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ALL INDIA BAR EXAMINATION-XVI-2021- QUESTION SOLVED PREVIOUS YEAR QUESTION PAPERS DULY EXPLAINING THE ANSWERS KEYS [Held on 31st January, 2021]

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1. **The Hindu Marriage Act, 1955** Petition in which a decree of restitution of conjugal rights has been passed to apply to the court for a decree for divorce by showing that there has been no restitution of conjugal rights as between parties of marriage for a period of one year or upwards after passing of the decree.

- (A) Does not permit any party to that
- (B) Does not permit the party against whom the
- (C) Does permit any party to that
- (D) Does permit any person related to either party to that

Answer: (C)

Explanation: Section 13(1A)(ii) of the Hindu Marriage Act, 1955 provides that either party to a marriage, whether solemnized before or after the commencement of this Act, may present a petition for the dissolution of the marriage by a decree of divorce on the ground that there has been no restitution of conjugal rights as between the parties to the marriage for a period of one year or upwards after the passing of a decree for restitution of conjugal rights.

2. The offences under the Prohibition of Child Marriage Act, 2006 are

- (A) Cognizable and bailable
- (B) Non cognizable and non-bailable
- (C) Cognizable and non-bailable
- (D) Non cognizable and bailable

Answer: (C)

Explanation: Section 15 of the Prohibition of Child Marriage Act, 2006 states that notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence punishable under this Act shall be cognizable and non-bailable.

3. An arbitration proceeding is a:

- (A) Judicial proceeding
- (B) Quasi-judicial proceeding
- (C) Administrative proceeding
- (D) None of the above

Answer: (B)

Explanation: An arbitration proceeding is a quasi-judicial proceeding. Arbitration is a procedure in which a dispute is submitted, by agreement of the parties, to one or more arbitrators who make a binding decision. By choosing arbitration, parties opt for a private dispute resolution procedure instead of going to court.

4. What is ad hoc arbitration?

- (A) It is a proceeding administered by the parties themselves, with rules created solely for that specific case
- (B) Parties make their own arrangement with respect to all aspects of the arbitration, including the laws and rules
- (C) The seal of arbitration, the language, and the scope and issues to be resolved by means of arbitration
- (D) (A), (B), (C)

Answer: (D)

Explanation: An ad hoc arbitration is any arbitration in which the parties have not selected an institution to administer the arbitration. It is a form of arbitration in which the parties and the arbitrators independently determine the procedure without the involvement of an arbitral institution.

5. Which of the following Sections of the Civil Procedure Code define the 'Mesne Profit'?

- (A) Section 2(4)
- (B) Section 2(14)

- (C) Section 2(6)
- (D) Section 2(12)

Answer: (D)

Explanation: Section 2(12) of Code of Civil Procedure, 1908 defines “mesne profits” of property as those profits which the person in wrongful possession of such property actually received or might with ordinary diligence have received therefrom, together with interest on such profits, but shall not include profits due to improvements made by the person in wrongful possession.

6. How many kinds of presumptions are there as classified by the Supreme Court?

- (A) Permissive presumptions or presumptions of facts
- (B) Compelling presumptions or presumptions of law (rebuttable presumptions)
- (C) Irrebuttable presumptions of law or conclusive presumptions
- (D) All of them

Answer: (D)

Explanation: There are three types of presumptions:

1. **Presumption of Facts** - Inferences naturally concluded from circumstances.
2. **Presumption of Law** – Inferences established or assumed by law; includes rebuttable and irrebuttable presumptions.
3. **Mixed Presumption** - When inferences combine facts and law.

7. What is the leading decision in the case of Maneka Gandhi v. Union of India?

- (A) Right of hearing
- (B) Separation of powers
- (C) Delegated legislation
- (D) Rule of evidence

Answer: (A)

Explanation: In Maneka Gandhi v. Union of India, the Supreme Court held that law and procedure must be fair, just, and reasonable. The principle of **natural justice (Audi Alteram Partem)** requires that no one shall be condemned unheard. Both parties have the right to be heard before a decision is declared.

