



Lawyers Gyan

# PREVIOUS YEAR PAPERS

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# CLAT LLM 2009

Duration: 40 mins

Max Score: 50

## Test Instructions

1. The total duration of the exam is 40 minutes.
2. The total number of questions in the exam is 50.
3. 1 mark will be awarded for every correct answer and 0 mark will be awarded for every unattempted question.
4. 0.25 mark will be deducted from the total score for every incorrect answer.

## Test Sections

Section	Questions	Marks
Other Law Subjects	50 Questions (1 - 50)	50

## Color coding for types of Questions

Code	Type of Question
Single Option Correct	Multiple Choice Question
One or More Options Correct	Multiple Choice Question with Multiple Answers
Numerical	Numerical

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Q. 1

Single Option Correct

+1

-0.25

Communication of a proposal is complete

- A. When it is put in the course of transmission
- B. When it comes to the knowledge of the person to whom it is made
- C. When the proposal is communicated to the person to whom it is made
- D. All the above

Q. 2

Single Option Correct

+1

-0.25

Where one of the parties is under a mistake as to matter of fact, the contract is

- A. Valid
- B. Void
- C. Voidable
- D. Illegal

Q. 3

Single Option Correct

+1

-0.25

An agreement in connection with horse-racing under section 30 of the Indian contract act is

- A. Unlawful
- B. Void
- C. Voidable
- D. Valid

Q. 4

Single Option Correct

+1

-0.25

Novation of a contract means



- A. The renewal of original contract
- B. Substitution of a new contract in place of original contract
- C. Cancellation of the contract
- D. Alteration of the contract

Q. 5

Single Option Correct

+1

-0.25

A contract is not frustrated

- A. By commercial impossibility
- B. By imposition of Government restrictions or orders
- C. By destruction of subject-matter of contract
- D. All the above

Q. 6

Single Option Correct

+1

-0.25

For a loan, when there is stringency in money, a banker asks for an unusually high rate of interest, 'A' accepts the loan these terms. This is

- A. A valid transaction in the ordinary course of business
- B. A transaction vitiated by coercion
- C. A transaction vitiated by undue influence
- D. A transaction vitiated by fraud

Q. 7

Single Option Correct

+1

-0.25

'X' and 'Y' agree to marry each other on a certain date and before marriage 'X' goes mad. 'Y' cancels the agreement and sues for damages. Decide whether

- A. No cause of action arises till the date of marriage
- B. On account of 'X' goes mad, the contract is frustrated and thus void, Y has no right to sue for damages
- C. The contract itself is void
- D. Y is guilty of breach of contract

Q. 8

Single Option Correct

+1

-0.25

A guarantee

- A. Has to be in writing
- B. Can be oral
- C. Can be oral or in writing
- D. Neither (a) nor (b)

Q. 9

Single Option Correct

+1

-0.25

Tort is a violation of

- A. A right in personam
- B. A right in rem
- C. Both right in personam and right in rem
- D. Neither right in personam nor right in rem

Q. 10

Single Option Correct

+1

-0.25

For the defence of volenti non-fit injuria, it is necessary that

- A. The plaintiff knows that risk is there
- B. The plaintiff agrees to suffer the harm
- C. The plaintiff knowing that risk is there, agrees to suffer the harm
- D. All the above

Q. 11

Single Option Correct

+1

-0.25

Act of state

- A. Cannot be between a sovereign and the subjects of another state
- B. Cannot be between a sovereign and his own subjects
- C. Both (a) and (b)
- D. Neither (a) nor (b)

Q. 12

Single Option Correct

+1

-0.25

For defamation, a tort

- A. Should be in respect of a living person only
- B. Can be in respect of deceased person
- C. Both (a) and (b)
- D. Either (a) or (b)

Q. 13

Single Option Correct

+1

-0.25

The maxim res-ipsa loquitur is a

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- A. Rule of law
- B. Rule of procedure
- C. Rule of evidence
- D. Rule of negligence

Q. 14

Single Option Correct

+1

-0.25

Special damage has got to be proved in an action for

- A. Trespass
- B. False imprisonment
- C. Nuisance
- D. None of the above

Q. 15

Single Option Correct

+1

-0.25

In which of the following cases it is not nuisance

- A. Playing music through loudspeaker at night
- B. Construction of a flour mill on the ground floor, while
- C. Creation of foul smell on one's land which reaches neighbours
- D. Washing clothes in front of a person's house at a public tap

Q. 16

Single Option Correct

+1

-0.25

X and his wife went for shopping leaving behind their dog in their care which they had locked after pulling up the glasses of the windows. For reasons unknown. The dog probably got excited and broke the rear glass, probably with its paws and jumped out. A fragment of the broken glass flew at the face of one Y, a passerby, and pierced into his eye resulting in its loss. Y sued X for damages alleging negligence on the part of X, what defence can X take

- A. Act of god
- B. Contributory negligence
- C. Inevitable accident
- D. None of the above

Q. 17

Single Option Correct

+1

-0.25

A marriage solemnized between any two Hindus, one of whom is having a spouse living at the time of marriage, under section 11 and section 17 of the Hindu marriage act, shall be

- A. Valid
- B. Void
- C. Voidable
- D. Invalid

Q. 18

Single Option Correct

+1

-0.25

A decree of nullity of marriage in case of voidable marriage, annuls the marriage

- A. From the date of the decree
- B. From the date of the petition
- C. From the date of marriage
- D. From the date as directed by the court

Q. 19

Single Option Correct

+1

-0.25

Which of the following is not a ground of divorce?

