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PREVIOUS YEAR PAPERS

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CLAT LLM 2011

Duration: 80 mins

Max Score: 100

Test Instructions

1. The total duration of the exam is 80 minutes.
2. The total number of questions in the exam is 100.
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	100 Questions (1 - 100)	100

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

In which case has the Supreme Court of India decided that the reservation should be less than 50%

- A. Champakam Dorairajan v. State of Madras
- B. M.R. Balaji v. State of Mysore
- C. R. Chitrallekha v. State of Mysore
- D. None of the above

Q. 2

Single Option Correct

+1

-0.25

Which of the following is accepted as the official language of the union of India

- A. Hindi is both devanagari and Urdu scripts with Roman Numerals
- B. English with roman numerals
- C. Hindi in devanagari script with the international form of Indian numerals
- D. None of the above

Q. 3

Single Option Correct

+1

-0.25

According to Dr. Subrahmaniamswami v. State of Kerala, WP (C) no. 35180 of 2009 (S), use of Islamic principles in financial services where state has a share

- A. Will be violative of the principles of secularism
- B. Will not be violative of the principles of secularism
- C. Left undecided
- D. Will be violative of the basic structure

Q. 4

Single Option Correct

+1

-0.25

What do you understand by horizontal application of rights

- A. Equal fundamental rights to all
- B. Equality before law and equal protection of laws
- C. Fundamental rights enforceable against private persons
- D. None of the above

Q. 5

Single Option Correct

+1

-0.25

Interpretative value of preamble was discussed in

- A. In re berubari union
- B. Union of India v. Azddi Bachao andolan
- C. State of Gujarat v. Shanti lal Mangaldas
- D. None of the above

Q. 6

Single Option Correct

+1

-0.25

Figure out the correctness of the following statement and identify which of the following four options are correct. The president can at any time withdraw an ordinance

- A. Yes, the president can
- B. No, the president cannot
- C. It is the respective ministry for whom the ordinance is brought who have the power to withdraw
- D. An ordinance always will have to lapse

Q. 7

Single Option Correct

+1

-0.25

The power of pardon is vested in the

- A. President
- B. Prime Minister
- C. Governors
- D. President and governors

Q. 8

Single Option Correct

+1

-0.25

The golden triangle in Indian constitution of

- A. Article 14, 15 and 16
- B. Article 14, 19 and 21
- C. Article 14, 21 and 32
- D. Article 20, 21 and 32

Q. 9

Single Option Correct

+1

-0.25

In Hoechst pharmaceuticals Ltd. v. state of Bihar, the state made a law under entry 54, list II and center made a law under entry 33 of list III. The laws overlap. Will repugnancy arise in such a case?

- A. The question of repugnancy under art. 254(1) between a law made by parliament and law made by the state legislature arises only in case both the legislations occupy the same field with respect to one of the matters enumerated in the concurrent list
- B. There has to be a direct conflict between the two laws
- C. Both (a) and (b) have to be satisfied
- D. If the laws overlap repugnancy will invariably arise

Q. 10

Single Option Correct

+1

-0.25

In automobile case, section 4 of the Rajasthan motor Vehicles Taxation act, 1951 was challenged as violative of article 301 of the constitution. The Supreme Court held that

- A. Compensatory taxes and regulatory laws are outside the purview of article 301
- B. Law imposing tax will always have to satisfy the stipulation of prior presidential sanction in article 304 (b)
- C. Courts have very limited role to play in taxation laws
- D. None of the above

Q. 11

Single Option Correct

+1

-0.25

The opinion of the amicus curiae in Aruna Ramachandra shanbaug's case was

- A. In favour of passive euthanasia provided the decision discontinue life support was taken by responsible medical practioners
- B. In favour of passive euthanasia provide the decision to discontinue life support was taken under the supervision of the higher judiciary
- C. In favour of both passive and active euthanasia provided the decision to discontinue life support was taken by responsible medical practitioners approved by the judiciary
- D. None of the above

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Questions: 12 - 13

Article 16(1) : there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the state (4) nothing in this article shall prevent the state from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the state, is not adequately represented in the services under the state Rule 13 of the subordinate services rules 1958: notwithstanding anything contained in these rules, the Government May by order, exempt for a specified period any member or members, belonging to a scheduled caste or a scheduled tribe, and already in service, from passing the tests for promotion from lower division clerk to upper division clerk

Q. 12

Single Option Correct

+1

-0.25

In the light of the above and decided cases, will equality of opportunity permit reservations to be made in promotions?

