not made in contemplation of death
- B) If made in respect of future properties
- C) Only in respect of movable property
- D) Made in respect of moveable and immovable properties

**Correct Answer :** Option C

**157.** 'Ut res madis valeat quam pereat' means \_\_\_\_\_ .

- A) He who is first in time is first in law
- B) It may become operative than null
- C) No one is the heir of a living person
- D) He who acts through another is deemed to act in person

**Correct Answer :** Option B

**158.** The real test of determining distinction between lease and licence was laid by the Supreme Court in \_\_\_\_\_

- A) Nirmal Cahndra v. Vial Chand AIR 2001 SC 2284
- B) Mangilal v. Sukan Chand 1964 5 SCR 239
- C) Associated Hotel of India v. R.N.Kapoor AIR 1959 SC 1262
- D) Rajendra Singh v. Sama Singh AIR 1973 SC 2537

**Correct Answer :** Option C

Match List –I with List –II and select correct answer using the code given below the lists.

**159.**

List – I	List –II
A. Holding over	1. Mortgage
B. Universal donee	2. Gift
C. Redemption	3. Lease
D. Purchaser	4. Sale

- A) A-3 B-2 C-1 D-4
- B) A-2 B-4 C-3 D-1
- C) A-1 B-2 C-3 D-4
- D) A-4 B-1 C-3 D-2

**Correct Answer :** Option A

Match the provisions of the Transfer of Property Act, 1882 in List-I and Section in List-II below and select the correct answer using the codes mentioned thereunder.

List – I	List – II
A. Doctrine of Election	1. Section 112
B. Subrogation	2. Section 92
C. Doctrine of Holding over	3. Section 35
D. Waiver of forfeiture	4. Section 116

160.

- A) A-3 B-2 C-4 D-1  
 B) A-1 B-4 C-2 D-3  
 C) A-4 B-2 C-1 D-3  
 D) A-3 B-2 C-4 D-1

**Correct Answer: Question Cancelled**

161. An association of 30 persons not registered under the Companies Act but carrying on a business in an \_\_\_\_\_ .

- A) Illegal Association  
 B) Partnership  
 C) Private company  
 D) Public company

**Correct Answer :** Option A

162. A company is a juristic person with a perpetual succession \_\_\_\_\_ .

- A) As such it dies  
 B) Its life depends on the life of its members  
 C) It is created by a process of law and can be put to an end only by a process of law.  
 D) None of the above

**Correct Answer :** Option C

163. Which of the following companies need not have their own Articles of Association?

- A) Unlimited companies  
 B) Companies limited by guarantee  
 C) Public companies limited by shares  
 D) Private companies limited by shares

**Correct Answer :** Option C

164. In case the Articles of a company conflict with its Memorandum, then \_\_\_\_\_ .

- A) The Articles shall prevail  
 B) The Memorandum shall prevail  
 C) The Directors will resolve the conflict  
 D) The court will resolve the conflict

**Correct Answer :** Option B

165. A shareholder, purchased in the open market, shares of a company whose prospectus contained some misstatements. He \_\_\_\_\_

- A) can rescind the contract only but cannot claim damages  
 B) can claim damages only but cannot rescind the contract  
 C) has no remedy against the company

D) has remedy against the directors responsible for the issue of prospectus

**Correct Answer :** Option D

**166.** Which doctrine seeks to protect the company from the outsiders?

- A) Doctrine of indoor management
- B) Doctrine of ultra vires
- C) Doctrine of constructive notice
- D) Doctrine of intra vires

**Correct Answer :** Option C

**167.** The term prospectus under Indian Companies Act 2013 includes \_\_\_\_\_ .

- A) Any document described or issued as prospectus
- B) A red herring prospectus or shelf prospectus
- C) Only (a)
- D) Both (a) and (b)

**Correct Answer :** Option D

**168.** The doctrine of indoor management has its origin in \_\_\_\_\_ .

- A) Saloman v. Saloman & Co. Ltd., (1897)
- B) Royal British Bank v. Turquand, (1856)
- C) Ryeland v. Turquand, (1823)
- D) Ma Caura v. Northern Assurance Co. Ltd., (1925)

**Correct Answer :** Option B

**169.** Articles of Association are not required to be registered in case of \_\_\_\_\_ .

- A) An unlimited company
- B) A private company limited by shares
- C) A company limited by guarantee
- D) A public company limited by shares

**Correct Answer :** Option B

**170.** Doctrine of constructive notice means \_\_\_\_\_ .

- A) Notice of alteration of object clause to the Registrar
- B) Notice to outsider dealing with the Registrar as to contents of Memorandum and Articles
- C) Notice of change of name to members
- D) Notice to public as to issue of prospectus

**Correct Answer :** Option B

Assertion (A): Doctrine of indoor management protects outsiders dealing with a company from irregularities inside a company.

