



Lawyers Gyan

PREVIOUS YEAR PAPERS

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CLAT LLM 2012

Duration: 80 mins**Max Score:** 100

Test Instructions

1. The time duration of the exam is 80 minutes.
2. The total number of question in the exam is 100.
3. 1 mark will be awarded for every correct answer and 0 mark will be awarded for uattempted question.
4. 0.25 marks will be deducted from the total score for every wrong 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

The first session of the Lok Sabha was held in the year-

- A. 1952
- B. 1962
- C. 1950
- D. 1956

Q. 2

Single Option Correct

+1

-0.25

Which one out of the following combinations is correct

- A. B.R. Ambedkar : President of Constituent Assembly
- B. Rajendra Prasad : Nominated president of the Constituent Assembly
- C. G.V. Mavalankar : First speaker of the Lok Sabha
- D. Jawaharlal Nehru : First leader of the opposition in Lok Sabha

Q. 3

Single Option Correct

+1

-0.25

Indian Constitution was framed by -

- A. British Parliament
- B. National Congress
- C. Constituent Assembly
- D. Lok Sabha and Rajya Sabha

Q. 4

Single Option Correct

+1

-0.25

When a contract provides for a specified sum in case of breach

- A. it prescribes the maximum liability
- B. it prescribes the maximum limit of liability
- C. it prescribes neither the maximum nor the maximum extent liability
- D. none of the above

Q. 5

Single Option Correct

+1

-0.25

As per Article 19 (1) (a) of the Constitution of India, all citizens shall have the right-

- A. To Freedom of speech and expression
- B. To Equality before law
- C. To protection with respect to conviction under ex-post-facto laws
- D. To Protection of life and liberty

Q. 6

Single Option Correct

+1

-0.25

As per which provision of the Constitution of India, shall it be the duty of every citizen of India to abide by, the Constitution and respect its ideals and institutions, the National Flag and the National Anthem?

- A. Art 35
- B. Art 50
- C. Art 51A
- D. Art 52

Q. 7

Single Option Correct

+1

-0.25

Right to Constitutional Remedies is given under -

- A. Art 20
- B. Art 28
- C. Art 30
- D. Art 32

Q. 8

Single Option Correct

+1

-0.25

Swaran Singh committee recommendations resulted in formulation of-

- A. Directive Principles of State policy
- B. Minorities
- C. Fundamental Rights
- D. Fundamental Duties

Q. 9

Single Option Correct

+1

-0.25

Which is the largest committee in the Indian Parliament?

- A. Public Accounts Committee
- B. The Estimates Committee
- C. The Committee on public Undertakings
- D. The Rule Committee

Q. 10

Single Option Correct

+1

-0.25

In matters related to amendment of the Constitution, the Rajya Sabha -

- A. Enjoys equal power with Lok Sabha
- B. Enjoys exclusive power to initiate certain types of amendments
- C. Does not enjoy any powers
- D. Is associated with only certain types of amendment

Q. 11

Single Option Correct

+1

-0.25

If a Member of Parliament remains absent without notice for 60 days then –

- A. Nothing happens
- B. His seat may be declared vacant
- C. He has to re-apply for membership
- D. The speaker seeks an explanation from him

Q. 12

Single Option Correct

+1

-0.25

The provision of no-confidence motion is also called –

- A. Question hour
- B. Adjournment motion
- C. Censure motion
- D. None of the above

Q. 13

Single Option Correct

+1

-0.25

Which of the following motions cannot be moved in Rajya Sabha

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- A. Censure motion
- B. Adjournment motion
- C. No-day yet named motion
- D. No-confidence motion

Q. 14

Single Option Correct

+1

-0.25

As per Art.75 (3) of the Constitution of India, the Council of Ministers shall be Collectively responsible to

- A. the House of the People
- B. the Council of States
- C. the President
- D. the Vice-President

Q. 15

Single Option Correct

+1

-0.25

Who is authorized to decide a dispute regarding the disqualification of members of Parliament ?

- A. The President
- B. Supreme Court
- C. Election Commission
- D. President in consultation with the Election Commission

Q. 16

Single Option Correct

+1

-0.25

Freedom of speech for members of Parliament has been specifically provided for under which Article of the Constitution of India?