- A. Insanity
- B. Epilepsy
- C. Leprosy
- D. Venereal disease



Q. 20

Single Option Correct

+1

-0.25

By virtue of the marriage laws (amendment) act, 2003, wife as a petitioner, can present her petition to the district court of an area where

- A. She is residing on the date of presentation of the petition
- B. She was residing previously
- C. She is to reside permanently in future during the course of trial
- D. Her husband is residing on the date of petition

Q. 21

Single Option Correct

+1

-0.25

A married Hindu woman has the capacity to adopt if

- A. Her husband has ceased to be a Hindu
- B. Her husband has finally and completely renounced the world
- C. Her husband has been declared to be a person of unsound mind by a court of competent jurisdiction
- D. All the above cases

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Q. 22

Single Option Correct

+1

-0.25

That marriage of all persons who are citizens of India belonging to various religions should be made compulsorily registrable in their respective states where the marriage is solemnized

- A. Seema v. Ashwani Kumar
- B. Geta Jagdish Mangtani v. Jagdish Mangtani
- C. Durga Prasanna Tripathy v. Arundhati Tripathi
- D. Rameshchand Daga v. Rameshwari Bai

Q. 23

Single Option Correct

+1

-0.25

A marriage entered into by a girl before attaining puberty under Muslim law is

- A. Valid marriage
- B. Void marriage
- C. Irregular marriage
- D. Either (a) or (c)

Q. 24

Single Option Correct

+1

-0.25

A single pronouncement of divorce made during a Tuhr followed by abstinence from sexual intercourse for the period of iddat is called

- A. Talaq hasan
- B. Talaq ahsan
- C. Talaq-ul-biddat
- D. Talaq-i-badai

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Q. 25

Single Option Correct

+1

-0.25

'X' and 'Y' go to murder 'Z', 'X' stood on guard with a spear in hand but did not hit 'Z' at all. 'Y' killed 'Z'. who is/are guilty?

- A. Only 'Y' is liable for murder of 'Z'
- B. 'X' and 'Y' both are liable for murder of 'Z'
- C. 'X' is not liable as he did not perform any overt act
- D. Both (a) and (c)

Q. 26

Single Option Correct

+1

-0.25

Section 76 of Indian penal code provides that nothing is an offence which is done by a person who by reason of

- A. Mistake of fact in good faith believes himself to be bound
- B. Mistake of law in good faith believes himself to be bound by law to do it
- C. Mistake of fact believes himself to be bound by morals to do it
- D. All the above

Q. 27

Single Option Correct

+1

-0.25

To invoke successfully the defence of intoxication in criminal cases the intoxication

- A. Can be self-administered
- B. Should be administered against his will or knowledge
- C. Should be self-administered
- D. May be all the above

Q. 28

Single Option Correct

+1

-0.25

Where a wrong of mischief by fire in a building used as a human dwelling or a place or custody or property is attempted, the right of private defence extends to the causing of

- A. Any harm including death
- B. Any harm other than death
- C. Any harm other than death and grievous hurt
- D. All the above

Q. 29

Single Option Correct

+1

-0.25

Abetment is complete as soon as

- A. The abettor has incited another to commit an offence
- B. The person instigated has done some overt act towards the commission of the offence
- C. The offence abetted has been committed
- D. Both (b) and (c) above

Q. 30

Single Option Correct

+1

-0.25

B happened to be a member of unlawful assembly. A factional fight ensued during which B was injured and retired to the side. Later on, a man was killed now

- A. B is guilty of murder being member of unlawful assembly
- B. B is not guilty of murder as he ceased to be a member of unlawful assembly at the time when the murder was committed
- C. B is not guilty of murder though he continued to be a member of unlawful assembly
- D. None of the above

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Q. 31

Single Option Correct

+1

-0.25

X with intention of murdering Z, instigates Y, a child below 7 years, to do an act which causes Z's death. Y in the absence of X in consequence of abetment does the act and thereby causes Z's death. Now

- A. Y is liable for murder and X is liable for abetment
- B. Y is not liable for murder being legally incapable, but X is liable for abetment
- C. X and Y both are liable for murder
- D. X and Y both liable for criminal conspiracy to murder of Z

Q. 32

Single Option Correct

+1

-0.25

A puts Z into fear of hurt and dishonestly induces Z to sign a blank cheque and deliver it to him. Z signs the cheque and delivers it to A. A is guilty of

