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## JUDICIARY EXAMS QUESTION PAPER

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**Chhattisgarh Judicial Service**

**Examination, 2008**

**Question Paper**

# Chhattisgarh Judicial Service Examination, 2008

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1. **Suit for partition of immovable property may be instituted:-**
  - (A) Where plaintiff resides
  - (B) Where plaintiff carries on business
  - (C) Where subject matter is situate
  - (D) Where defendant resides
2. **Which is not correct in respect of powers of the appellate court:-**
  - (A) To determine a case finally
  - (B) To remand the case
  - (C) Does not have power to take additional evidence
  - (D) To frame issues and refer them for trial
3. **An aggrieved informant on refusal on the part of officer incharge of a police station to record information regarding cognizable offence, may**
  - (A) Make a complaint to the chief minister
  - (B) Make a complaint to chief justice
  - (C) Make a complaint to District Judge
  - (D) Send in writing, substance of the information by post, to the superintendent of police
4. **For offence punishable with fine only, the period of limitation for taking cognizance is:-**
  - (A) One year
  - (B) Six months
  - (C) Two years
  - (D) Three years
5. **After signing of judgment or final order, the same can be altered or reviewed only for the purpose of:-**
  - (A) Amending the finding
  - (B) Amending the sentence
  - (C) For correcting clerical or arithmetical error
  - (D) For enhancing the sentence
6. **What secondary evidence can be given in respect of public document:-**
  - (A) Oral statement regarding subject matter
  - (B) Certified copy of the document
  - (C) Photo copy
  - (D) Written admission
7. **Limitation for filing appeal before the collector is**
  - (A) 45 days
  - (B) 30 days
  - (C) 90 days
  - (D) 60 days

8. The formation of Patwari's circles is done by:-  
(A) Commissioner  
(B) State Government  
(C) Board of Revenue  
(D) Collector
9. Which of the following is not recorded in Wajib-ul-arz:-  
(A) Right to irrigation  
(B) Right to drinking water  
(C) Right of way and other easement  
(D) Right to fishing
10. When court may presume about the execution or document produced from proper custody? When the document is:-  
(A) Ten years old (B) Twenty years old  
(C) Thirty years old (D) Forty years old
11. Which of the following is not correct:-  
(A) Cross examination of a witness on the basis of his Previous statement  
(B) Leading questions can be asked in cross examination  
(C) Witness summoned to produce document can be cross examined  
(D) With the permission of the court, a witness can be cross examined by the party calling it
12. For proving execution of a registered will:-  
(A) Atleast two attesting witnesses has to be examined  
(B) Atleast one attesting witness has to be examined  
(C) Not necessary to examine any attesting witness  
(D) Necessary to examine Registrar
13. Leading question can be asked in:-  
(A) Examination In chief without the permission of the court  
(B) Cross examination  
(C) Re-examination  
(D) Cannot be asked in any circumstance
14. Which of the following is not necessary for a contract  
(A) Proposal  
(B) Acceptance  
(C) Consideration  
(D) immovable property
15. Agriculture does not include  
(A) Horticulture  
(B) Beeja Plantation  
(C) Grass used in roof  
(D) Fodder grass

16. On which of the following grounds a plaint will not be rejected  
(A) Where the suit appears from the statement in the plaint to be barred by any law  
(B) Where the relief claimed is under valued, and the plaintiff, on being required by the court to correct the valuation within a time to be fixed, fails to do so  
(C) Where it does not disclose a cause of action  
(D) Where it has not been presented by an Advocate
17. Auction purchaser shall deposit the entire amount within  
(A) Thirty days (B) Seven days  
(C) Twenty one days (D) Fifteen days
18. Which one of the following is not necessary for the applicability of the doctrine of res-judicata  
(A) Former suit must be pending before a competent court  
(B) Former suit must have been heard and finally decided by a competent court  
(C) Parties in the former suit as well as the subsequent suit must be the same  
(D) Subject matter In the former and the subsequent suit must be the same
19. Maximum sentence of fine which a J.M.F.C. can impose for offence under section 138 of the negotiable instruments Act:-  
(A) Twice the amount of cheque  
(B) Twenty thousand  
(C) One lac  
(D) Ten thousand
20. Period of limitation for taking cognizance of offence punishable with imprisonment for more than three years is:-  
(A) Three years (B) No limitation  
(C) Five years (D) Two years
21. Which of the following does not apply to cognizable offence:-  
(A) The police can investigate only by the order of the Magistrate  
(B) First information report can be lodged with the police  
(C) Offences punishable with less then two years  
(D) Offences punishable more then three years
22. Court not competent to execute the decree:-  
(A) Court which has passed the decree.  
(B) Court to which it is sent for execution  
(C) Both (A) and (B)  
(D) Court of collector

