

# **JUNIOR CIVIL JUDGE EXAMINATION**

**(SCREENING TEST)**

**(Held on 21st, June 2009)**

**Time : 2 Hours Marks: 100**

**Paper - 1**

1. According to sec. 2(b) of Cr.P.C, 1973, 'Charge' includes -
  - (a) Heading of Charge
  - (b) Any head of charge when the charge contains head
  - (c) Any head of charge when the charge contains more heads than one
  - (d) All the above
  
2. As per the Amendment Act, 2008 of Cr.P.C, the new definition that was inserted under Sec. 2(wa) is -
  - (a) Audio-Video Electronic means (b) Victim
  - (c) Victim Compensation (d) Victim Compensation Scheme
  
3. The examination of a witness by the adverse party is -
  - (a) Examination-in-chief (b) Cross Examination
  - (c) Re-examination (d) Oral Examination
  
4. Facts not otherwise relevant are relevant if by themselves or in connection with other facts they make the existence of any fact in issue or relevant fact highly probable or improbable is relevant under
  - (a) Sec. 9 of Evidence Act (b) Sec. 10 of Evidence Act
  - (c) Sec. 11 of Evidence Act (d) Sec. 12 of Evidence Act
  
5. State the correct sequence:
  - (a) Issue, Trial, Arguments, Pleadings, Decree, Judgement
  - (b) Pleadings, Trial, Issues, Arguments, Decree, Judgement
  - (c) Pleadings, Issues, Arguments, Trial Judgement Decree
  - (d) Pleadings, Issues, Trial Arguments, Judgement, Decree
  
6. During the pendency of a suit relating to a house, the defendant is about to leave the local limits of the Court with an intension to delay the suit. The plaintiff files an application under Order 38-Rule 1 for the arrest of the defendant. Now the defedant -
  - (a) Cannot be arrested (b) Can be arrested
  
7. When the immovable property of one person is, by the act of parties or operation of law, made security for the payment of money to another, such transaction is -
  - (a) Pledge (b) Accession (c) Mortgage (d) Charge
  
8. A gift made in expectation of death is know as -
  - (a) Universal Gift (b) Onerous Gift
  - (c) Resumable Gift (d) Donatio mortis causa
  
9. A Contract to do or not to do something, if some event collateral to such contract does not happen, is known as -
  - (a) Wagering Agreement (b) Quasi Contract
  - (c) Contingent Contract (d) Impossible Contract

**10.** An agreement where the parties express opposite views regarding an uncertain event and which results into a gain to one person at the loss of another person, is known as -

- (a) Wagering Agreement (b) Contingent Contract
- (c) Continuing Agreement (d) Standing form Contract

**11.** When an instrument in writing does not express the real intention of the parties due to fraud or mutual mistake of the parties, a suit can be instituted for -

- (a) Cancellation of Instrument (b) Rectification of Instrument
- (c) Declaration of Instrument (d) Rescission of Contract

**12.** What is the time limit to institute a suit for recovery of the property on the basis of dispossession under the provisions of C.P.C. when the plaintiff was disposed of a house by the defendant?

- (a) 60 days from the date of dispossession
- (b) 6 months from the date of dispossession
- (c) 6 years from the date of dispossession
- (d) None of the above

**13.** The involvement of Five or more persons is essential for the offence of ..

- (a) Theft (b) Extortion (c) Robbery (d) Deceit

**14.** Three persons A, B & C went to a Bank. A stood outside the bank holding a revolver with him and watching at the road. B & C entered the bank and asked the Cashier by showing revolvers at him, to handover the cash to them. On the refusal to do so, C shot at the Cashier and took away money from Counter. Now .....

- (a) C is liable for the murder and A & B are liable for abetment.
- (b) B & C are liable for murder and A is liable for abetment.
- (c) A, B & C are liable for murder.
- (d) None of them is liable because it is not a murder but only culpable homicide not amounting to murder.

**15.** 'Sans recourse indorsement' means -

- (a) Indorsement with limited liability. (b) Indorsement without liability.
- (c) Indorsement with absolute liability.
- (d) Indorsement with conditional liability.

**16.** What is the punishment under Sec. 138 of N.I. Act.

- (a) Imprisonment upto 2 years or with fine which may extend to twice the amount of cheque or with both.
- (b) Imprisonment upto 2 years and with fine which may extend to twice the amount of cheque.
- (c) Imprisonment for not less than 2 years and fine of Rs.10,000.
- (d) Imprisonment for not less than 2 years or fine of Rs.10,000 - or with both.