- A. Art 105
- B. Art 19
- C. Art 19 (7)
- D. Art 104

Q. 17

Single Option Correct

+1

-0.25

Under the Constitution of India. The President –

- A. is eligible for re-election
- B. is not eligible for re-election
- C. there is no such provision
- D. none of the above

Q. 18

Single Option Correct

+1

-0.25

A candidate for the office of the President of India must be proposed by –

- A. At least 50 electors
- B. At least 200 elector
- C. At least 100 electors
- D. At least 150 electors

Q. 19

Single Option Correct

+1

-0.25

The President of India is elected by –

- A. All the members of Parliament
- B. All elected members of Parliament
- C. All the elected members of Parliament and the elected members of Legislative Assemblies of the States
- D. All members of Rajya Sabha

Q. 20

Single Option Correct

+1

-0.25

The Vice-President can be removed from his office before expiry of his term by the -

- A. President
- B. Members of the Council of States and agreed by the House of the People
- C. Member of the Rajya Sabha
- D. The Supreme Court

Q. 21

Single Option Correct

+1

-0.25

What is the meaning of 'lex loci'?

- A. the law of the land
- B. Sovereignty is essential for enacting laws
- C. Law of land is supreme
- D. Crown has supreme authority

Q. 22

Single Option Correct

+1

-0.25

Lord Cornwallis introduced the 'Cornwallis Code' in 1773. What is the true effect of this code?

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- A. The Collector was to collect the Revenue
- B. The magisterial powers for the collection of revenue were taken away
- C. The court fees was abolished
- D. All the above

Q. 23

Single Option Correct

+1

-0.25

The system of 'double government' was declared by the

- A. Charter Act of 1813
- B. Charter Act of 1833
- C. Act of 1858
- D. Act of 1909

Q. 24

Single Option Correct

+1

-0.25

The Indian Constitution has borrowed the idea of the Preamble to the Constitution from the-

- A. Italian Constitution
- B. Canadian Constitution
- C. French Constitution
- D. Constitution of the USA

Q. 25

Single Option Correct

+1

-0.25

Which one of the following aimed at providing a federal structure for India?

- A. Indian Council Act, 1909
- B. Montague-Chelmsford Reforms Act. 1919
- C. Charter Act, 1831
- D. Government of India Act, 1935

Q. 26

Single Option Correct

+1

-0.25

'Lex iniusta non est lex' has which of the following meanings?

- A. The law is not valid unless it is formally enacted
- B. Law has lexical priority over morality
- C. An unjust law is not a law
- D. No-one is above the law

Q. 27

Single Option Correct

+1

-0.25

Cicero's conception of natural law is based on the idea that 'true law is right reason in agreement with Nature.' Reason is a key element because:

- A. It is a sin for humans not to apply reason
- B. The principles of natural law are discoverable by reason
- C. Natural law does not apply without good reason
- D. The law of nature is the basis of all positive law

Q. 28

Single Option Correct

+1

-0.25

According to Hobbes, peace is the first law of nature because of which of the following situation?

- A. Without peace everyone has a right to everything including another's life
- B. Peace is possible only after war
- C. Law cannot achieve peace
- D. Social contract cannot be entered into unless there is peace

Q. 29

Single Option Correct

+1

-0.25

Which statement is close to characterizing the principal difference between the positions adopted by Hobbes and Locke?

- A. They adopt different attitudes towards the role of the courts in maintaining order
- B. They disagree about the role of law in society
- C. They have opposing views about the nature of contractual obligations
- D. They differ in respect of their account of life before the social contract

Q. 30

Single Option Correct

+1

-0.25

Hume's attack on natural law is founded on his argument that:

- A. We cannot objectively know what is morally right or wrong
- B. Natural law is backward looking
- C. There is no such thing as a social contract
- D. Natural law fails to protect the state against attacks

Q. 31

Single Option Correct

+1

-0.25

Which of the factors below contributed significantly to the revival of natural law in 20th century?