23. **Maximum sentence of imprisonment that can be awarded for the offence of Affray:-**  
 (A) Three months (B) Two months  
 (C) One month (D) Six months
24. **The maximum term of imprisonment that can be awarded in default of payment of fine, in case of offence punishable with fine Only, when the person is sentence to a fine of rupees hundred:-**  
 (A) Six months (B) Four months  
 (C) One month (D) Two months
25. **When the offence is punishable with imprisonment as well as fine, maximum term of imprisonment that can be awarded in default of payment of fine shall not exceed:-**  
 (A) One half (B) One fourth  
 (C) One eighth (D) One sixth  
 of the maximum punishment fixed for the offence
26. **By whose order the tenancy of an occupancy tenant in his holding can be terminated:-**  
 (A) Commissioner (B) Tahsildar  
 (C) Sub divisional officer (D) Collector
27. **Party may apply for setting aside an order passed *ex parte* by a revenue officer, within**  
 (A) 15 days (B) Thirty days  
 (C) Two months (D) Four months
28. **Standard rent may be fixed by**  
 (A) Collector (B) Landlord and tenant  
 (C) Court (D) Rent controlling Authority
29. **Revision may be filed against the order of the Rent controlling Authority before:-**  
 (A) High Court (B) Collector  
 (C) District Judge (D) Commissioner
30. **On landlord stopping the water supply, the tenant may prefer complaint before:-**  
 (A) Sub divisional officer  
 (B) Collector  
 (C) Rent controlling Authority  
 (D) District Judge
31. **which of the Bhumiswami cannot transfer their land without the permission of the collector?**  
 (A) Member of the backward, class  
 (B) Member of Scheduled caste  
 (C) Member of Scheduled tribe  
 (D) Ex malgujar

32. **What is the maximum period of detention during investigation for offence of murder, after which and on non filing of charge sheet the accused is entitled to be release on bail:-**  
 (A) Sixty days  
 (B) One hundred and twenty days  
 (C) Ninety days  
 (D) One hundred and eighty days
33. **When the offence punishable under I.P.C. is tried by summary procedure, the punishment shall not exceed:-**  
 (A) One year  
 (B) Three months  
 (C) Six months  
 (D) Two years
34. **Which of the Revenue officer cannot make over any case from his file to another revenue officer?**  
 (A) S.D.O. (B) Naib Tahsildar  
 (C) Collector (D) Tahsildar
35. **A Bhumiswami dispossessed otherwise than in due course of law, may apply for restoration of possession before:-**  
 (A) Tahsildar (B) Naib Tahsildar  
 (C) Sub divisional officer (D) Collector
36. **Which of the following offences is punishable with a minimum sentence of seven years:-**  
 (A) 326 I.P.C. (B) 376(2)(g) I.P.C.  
 (C) 397 I.P.C. (D) 409 I.P.C.
37. **Attempt to commit any offence is punishable with:-**  
 (A) Half (B) One fourth  
 (C) One third (D) Full  
 of the term of imprisonment provided for the offence
38. **Preparation of which of the following offences is punishable:-**  
 (A) Robbery (B) Extortion  
 (C) Riot (D) Dacoity
39. **Cheating by personation is punishable with imprisonment upto:-**  
 (A) Seven years (B) Three years  
 (C) Five years (D) Two years
40. **Which of the following is not essential for the, 'offence of the Riot'?**  
 (A) Disturbing public peace at a public place  
 (B) Unlawful assembly of five or more persons  
 (C) Unlawful assembly having common object as mentioned in section 141 I.P.C.  
 (D) Accused being a member of such unlawful assembly

41. Which of the following is entitled to receive maintenance under section 125 Criminal Procedure Code:-
- (A) A Divorced Hindu women who has not remarried and unable to maintain herself
  - (B) A woman unable to maintain herself who was living with the man as his mistress
  - (C) A woman living an adulterous life
  - (D) Wife living separately by mutual consent
42. Anticipatory bail under section 438 Cr.P.C. may be granted by
- (A) District Magistrate
  - (B) J.M.F.C in petty offences
  - (C) High court or court of session
  - (D) Sub divisional Magistrate
43. Whether sentence awarded in default of payment of fine can be set off under section 428 Cr.P.C.
- (A) Yes
  - (B) No
  - (C) Half can be set off
  - (D) One fourth can be set off
44. In respect of which of the following, that the jurisdiction of the civil court is barred under C.G. accommodation control Act 1961:-
- (A) Suit instituted for eviction
  - (B) Decision of question relating to title to any accommodation
  - (C) Restraining by injunction any action taken or to be taken by R.C. A. under the Act
  - (D) Decision of question as to person or persons entitled to receive rent of any accommodation
45. When can the Governor recommend for imposition of President rule in the State?
- (A) On centre's recommendation
  - (B) On recommendation of Chief Minister
  - (C) On recommendation of Cabinet
  - (D) When the Governor is satisfied that the government of the state cannot be carried on in accordance with the provisions of the constitution.
46. After what period, decree passed under section 12 (1) (e) or 12 (1) (f) C.G. Accommodation control Act can be executed:-
- (A) One month
  - (B) Two months
  - (C) Three months
  - (D) Immediately