**171.** Reason (R): Doctrine of ultra vires protects an outsider dealing with a company for corporate capacity not mentioned in the objects clause.

Choose correct answer from below codes:

- A) (A) and (R) are true and (R) is an explanation of (A)
- B) (A) and (R) are true, but (R) is not an explanation of (A)
- C) (A) is true, but (R) is false
- D) (A) is false, but (R) is true

**Correct Answer :** Option B

Assertion (A): The doctrine of indoor management seeks to protect the company against the outsider

**172.** Reason (R): The company has right to privacy.

Choose correct answer from below codes:

- A) (A) and (R) are true and (R) is an explanation of (A)

- B) (A) and (R) are true, but (R) is not an explanation of (A)
- C) (A) is true, but (R) is false
- D) (A) is false, but (R) is true

**Correct Answer :** Option D

**173.** Which one of the following is correct statement?

- A) Every Agency is partnership
- B) Every Partnership is Agency
- C) Every Partnership is limited company
- D) Every private limited company is partnership

**Correct Answer :** Option B

**174.** The law as evolved in the area of mergers and amalgamation has recognized the importance of the court not sitting as an appellate authority over the commercial wisdom of those who seek to restructures business. This principle was enunciated in:

- A) Miheer H Mafatlal v. Mafatlal Industries Ltd JT 1996 (8) 205
- B) Ion Exchange (India) Ltd In re. (2001) 105 Comp Cases 115 (Bom)
- C) Hellenic and General Trust Limited, (1976) (1) WLR 123
- D) Daimler Co Ltd v. Continental Tyre & Rubber Co. Ltd, (1916)

**Correct Answer :** Option B

Statement I: As per Section 8(10) of Companies Act, 2013, a company registered under the said Section can only merge with another Section 8 company which has similar objects.

**175.** Statement II: Section 8 Company is required to obtain prior approval of Central Government (RD) of alteration of its articles.

Choose correct answer from below codes:

- A) Both 1 and 2 are true
- B) Both 1 and 2 are false
- C) 1 is true, 2 is false
- D) 1 is false, 2 is true

**Correct Answer :** Option A

Assertion (A): Every public company shall have atleast three and every private company at least two directors

**176.** Reason (R): Directors are trustees for the company and not for individual shareholders.

Choose correct answer from below codes:

- A) (A) and (R) are true and (R) is an explanation of (A)
- B) (A) and (R) are true, but (R) is not an explanation of (A)
- C) (A) is true, but (R) is false
- D) (A) is false, but (R) is true

**Correct Answer :** Option B

Statement I: A private company can issue debentures to public.

**177.** Statement II: A private company can issue debentures only through private placement.

Choose correct answer from below codes:

- A) Both 1 and 2 are true
- B) 1 is false, 2 is true
- C) 1 is true, 2 is false
- D) Both 1 and 2 are false

**Correct Answer :** Option B

**178.** Criminal liability for misstatements in prospectus is provided under Section \_\_\_\_\_ of the Companies Act, 2013.

- A) Section 31
- B) Section 32
- C) Section 33
- D) Section 34

**Correct Answer :** Option D

**179.** Global depository receipt has been dealt under Section \_\_\_\_\_ of the Companies Act, 2013.

- A) Section 40
- B) Section 41
- C) Section 42
- D) Section 43

**Correct Answer :** Option B

**180.** Power of Limited company to alter its share capital has been dealt under Section \_\_\_\_\_ of the Companies Act, 2013

- A) Section 58
- B) Section 55
- C) Section 57
- D) Section 61

**Correct Answer :** Option D

**181.** If the \_\_\_\_\_ used in a statute make it clear that a \_\_\_\_\_ sense is intended the rule of *ejusdem generis* shall not apply.

- A) Specific words, narrow
- B) Specific words, wider
- C) General words, narrow
- D) General words, wider

**Correct Answer :** Option B

**182.** Which of the following is an external aid of interpretation:

- A) Historical setting
- B) Usage
- C) Dictionary definitions
- D) All of the above

**Correct Answer :** Option D

**183.** According \_\_\_\_\_ rule of interpretation meaning of word should be known from its accompanying or associating words?

- A) Mischief Rule
- B) Golden Rule
- C) *noscitur a sociis*
- D) Primary rule

**Correct Answer :** Option C

**184.** When statute do not profess to make any alteration in the existing law, but merely declare or explain what it is, then such law is known as?