8. Advocate’s Act, 1961 came into force on:

- (A) 19th May, 1961
- (B) 19th April, 1961
- (C) 1st May, 1961
- (D) 19th January, 1961

Answer: (A)

Explanation: The Advocates Act, 1961 came into force on 19th May, 1961 to amend and consolidate law relating to legal practitioners and to provide for the constitution of Bar Councils and a Bar.

9. A Railway servant was killed in a bus accident during the course of employment. His family members may claim compensation under:

- (A) The Motor Vehicle Act
- (B) The Employees Compensation Act, 1923
- (C) Both (A) and (B)
- (D) Either under (A) or under (B)

Answer: (D)

Explanation: The family members of a railway servant may claim compensation either under the Motor Vehicle Act, 1988 or under the Employees Compensation Act, 1923.

10. "Casting Couch" in Bollywood, the Indian film industry, is an example of:

- (A) Sexual assault
- (B) Sexual harassment
- (C) Both (A) and (B)
- (D) None of the above

Answer: (B)

Explanation: The practice of **Casting Couch** in the Indian film industry is an example of **sexual harassment**, not necessarily sexual assault.

11. According to section 2 of Motor Vehicles Act, 1988, the term motor cab means any motor vehicle constructed or adapted to carry not more than:

- (A) 5 passengers or including the driver
- (B) 6 passengers or including the driver
- (C) 5 passengers or excluding the driver
- (D) 6 passengers or excluding the driver

Answer: (D)

Explanation: Section 2(25) of the Motor Vehicles Act, 1988 defines "motor cab" as any motor vehicle constructed or adapted to carry not more than **six passengers excluding the driver** for hire or reward.

12. The National Commission of Consumer Protection is composed of:

- (A) 7 members
- (B) 5 members

- (C) 8 members
- (D) 6 members

Answer: (B)

Explanation: Section 20 of the Consumer Protection Act, 1986 deals with the National Commission. It consists of the **President and four members**. The President must be or have been a Judge of the Supreme Court.

13. Which of the following sections of the Hindu Adoption and Maintenance Act, 1956 deals with “amount of maintenance”?

- (A) Section 21
- (B) Section 22
- (C) Section 23
- (D) Section 24

Answer: (C)

Explanation: Section 23 of the Hindu Adoption and Maintenance Act, 1956 deals with the amount of maintenance. The court has discretion to determine whether maintenance shall be awarded and the amount, considering the relevant factors.

14. In which of the following cases did the Supreme Court first extend the right to life to include right to health and hygienic conditions?

- (A) The Rural Litigation and Entitlement Kendra v. State of Uttar Pradesh
- (B) M.C. Mehta v. Union of India
- (C) V. Lakshmi Pathy v. State of Karnataka
- (D) F.K. Hussain v. Union of India

Answer: (A)

Explanation: The **Rural Litigation and Entitlement Kendra, Dehradun v. State of U.P. (1985)** case, also known as Dehradun Valley Litigation, first addressed environmental and hygienic conditions under the right to life.

15. Basel Convention is associated with:

- (A) International Trade in Endangered Species of Wild Fauna & Flora
- (B) Climate change
- (C) Protection of Ozone layer
- (D) Control of transboundary movement of hazardous waste and their disposal

Answer: (D)

Explanation: The Basel Convention (1989) deals with the **control of transboundary movement of hazardous wastes** to protect human health and the environment.

16. Cybercrime is of what nature?

- (A) Tangible
- (B) Intangible
- (C) Mental violence
- (D) None of the above

Answer: (B)

Explanation: Cybercrime is **intangible** in nature. It involves illegal activities conducted using computers or the internet, such as fraud, identity theft, and privacy violations.