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- A. The Depression of the 1930s
- B. The rise of Fascism
- C. The international recognition of Human Rights after World War II
- D. The Bolshevik revolution

Q. 32

Single Option Correct

+1

-0.25

On what grounds does John Finnis reject Hume's conception of practical reason?

- A. That natural law corresponds to positive law
- B. That Hume is a legal positivist
- C. That syllogistic logic is false
- D. That human reason can help us to determine what constitutes a worthwhile life

Q. 33

Single Option Correct

+1

-0.25

Which of the following most accurately describes Hart's response to Fuller's argument concerning the invalidity of Nazi law?

- A. The Nazi law in question was validly enacted
- B. The court misunderstood the legislation
- C. Fuller misconstrued the purpose of the law
- D. The Nazi rule of recognition was unclear

Q. 34

Single Option Correct

+1

-0.25

Which of the following statements best captures the nature of Fuller's 'inner morality of law'?

- A. A positivist view of law
- B. A morality of aspiration
- C. An Aquinian concept of natural law
- D. A rejection of the 'harm principle'

Q. 35

Single Option Correct

+1

-0.25

Which proposition below may be characterized as the most powerful refutation of Lord Devlin's argument by Hart?

- A. Society has no right to preserve its moral and social cohesion through the criminal law
- B. Homosexual acts cause public outrage
- C. The courts are the best place to resolve moral questions such as those concerning homosexuality and prostitution
- D. The law is anachronistic

Q. 36

Single Option Correct

+1

-0.25

The United States Supreme Court's decision in *Roe v. Wade* is highly controversial because

- A. It failed to consider the rights of fathers
- B. It overlooked the common law relating to abortion
- C. The majority held that the abortion law of Texas was unconstitutional because it violated a woman's right to privacy,
- D. The courts failed to consider the medical evidence

Q. 37

Single Option Correct

+1

-0.25

Which statement best describes the relationship between law and morality among non-positivist legal theorists?

- A. There is no relationship between law and morality
- B. Law is always in advance of moral ideas
- C. The law is inextricably bound up with morals
- D. Morality is generally in advance of the law

Q. 38

Single Option Correct

+1

-0.25

Which statement below is the least consistent with the argument that judges in an unjust legal system ought to resign?

- A. Judges are under a duty to act justly
- B. Since they also prop up the unjust system, lawyers should also resign
- C. If a moral judge resigns; he or she may be replaced by a less moral judge
- D. Judges do not make the law hence they cannot be held responsible for applying unjust legislation

Q. 39

Single Option Correct

+1

-0.25

As per Hohfeld's scheme of 'jural relations' which of the following are not Jural Correlatives –

- A. Right and duty
- B. Privilege and no-right
- C. Power and liability,
- D. Immunity and disability

Q. 40

Single Option Correct

+1

-0.25

The Will Theory of Rights maintains that the enforcement of Y's duty requires the exercise of will by X. It assumes the correlativity of rights and duties. Which of the following succeeds in formulating the interest theory without this correlativity?

- A. Regarding X's interest as directly related to Y's duty
 - B. Accepting that conferring right means that the interest represented by that right ought to be recognized
 - C. Treating an interest as the exercise of choice
 - D. Asserting that X has a right whenever the protection of his interest is recognized as a reason for imposing duties – only when they are actually imposed
-

Q. 41

Single Option Correct

+1

-0.25

Which of the following is the strongest argument against ethical relativism's hostility to human rights?

- A. Utilitarianism
 - B. Communitarianism
 - C. Cognitivism
 - D. Positivism
-

Q. 42

Single Option Correct

+1

-0.25

Who defined jurisprudence as “the knowledge of things divine and human, the science of just and unjust”?

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- A. Salmond
- B. Ulpian
- C. John Austin
- D. Holland

Q. 43

Single Option Correct

+1

-0.25

Which proposition below is the most inconsistent with Mill's statement that any suppression of speech is an assumption of infallibility and that only by the unrestricted circulation of ideas can the truth be discovered?

- A. Freedom of speech is a social good
- B. Truth is an objectively ascertainable value
- C. Reason generally prevails
- D. Speech may be suppressed only when it is immoral

Q. 44

Single Option Correct

+1

-0.25

Which proposition below is the most powerful refutation of Bentham's felicific calculus?

