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## JUDICIARY EXAMS QUESTION PAPER

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**Madhya Pradesh Judicial Service**

**Examination, 2010**

**Question Paper**

## PART I GENERAL KNOWLEDGE

### Q. 1 to 30

1. Which country won the FIFA (Football) World Cup-2010:-  
(A) England (B) Australia  
(C) Germany (D) Spain
2. Octopus which predicted the winner of the FIFA World Cup-2010 was known as:-  
(A) Xavier Paul (B) Saint Xavier  
(C) Paul (D) None of these
3. Name of the designer who gave Rupee a new symbol for global recognition:-  
(A) P. Prasanna (B) D. Udaya Kumar  
(C) K. Dhananjay (D) N. Krishna Kumar
4. The words "Satyamev Jayate" in the National Emblem is taken from:-  
(A) Upanishads (B) Samveda  
(C) Rigveda (D) Ramayana
5. The first woman President of Indian National Congress was:-  
(A) Annie Beasant  
(B) Vijaya Lakshmi Pandit  
(C) Sarojini Naidu  
(D) None of these
6. Who was the Indian ruler who allied himself with the French:-  
(A) Alivardi Khan  
(B) Tipu Sultan  
(C) Nizam-ul-Mulk Asaf Jah  
(D) Saadat Khan
7. The President of the Indian National Congress at the time of Indian Independence was:-  
(A) Maulana Abul Kalam Azad  
(B) J.B. Kripalani  
(C) Jawaharlal Nehru  
(D) Rajendra Prasad
8. Gautam Buddha was born in:-  
(A) Lumbini (B) Panchwati  
(C) Bodhgaya (D) Vaishali

9. Ram Prasad Bismil was associated with:-  
(A) Kakori Conspiracy case  
(B) Alipore Bomb case  
(C) Meerut Conspiracy case  
(D) Kanpur Conspiracy case
10. Who founded the Mauryan Empire in India:-  
(A) Chandragupta (B) Kanishka  
(C) Ashoka (D) Chanakya
11. The headquarters of GATT is in:-  
(A) Geneva (B) The Hague  
(C) Paris (D) Washington
12. The name of Chief Justice when the State of M.P. came into existence is:-  
(A) Justice G.P. Singh (B) Justice P.V. Dixit  
(C) Justice M. Hidaytullah (D) Justice N.D. Ojha
13. Blood Pressure is measured by:-  
(A) Viscometer (B) Sphygmomanometer  
(C) Nanometer (D) Pyrometer
14. Inflation means:-  
(A) Increase in the value of money  
(B) Decrease in the value of money  
(C) Increase in the demand of goods  
(D) Increase in the purchasing power of money
15. Committee formed to suggest a solution to end ragging on the campus is known as:-  
(A) Y.K. Sabharwal Committee  
(B) Tehelka Committee  
(C) Universal College Committee  
(D) R.K. Raghavan Committee
16. Bharat Bhawan is located at:-  
(A) Indore (B) Ujjain  
(C) Gwalior (D) Bhopal
17. Chief Justice of Madhya Pradesh High Court who was also elevated to become the Chief Justice of India:-  
(A) Justice R.C. Lahoti (B) Justice J.S. Verma  
(C) Justice V.N. Khare (D) Justice M. Hidaytullah
18. Which of the following is *not* located in Madhya Pradesh:-  
(A) Madhav National Park  
(B) Sanjay National Park

- (C) Bandhavgarh National Park  
(D) Bandipur National Park
19. Who among the following is the highest run scorer in Cricket Test History:-  
(A) Sachin Tendulkar (B) Allan Border  
(C) Brian Lara (D) S.R. Waugh
20. Who among the following can be Chairman of National Human Rights Commission?  
(A) Any serving Judge of the Supreme Court  
(B) Any serving Judge of the High Court  
(C) Only a retired Chief Justice of India  
(D) Only a retired Chief Justice of a High Court
21. Battle of Waterloo was fought between:-  
(A) British and the French (B) American and British  
(C) British and the Germans (D) None of these
22. Where is the seat of the International Court of Justice?  
(A) Geneva (B) The Hague  
(C) Washington (D) New York
23. Who is the chairperson of National Human Rights Commission:-  
(A) Justice Dr. A.S. Anand  
(B) Justice J.S. Verma  
(C) Justice K.G. Balakrishnan  
(D) Justice S. Rajendra Babu
24. Ossification test is done to determine:-  
(A) Sex of a person (B) Age of person  
(C) Bone density (D) Blood group of a person
25. Orchha is famous for:-  
(A) Cement Industry (B) Buddha Temple  
(C) Ram Raja Temple (D) Tiger Reserve
26. In which case the Delhi High Court held Section 377 I.P.C. with regard to consensual sexual act of adults to be violative of the Constitution:-  
(A) Manu Sharma Vs. NCT Delhi  
(B) PUCL Vs. NCT Delhi  
(C) Naz Foundation Vs. Government of Delhi  
(D) AIDS Control Society Vs. Government of Delhi
27. Which High Court in India declared the assets of its Judges for the first time in India:-  
(A) Delhi (B) Madras  
(C) Kerala (D) Allahabad