17. Under Civil Procedure Code, 1908, "Foreign Court" means:

- (A) A court situated outside India
- (B) A court situated outside India and not established under the authority of Government of India
- (C) A court situated in India, applying foreign law
- (D) All of the above

Answer: (B)

Explanation: Section 2(5) CPC defines "foreign court" as a court **situated outside India and not established or continued by the Central Government.**

18. Misuse of mechanism of PILs means:

- (A) Filing PILs for protection of private interest
- (B) Filing PILs for oblique motive
- (C) Filing PILs only for publicity
- (D) All of the above

Answer: (D)

Explanation: PILs may be misused for **publicity, private interests, political rivalry, or oblique motives**, instead of genuine public causes.

19. What is meant by procedural ultra-vires?

- (A) Non-observance of procedural norms by the rule-making authority
- (B) It may make the rule ultra vires due to non-observance of rule-making authority and hence become void
- (C) It means lacuna in procedure or law
- (D) (A) and (B)

Answer: (D)

Explanation: Procedural ultra vires occurs when **prescribed procedures are not properly followed**, making the action or rule void.

20. The ground of "error of law apparent on the face of the record" is connected with which writ?

- (A) Quo warranto

- (B) Mandamus
- (C) Habeas Corpus
- (D) Certiorari

Answer: (D)

Explanation: **Certiorari** is issued by a superior court to review records of an inferior court. Error of law apparent on the face of the record is a valid ground for this writ.

21. Under Civil Procedure Code, find the incorrect match:

- (A) Section 5 - Revenue Court
- (B) Section 7 - Provincial Small Causes Court
- (C) Section 9 - Pecuniary Jurisdiction of Courts
- (D) Section 8 - Presidency Small Cause Courts

Answer: (C)

Explanation: Section 9 CPC does **not deal with pecuniary jurisdiction**; it provides that courts can try all civil suits unless barred by law.

22. Period of limitation for expeditious disposal of suit under Specific Relief Act, 1963:

- (A) 6 months
- (B) 10 months
- (C) 12 months
- (D) 18 months

Answer: (C)

Explanation: Section 20C mandates that suits under this Act shall be disposed of within **12 months** from service of summons; extendable by 6 months for reasons recorded in writing.

23. A Chief Judicial Magistrate may pass a sentence of imprisonment:

- (A) Not exceeding seven years
- (B) Exceeding seven years
- (C) For life
- (D) None of the above

Answer: (A)

Explanation: Section 29(1) CrPC: Chief Judicial Magistrate can pass any sentence **except death, life imprisonment, or imprisonment exceeding 7 years.**

24. Harboursing an offender who has escaped from custody, if the offence is capital, is dealt under:

- (A) Section 215 IPC
- (B) Section 216 IPC
- (C) Section 217 IPC
- (D) Section 218 IPC

Answer: (B)

Explanation: Section 216 IPC punishes **harbouring an offender who has escaped or whose apprehension is ordered.**

25. The maxim "actus non facit reum nisi mens sit rea" means:

- (A) There can be no crime without a guilty mind
- (B) Crime must be coupled with guilty mind
- (C) Crime is the result of guilty mind
- (D) Intention is relevant, motive is irrelevant

Answer: (A)

Explanation: Literally: **an act does not make a person guilty unless there is criminal intent.**

26. Law under Section 73 of Indian Contract Act, 1872 is related to which case:

- (A) Hotheater v. De-la-tur
- (B) Rabinson v. Devison
- (C) Hedley v. Baxendale
- (D) Dickinson v. Dads

Answer: (C)

Explanation: Section 73 ICA is based on the rule in **Hadley v. Baxendale (1854)** regarding **consequential damages.**

27. Recovery of specific immovable property under CPC may be obtained within:

- (A) 7 months
- (B) 6 months
- (C) 8 months
- (D) 10 months

Answer: (B)

Explanation: Section 6(2), Specific Relief Act: suit for recovery must be filed **within 6 months of dispossession.**

28. Who appoints the Commissioner for rehabilitation and resettlement under the LARR Act?

- (A) LARR Authority
- (B) Minister of Environment and Forests
- (C) Central Government
- (D) State Government

Answer: (D)

Explanation: Section 44(1) LARR Act 2013: **State Government appoints an officer** of Commissioner or Secretary rank as Commissioner for Rehabilitation & Resettlement.