- A. Happiness is less important than economic prosperity
- B. It is impossible to calculate all the consequences of one's acts
- C. Pain and pleasure are inevitable features of life
- D. Utilitarianism fails to take account of differences in social background

Q. 45

Single Option Correct

+1

-0.25

Posner's economic analysis of law is roundly attacked by Dworkin who says that the theory 'has not achieved the beginning of a beginning.' What is the basis of this criticism?

- A. Posner's approach fails to offer a means by which to calculate individual prosperity
- B. It neglects the importance of individual choice
- C. It regards wealth as a value, which it is not
- D. The theory is economically unsound

Q. 46

Single Option Correct

+1

-0.25

Consider the following statements:

I Truth is not a justification for seditious utterances.

II Truth which does not have some effect of promoting disaffection towards the government is a justification.

Which of the statements given above is/are correct?

- A. I only
- B. II only
- C. Both I and II
- D. Neither I nor II

Q. 47

Single Option Correct

+1

-0.25

A person can be arrested without warrant

- A. for securing attendance of accused at trial
- B. as a preventive or precautionary measure
- C. for obtaining the correct name and address
- D. all the above

Q. 48

Single Option Correct

+1

-0.25

Anything is said to have been done dishonestly if it has been done with intention to I cause wrongful loss to any person or wrongful gain to any person. II cause injury to any Person.

Which of the choices given above is/are correct?

- A. I only,
- B. II only
- C. Both I and II
- D. Neither I nor II

Q. 49

Single Option Correct

+1

-0.25

Which one of the following statements is correct?

The general defenses provided under General Exceptions in the Indian Penal Code (IPC) can be pleaded

- A. for IPC offences only
- B. for IPC offences and offences under local law only
- C. for IPC offences and offences under special law only
- D. for IPC offences and offences under local or special law

Q. 50

Single Option Correct

+1

-0.25

Which of the following is/are the essential elements to be proved for prosecuting a public servant for criminal misappropriation?

I Custody

II Entrustment

Select the correct answer from the options given below:

- A. I only
- B. II only
- C. Both I and II
- D. Neither I nor II

Q. 51

Single Option Correct

+1

-0.25

Whether articles supplied to the 'necessaries' as required under Sec.68 of the Indian Contract Act, 1872 is–

- A. a question of law
- B. a question of fact?
- C. mixed question of law?
- D. decided solely at the discretion of the guardian?

Q. 52

Single Option Correct

+1

-0.25

'Y' enters into a bet with 'Z', 'Y' promises that he will pay Rs. 50,000/- to, 'Z' if Australia defeats India in a one day international being played at Delhi. 'Z' in turn promises to pay Rs. 50,000/- to 'Y' if India defeats Australia. India defeats Australia and 'Z' instead of paying the amount to 'Y' executes a promissory note in favour of 'Y', promising that he will pay money on or before a specified date. No witness attests the promissory note. The promissory note is not registered, 'Z' fails to pay within the stipulated time. On the basis of the above mentioned facts, which one of the following is the correct answer as per the Indian law?

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- A. The promissory note has no validity in the eye of law because it is not attested
- B. The promissory note has no validity in the eye of law because it is not registered
- C. The promissory note has no validity in the eye of law because it is for debt due on wagering contract
- D. The promissory note has no validity in the eye of law because betting should involve only cash transactions

Q. 53

Single Option Correct

+1

-0.25

Which one of the following statements is correct with regard to a contract for sale of immovable property?

- A. Time is always the essence of the contract
- B. Time is never the essence of the contract
- C. Time would not be regarded as the essence of the contract unless it is shown that the parties intended so
- D. Since it is a sale of immovable property, even parties cannot intend to make time the essence of the contract

Q. 54

Single Option Correct

+1

-0.25

Choose the most appropriate answer to complete the statement– Doctrine of frustration comes into play

- A. when both the parties are frustrated
- B. when either of the parties is frustrated
- C. when the object has failed
- D. when there is commercial hardship

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Q. 55

Single Option Correct

+1

-0.25

Consider the following statements:

I In case of a concluded contract and completed transfer, the Doctrine of frustration is not applicable when the rights and obligations of the parties arise under the Transfer of Property Act, 1882.