**17.** The limitation period for enforcement of a perpetual injunction is -

- (a) 1 year (b) 3 years (c) 12 years (d) None of the above.

**18.** What is true with regard to application of Limitation Act, 1963?

- (i) It has no application to sec. 25 of the Indian Contract Act, 1872.
- (ii) This Act shall not apply to any suit or other proceeding relating to marriage and divorce.

(iii) Where any special or local law prescribes for any suit, appeal or application a period of limitation different from the period prescribed by the schedule, the provisions of Sec. 3 shall apply as if such period were the period prescribed by the schedule.

(iv) The provisions of Section 4 to 24 shall apply, unless expressly barred by special or local law.

(a) (i) & (ii) are correct. (b) (i), (iii) and (iv) are correct.

(c) (i), (ii), and (iv) are correct. (d) (i), (ii), (iii) and (iv) are correct.

**19.** An easement right is a right-

(a) in rem (b) in personam

**20.** Of the following, which is not a mode of acquiring easement?

(a) Easement by law (b) Easement by grant

(c) Easement by prescription (d) Easement by necessity

**21.** Whether Principle of res judicata applies to claim petitions under Order 21, Rule 58?

(a) No (b) Yes

**22.** X files a suit against Y and when the suit is called on for hearing neither party appeared in the Court. The Court dismissed the suit under Order 9, Rule 3. thereafter X may -

(a) File a fresh suit, subject to the law of limitation.

(b) Apply to the Court for restoring the suit by showing or sufficient cause.

(c) both (a) and (b)

(d) neither (a) nor (b)

**23.** Every Police Officer making an investigation shall enter day to day proceeding for a case in a Diary Called

a) General Diary b) Special diary

c) Duty Diary d) Case Diary

**24.** Mr. Kumar voluntarily causes hurt to Gowtham. Gowtham goes to Police Station to lodge F.I.R. The concerned Police Officer refuses to record the F.I.R. whether the act of the Police Officer is valid?

(a) No (b) Yes

**25.** Khan commits an offence of grievous hurt in Hyderabad. However, he makes a confession before the Judicial Magistrate at Adilabad, who has no power to try the case. Whether the confession recorded, after following the procedure, by the Magistrate is valid?

(a) No (b) Yes

**26.** The Limitation Act, 1963 applies to the proceedings before -

a) Courts b) Executive Authority

c) Quasi-Judicial Tribunals d) none of the above

**27.** Section 5 of the Limitation Act deals with

a) Bar of Limitation.

b) Extension of prescribed period in certain cases.

c) Doctrine of Legal Disability. d) None of the above.

**28.** The provision of improvements made by bonafide holders under defective title is dealt in

a) Sec. 50 of T.P. Act b) Sec. 51 of T.P. Act

c) Sec 53 of T.P. Act. d) None of the above

**29.** Of the following which is misfit matching:

- (a) Sec. 81 of T.P. Act - Marshalling Securities.
- b) Sec. 82 of T.P. Act - Doctrine of Contribution.
- c) Sec. 92 of T.P. Act. - Doctrine of Subrogation.
- d) Sec. 93 of T.P. Act - Charge.

**30.** According to section 60 of T.P. Act, a clog on redemption is

- a) valid subject to certain conditions b) absolutely valid
- c) voidable d) None of the above

**31.** Of the following which is a misfit matching

- a) Agreement to supply goods from time to time - Continuing Offer
- b) Responsibility of Finder of Lost goods - Agent
- c) Betting Agreement - Wagering Agreement.
- d) An agreement to pay Rs.100/-, if it rains on Sunday - Contingent Contract

**32.** A Contract by which one party promises to save the other from loss caused to him by the conduct of the promisor himself or by the conduct of any other person, is called

- a) Contract of Guarantee b) Contract of Insurance
- c) Contract of Bailment d) Contract of Indemnity

**33.** According to Section 69 of Indian Partnership Act, 1932, an unregistered firm can file a suit against an outsider for recovery of an amount not exceeding Rs.100/-

- (a) Yes (b) No

**34.** 'An Agency coupled with interest' can be revoked by Principal

- (a) Yes (b) No

**35.** Doctrine of estoppel can be applied against a minor

- (a) No (b) Yes

**36.** As per Sec. 3 of Indian Evidence Act, Fact means and includes .....

- a) Physical Facts b) Psychological Facts.
- c) Both (a) and (b) d) Neither (a) or nor (b)

**37.** Can an evidence obtained by committing the offence of theft be admitted in a case of criminal nature?

- (a) Yes (b) No

**38.** A tape record of speech is .....

- (a) Documentary Evidence (b) Oral Evidence

**39.** Mr. Lallu, an accused writes a letter, in his own handwriting with his signature, addressing a Police Officer that he murdered his wife. The letter was found near the dead body of his wife. Is the confession made by Lallu in the letter admissible in evidence against him?