- A. Yes, it is possible
- B. Yes, but not in selection grade posts
- C. No, reservation is possible only at the stage of appointment
- D. Yes, but only for backward classes not for SC/ST

Q. 13

Single Option Correct

+1

-0.25

Will the rule be struck down on the test of classification?

- A. Yes, there is an unreasonable classification within the cadre of lower division clerks
- B. SC/ ST within the cadre could be treated as a class
- C. There is not nexus to the object sought to be achieved
- D. Equality of opportunity in art. 16(1) will not allow any classification to be made

Question 14

Now, the question immediately arises as to what is the requirement of article 14: what is the content and reach of the great equalizing principle enunciated in this article? There can be no doubt that it is a founding faith of the constitution. It is indeed the pillar on which rests securely the foundation of our democratic republic... we must reiterate here what was pointed out by the majority in E.P. Royappa v. State of Tamil Nadu and an. Namely that from a positivistic point of view, equality is antithetic to arbitrariness. In fact equality and arbitrariness are sworn enemies, one belongs to the rule of law in a republic, while the other to the whim and caprice of an absolute monarch. Where an act constitutional law and is therefore violative of article 14. Article 14 strikes at arbitrariness in state action and

ensures fairness and equality of treatment. The principle of reasonableness, which legally as well as philosophically, is an essential element of equality or non arbitrariness, pervades article 14 like a brooding omnipresence and the procedure contemplated by article 21 must answer the test of reasonableness in order to

procedure contemplated by article 21 must answer the test of reasonableness in order to be in conformity with article 14. It must be right and just and fair and not arbitrary fanciful or oppressive, otherwise, it would be no procedure at all and the requirement of article 21 would not be satisfied.

Q. 14

Single Option Correct

+1

-0.25

What according to you is the interrelationship between article 21 and 14 as borne out from the above paragraph

- A. Procedure under article 21 should satisfy the claims of reasonableness under article 14
- B. Procedure under article 21 have to be judged independently of any other article as article 21 has a special standing
- C. Article 21 is a self contained code
- D. None of the above

Questions: 15 - 16

Figure out the correctness of the following statement and identify which of the following options is correct

Q. 15

Single Option Correct

+1

-0.25

A procedure which is arbitrary will definitely run counter to equality

- A. The statement is correct
- B. The statement is incorrect
- C. It is impossible to come to such a conclusion with the given paragraph
- D. Equality and arbitrariness need not be considered together

Q. 16

Single Option Correct

+1

-0.25

Which approach of equality is highlighted in the above paragraph?

- A. Traditional doctrinaire approach
- B. Dynamic approach
- C. Textual approach
- D. None of the above

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Questions: 17 - 19

The true test is whether the effect of the impugned action is to take away or abridge fundamental rights. If it be assumed that the direct object of the law or action has to be direct abridgment of the right of free speech by the impugned law or action it is to be related to the directness of effect and not to the directness of the subjectmatter

of the impeached law or action.

Fact: a legislature passes an act to regulate the number of pages according to the price charged, prescribe the number of supplements, the sizes and area of advertising matter in relation to the other matters contained in a newspaper. Penalties are also prescribed for contravention of the provision of the act or order. The state seeks to justify this act in the interest of general public

Q. 17

Single Option Correct

+1

-0.25

Applying the aforesaid test, will such an act violate the fundamental right to freedom of speech and expression?

- A. It will violate article 19(I)(a)
- B. It will not violate because the subject-matter of the law is regulation of circulation not freedom of speech and expression
- C. It will not because it affects only circulation which is a commercial aspect
- D. None of the above

Q. 18

Single Option Correct

+1

-0.25

Is commercial speech part of freedom of speech and expression?

- A. No, it is not
- B. In every case one has to see what the nature of the advertisement is and what activity falling under article 19(I) it seeks to further. This determines whether it will get protection
- C. Commercial speech is a part of the freedom of speech and expression guaranteed under article 19(I)(a) of the constitution
- D. None of the above

Q. 19

Single Option Correct

+1

-0.25

Will the state be successful in its defence that the action is taken under the interest of the general public

- A. Yes, because newspaper price and page control is in the interest of the general public
- B. No it will not as it will only affect the commercial interest of the newspapers
- C. No it will not as interest of general public cannot be a ground under article 19(2)
- D. None of the above

Q. 20

Single Option Correct

+1

-0.25

Article 74(2) the question whether any, and if so what, advice was tendered by ministers to the president shall not be inquired into in any court. In the light of article 74(2) and decided cases, test the correctness of the following statements:

Statement 1: the courts are justified in probing as to whether there was any material on the basis of which the advice was given, and whether it was relevant for such advice and the president could have acted on it