29. The bond under Section 109 CrPC as security for good behaviour from a suspected person can be executed for a period not exceeding:

- (A) Six months
- (B) Two years
- (C) One year
- (D) Three months

Answer: (C)

Explanation: Section 109 CrPC allows Executive Magistrate to require a person to execute **a bond for good behaviour up to one year.**

30. The maximum limit of Rs. 500 for maintenance under Section 125 CrPC was removed in:

- (A) 1973
- (B) 1989
- (C) 2001
- (D) 2007

Answer: (C)

Explanation: CrPC (Amendment) Act, 2001 **removed the Rs. 500 limit** for maintenance to wife, child, or parents.

31. WIPO stands for:

- (A) World Investment Policy Organization
- (B) World Intellectual Property Organization
- (C) Wildlife Investigation and Policing Organization
- (D) World Institute for Prevention of Organized Crime

Answer: (B)

Explanation: **WIPO** is the UN agency promoting **protection of industrial property and copyrights worldwide.**

32. Health and education cess is applicable to:

- (A) All assesses
- (B) All assesses except companies
- (C) Individual/HUF
- (D) Company only

Answer: (A)

Explanation: Applicable to **all assesses.**

33. Contractual liability arises when:

- (A) There is offer and acceptance only
- (B) There is intention to create legal relation

- (C) There is loss to one party
- (D) Loss of one party is gain of other

Answer: (B)

Explanation: **Intention to create legal relations** is essential for enforceable contracts.

34. Provisions of Section 10 of CPC are:

- (A) Directory
- (B) Mandatory
- (C) Non-mandatory
- (D) Discretionary

Answer: (B)

Explanation: Section 10 CPC is **mandatory**; courts cannot try civil suits barred by another law.

35 – 38 Conduct and relevancy under Evidence Act

Explanation: Section 6 (C) defines **relevant conduct**, including acts and statements accompanying acts. Statements not accompanying acts are covered under **other sections**.

39. Freedom of residence under Article 19 is available under:

- (A) Clause (1)(e)
- (B) Clause (1)(d)
- (C) Clause (1)(b)
- (D) Clause (1)(c)

Answer: (A)

Explanation: Article 19(1)(e): citizens **right to reside and settle anywhere in India**.

40. Under which section of Evidence Act are admissions defined?

- (A) 17
- (B) 16
- (C) 15
- (D) 18

Answer: (A)

Explanation: Section 17 defines **“admission”**: statement suggesting any fact in issue or relevant fact.

41. In which case did the Supreme Court hold that investigating officer may refer to records of investigation?

- (A) State of Karnataka v. Yarappa Reddi
- (B) Mohammed Khalid v. State of West Bengal
- (C) Baburam v. State of U.P.
- (D) State of Rajasthan v. Om Prakash

Answer: (A)

Explanation: Investigating officer may **refer to contemporaneous records** to refresh memory during trial (State of Karnataka v. Yarappa Reddi, 1994).

42. If a party obtaining leave to amend pleading does not amend within how many days, h requires court permission?

- (A) 15 days
- (B) 14 days
- (C) 20 days
- (D) 30 days

Answer: (B)

Explanation: Order VI Rule 18 CPC: **amendment not done within 14 days** requires court's leave.

43. Punishment of advocates for misconduct under Advocates Act, 1961:

- (A) 30
- (B) 32
- (C) 35
- (D) None

Answer: (C)

Explanation: **Section 35** deals with punishment for professional misconduct.

44. Professional negligence of medical professionals is invoked under which IPC section?

- (A) 303A
- (B) 304A
- (C) 302
- (D) 305

Answer: (B)

Explanation: Section 304A IPC punishes **death caused by rash or negligent act**.