II If and when there is frustration of a contract, the contract automatically comes to an end. Which of the statements given above is/are correct?

- A. I only
- B. II only
- C. Both I and II
- D. Neither I nor II

Q. 56

Single Option Correct

+1

-0.25

Choose the most appropriate answer to complete the statement– When consent to an agreement is caused by fraud, then in accordance with the Indian Contract Act, 1872

- A. the agreement is void ab initio
- B. the agreement is a contract voidable from inception
- C. the agreement is a contract voidable by subsequent events
- D. the agreement is a contract and is valid

Q. 57

Single Option Correct

+1

-0.25

Where the tender of 'performance is rejected by the other party I the promisor has to still perform the contract but can claim damages.

II the promisor is excused from further performance and is entitled to sue the promisee for breach of contract.

Which of the choices given above is/are correct?

- A. I only
- B. II only
- C. Both I and II
- D. Neither I nor II

Q. 58

Single Option Correct

+1

-0.25

As per Lord Mansfield quasi contractual obligations are based on which of the following theories as explained by him in *Moses v. Macferlan*

- A. implied term
- B. just and reasonable solution
- C. implied-in-fact contract
- D. unjust enrichment

Q. 59

Single Option Correct

+1

-0.25

Assertion (A): If X does work for Y without his request or knowledge, he can sue for the value of his work.

Reason (R): Acquiescence can be presumed from silence

You have to examine the two statements above carefully and select the correct answer.

- A. Both A and R are individually true and R is the correct explanation of A
- B. Both A and R are individually 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

Q. 60

Single Option Correct

+1

-0.25

Choose the most appropriate answer to complete the statement–

An agreement to which the consent of the promisee is freely given, is not void merely because the

- A. consideration is not there
- B. consideration is not adequate
- C. consideration is past
- D. consideration is not spelt out clearly

Q. 61

Single Option Correct

+1

-0.25

Consider the following statements:

I Two manifestations of willingness to make the same bargain do not constitute a contract.
II Contractual obligations arise if services are rendered which in fact, fulfill the terms of an offer but are performed in ignorance that the offer exists. Which of the statements given above is/are correct?

- A. I only
- B. II only
- C. Both I and II
- D. Neither I nor II

Q. 62

Single Option Correct

+1

-0.25

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

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List I	List II
W. Lalman Shukla v. Gauri Dutt	i. Privity of contract
X. McPherson v. Appana	ii. General offer
Y. Banwari Lal v. Sukhdarshan Dayal	iii. Invitation to treat
Z. M.C. Chacko v. Bank of Travancore	iv. Intention to create legal relationship

Codes:

	W	X	Y	Z
(A)	i	iv	iii	ii
(B)	ii	iii	iv	i
(C)	i	iii	iv	ii
(D)	ii	iv	iii	i

- A. A
- B. B
- C. C
- D. D

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Q. 63

Single Option Correct

+1

-0.25

Consider the following statements:

In *Bhagwandas Goverdhandas Kedia v. Girdharilal Parshottamdas and Co.*, it was laid down that—

I. Section 4 of the Indian Contract Act, 1872 does not imply that the contract is made qua the proposer at one place and qua the acceptor at another place.

II. the communication of acceptance should be from a person who has the authority to accept. Information received from an unauthorized person is ineffective.

Which of the statements given above is/are correct?

- A. I only
- B. II only
- C. Both I and II
- D. Neither I nor II

Q. 64

Single Option Correct

+1

-0.25

Promissory estoppel is

- A. a variant of deception
- B. not a form of contract
- C. an equitable doctrine
- D. a type of offer

Q. 65

Single Option Correct

+1

-0.25

Consider the following statements:

I Misrepresentation is also a subtle species of fraud,

II Section 56 of the Indian Contract Act, 1872 does not leave the matter to be determined according to the intention of the parties.

Which of the statements given above is/are correct?