Statement 2: when the courts undertake an enquiry into the existence of such material, the prohibition contained in article 74(2) does not negate their right to know about the factual existence of any such material

- A. Only statement 1 is correct
- B. Only statement 2 is correct
- C. Both statements are incorrect
- D. Both statements are correct

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Q. 21

Single Option Correct

+1

-0.25

The two main competing definitions of contract in the common law are

- A. Contract is a promise or set of promises which the law will enforce and contract is an agreement giving rise to obligations which are enforced or recognized by law
- B. Contract is a civil obligation and contract is a transaction supported by legal intention
- C. Contract is a negotiation enforceable by law and contract is a bundle of voluntary rights
- D. None of the above

Q. 22

Single Option Correct

+1

-0.25

One of the basic principles of the common law of contract is

- A. That the parties to a contract are free to determine for themselves what primary obligations they will accept
- B. That the parties can claim damages for breach of contract
- C. That the parties can decide for themselves what restitutionary relief they can give to the other
- D. None of the above

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Q. 23

Single Option Correct

+1

-0.25

Contract of adhesion are

- A. Contrary to the idea of freedom of contract
- B. Upholds the idea of freedom of contract
- C. In just a clause of a contract
- D. None of the above

Q. 24

Single Option Correct

+1

-0.25

When one states that the law leaves a contractor free from interference until the time for fulfillment has gone by and therefore to break his contract if he chooses. What one really means is

- A. Law does not actually compel the performance of a contract it merely gives a remedy normally damages for breach
- B. Law emphasizes on effective enforcement of contract
- C. Law recognizes the binding force of the contract and believes that every one will perform their obligation
- D. None of the above

Q. 25

Single Option Correct

+1

-0.25

The Indian contract act of 1872 does not recognize a general principle of

- A. Bad faith
- B. Error
- C. Causa
- D. Good faith

Q. 26

Single Option Correct

+1

-0.25

Unlike in civil law, in common law an offerer is generally allowed to withdraw the offer, before it is accepted. This approach of common law is dictated by the

- A. Absence of acceptance of the offer
- B. Absence of intimation of the offer
- C. Absence of consideration
- D. None of the above

Q. 27

Single Option Correct

+1

-0.25

A calls up B and asks 'will you sell me your house? SMS me the lowest cash price.' B's reply by SMS was lowest cash price for my house is rupees 1 crore. A, immediately sent another SMS to B stating 'I agree to buy your house for rupees 1 crore, as asked by you.' B did not respond and subsequently sold the house to C. B's SMS to A was

- A. An offer
- B. An acceptance
- C. An invitation to receive offer
- D. None of the above

Q. 28

Single Option Correct

+1

-0.25

The difference between an offer and invitation to receive offer is that

- A. An offer is definite and without ambiguity and an invitation to receive offer is a mere statement, with scope of further negotiations
- B. An offer is a statement and an invitation to receive offer is a printed offer to invite acceptance
- C. An offer when accepted becomes a contract whereas an invitation to receive offer can only lead to making of an offer
- D. Both (a) and (c)

Q. 29

Single Option Correct

+1

-0.25

As per the objective test of offer

- A. Once the parties have by all outward appearances agreed in the same terms on the same subject-matter, then neither can, generally, rely on some unexpressed qualification or reservation to show that he has not in fact agreed to the terms to which he had appeared to agree
- B. Once the parties have mentally decided to agree in the same terms on the same subject-matter, then neither can generally rely on any unexpressed reservation to show that she had not in fact agreed on the same terms in the same sense.
- C. Once the parties have been forced to agree, then notwithstanding the fact that outwardly they may not have appeared to agree, they can in fact be bound by the terms and subject-matter of the agreement
- D. None of the above

Q. 30

Single Option Correct

+1

-0.25

As per section 4 of the Indian contract act, 1872 an offer is said to be accepted

- A. When the acceptance comes to the knowledge of offerer
- B. When the acceptance is put in the course of transmission and is beyond the control of the acceptor
- C. When the proposer calls up and is told by the acceptor of the acceptance
- D. None of the above

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Q. 31

Single Option Correct

+1

-0.25

As per the last shot doctrine

- A. Where confliction communications are exchanged, each is a counter offer, so that if a contract results at all, it must be on the terms of the final document in the series leading to the conclusion of the contract
- B. Where conflicting communications are exchanged, each is an offer, so that if there has to be an acceptance of the offer, it will be of the last offer in the series of offers
- C. Where confliction communication are exchanged, each is an acceptance so that if there is an acceptance leading to the formation of the contract, it will be the last acceptance in the series
- D. None of the above