46. Perpetual injunction may be granted when:

- (A) Defendant is trustee of property
- (B) No standard for ascertaining damage
- (C) Compensation in money is inadequate
- (D) All of the above

Answer: (D)

Explanation: Section 38 Specific Relief Act: perpetual injunction granted in above situations.

47. Advocates' duty to uphold law and professional ethics:

- (A) Hikmant Ali Khan v. Ishwar Prasad Arya
- (B) O.P. Sharma v. High Court of Punjab & Haryana
- (C) L.D. Jaikwal v. State of U.P.

(D) Shamsher Singh Bedi v. High Court of Punjab & Haryana

Answer: (B)

Explanation: Supreme Court emphasized **integrity, professionalism, and mentoring juniors** (Sharma v. HC Punjab & Haryana, 2011).

48. Section 8 of Companies Act, 2013 relates to:

- (A) Incorporation of company
- (B) Formation of companies with charitable objects
- (C) Effect of registration
- (D) Effect of memorandum and articles

Answer: (B)

Explanation: Section 8 regulates **companies with charitable, social objectives**.

49. Verification of registered office to Registrar must be furnished within:

- (A) 30 days
- (B) 60 days
- (C) 90 days
- (D) 120 days

Answer: (A)

Explanation: Section 12(2) Companies Act: verification of registered office **within 30 days of incorporation**.

50. Cyber law deals with:

- (A) All activities concerning the internet
- (B) Intellectual Property Rights
- (C) E-commerce
- (D) All of the above

Answer: (D)

Explanation: Cyber law supervises **digital information, e-commerce, software, IPR, and information security**.

51. The payment of compensation to railway employees by the railway administration for injury by accident is governed by:

- (A) The Employees Compensation Act, 1923
- (B) The Payment of Wages Act, 1936
- (C) Rights of Persons with Disabilities Act, 2016
- (D) The Workmen Compensation Act, 1986

Answer: (A)

Explanation: The payment of compensation to railway employees by the railway administration for injury by accident is governed by the Employees Compensation Act, 1923.

52. The minimum amount of compensation payable under Employees Compensation Act, 1923 in case of total permanent disablement of a railway servant due to accident is Rs-

- (A) Rs. 80,000/-
- (B) Rs. 90,000/-
- (C) Rs. 1,40,000/-
- (D) Rs. 1,20,000/-

Answer: (C)

Explanation: Compensation depends on the nature of injury, monthly wages, and age. Minimum for death: ₹1,20,000; for permanent total disablement: ₹1,40,000.

53. A company wishes to ensure that no one else can use their logo-

- (A) Copyrights
- (B) Trade mark
- (C) Patent
- (D) Industrial designs

Answer: (B)

Explanation: Section 2(zb) of the Trade Marks Act, 1999 defines a “trade mark” as a mark capable of being represented graphically and capable of distinguishing goods/services. It may include shapes, packaging, and color combinations.

54. The Section of the Arbitration and Conciliation Act, dealing with the time of commencement of arbitral proceeding is-

- (A) Section 20
- (B) Section 21
- (C) Section 22
- (D) None of the above

Answer: (B)

Explanation: Section 21 of the Arbitration and Conciliation Act, 1996 mentions that, unless otherwise agreed, arbitral proceedings commence when the request for arbitration is received by the respondent.

55. Under Criminal Procedure Code 1973, who shall record the information of rape being given by a rape victim?

- (A) Officer in-charge of the police station
- (B) Deputy Superintendent of police
- (C) Officer not below the rank of Sub-Inspector

(D) Woman police officer or any Woman officer

Answer: (D)

Explanation: First proviso to Section 154(1) CrPC specifies that if the information is given by a woman victim of certain offences, it must be recorded by a woman police officer or any woman officer.

56. Under the provision of the Code of Criminal Procedure, 1973-

(A) Summons can be oral

(B) Summons cannot be served on corporate entities

(C) Summons are either for appearance or for producing a document/thing

(D) Summons can be served to servants if the person cannot be found

Answer: (C)

Explanation: Section 61 CrPC: Summons are written documents issued for appearance or producing a document/item.