- A. Theft
- B. Extortion
- C. Robbery
- D. Attempt to commit extortion

Q. 33

Single Option Correct

+1

-0.25

The words 'socialist' and 'secular' were incorporated in our constitution by

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- A. 42nd amendment of the constitution
- B. 44th amendment of the constitution
- C. 46th amendment of the constitution
- D. 17th amendment of the constitution

Q. 34

Single Option Correct

+1

-0.25

The concept of directive principle of state policy was borrowed from

- A. Germany
- B. France
- C. Ireland
- D. USA

Q. 35

Single Option Correct

+1

-0.25

Article 19(I)(a) guarantees freedom of speech and expression to

- A. All citizens of India
- B. All Indians and foreigners
- C. Only person above 21 years of age
- D. Only person who have attained 18 years of age

Q. 36

Single Option Correct

+1

-0.25

On which date the Supreme Court upheld the OBC quota in central educational institutions clearing the way for reservation of 27% seats for backward classes

- A. 8th April 2008
- B. 10th April 2008
- C. 1st April 2008
- D. 20th April 2008

Q. 37

Single Option Correct

+1

-0.25

In which of the following cases did the Supreme Court rule that the principle of sovereign immunity will not apply to proceedings for award of compensation for violation of fundamental rights?

- A. Bhim singh v. state of Punjab
- B. Kasturi Lal v. state of UP
- C. Rudal sah v. state of Bihar
- D. Nilabeti Bahera v. State of Orissa

Q. 38

Single Option Correct

+1

-0.25

Which of the following is not included in the right to personal liberty?

- A. Right to go abroad
- B. Right to human dignity
- C. Right under trial prisoners not to be detailed for unreasonably long period
- D. Freedom from arrest

Q. 39

Single Option Correct

+1

-0.25

Which of the following writs can be issued only against the judicial or quasi-judicial authorities?

- A. Mandamus
- B. Habeas corpus
- C. Certiorari
- D. Quo warranto

Q. 40

Single Option Correct

+1

-0.25

The right guaranteed under article 32 can be suspended

- A. By the parliament
- B. By the Supreme Court of India
- C. During emergency
- D. During war with a foreign country

Q. 41

Single Option Correct

+1

-0.25

Which one of the following is the objective of directive principle of state policy

- A. Total prohibition
- B. Prevention of cow slaughter
- C. Prevention of gambling and lotteries
- D. Protection and improvement of environment and safeguarding forests and wild life

Q. 42

Single Option Correct

+1

-0.25

Who gave the organic theory of society

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- A. H. spencer
- B. Duguit
- C. Savingny
- D. Austin

Q. 43

Single Option Correct

+1

-0.25

Who holds the view that the only right which any man can possess is the right always to do his duty?

- A. Digot
- B. Austin
- C. Bentham
- D. Blackstone

Q. 44

Single Option Correct

+1

-0.25

According to Hindu legal theory, origin of law is

- A. Dharma
- B. Rita
- C. Divinity
- D. Shruti

Q. 45

Single Option Correct

+1

-0.25

In which country, courts are not bound by decisions of the superior courts?

- A. Australia
- B. England
- C. France
- D. India

Q. 46

Single Option Correct

+1

-0.25

Right in re propria means

- A. Right relating to status
- B. Right relating to property
- C. Right in one's own things
- D. Right in the things of others

Q. 47

Single Option Correct

+1

-0.25

In the eye of law, a person can have

- A. Any number of capacities
- B. Some capacities
- C. Two capacities only
- D. One capacity only

Q. 48

Single Option Correct

+1

-0.25

Mediate possession is one which a person can

- A. Acquire through an agent or a servant
- B. Acquire unlawfully
- C. Acquire direct by himself
- D. Acquire lawfully

Q. 49

Single Option Correct

+1

-0.25

Who of the following has defined ownership as a right of plenary control over an object?



- A. Salmond
- B. Holland
- C. Austin
- D. Blackstone

Q. 50

Single Option Correct

+1

-0.25

The two primary and essential function of the state are

- A. Military defence and maintenance of law and order
- B. Administration and politics
- C. Administration of justice and welfare
- D. Welfare and safety of people



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## Answers

- 
- |       |       |       |
|-------|-------|-------|
| 1. B  | 2. A  | 3. D  |
| 4. B  | 5. A  | 6. A  |
| 7. B  | 8. C  | 9. A  |
| 10. C | 11. A | 12. A |
| 13. D | 14. C | 15. A |
| 16. D | 17. B | 18. C |
| 19. B | 20. A | 21. D |
| 22. A | 23. D | 24. B |
| 25. B | 26. A | 27. B |
| 28. A | 29. A | 30. B |
| 31. B | 32. C | 33. A |
| 34. C | 35. A | 36. B |
| 37. D | 38. C | 39. C |
| 40. C | 41. B | 42. A |
| 43. A | 44. A | 45. A |
| 46. C | 47. A | 48. A |
| 49. B | 50. D |       |

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