47. Cognizance of offences punishable under C.G. Accommodation control Act can be taken by:-
- (A) J.M.F.C.
  - (B) J.M.S.C.
  - (C) Rent controlling Authority
  - (D) Sessions Judge
48. For which of the following, an Accommodation cannot be got vacated under section 12 (1) (f) CGA.C. Act 1961?
- (A) Owner landlord
  - (B) Major son
  - (C) Unmarried daughter
  - (D) Father-in-law
49. Officer of which minimum rank is appointed R.C.A.:-
- (A) A.S.L.R.
  - (B) Tahsildar
  - (C) Deputy Collector
  - (D) Civil Judge
50. Possession of Accommodation obtained under section 12(l)(e) or 12(l)(f) C.G. A.C. Act 1961. For how long it cannot be re-let without the permission of R.C.A.?
- (A) One year
  - (B) Six months
  - (C) Two years
  - (D) Three months
51. What is the effect of compounding of offence under section 320 Cr.P.C.:-
- (A) Discharge
  - (B) Conviction
  - (C) Acquittal
  - (D) Releasing on probation of good conduct
52. In proceedings under section 145 Cr.P.C. prior possession is taken into consideration. What is that period:-
- (A) Six months
  - (B) Two months
  - (C) One month
  - (D) One year
53. Suit for possession on the basis of prior possession may be filed within:-
- (A) Six months
  - (B) Three years
  - (C) Twelve years
  - (D) One year
54. Decree for partition of immovable property may be executed within:-
- (A) Six years
  - (B) Three years
  - (C) One year
  - (D) Twelve years
55. Within what period a minor can file a suit for cancellation of a document after attaining majority?
- (A) Three months
  - (B) Three years
  - (C) One year
  - (D) Six months
56. 'A', intending to deceive 'B' falsely represents that five hundred tonnes of indigo are made annually at A's factory, and thereby induces 'B' to buy the factory. The contract is:-
- (A) Void
  - (B) Voidable at B's option
  - (C) Voidable at A's option
  - (D) Unlawful

57. Which of the following is the agent to receive process in a suit instituted against the Government on behalf of the Government:-  
(A) Collector (B) Chief secretary  
(C) Tahsildar (D) Government Pleader
58. A prior notice of has to be given before suit is instituted against the Government:-  
(A) Sixty days (B) Three months  
(C) Two months (D) Ninety days
59. Where a suit abates or is dismissed under the provision of order 22 C P.C., than a second suit on the same cause of action  
(A) Can be instituted with the prior permission of the court:-  
(B) With the consent of the parties  
(C) Second suit cannot be instituted  
(D) On showing sufficient cause, suit can be instituted
60. The period of limitation for a suit for damages on account of malicious prosecution is:-  
(A) One year (B) Two years  
(C) Three years (D) Six months
61. The assessment of land revenue for different lands is done by  
(A) Tahsildar (B) Settlement officer  
(C) Patwari (D) Collector
62. 'A', is charged of travelling in a train without ticket. The burden of proving that 'A' had a ticket, is on:-  
(A) Ticket checker (B) Railway  
(C) 'A' (D) The prosecution
63. Which of the following is not Accommodation as defined in Section 2(a) of C.G Accommodation control Act 1961?  
(A) House  
(B) Agriculture land  
(C) Shop  
(D) Out house of the accommodation
64. After, what period from the date of filing, that caveat ceases to be in force:-  
(A) Ninety days (B) Sixty days  
(C) Thirty days (D) Fifteen days
65. Under the C.P.C. the court can award interest from the date of decree till the date of realisation at the rate not exceeding:-  
(A) Nine percent  
(B) Ten percent  
(C) Six percent  
(D) Twelve percent per year
66. Whether an issue heard and finally decided by a court of limited jurisdiction can operate as res-judicata in a subsequent suit, in respect of which the court of limited jurisdiction is not competent to try the subsequent suit?  
(A) No  
(B) Yes  
(C) Depends upon the nature of issue  
(D) None of the above
67. A Tender is:-  
(A) Proposal  
(B) An invitation for proposal  
(C) Counterproposal  
(D) Promise
68. After rejection of plaint, whether the plaintiff can institute fresh suit on the same cause of action:-  
(A) can institute another suit  
(B) cannot institute another suit  
(C) can institute with the permission of the high court  
(D) None of the above
69. Period of limitation for filling suit for declaration is:-  
(A) Six years (B) One year  
(C) Three years (D) Two years
70. If the compromise on which a decree is based, is unlawful, than:-  
(A) A suit can be filed for setting aside the decree  
(B) A complaint may be made to the High court  
(C) Suit cannot be filed for setting aside the decree  
(D) Suit can be filed with the permission of the District Judge
71. What is the period of limitation for filing suit for redemption of mortgaged immovable property:-  
(A) Sixty years (B) Thirty years  
(C) Twelve years (D) Three years
72. To which of the cases the provisions of order 22 rule 3 and 4 C.P.C. do not apply?  
(A) Suit (B) Execution proceedings  
(C) First appeal (D) Second appeal
73. Within which period, a person having an interest in immovable property should deposit the decretal as well as the amount to be given to the Auction purchaser, for getting the sale set aside?  
(A) Ten days (B) Twenty days  
(C) Twenty five days (D) sixty days