57. Every person who is a member of a defence service or holds any civil post under the Union, holds office during the pleasure of the _____

(A) Prime Minister

(B) President

(C) Council of Minister

(D) Both (A) and (B)

Answer: (B)

Explanation: Article 310: Officers of Union defence/civil services hold office during the pleasure of the President.

58. Which of the following statement/statements is/are false for the purpose of the Hindu Marriage Act, 1955?

I. It is assumed that a person who is not Muslim, Santhal, Christian, Jew, or Parsi by religion is Hindu

II. A person who belongs to Lingayat sub sect is assumed to be Hindu

III. A person who converted to another religion needs to follow local ritual/custom for converting back to Hinduism

(A) I only

(B) I and II

(C) III only

(D) I and III

Answer: (C)

Explanation: Section 2(1)(c) states the Act applies to Hindus (including Lingayat), Buddhists, Jains, Sikhs, and others not Muslim, Christian, Parsi, or Jew. Statement III is false.

59. Provision for settlement of dispute outside court has been provided under Section ____ of Civil Procedure Code.

- (A) 91
- (B) 89
- (C) 51
- (D) 151

Answer: (B)

Explanation: Section 89(1) CPC: Court may refer disputes for arbitration, conciliation, mediation, or Lok Adalat.

60. The Indian Evidence Act came into force on-

- (A) 6th October, 1860
- (B) 1st March, 1974
- (C) 15th March, 1872
- (D) 1st September, 1872

Answer: (D)

Explanation: The Indian Evidence Act, 1872 came into force on 1st September, 1872.

61. According to Article 315 of the Indian Constitution:

- I. There shall be a Public Service Commission for the Union and for each State.
- II. Union PSC may serve States on request with President's approval.

Which is correct?

- (A) Only I
- (B) Only II
- (C) I and II
- (D) None

Answer: (C)

Explanation: Article 315: PSC for Union and each State; Union PSC may serve States with President's approval on Governor's request.

62. Any private person may arrest any person who:

- (A) Commits non-bailable offence in his presence
- (B) Commits non-bailable and cognizable offence in his presence
- (C) Commits compoundable offence in his presence
- (D) Commits offence in his presence or is a proclaimed offender

Answer: (D)

Explanation: Section 43 CrPC: Private person may arrest if offence occurs in presence or if person is proclaimed offender, and deliver to police without delay.

63. How long a warrant of arrest shall remain in force?

- (A) 6 years
- (B) 10 years
- (C) 12 years
- (D) Until executed or cancelled

Answer: (D)

Explanation: Section 70 CrPC: Warrant remains in force until executed or cancelled by issuing Court.

64. Rate of additional depreciation under section 32 of Indian Income Tax Act-

- (A) 10 %
- (B) 20 %
- (C) 15 %
- (D) 30 %

Answer: (B)

Explanation: Section 32(1)(iia): 20% additional depreciation allowed on plant/machinery in manufacturing or power generation businesses.

65. Amount of deduction under section 24 of the Income Tax Act from annual value is-

- (A) 1/2 of Annual Value
- (B) 1/3 of Annual Value
- (C) 3/10 of Annual Value
- (D) 17/10 of Annual Value

Answer: (C)

Explanation: Section 24: 30% of annual value deduction plus interest on borrowed capital.

66. The test of reasonableness is not wholly ____ test and its contours are fairly indicated by the Constitution.

- (A) Subjective
- (B) Objective
- (C) Descriptive
- (D) Subjective

Answer: (A)

Explanation: Supreme Court in Javed v. Haryana observed that reasonableness is not wholly subjective; it is guided by the Constitution.