- A. I only
- B. II only
- C. Both I and II
- D. Neither I nor II

Q. 66

Single Option Correct

+1

-0.25

X, a public servant is authorized by warrant from court of justice to apprehend Z. W knowing that fact and also that Y is not Z. willfully represents to X that Y is Z and thereby intentionally causes X to apprehend Y. As per the Indian Penal Code, 1860 how does W abet the apprehension of Y?

- A. By instigation
- B. By conspiracy
- C. By aiding
- D. By supporting

Q. 67

Single Option Correct

+1

-0.25

Consider the following statements: To constitute abetment it is
I. necessary that the act abetted must be committed.

II. not necessary that the act abetted must be committed.

III. necessary that the person abetted must have the same intention or knowledge as that of the abettor.

Which of the statement given above represent(s) the correct position of law?

- A. II only
- B. II and III
- C. I only
- D. III only

Q. 68

Single Option Correct

+1

-0.25

P instigates Q to cause the death of R, P gives a gun to Q to shoot R, Q shoots at R in the presence of P causing R's death.

Which one of the following statement is correct as per the provisions of the IPC?

- A. Both P and Q are liable for criminal conspiracy
- B. Both P and Q are liable for the murder of R
- C. Only Q is liable for murder, P is only an abettor
- D. Only P is liable for criminal conspiracy, Q is not liable for any offence

Q. 69

Single Option Correct

+1

-0.25

What is the basic difference between an offence of abetment by conspiracy and the offence of criminal conspiracy?

- A. In case of criminal conspiracy, mere agreement is enough whereas in case of abetment by conspiracy an act should have taken place in pursuance of conspiracy
- B. There is no difference at all
- C. In case of criminal conspiracy, an act should also have taken place, but in case of abetment by conspiracy, no act needs to have taken place
- D. In case of abetment by conspiracy, there need not be an agreement whereas in case of criminal conspiracy, agreement is essential

Q. 70

Single Option Correct

+1

-0.25

'X' & 'Y' go to murder 'Z'. 'X' stood on guard with a spear in hand but did not hit 'Z' at all. 'Y' killed 'Z'. As per the IPC—

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

Q. 71

Single Option Correct

+1

-0.25

Five persons attempted to take away the wife of one of them from her brother's home. In scuffle with his brother-in-law, the husband shot him dead.

Which one of the following is correct, as per the provisions of IPC?

- A. All are liable for murder because they had common intention to commit murder
- B. All are not liable for murder because they had no common intention
- C. All are liable for murder because they had common object
- D. All are not liable for murder as they had no common object

Q. 72

Single Option Correct

+1

-0.25

What is the basic difference between Section 34 and Section 149 of IPC?

- A. Section 34 creates a principle of joint liability and does not create a specific offence. Section 149 creates a specific offence
- B. Section 149 does not create a specific offence but Section 34 creates a specific offence
- C. Both create specific offences but the principle of joint liability is created only by Section 34
- D. Both create specific offences but the principle of joint liability is created only by Section 149

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Q. 73

Single Option Correct

+1

-0.25

As per the IPC, illegal signifies

- A. everything which is an offence
- B. everything which is prohibited by law
- C. everything which furnishes ground for civil action
- D. all the above

Q. 74

Single Option Correct

+1

-0.25

As per the IPC, in case of an offence punishable with fine only, imprisonment for non-payment of fine

- A. has to be rigorous
- B. has to be simple
- C. can be rigorous or simple
- D. can be partly rigorous or partly simple

Q. 75

Single Option Correct

+1

-0.25

Section 73 of IPC provides for the maximum limit of solitary confinement to be

- A. one year
- B. two years
- C. three months
- D. six months

Q. 76

Single Option Correct

+1

-0.25

General exceptions are contained in

- A. chapter III of IPC
- B. chapter IV of IPC
- C. chapter V of IPC
- D. chapter VI of IPC

Q. 77

Single Option Correct

+1

-0.25

The maxim 'ignorantia juris non excusat' means

- A. ignorance of law is no excuse
- B. ignorance of fact is no excuse
- C. ignorance of law is an excuse
- D. ignorance of fact is an excuse