- a) Yes, the letter is relevant b) No, it is not relevant

**40.** Mr. Bhallu is accused of a Murder. The police have produced an axe from a place and he said that it was the weapon with which the deceased was killed. Whether this statement made by him is relevant under Sec. 27 of Evidence Act?

- a) Yes, it is relevant to the extent of axe.
- b) No, it is not relevant as Sec. 27 is not applicable to the present case.

**41.** Mr. Varlu fires at Venkat with an intention to kill him. Venkat sustains serious injuries. He lodges a F.I.R. against Varlu and subsequently, Venkat dies due to injuries. Whether this F.I.R. can be treated as dying declaration.

- a) Yes, the F.I.R. can be treated as dying declaration.
- b) No. it is not a statement made by him regarding his death.

**42.** How many witnesses are required to prove a Criminal case beyond all reasonable doubts?

- a) minimum Two b) minimum Three
- c) minimum four d) None of the above

**43.** 'Any Question suggesting the answer which the person putting it wishes or expects to receive' is called.

- a) Patent Question b) Latent Question
- c) Leading Question d) Misleading Question

**44.** As per Sec. 5 of the Evidence Act, evidence can be adduced relating to a

- a) Fact in issue b) relevant fact
- c) Both (a) & (b) d) Neither (a) nor (b)

**45.** Under Sec. 3 of the Evidence Act, evidence means .....

- a) Documentary Evidence b) Occular Evidence
- c) Neither (a) nor (b) d) Both (a) & (b)

**46.** As per Sec. 167(5) Cr.P.C. a Magistrate can pass an order of stopping further investigation and discharge the accused, in a summons case, if the investigation is not completed within a period of ..... months from the date on which the accused was arrested.

- a) 2 Months b) 3 Months
- c) 6 Months d) None of these

**47.** As per Sec. 357-A of Cr. P.C (Amendment Act, 2008) Who is the authority to decide the Quantum of Compensation payable to the victim?

- a) The Trial Court b) The Sessions Court
- c) The High Court d) The district or State Legal Service Authority

**48.** What is true with regard to plea bargaining?

- a) It has application where offence attracts imprisonment exceeding 7years
- b) It is applicable where the offence affect Socio-economic Conditions of the Country
- c) Plea bargaining will not be allowed where the offence has been committed against a Woman, or a Child below where the offence
- d) All the above

**49.** Whenever a case is tried summarily, the sentence of imprisonment shall not exceed

- a) 2 Months b) 3 Months

c) 6 Months d) None of these

**50.** A, B and C are charged by a Magistrate of 1 Class with, and convicted by him of, robbing D, A, B & C were afterwards charged with and tried for decoity on the same facts. Now -

- a) They can take protection under Sec. 300 Cr. PC
- b) They cannot take protection under Sec. 300 Cr. PC

**51.** A and B are the joint owners of a horse. A takes the horse of B's possession intending to use it. However, A sells the horse and appropriates the whole proceeds to his own use. Now A is guilty of

- a) No offence
- b) Criminal Breach of Trust
- c) Mischief
- d) Dishonest Misappropriation

**52.** A & B are the Joint Owners of a horse. A shoots intending thereby to cause wrongful loss to B. Now A is guilty of -

- a) No offence
- b) Mischief
- c) Criminal Breach of Trust
- d) Criminal Misappropriation

**53.** Sec. 84 of I.P.C provides for -

- a) Medical Insanity
- b) Legal Insanity
- c) Both Medical and Legal Insanity
- d) None of the above

**54.** Abetment under Sec. 107 I.P.C can be constituted

- a) Instigation
- b) Conspiracy
- c) Intentional Aid
- d) All the above

**55.** Rama, an Officer of a Court of Justice, was ordered by the court to arrest Raheem. After due enquiry believing Raheemuddin to be Raheem, Rama arrested Raheemuddin. Rama is exempt from Criminal Liability under

- a) Sec. 76 I.P.C.
- b) Sec. 78 I.P.C.
- c) Sec. 79 I.P.C.
- d) None of the above

**56.** When two or more persons, by fighting in a public place, disturb the public tranquility, they are said to commit the offence of

- a) Affray
- b) Rioting
- c) Public Nuisance
- d) All the above

**57.** Sec. 34 of I.P.C.

- a) Creates a substantive offence
- b) is a rule of evidence

**58.** Culpable homicide is not murder, if it is committed under

- a) grave and sudden provocation
- b) Self-intoxication
- c) irresistible impulse
- d) All the above

**59.** For an unlawful assembly under sec. 141 I.P.C the minimum number of persons required is

- a) Two
- b) Three
- c) Five
- d) Seven

**60.** Causing disappearance of evidence of offence or, giving false information to screen an offender, is an offence under

- a) Sec. 200 I.P.C.
- b) Sec. 201 I.P.C.

c) Sec. 202 I.P.C. d) Sec. 203. I.P.C.