67. The power to enact a law relating to citizenship of India is left to ____ under Article 11.

- (A) President
- (B) Council of Ministers
- (C) House of People

(D) Parliament

Answer: (D)

Explanation: Article 11: Parliament has exclusive power to make laws regarding citizenship. ▲

68. Promissory estoppel against Government agencies is decided in:

(A) Tweedle v. Atkinson

(B) Dutton v. Poole

(C) Pournami Oil Mills v. State of Kerala

(D) Kedar Nath v. Gauri Mohamad

Answer: (C)

Explanation: SC applied promissory estoppel in Pournami Oil Mills v. Kerala (1986), quashing subsequent notification affecting tax exemption promised earlier.

69. Frustration of contract is provided by which section of Indian Contract Act?

(A) Section 73

(B) Section 70

(C) Section 2(d)

(D) Section 56

Answer: (D)

Explanation: Section 56: Agreement to do impossible act is void (Doctrine of Frustration).

70. Schedule II of the Employees Compensation Act, 1923 deals with-

(A) Age factor for calculating compensation

(B) List of persons included in definition of 'Employee'

(C) List of occupational diseases

(D) List of injuries deemed to result in permanent total disablement

Answer: (B)

Explanation: Schedule II lists persons included in the definition of 'employee' under Section 2(1)(oo).

81. The Rule of Last opportunity was laid down in -

(A) Davies v. Mann

(B) State of A.P. v. Ranganna

(C) Nugent v. Smith

(D) Kalawati v. State of HP

Answer: (A)

Explanation: Davies v. Mann [152 Eng. Rep. 588 (1882)] formulated the "last clear chance" doctrine in negligence law: if the defendant fails to take the last opportunity to avoid injury, the plaintiff's contributory negligence does not bar recovery.

82. In which case was it held that the rights under Section 25 of the Hindu Adoption and Maintenance Act, 1956 supersede any contract to the contrary?

- (A) Surenderabal v. Suppiah
- (B) Mukesh Teli v. Bharti Teli
- (C) Seshi Ammal v. Thaiyu Ammal
- (D) Laxmi v. Krishna

Answer: (C)

Explanation: Seshi Ammal v. Thaiyu Ammal (AIR 1964 Mad 217) – The Court held that Section 25 rights override contracts limiting maintenance, allowing adjustments for changed circumstances.

83. A plaint has to be presented to the Court under Order IV, Rule 1 in –

- (A) Single copy
- (B) Duplicate
- (C) Triplicate
- (D) No fixed rule

Answer: (B)

Explanation: Order IV Rule 1(1) CPC: Every suit shall be instituted by presenting the plaint in duplicate.

84. Omission to give notice under Order XXI, Rule 22 will –

Answer: Deleted

Explanation: Previously, the case Mahadeo Lal Aganvala v. New Darjeeling Union Tea Co. clarified that omission renders sale invalid. This question has been deleted.

85. Where a decree is passed against the Union or State for official acts, under Section 82 CPC, execution shall not be issued unless unsatisfied for –

- (A) 3 months from the date of decree
- (B) 6 months
- (C) 1 year
- (D) 2 years

Answer: (A)

Explanation: Section 82 CPC: Execution against the government can be issued only after 3 months from decree date.

86. On which date did the Hindu Marriage Act, 1955 come into operation?

- (A) 18th May, 1955
- (B) 17th June, 1955
- (C) 22nd May, 1955
- (D) 18th June, 1955

Answer: (A)

Explanation: Hindu Marriage Act, 1955 came into force on 18th May, 1955 to amend and codify Hindu marriage law.

87. Which properties does Section 30 of the Hindu Succession Act, 1956 govern? ▲

- I. Tarwad
 - II. Tavazhi
 - III. Kutumba
 - IV. Kavaru
 - V. Illom
- (A) I, III, and V
(B) II, IV, and V
(C) I and II
(D) All of the above

Answer: (D)

Explanation: Section 30(1) HSA: Interests in Tarwad, Tavazhi, Illom, Kutumba, or Kavaru are deemed transferable property under the Act.

88. Maximum limit of members of a State Bar Council:

- (A) 15
(B) 20
(C) 25
(D) None

Answer: (C)

Explanation: Section 3(2)(b) Advocates Act, 1961: State Bar Councils with electorate over 10,000 have 25 members.