Q. 78

Single Option Correct

+1

-0.25

The maxim 'actus non facit reum nisi mens sit rea' means

- A. crime has to be coupled with guilty mind
- B. there can be no crime without a guilty mind
- C. crime is the result of guilty mind
- D. criminal mind leads to crime

Q. 79

Single Option Correct

+1

-0.25

Irresistible impulse is a defense

- A. in India
- B. in England
- C. in India and England both
- D. neither in India nor in England

Q. 80

Single Option Correct

+1

-0.25

A hangman who hangs the prisoners pursuant to the order of the court is exempt from criminal liability by virtue of

- A. section 77 of IPC
- B. section 78 of IPC
- C. section 79 of IPC
- D. section 76 of IPC

Q. 81

Single Option Correct

+1

-0.25

Tort is basically a species of

- A. criminal injury or wrong
- B. substantial injury or wrong
- C. civil injury or civil wrong
- D. none of the above

Q. 82

Single Option Correct

+1

-0.25

The definition of tort is contained in

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- A. The General Clauses Act, 1897
- B. The Limitation Act, 1963
- C. The Indian Courts Act, 1872
- D. The Indian Penal Code, 1860

Q. 83

Single Option Correct

+1

-0.25

Tort is redressible by an action

- A. for restoration of original position
- B. for unliquidated damages
- C. for liquidated damages
- D. all the above

Q. 84

Single Option Correct

+1

-0.25

The principle of privity of contract was held as not applicable in an action for tort in

- A. Winterbottom v. Wright, (1842) 10 M&W 109
- B. Donoghue v. Stevenson, (1932) AC 562
- C. Grant v. Australian Knitting Mills Ltd. (1936) AC 85
- D. Ashby v. White, (1703) 2 Ld Raym 938

Q. 85

Single Option Correct

+1

-0.25

The principle of 'ubi jus ibi remedium' was recognized in

- A. Winterbottom v. Wright
- B. Champman v. Pickersgill
- C. Ashby v. White
- D. Rylands v. Fletcher

Q. 86

Single Option Correct

+1

-0.25

The maxim injuria sine damno means

- A. violation of a legal right without any damage
- B. violation of a legal right with damage
- C. damage without violation of legal right
- D. no damage & no violation of legal right

Q. 87

Single Option Correct

+1

-0.25

Under the Law of torts, malice means

- A. a willful act done without just cause or excuse, known as malice in law
- B. a willful act done with evil motive, known as malice in fact
- C. both (A) & (B)
- D. neither (A) nor (B)

Q. 88

Single Option Correct

+1

-0.25

In tort, mistake

- A. of law is a defense
- B. of fact is a defense
- C. is no defense
- D. of law & of fact both are defense

Q. 89

Single Option Correct

+1

-0.25

An act done as Act of State has to be justified on the ground of

- A. positive law of the land
- B. political expediency both
- C. positive law & political expediency both
- D. none of the above

Q. 90

Single Option Correct

+1

-0.25

Public nuisance is

- A. an offence
- B. is a civil wrong
- C. both (A) & (B)
- D. either (A) or (B)

Q. 91

Single Option Correct

+1

-0.25

Goods displayed in a shop with a price tag is an

- A. an offer
- B. an invitation to offer
- C. a counter offer
- D. a promise

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Q. 92

Single Option Correct

+1

-0.25

A promisor can perform

- A. the promise himself'
- B. the promise through his representative competent to perform
- C. the promise through his representative irrespective of the competency of that representative
- D. both (A) & (B)

Q. 93

Single Option Correct

+1

-0.25

As per the Indian Contract Act, 1872 if the time of performance of the contract is the essence of the contract and the promisor fails to perform the contract by the specified time then

- A. the contract becomes void
- B. the contract remains valid
- C. the contract becomes voidable at the option of the promise
- D. the contract becomes unenforceable

Q. 94

Single Option Correct

+1

-0.25

The reasonable time for performance of a contract –

- A. is a question of fact
- B. is a question of law
- C. is a mixed question of fact & law
- D. is a question of prudence