**61.** What is the punishment for the offence of Theft?

- a) Imprisonment upto 3 years and fine
- b) Imprisonment of not less than 3 years and fine
- c) Imprisonment 3years or fine
- d) Imprisonment up to 3years or fine or with both

**62.** Can there be more than one preliminary decree and one final decree?

- a) Yes b) No

**63.** Whether Doctrine of legal disability applies to Pre-emption Suits?

- a) Yes b) No

**64.** Whether an interpleader' suit can be instistuted by the agent aganist principlal?

- a) Yes b) No
- c) Yes, when a third party claims right through principal

**65.** Whether an ex-parte decree can be challenged by way of appeal?

- a) No b) Yes

**66.** When a material proposition of fact of law is affirmed by one party and denied by the other, it is known as

- a) An assertion b) An allegation
- c) An admission d) An issue

**67.** Mr. Vinod of Adilabad makes a proposal to sell his house, situated in vikarabad, to vikram of Nizamabad. In the sale agreement they provide a clause stating that all disputes arising out of the transactions are to be decided by the Court of Nizamabad. There after when a dispute arises Vikram must file a suit.

- a) In the Court of Adilabad b) In the Court of Nizamabad
- c) In the Court of Vikarabad d) All the above

**68.** Every Warrant of Arrest issued by a Court remains in force for

- a) 6 months b) 1 year c) 3 years
- d) None of the above

**69.** According to Order VI C.P.C 'pleading' shall mean

- a)Plaint b) Written Statement
- c) Plaint and Written Statement d) Plaint or Written Statement

**70.** Under Sec. 167 Cr. P.C, the nature of custody can be changed from judicial custody to police custody

- a) During the period of first 14 days b) During the period of first 15 days
- c) During the period of first 30 days d) None of the above

**71.** If a Plaintiff fails to sue for the whole of the claim which he is entitled to make in respect of a cause of action in the first suit then he is precluded from suing again respect of portion so omitted, by virtue of

- a) Sec. 11 of C.P.C b) Explanation IV of Sec. II
- c) Order II, Rule 2 d) Order II, Rule 3

**72.** A suit for possession of immovable property on the basis of previous possession and not on the basis of title can be filed under Sec. 6 of S.R. Act, 1963

- a) Within 3 months of dispossession
- b) Within 6 months of dispossession
- c) Within 1 year of dispossession
- d) Within 6 years of dispossession

**73.** Confession of one accused is admissible against Co- accused

- a) If they are tried for different offences but jointly
- b) If they are tried for same offences but jointly
- c) If they are tried for same offences but not jointly
- d) If they are tried for different offences but not jointly

**74.** In execution of a money decree for Rs. 2,000/- the Civil Prison shall be

- a) Not exceeding 6 weeks
- b) Not exceeding 3 months
- c) Not exceeding 6 months
- d) None of the above

**75.** Whether an objection as to jurisdiction relating to subject matters (Competency) can be raised before the supreme court without being in the trial court or first appellate court?

- a) No
- b) Yes

**76.** In connection with Commercial transactions what should be the rate of interest from the date of decree to the date of payment?

- a) Not exceeding 6%
- b) Exceeding 6% but not exceeding Contractual rate if any
- c) Not exceeding the Contractual rate and in the absence of it the rate at which moneys are lent by nationalised banks in relation to commercial transaction.
- d) Not exceeding 18%

**77.** The amount of Compensatory Costs under Sec. 35-A, C.P.C . shall not exceed

- a) Rs. 1000/-
- b) Rs. 3000/-
- c) Rs. 5,000/-
- d) No such limit

**78.** Of the following which cannot be attached in execution of a Decree

- a) Money
- b) Hundies
- c) Books of Accounts
- d) Bank Notes

**79.** When a Plaint is rejected by the Court under Order VII, Rule 11, the plaintiff can

- a) Prefer an appeal
- b) Present a fresh plaint in respect of the same cause of action
- c) Both (a) and (b)
- d) Neither (A) nor (b)

**80.** When Commission is issued under 18, Rule 4 for examination of witness, within what period the Commissioner shall submit his report?