Q. 32

Single Option Correct

+1

-0.25

As per the mirror image rule

- A. The offer and the counter-offer must match each other
- B. The acceptance should be unconditional and thus should correspond to the offer
- C. The acceptance of the offer should be conditional
- D. None of the above

Q. 33

Single Option Correct

+1

-0.25

A domestic arrangement lacks contractual force because

- A. There is lack of legal intention to be bound by such arrangement
- B. There is lack of sincerity to perform such obligations
- C. There is lack of understanding
- D. None of the above

Q. 34

Single Option Correct

+1

-0.25

As per the Indian contract act, 1872

- A. There is no privity of contract and no privity of consideration
- B. There is privity of consideration but no privity of contract
- C. There is privity of contract but there is no privity of consideration
- D. None of the above

Q. 35

Single Option Correct

+1

-0.25

As per the Indian contract act, 1872

- A. Consideration can be past, present and future
- B. Consideration can be past and present and future
- C. Consideration can be present and future
- D. None of the above

Q. 36

Single Option Correct

+1

-0.25

The doctrine of promissory Estoppel was used by denning J. to uphold the promise of a creditor to accept a smaller sum in discharge of a larger sum. If such a promise is acted upon by the promisee, notwithstanding the absence of consideration. Identify the relevant case in which the doctrine was so developed by denning J

- A. Central London property Trust Ltd. v. High trees house Ltd.
- B. Central property of India v. Hugh metropolitan limited
- C. Central inland transport corporation v. Mumbai port
- D. None of the above

Q. 37

Single Option Correct

+1

-0.25

The two situations where the defence of non est factum is most obviously important is

- A. First, where a party has signed the supposed contract as the result of fraud of a third party and the other party to it has to actual knowledge or reason to know of, the fraud AND second, where the fraud has been committed by the other party to the alleged contract or deed and third party has then relied on the document
- B. First, where a party has signed the supposed contract negligently and second, where the third party relief on the negligence
- C. First, where a party has deliberately allowed himself to be induced by fraud, with there being an actual knowledge of fraud and second, where the fraud has been committed to the contract or deed and no third party has relied on it
- D. None of the above

Q. 38

Single Option Correct

+1

-0.25

An insane person enters into a contract with another during the period of sanity. The contract so entered is a

- A. Valid contract
- B. Void contract
- C. Voidable at the option of the insane person
- D. None of the above

Q. 39

Single Option Correct

+1

-0.25

The doctrine of unconscionable bargains, as applicable to the contract, under the Indian law, was established by the Supreme Court of India in the case of

- A. Central inland water transport corpn. Ltd. v. Brojo Nath Ganguly
- B. Afsar Shaikh v. Soleman Bibi
- C. Karamchand Thapar & Bors pvt. Ltd. v. AB Gujral
- D. None of the above

Q. 40

Single Option Correct

+1

-0.25

A person rightfully rescinding a contract is

- A. Entitled to claim damages
- B. Not entitled to claim damages
- C. Entitled to sue for wrongful repudiation of the contract
- D. Both (a) and (c)

Q. 41

Single Option Correct

+1

-0.25

What must have been the main inspiration of lord MacAulay to go in for the condification of the Indian criminal law, while the criminal law of united kingdom remained uncoded common law

- A. Need to have certainty in the laws
- B. Need to bring about uniformity in laws
- C. Need to have diversity in the laws
- D. None of the above

Q. 42

Single Option Correct

+1

-0.25

Unlike civil liability, the criminal liability insists on blameworthy conduct because

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- A. It is concerned with the redressal of harms to the victims
- B. It is concerned with moral degradation in the society
- C. It is concerned with legal fault that is accused-centric
- D. None of the above

Q. 43

Single Option Correct

+1

-0.25

Mere presence of actus reus and mens rea is not enough, they must be present in

- A. Direct relationship
- B. Indirect relationship
- C. Concurring relationship
- D. Independently of each other

Q. 44

Single Option Correct

+1

-0.25

Which of the following is a continuing offence?

- A. Frequently taking a minor girl out of the custody of a lawful guardian
- B. By force or deceit compelling a minor girl to be moved from one city to another for illicit sex
- C. Removing a movable property from the possession of a thief
- D. Repeatedly raping a girl

Q. 45

Single Option Correct

+1

-0.25

A child offender below the age of seven years cannot be subjected to juvenile justice proceedings, because

- A. Child criminals are treated differently
- B. The juvenile justice act treats a child below 7 years as innocent
- C. The juvenile justice proceedings are applicable to children below the age of 18 years
- D. a child below 7 years is exempt from criminal liability under section 82 that by virtue of section 6 of the penal code makes every definition of an offence subject to general exceptions.