89. Specific Relief Act, 1963 contains -

- (A) 6 chapters and 40 Sections
(B) 7 chapters and 42 Sections
(C) 8 chapters and 43 Sections
(D) 8 chapters and 44 Sections

Answer: (D)

Explanation: Specific Relief Act, 1963 has 8 Chapters and 44 Sections.

90. "Filing a PIL ostensibly in public interest but actually to serve private interest" means –

- (A) PIL for only public interest
(B) PIL for public and private interest
(C) PIL for only private interest
(D) PIL alleged as public interest but serving private interest

Answer: (D)

Explanation: PILs can be misused by litigants to serve personal/private interests or for publicity.

91. Filing of frivolous PILs results in -

- (A) Increasing backlog
- (B) Wastage of resources
- (C) Less time for genuine cases
- (D) All of the above

Answer: (D)

Explanation: Supreme Court (2010) highlighted frivolous PILs strain the judiciary and delay genuine cases.

92. Z, under madness, attempts to kill X. Is Z guilty? Does X have same right of private defence?

- (A) Z not guilty under Section 98 IPC; X has same right of defence
- (B) As per Section 98, X committed offence
- (C) Z committed offence for not using mind
- (D) None of the above

Answer: (A)

Explanation: Section 98 IPC illustration: Acts by mad persons are not offences, yet victim retains full right of private defence.

93. Protection against arrest and detention in certain cases is in which Article?

- (A) Article 21
- (B) Article 21A
- (C) Article 22
- (D) Article 22A

Answer: (C)

Explanation: Article 22: Protects against arrest and detention, ensures right to be informed and to legal counsel.

94. Article 300A (Right to property) inserted by -

- (A) 44th Amendment Act
- (B) 42nd Amendment Act
- (C) 40th Amendment Act
- (D) 51st Amendment Act

Answer: (A)

Explanation: 44th Amendment (1978) abolished property as fundamental right under Article 31; made it constitutional right under Article 300A.

95. Which section of Muslim Personal Law (Shariat) Act, 1937 was repealed by Section 6 of Dissolution of Muslim Marriage Act, 1939?

- (A) Section 4
- (B) Section 5
- (C) Section 6
- (D) Section 7

Answer: (B)

Explanation: Section 6 of 1939 Act repealed Section 5 of 1937 Act (via Repealing & Amending Act, 1942).

96. As per Section 53 IPC, "injury" denotes harm to –

- (A) Body
- (B) Mind
- (C) Reputation
- (D) All of the above

Answer: (D)

Explanation: Section 44 IPC: "Injury" includes harm to body, mind, reputation, or property.

97. Which cases can be cured under Section 465 CrPC?

- (A) Complaint without complying Section 195 & 340
- (B) Reading/recording evidence of one case in another companion case
- (C) Examining witness in absence of accused
- (D) Non-compliance with 235(2)

Answer: (B)

Explanation: Section 465(1) CrPC allows reversal only if failure of justice occurs; minor errors like reading evidence into another case can be cured.

98. Statements true for de novo trials -

- (A) Omission/illegality, even if not core, is ground for de novo trial
- (B) De novo trial is last resort
- (C) Original court can order de novo trial
- (D) None of these

Answer: (B)

Explanation: De novo = "new trial" by appellate court when original trial fails. Used only as last resort to prevent miscarriage of justice.

99. In land acquisition by Central Govt. for PPP projects, consent of affected families mandated by LARR Act –

- (A) 60%
- (B) 70%
- (C) 80%

(D) 90%

Answer: (B)

Explanation: Section 2(2) LARR 2013: For PPP projects, prior consent of 70% affected families is required.

100. A company which is not domestic pays income tax at -

(A) 25%

(B) 30%

(C) 40%

(D) 20%

Answer: (C)

Explanation: Foreign companies are taxed at 40% of total income in India.

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