- A) Codifying statute
- B) Remedial statute
- C) Declaratory statute
- D) Consolidating statute

**Correct Answer :** Option C

**185.** What is the Mischief Rule?

- A) There must be no mischief in court
- B) In interpreting statutes, judges should look at the 'mischief' which the Act was passed to prevent
- C) In interpreting statutes, judges should interpret the words literally
- D) In interpreting statutes, judges should interpret the words as they see fit

**Correct Answer :** Option B

**186.** \_\_\_\_\_ is used to remove special cases from the general enactment and provide for them specially?

- A) Exception clause
- B) Saving clause
- C) Proviso
- D) Non obstante clause

**Correct Answer :** Option C

**187.** Heydons' case deals with \_\_\_\_\_?

- A) Rule of reasonable construction
- B) Mischeif rule
- C) *noscitur a sociis*
- D) Golden rule

**Correct Answer :** Option B

**188.** What is delegated legislation?

- A) A decision of the Courts
- B) An Act of Parliament
- C) Law made by delegation
- D) Law made by a person or body to whom Parliament has delegated power

**Correct Answer :** Option D

**189.** Which rule of interpretation states the following: "The words of the statute must be constructed so as to lead to a ration, fair and sensible meaning."

- A) Harmonious construction
- B) Literal construction
- C) Beneficial construction
- D) Reasonable construction

**Correct Answer :** Option D

**190.** The court shall consider which of the matters in case of mischief rule.

- A) What was the law before making the Act.
- B) What is the remedy that the Act has provided.
- C) What is the reason for the remedy.
- D) All of the above

**Correct Answer :** Option D

**191.** "It is a civil wrong for which the remedy is a common law action for unliquidated damages and which is not exclusively the breach of contract or the breach of trust or other merely equitable obligation". The definition was given by \_\_\_\_\_

- A) Holland
- B) Salmond
- C) Friedrich
- D) Winfield

**Correct Answer :** Option B

**192.** "It is an infringement of a right in rem of a private individual giving a right of compensation at the suit of the injured party". The definition was given by \_\_\_\_\_

- A) Salmond
- B) Holland
- C) Fraser
- D) Winfield

**Correct Answer :** Option C

193. The meaning of the maxim 'Respondent Superior' is \_\_\_\_\_

- A) The fact in itself
- B) Let the principal be liable
- C) Act of God
- D) Absolute Liability

**Correct Answer :** Option B

194. Assertion (A) : A person imputing that 'B', a lawyer, is ignorant of law, is actionable without proof of damage.  
Reason (R) : Making imputation relating to trade, profession, business is slander actionable per se.

- A) Both (A) and (R) is true and (R) is the correct explanation of (A)
- B) Both (A) and (R) is true but (R) is not a correct explanation of (A)
- C) (A) is true, but (R) is wrong
- D) (A) is wrong, but (R) is true

**Correct Answer :** Option A

195. His Master, the defendant, employed a car mechanic to repair cars. He repaired a car and then drove the car for a short distance to check whether he had repaired the car properly or not. In the process, he causes an accident injuring the plaintiff. The master is \_\_\_\_\_

- A) Liable because it was his servant who had negligently cause the accident for which he was vicariously liable.
- B) Not liable because the mechanic was supposed to repair only and as such driving by him was outside the course of employment.
- C) Liable because driving was necessary incidental to the duties of the mechanic since he was duty-bound to check by driving whether the repair he had done were correctly done or not.
- D) Not liable because repairing and driving were two distinct acts and the mechanic was not authorized to drive but was duty bound to repair only.

**Correct Answer :** Option C

196. Tortious liability arises from breach of duty, primarily fixed by law, this duty is towards persons generally and its breach is redressable by an action for unliquidated damages". This definition is given by:

- A) Flemings
- B) Winfield
- C) Salmond
- D) Goodhart

**Correct Answer :** Option B

197. The case of Ryland v. Fletcher, (1868) is associated with which legal doctrine?

- A) Res ipsa loquitur
- B) Caveat Venditor
- C) Volenti non fit injuria
- D) Strict liability

**Correct Answer :** Option D

198. *Res ipsa loquitur* means \_\_\_\_\_ .

- A) An agent may speak on behalf of the principle
- B) The thing speaks for itself
- C) An agent has the authority to deal with the world as if he were the master
- D) An undertaking given cannot be withdrawn

**Correct Answer :** Option B

199. A purchases tickets for a car race and while watching the race, collision of cars happens and the person is injured. He cannot claim damages because of the principle of \_\_\_\_\_ .

- A) *Damnum sine injuria*
- B) *Volenti non fit injuria*
- C) *Injuria sine damnum*
- D) *Ubi jus ibi remedium*

**Correct Answer :** Option B

**200.** Cook v. Lewis, (1852) is an example of which principle?

- A) Several liability
- B) Joint and several liability
- C) The application of the 'but for' test
- D) Contributory negligence

**Correct Answer :** Option B