Q. 46

Single Option Correct

+1

-0.25

Strict criminal liability means

- A. Liability irrespective of actus reus
- B. Liability irrespective of mens rea
- C. Liability without exclusion of mens rea
- D. Liability without concurrence between actus reus and mens rea

Q. 47

Single Option Correct

+1

-0.25

A person who removes a purse from a dead accident victim's pocket commits the offence of

- A. Theft under section 379
- B. Extortion under section 383
- C. Robbery under section 392
- D. Dishonest misappropriation under section 404

Q. 48

Single Option Correct

+1

-0.25

How do you distinguish the mental element of murder from that of culpable homicide not amounting to murder

- A. Murder involves graver actus reus
- B. Danger is nature of weapon is used for killing in murder
- C. Higher degree of wickedness
- D. Murder requires the presence of higher degrees of guilty mind provided in section 300 firstly to fourthly

Q. 49

Single Option Correct

+1

-0.25

Which of the following offence is punishable only in the attempt stage:

- A. Section 307 of the IPC
- B. Section 309 of the IPC
- C. Section 511 of the IPC
- D. None of the above

Q. 50

Single Option Correct

+1

-0.25

Naz foundation case relates to which of the following provisions

- A. Section 491 of the IPC
- B. Section 377 of the IPC
- C. Section 293 of the IPC
- D. Section 497 of the IPC

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Q. 51

Single Option Correct

+1

-0.25

The special court has convicted Dr. Binayak sen for an offence under

- A. Section 121 of the IPC
- B. Section 126 of the IPC
- C. Section 124 of the IPC
- D. Section 123 of the IPC

Q. 52

Single Option Correct

+1

-0.25

Imputed criminal liability principle is laid down in which of the following provision/provisions

- A. Section 34 of the IPC
- B. Section 34 and 149 of the IPC
- C. Section 108 A of the IPC
- D. Section 120A of the IPC

Q. 53

Single Option Correct

+1

-0.25

The principle of distinction between similar intention and same intention was laid down in

- A. Mirza akbar v. KE (1994) 67/1A/336
- B. Barendra kumar Ghose v. KE/(1924) 521A/40
- C. Mahboob Shah v. KE, 1945/PC
- D. Pandurang v. state, (1955) SCR 1083

Q. 54

Single Option Correct

+1

-0.25

The right of private defence of body extends to

- A. Causing only a harm that prevents bodily injury
- B. Causing harm extending to death of the assailant
- C. Harm that is proportionate to the threatened injury
- D. Causing such harm that enables the victim to escape from the place of incident

Q. 55

Single Option Correct

+1

-0.25

We call punishment with death capital punishment because

- A. This relates to highest punishment
- B. This punishment is executed mostly in capital cities
- C. This punishment involves decapitation
- D. This punishment is given mostly by the rich to poor

Q. 56

Single Option Correct

+1

-0.25

Is motive of a crime relevant for criminal liability

- A. no
- B. yes
- C. At times
- D. None of the above

Q. 57

Single Option Correct

+1

-0.25

A shoots at a seven-month pregnant woman who survives but the child in her womb dies. For killing the child A can be prosecuted for which of the following offence

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- A. Culpable homicide not amounting to murder under section 304 part I of the Indian penal code
- B. Murder under section 302 of the Indian penal code
- C. Causing death of a quick unborn child under section 316 of the Indian penal code
- D. Causing death by rash and negligent act under sections 304A of the Indian penal code.

Q. 58

Single Option Correct

+1

-0.25

Is motive of a crime relevant for criminal liability?

- A. No
- B. yes
- C. At times
- D. None of the above

Q. 59

Single Option Correct

+1

-0.25

A shoots at a seven-month pregnant woman who survives but the child in her womb dies. For killing the child A can be prosecuted for which of the following offence

- A. Culpable homicide not amounting to murder under section 304 part I of the Indian penal code
- B. Murder under section 302 of the Indian penal code
- C. Causing death of a quick unborn child under section 316 of the Indian penal code
- D. Causing death by rash and negligent act under section 304A of the Indian penal code

Q. 60

Single Option Correct

+1

-0.25

For a prosecution under section 149 of the Indian penal code you require a minimum number of

- A. Two or more persons
- B. Many persons
- C. Five or more persons
- D. Any number of persons

Q. 61

Single Option Correct

+1

-0.25

Damnum sine injuria in tort law means

- A. Without damage law does not recognize a legal injury
- B. Law recognizes injury even though there is no damage
- C. Every damage may not be recognized as a legal injury
- D. None of the above