74. How much amount an auction purchaser should deposit immediately after the sale?  
(A) Ten percent (B) Twenty percent  
(C) Twenty five percent (D) Fifty percent
75. In an interpleader suit, plaintiff may claim:-  
(A) Share in property (B) Right of pre-emption  
(C) Costs or charges (D) ownership
76. Decree of restitution of conjugal rights may be enforced:-  
(A) By detention of judgment debtor in civil prison  
(B) By attachment of his property  
(C) 'a' and 'b' both  
(D) By sending the decree holder to judgment debtor's house in police custody
77. Gift is defined in which section of the Transfer of property Act 1882:-  
(A) Section 11 (B) Section 106  
(C) Section 122 (D) Section 25
78. Which one is not essential for the doctrine of part performance:-  
(A) Contract is for consideration  
(B) Contract must be for movable property  
(C) Must be in writing and signed by transferor  
(D) Transferee must have received the possession of the property
79. Which one of the following courts has jurisdiction to release on probation of good conduct?  
(A) Trial court (B) Appellate court  
(C) Revisional court (D) All the above courts
80. The doctrine of lis-pendens applies, where:-  
(A) Suit is collusive  
(B) Where the transfer is made during the pendency of suit  
(C) Where title to movable property is in issue  
(D) Where property is situated beyond the territorial jurisdiction of the court
81. From a judgment of acquittal in cognizable and non-bailable case passed by J.M.F.C., appeal may be preferred to:-  
(A) C.J.M. (B) Court of Session  
(C) High Court (D) Supreme Court
82. Which one of the following is true about the Sessions Court:-  
(A) Can take cognizance without committal  
(B) Can take cognizance only on committal  
(C) Can take cognizance on the recommendation of District Magistrate  
(D) Can take cognizance provided the charge sheet is submitted by Superintendent of Police

83. No person can be appointed public prosecutor for a district, unless his name is in the list of:-  
(A) Law Secretary (B) High Court  
(C) District Magistrate (D) Superintendent of Police
84. When the accused/appellant dies during the pendency of appeal, and his near relative wants to continue the appeal, then within what period he should apply for leave of the court to continue the appeal:-  
(A) Four months (B) Three months  
(C) Sixty days (D) Thirty days
85. When suit is filed for a declaration that the plaintiff is not liable to pay a certain amount of money which is being recovered from him. What should be the valuation of the suit for purposes of court fees?  
(A) Fixed court fees  
(B) Ad-valorem  
(C) Thousand rupees  
(D) Five hundred rupees
86. For the offence of kidnapping, what should be the age of the minor?  
(A) Sixteen years  
(B) Eighteen years  
(C) Below sixteen years if a male, and below eighteen years if a female  
(D) Within twenty one years if male and within eighteen years if a female
87. What is the period of limitation for a suit for possession on the basis of title?  
(A) Three years (B) Twelve years  
(C) One year (D) Six years
88. Where either party dies after the conclusion of the hearing and before the pronouncement of the judgment, then:-  
(A) Suit stands abated  
(B) Suit does not abate  
(C) Suit does not abate if cause of action survives  
(D) It will be taken as if the judgment has been pronounced after death
89. Confession, if otherwise relevant, is relevant even when:-  
(A) made under a promise of secrecy  
(B) Accused is in a drunken state  
(C) Accused not informed about his right regarding confession  
(D) All the above
90. Public prosecutor for a district is appointed by:-  
(A) High Court  
(B) State Government  
(C) District Judge  
(D) District Magistrate