Q. 95

Single Option Correct

+1

-0.25

An acceptance on telephone should be

- A. audible to the offeror
- B. heard by the offerer
- C. understood by the offerer
- D. all the above

Q. 96

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 contract
- D. all the above

Q. 97

Single Option Correct

+1

-0.25

The Constituent Assembly which framed the Constitution of independent India was set up under-

- A. Cripps Mission Plan
- B. Cabinet Mission Plan
- C. Wavell Plan
- D. None of above

Q. 98

Single Option Correct

+1

-0.25

The doctrine of impossibility of performance rendering contracts void is based on

- A. implied term
- B. just & reasonable solution
- C. supervening impossibility
- D. unjust enrichment

Q. 99

Single Option Correct

+1

-0.25

Surety is a person

- A. in respect of whose default the guarantee is given
- B. who gives the guarantee
- C. to whom the guarantee is given
- D. none of the above

Q. 100

Single Option Correct

+1

-0.25

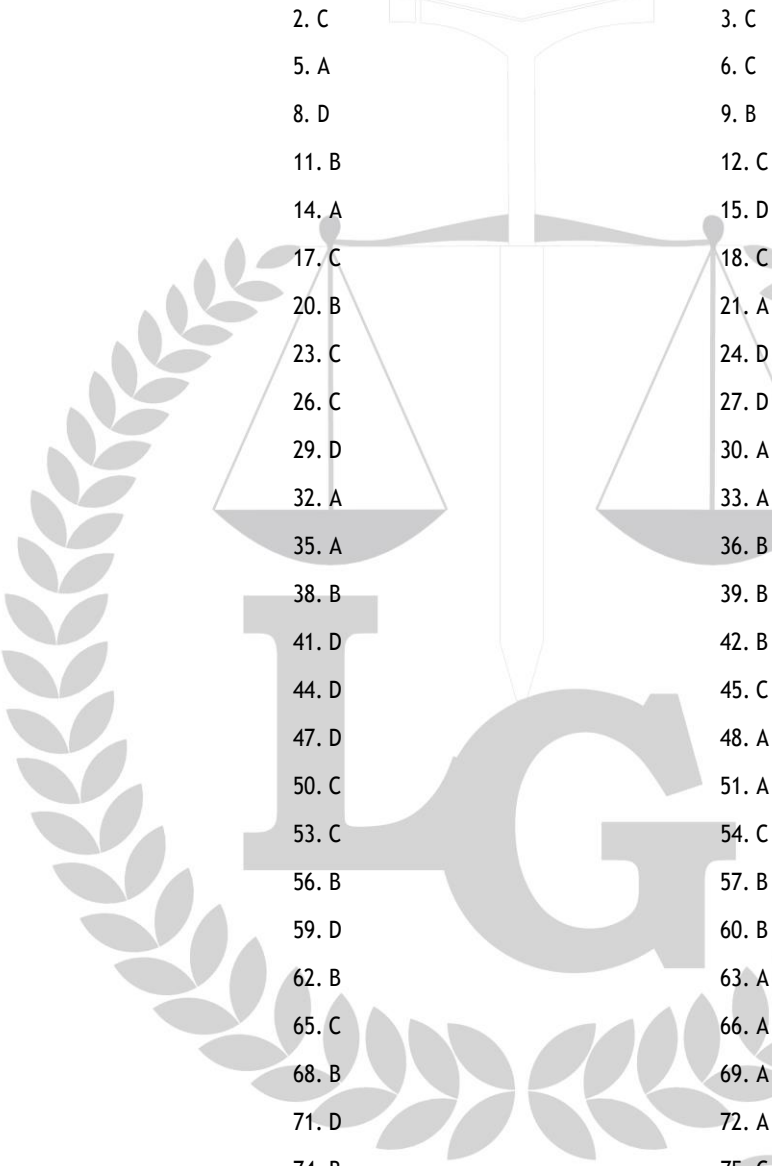
A Contract cannot be said to be void on ground of

- A. over consideration
- B. inadequacy of consideration
- C. over consideration or inadequacy of consideration
- D. neither (A) nor (B)

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Answers

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

94. A

95. D

96. A

97. B

98. C

99. B

100. C



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