Q. 62

Single Option Correct

+1

-0.25

The maxim volenti non fit injuria implies that

- A. Voluntarily assumed risk of injury is not actionable
- B. Knowledge of risk of injury would be treated as assumption of the risk
- C. Risk assumed due to economic constraints exempts actionability
- D. Minors are not fit to consent to injuries

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Q. 63

Single Option Correct

+1

-0.25

What is the basis of a duty for tort of negligence

- A. Contractual relationship between parties
- B. For see ability of a reasonable man
- C. Principle of equity
- D. Morality of the enterprise

Q. 64

Single Option Correct

+1

-0.25

Rule laid down in Rylands v. Fletcher is known as

- A. Absolute liability rule
- B. Scier action rule
- C. Strict liability rule
- D. Fault liability rule

Q. 65

Single Option Correct

+1

-0.25

A master's liability for the wrongs committed by the servant is known as

- A. Joint liability
- B. Vicarious liability
- C. Concurrent liability
- D. Direct and personal liability

Q. 66

Single Option Correct

+1

-0.25

The government liability for torts is considerably hedged by

- A. Act of state defence
- B. Sovereign immunity defence
- C. Statutory authority defence
- D. Common employment defence

Q. 67

Single Option Correct

+1

-0.25

Kasturi lal Ralia Ram Jain case relates to

- A. The state cannot plead sovereign immunity for wrongs against its own citizens
- B. State can successfully plead sovereign immunity in respect of safe custody of gold confiscated during arrest of a bullion trader
- C. The act of security of confiscated gold is a non-sovereign function
- D. None of the above

Q. 68

Single Option Correct

+1

-0.25

Why most of the cases of Tort actions against doctors and medical clinics negligence tend to ultimately fail in the courts in India, because

- A. The Supreme Court is not inclined to subject doctors to a higher duty to care to the patients
- B. The patients are themselves guilty of contributory negligence
- C. The patient by submitting to the treatment by doctors voluntarily assumes the risk of injury
- D. Doctors are poor and resource less as compared to the patient

Q. 69

Single Option Correct

+1

-0.25

What is the reason for larger number of cases relating to tort of malicious prosecution and defamation

- A. People in India care more for reputation and fair name
- B. Because such litigations are easy to pursue
- C. Because negligent invasion of property and bodily interest relates to lower interests
- D. None of the above

Q. 70

Single Option Correct

+1

-0.25

The most effective outcome of tort action is

- A. The theoretical rationalizations of respective torts
- B. The elaborate list of justifications for injuries
- C. The detailed working of quantum of compensation for the harms suffered
- D. None of the above

Q. 71

Single Option Correct

+1

-0.25

The manufacture's liability principle was laid down in

- A. Donoghue v. Stevenson 1932
- B. Grant v. Australian knitting wool co. 1936
- C. Dorset yacht case, 1968 HL
- D. In re polemis case, 1921, AC

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Q. 72

Single Option Correct

+1

-0.25

The Supreme Court ruling in Sri Ram Chemical case 1978 is famous for lying down the

- A. Strict liability rule
- B. Absolute liability rule
- C. Vicarious liability rule
- D. No fault liability rule

Q. 73

Single Option Correct

+1

-0.25

The careless operations of railways that led to fire in the bogie standing in the platform has attracted a few public spirited rescuers standing in the platform to rush in to extinguish the fire. In the course of rescue operation a rescuer was gravely injured. Can he bring tort action against the railway

- A. No, because his injuries were voluntarily assumed by him
- B. Yes, because the dangerous situation by railways care-lessness had invited the rescuers
- C. No, the railway had a team of expert rescuers who would have acted in any case
- D. None of the above

Q. 74

Single Option Correct

+1

-0.25

A had constructed a temporary structure on a land belonging to the municipal corporation in which he ran a flourishing restaurant that was frequented by elites of the town. The municipal corporation corporate constructed a huge public toilet in the plot adjoining A's famous restaurant. Does A have any remedy under tort law

- A. He has no remedy because he did not own the plot
- B. He has remedy to get the municipal corporations action stopped as it constituted a nuisance
- C. He had the freedom to hedge the restaurant by putting up screens and board
- D. None of the above

Q. 75

Single Option Correct

+1

-0.25

The house of lords ruling in Balam case 1956 has laid down law relating to

- A. Occupiers liability
- B. Medical negligence liability
- C. Strict liability
- D. None of the above