28. Pench National Park is situated on:-  
(A) NH7 (B) NH47  
(C) NH12 (D) NH17
29. The Government owned newspaper print factory is situated in:-  
(A) Dejwas (B) Neapanagar  
(C) Shahdol (D) Hoshangabad
30. Saffron colour in Indian National Flag represents:-  
(A) Ascetic (B) Sacrifice  
(C) Brotherhood (D) Secularism

**PART II**  
**LAW**  
**(QS .31 TO 100)**  
**CONSTITUTION OF INDIA**

31. Which of the writs can be issued by a High Court to direct a public officer or the Government not to enforce a law which is unconstitutional:-  
(A) Certiorari (B) Prohibition  
(C) Quo warranto (D) Mandamus
32. Which among the following writs literally means what is your authority:-  
(A) Certiorari (B) Habeas corpus  
(C) Quo warranto (D) Prohibition
33. Which Article provides for personal immunity to the President and Governor for official acts:-  
(A) 362 (B) 363  
(C) 368 (D) 361
34. Municipalities have become constitutional functionaries by insertion of Article:-  
(A) 243 Y (B) 243 Q  
(C) 243 Z (D) None of these
35. Preamble is the part of the Constitution. This observation of Supreme Court was held in the case of:-  
(A) Keshvananda Bharati v. State of Kerala  
(B) Vishakha v. State of Rajasthan  
(C) D.K.Basu v. Union of India  
(D) R.S.Nayak v. A.R. Antulay
36. Preamble of the Constitution was amended and the words "Sovereign, Socialist, Secular, Democratic Republic" were substituted for "Sovereign Democratic Republic" vide:-  
(A) 93rd Amendment w.e.f. 20-11-2006  
(B) 85th Amendment w.e.f. 17-6-1995

(C) 42nd Amendment w.e.f. 3-1-1977

(D) 44th Amendment w.e.f. 20-6-1979

37. Which schedule of the Constitution mentions the Union List, State List and Concurrent List:-

(A) Seventh Schedule (B) Article 246

(C) Eighth Schedule (D) Article 245

### CIVIL PROCEDURE CODE, 1908

38. A caveat lodged under section 148-A(1) shall *not* remain in force after the expiry of:-

(A) 30 days (B) 45 days

(C) 60 days (D) 90 days

39. Documents which are meant for cross-examination of a witness of the other party may be produced:-

(A) till settlement of issues

(B) after settlement of issues

(C) any time when required

(D) along with pleadings

40. Where the appellant has withdrawn the appeal preferred against a decree *ex parte*, the applications under Order 9 Rule 13 shall be:-

(A) Rejected (B) Returned

(C) Maintained (D) Referred for opinion of appellate court

41. Under which provision of the Code, an indigent can file a suit:-

(A) Order 33 Rule 1 (B) Order 33 Rule 2

(C) Order 33 Rule 4 (D) Order 33 Rule 5

42. The doctrine of *res judicata* as contained in Section 11, is based on the maxim:-

(A) *Nemo debet bis vexari pro una eadem causa*

(B) *Interest reipublicae ut sit finis litium*

(C) *Lex non cogit ad impossibilia*

(D) *Executio juris non habet injuriam*

43. A Court may not frame issues on the basis of allegations/contents made by the parties:-

(A) in pleadings (B) on oath

(C) in applications (D) in documents

44. Which provision of the Code deals with joinder of causes of action:-

(A) Order 2 Rule 3

(B) Order 2 Rule 2

(C) Order 2 Rule 1

(D) Order 1 Rule 2

### M.P. LAND REVENUE CODE, 1959

45. Limitation for filing of appeal is provided in the Code under Section:-

(A) 44 (B) 46

(C) 47 (D) 48

46. Disputes regarding boundaries of villages and survey numbers fixed can be decided by:-

(A) Naib Tehsildar (B) Tehsildar

(C) Collector (D) Additional Collector

47. Powers under section 253(1) to punish for contravention of the provisions of the Code is conferred on:-

(A) Tehsildar (B) Sub-Divisional Officer

(C) Collector (D) Commissioner

48. Under MUP.L.R.C. duties of a Patel are, prescribed in Section:-

(A) 223 and 224 (B) 224

(C) 224 and 225 (D) 250

49. The interest of an occupancy tenant in his holding shall on his death, passed by inheritance or survivorship in accordance with:-