- a) Within 30 days
- b) Within 60 days
- c) Within 60 days or within the extended period
- d) No such time limit

**81.** When an application is made by the J.dr, after the decree is passed, for payment of decretal amount in installment for the order of installment payment whether Court should take the Consent of the D.hr?

- a) Yes
- b) No



**82.** Whether the purchaser of a Property in execution sale can make an application for set aside the sale on the ground that the J.dr had no saleable interest in the property sold?

- a) Yes, he can make application under Order 21- Rule 89
- b) Yes, he can make application under Order 21- Rule 90
- c) Yes, he can make application under Order 21- Rule 91
- d) No, as he is purchase he cannot get the sale set aside

**83.** When the next friend or guardian of a minor wants to enter into any agreement or Compromise on behalf of the minor, whether the leave of the Court is mandatory?

- a) No b) Yes

**84.** When an ad interim injunction is granted by the Court within what period the application shall be disposed of?

- a) within 30 days from the date of injunction
- b) within 3 months from the date of injunction
- c) within 1 Year from the injunction
- d) No such time is prescribed.

**85.** Under which provision of law, the Appellate Court can adduce the additional evidence?

- a) Under Order 41, Rule 23 b) Under Order 41, Rule 25
- c) Under Order 41, Rule 27 d) Under Order 41, Rule 29

**86.** Of the following which are compulsorily attestable documents?

- a) Sale deed and Mortgage deed b) Mortgage deed and Lease deed
- c) Gift deed and Lease deed d) Mortgage deed and Gift deed

**87.** In case of a transfer hit by "Doctrine of lis pendens' the question of good faith of the vendee is

- a) Relevant b) Irrelevant

**88.** If case of Gift, if the donee dies before acceptance, then the gift is

- a) Valid b) Void c) Reduced d) Court has to decide

**89.** Who cannot be arrested in execution of Money Decree?

- a) A Woman
- b) A Magistrate while going to and coming from the Court or in the Court.
- c) An Advocate while going to and coming from the Court or in the Court.
- d) All the above

**90.** A declaratory decree passed under Sec. 34 of S.R.Act, 1963 operates -

- a) Jus in rem b) Jus in personam

**91.** Whether an injunction can be granted in a case where for the breach of the Contract Specific performance cannot be granted?

- a) No b) Yes

**92.** According to Sec.5 of the T.P.Act, 1882- living person includes a Company or Association or Body of individuals -

- a) Which is incorporated b) Whether incorporated or not

- 93.** According to Sec.6(e) of the T.P.Act, Right to sue for a certain sum of money.  
a) Is not transferable b) Is transferable
- 94.** In a contract of sale of goods, a stipulation essential to the main purpose of the Contract is known as -  
a) Warranty b) guarantee c) clog d) condition
- 95.** As per Sec.34 of A.P. Tenancy (Telengana Area) Act, 1950, Protected tenant means a person who has the land continuously for a period not less than -  
a) 5 Years b) 6 Years c) 7 Years d) 8 Years
- 96.** Under A.P. Escheats and Bona Vacantia Act, 1974, bona vacantia applies to the property -  
a) For which there is no rightful owner  
b) For which the owner dies intestate (without legal heirs)
- 97.** Which section of the A.P. Buildings (Lease, Rent and Eviction) control Act, 1960 provides the grounds for eviction of a tenant?  
a) Sec.8 b) Sec.9 c) Sec.10 d) Sec.11
- 98.** According to which section of A.P. Gaming Act, 1974 'Game of Skill' is not an offence under the Act?  
a) Sec.12 b) Sec.13 c) Sec.14 d) Sec.15
- 99.** Under A.P. Pawn Brokers Act, 2002 carrying on Pawn Broking business without licence is an offence punishable for -  
a) Imprisonment for not less than 1 Year and upto 3 years and fine upto 50,000/-  
b) Imprisonment upto 3 Years and fine upto 50,000/-  
c) imprisonment upto 3 Years or fine upto 50,000/- or with both  
d) Imprisonment upto 1 Year and fine upto 50,000/-
- 100.** According to Sec.4 of A.P. Prohibition of Ragging Act, 1997 if a person causes ragging or abets. ragging which causes the death, he shall be punished with -  
a) Imprisonment upto 10 years and fine upto 50,000/-  
b) Imprisonment of life and fine upto 50,000/-  
c) Imprisonment upto 7 Years and fine upto 50,000/-  
d) Imprisonment upto 3 Years and fine upto 50,000/-

**Key:**

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