Q. 76

Single Option Correct

+1

-0.25

A plaintiff in a tort action seeks

- A. Liquidated damages
- B. Unliquidated damages
- C. Damages by way of fine
- D. Punishment for the wrongdoer

Q. 77

Single Option Correct

+1

-0.25

The house of lords ruling in Boulton v. Stone 1951 is known for

- A. Liability of experts
- B. Liability for dangerous instrumentality
- C. Remoteness of consequences
- D. Punishment for the wrongdoer

Q. 78

Single Option Correct

+1

-0.25

Actio personalia moritur cum persona maxim means

- A. Extinction of liability by death
- B. Death as an injury subject to compensatory remedy
- C. Death creates liability in favour of near and dear ones
- D. None of the above

Q. 79

Single Option Correct

+1

-0.25

The very fact that tort law provides remedy for intentional faulty-full and fault less invasions of bodily and property interest means

- A. According protection to victim against all kinds of invasion of interest
- B. Subjecting all categories of violators to liability
- C. Ensuring uniform accountability for sub-standard behaviour
- D. Creating liability only for blameworthy wrongdoers

Q. 80

Single Option Correct

+1

-0.25

Rule of res ipsa loquitur relates to tort of

- A. Negligence
- B. Liability for hazardous activities
- C. Action for defamation
- D. Contributory negligence

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Q. 81

Single Option Correct

+1

-0.25

According to hard, law is the union of primary and secondary rules which one of the following is not one of the secondary rules?

- A. Rules of recognition
- B. Rules of change
- C. Rules of adjudication
- D. Rules of interpretation

Q. 82

Single Option Correct

+1

-0.25

A works for B under a contract A's right to get remuneration from B is

- A. Right in rem
- B. Right in personam
- C. Right in propria
- D. Right in aliena

Q. 83

Single Option Correct

+1

-0.25

The two elements of corpus and animus are necessary for

- A. Commencement of possession as well as continuance of possession
- B. Commencement of possession but possession will continue even if one or both the elements are lost
- C. Commencement of possession but only animus is required for continuance of possession
- D. Commencement of possession but only corpus is required for continuance of possession

Q. 84

Single Option Correct

+1

-0.25

Who said that the movement of progressive societies has hitherto been from status to contract?

- A. Von savingny
- B. Puchta
- C. Hegel
- D. Henry maine

Q. 85

Single Option Correct

+1

-0.25

X has transferred his property in favour of Y. X has exercised his

- A. Liberty
- B. Right
- C. Power
- D. Authority

Q. 86

Single Option Correct

+1

-0.25

Negligence essentially consists in mental attitude of undue indifference with respect to one's conduct and its consequences. This statement represents

- A. Objective theory of negligence
- B. Subjective theory of negligence
- C. Organic theory of negligence
- D. Psychological theory of negligence

Q. 87

Single Option Correct

+1

-0.25

Who has propounded social contract theory in terms of general will?

- A. Hobbes
- B. Locks
- C. Rousseau
- D. Montesquieu

Q. 88

Single Option Correct

+1

-0.25

valksgeist is associated with

- A. Hegel
- B. Von Savigny
- C. Plato
- D. Kant

Q. 89

Single Option Correct

+1

-0.25

Who said that the end of law should be to satisfy a maximum of wants with a minimum of friction and waste?

- A. Fuller
- B. Pound
- C. Ihering
- D. Duguit

Q. 90

Single Option Correct

+1

-0.25

According to one of theories of cooperate personality only human beings can properly be called persons and therefore juristic persons have no real personality. Identify this theory from among the following

- A. Bracket theory
- B. Fiction theory
- C. Realist theory
- D. Kelsen's theory

Q. 91

Single Option Correct

+1

-0.25

According to Salmond, malice in law means

- A. An act done with ill will or spite
- B. An act done out of jealousy and prejudice
- C. An act done with wrongful intention
- D. An act done out of revenge

Q. 92

Single Option Correct

+1

-0.25

Who among the following is the supporter of interest theory of rights?

- A. Pollock
- B. Holland
- C. Ihering
- D. Hegel

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Q. 93

Single Option Correct

+1

-0.25

Who among the following is not a proponent of realist school?

- A. Holmes
- B. Lelewellyn
- C. Jerome frank
- D. John finnis

Q. 94

Single Option Correct

+1

-0.25

The idea of obligation lie is at the heart of a rule and people obey law due to a sense of obligation and not because of a habit of obedience. Who among the following is well-known for this statement?

- A. Salmond
- B. Chipman gray
- C. Hart
- D. Hans kelsen

Q. 95

Single Option Correct

+1

-0.25

Who wrote taking rights seriously?