91. Party may avail remedy against an interlocutory order passed by J.M.F.C.:-  
(A) Appeal before sessions judge  
(B) Revision before High Court  
(C) Review before the same court  
(D) None of the above
92. Transfer of property in favour of an unborn person. When such person acquires interest in the property?  
(A) On birth  
(B) On attaining majority  
(C) On attaining age of twenty one years  
(D) in case of woman, after marriage
93. Summons to accused may be served:-  
(A) By serving officer (B) By kotwar  
(C) By post (D) By any local person
94. Confessional statement of the accused in custody, when admissible:-  
(A) If relates to commission of crime by himself  
(B) If relates to commission of crime only by the co-accused  
(C) Leading to discovery of a fact  
(D) Relates to preparation of crime
95. Which of the following is not essential for a gift?  
(A) Passing of consideration  
(B) Donor  
(C) Donee  
(D) Transfer
96. For the purposes of section 167 (2) Cr.P.C, the period of Sixty days or Ninety days will be reckoned from the date of:-  
(A) Arrest  
(B) Production before Magistrate  
(C) After police remand  
(D) Filing of charge sheet
97. A person for offence of theft is convicted and sentenced by J.M.F. C. to one year imprisonment and fine. What is the maximum term of imprisonment which can be awarded in default of payment of fine?  
(A) One month (B) Nine months  
(C) Six months (D) One year
98. For offences punishable under the scheduled castes and scheduled tribes (prevention of Atrocities Act) 1989, the special court takes cognizance:-  
(A) On committal  
(B) Without committal

- (C) Without committal, with the permission of the High court  
(D) Without committal, with the permission of the state government
99. Which of the following suits is not triable by a Civil Court:-  
(A) For declaration that A is widow of B  
(B) For possession of land  
(C) Petition for divorce  
(D) For consolidation of holdings
100. Second appeal before the High Court is entertained on:-  
(A) Question of fact  
(B) Mixed question of law and fact  
(C) Substantial question of law  
(D) Question of law

## ANSWERS

### Chhattisgarh Judicial Service Examination, 2008

1. (C)
2. (C)
3. (D)
4. (B)
5. (C)
6. (B)
7. (B)
8. (D)
9. (B)
10. (C)
11. (C)
12. (B)
13. (B)
14. (D)
15. (B)
16. (D)
17. (D)
18. (A)

- 19. (A)
- 20. (B)
- 21. (C)
- 22. (D)
- 23. (C)
  
- 24. (B)
  
  
  
  
  
- 25. (B)
- 26. (C)
- 27. (B)
- 28. (D)
- 29. (A)
- 30. (C)
- 31. (C)
- 32. (C)
- 33. (B)
- 34. (B)
- 35. (A)
- 36. (C)
  
  
  
  
  
- 37. (A)
- 38. (D)
- 39. (B)
- 40. (A)
- 41. (A)
- 42. (C)
- 43. (B)
- 44. (C)
- 45. (D)
- 46. (B)
- 47. (A)
- 48. (D)
- 49. (C)
- 50. (C)

- 51. (C)
- 52. (B)
- 53. (C)
- 54. (D)
- 55. (B)
- 56. (B)
- 57. (D)
- 58. (C)
- 59. (C)
- 60. (A)
- 61. (B)
- 62. (A)
- 63. (B)
- 64. (A)
- 65. (C)
- 66. (B)
- 67. (B)
- 68. (A)
- 69. (C)
- 70. (C)
- 71. (B)
- 72. (B)
- 73. (D)
- 74. (C)
- 75. (C)
- 76. (B)
- 77. (C)
- 78. (B)
- 79. (D)
- 80. (B)
- 81. (B)
- 82. (B)
- 83. (C)
- 84. (D)
- 85. (B)
- 86. (C)
- 87. (B)

- 88. (B)
- 89. (D)
- 90. (B) Refer Section 24(3) of Cr.P.C.
- 91. (D)
- 92. (A) Refer Section 20 of T.P.A.
- 93. (A)
- 94. (C) Refer Section 27 of I.E.A.
- 95. (A)
- 96. (B)
- 97. (B) Punishment for theft in 3 years and thereby on default of payment of fine J.M.R.C. may order  $\frac{1}{4}$  of the term of imprisonment. Refer Section 30 of Cr.P.C.
- 98. (A)
- 99. (D)
- 100. (C) Refer Section 100 of C.P.C.