- A. Fuller
- B. Ronald dworkin
- C. Joseph Raj
- D. Dennis Lloyd

Q. 96

Single Option Correct

+1

-0.25

Who has defined jurisprudence as lawyer's extroversion?

- A. Friedman
- B. RWM dias
- C. Julius stone
- D. Ronald dworkin

Q. 97

Single Option Correct

+1

-0.25

Who held the view that custom is not a source of law unless it has received judicial recognition or it has been embodied in a statute?

- A. Austin
- B. Savigny
- C. Kohler
- D. Puchta

Q. 98

Single Option Correct

+1

-0.25

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

- A. France
- B. United states
- C. Canada
- D. Australia

Q. 99

Single Option Correct

+1

-0.25

The ownership of copyright is called

- A. Corporeal ownership
- B. Incorporeal ownership
- C. Beneficial ownership
- D. Absolute ownership

Q. 100

Single Option Correct

+1

-0.25

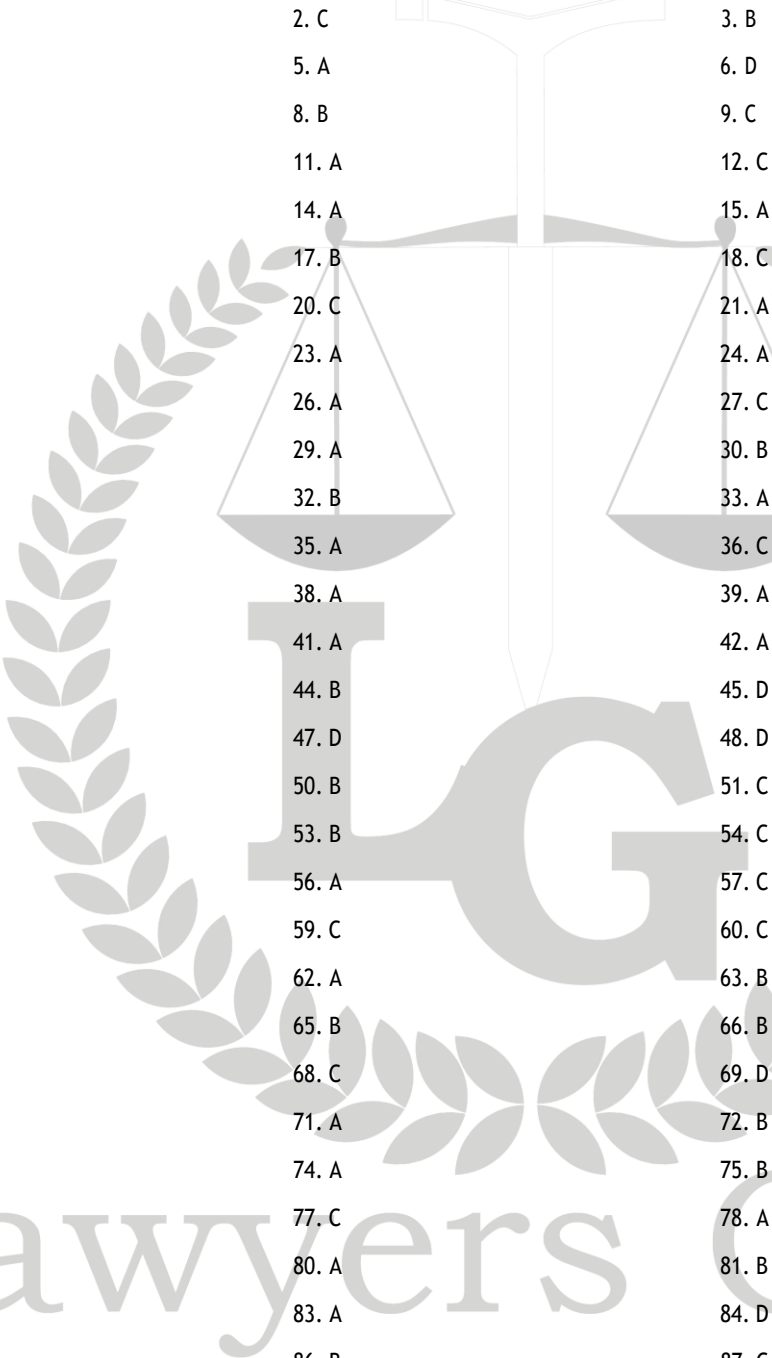
Which of the following is not an essential element of a states

- A. Territory
- B. Population
- C. Sovereignty
- D. Democracy



CLAT LLM 2011

Answers

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

94. C

95. B

96. C

97. A

98. D

99. B

100. D



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