(A) Section 194 MPLRC

(B) His personal law

(C) As ordered by Tehsildar

(D) None of these

50. For recovery of arrears of land revenue, the following shall *not* be attached and sold:-

(A) cooking vessels of the defaulter

(B) less than six hectares of land held by the defaulter in any scheduled area

(C) if the defaulter is an agriculturist, implements of husbandry driven by mechanical power

(D) tools of artisans

51. The proposal for fixation of assessment rate under section 77 is forwarded to the State Government for approval by the:-

(A) Tehsildar (B) Settlement Officer

(C) Collector (D) Revenue Inspector

52. In the case of non-removal of encroachment from recognized road, Tehsildar has *no* power:-

(A) to remove encroachment by himself

(B) to punish the non-applicant

(C) to receive a bond from him

(D) to attach his property

**M.P. ACCOMMODATION CONTROL ACT, 1961**

53. After a notice for demand of arrears of rent has been served on a tenant, he should pay or tender the arrears of rent, to save himself from eviction within:-  
 (A) 15 days (B) one month  
 (C) two months (D) three months
54. In a case of eviction on the ground of bona fide need for residential purpose, the landlord cannot obtain possession of the accommodation before:-  
 (A) one month  
 (B) two months  
 (C) three months  
 (D) six months
55. Cognizance of offence, punishable under the Act, can be taken by:-  
 (A) Judicial Magistrate Second Class  
 (B) Judicial Magistrate First Class  
 (C) Sessions Court only  
 (D) High Court only
56. Which of the following is *incorrect* statement:-  
 (A) Tenant can sublet the accommodation held by him as tenant with previous consent in writing of Landlord  
 (B) Tenant can transfer or assign his rights in the tenancy or in any part thereof with the previous consent in writing of Landlord  
 (C) For subletting, the previous written consent of landlord is a mandatory provision  
 (D) A Landlord shall claim or receive the payment of any sum as premium of "pugree" for giving his consent to the subletting
57. Which of the following is *not* a legal ground of eviction:-  
 (A) Tenant has built up, acquired vacant possession of or has been allotted an accommodation suitable for his residence  
 (B) Tenant has caused substantial damages to the accommodation  
 (C) Landlord desires to increase the rent and tenant refuses for increase  
 (D) Tenant has been convicted for an offence of using the building or allowing the building to be used for immoral or illegal purposes
58. Against any order passed by Rent Controlling Authority under any Section of Chapter 3-A of the Act:-  
 (A) only appeal shall lie  
 (B) appeal shall not lie  
 (C) only revision shall lie  
 (D) both appeal and revision shall lie

59. According to Section 2(e) of the Act who is not a member of the family, even though living jointly with the landlord:-  
 (A) Paternal uncle's wife  
 (B) Brother's son  
 (C) Sister's son  
 (D) Grandmother
60. A, a landlord, brings a suit for eviction of B, his tenant, on the ground of bona fide need. During the pendency of the suit, he sells the suit accommodation C. C requires the accommodation bona fide for himself. Advise C:-  
 (A) He can continue with the suit after making necessary amendments therein  
 (B) He can file a fresh suit or maintain a suit for eviction on any ground  
 (C) A fresh suit for eviction on the ground of Bona fide need is maintainable after one year  
 (D) Suit is not maintainable unless 'B' elects to treat him as his landlord

**TRANSFER OF PROPERTY ACT, 1882**

61. In case of usufructuary mortgage the mortgage is placed in possession who has a right to receive the rent and other profits till:-  
 (A) mortgage money is paid  
 (B) contract is rescinded  
 (C) period of thirty years  
 (D) period of 99 years
62. In which case, a lease of immovable property does *not* determine:-  
 (A) by efflux of time  
 (B) by express surrender  
 (C) service of a notice to quit  
 (D) by forfeiture
63. Transfer of property has no relation with:-  
 (A) air  
 (B) water  
 (C) light  
 (D) All of these
64. The doctrine of *Lis Pendens* applies, where:-  
 (A) the suit is collusive  
 (B) the transfer is made after the decree of the trial court but before filing of an appeal  
 (C) right to movable property is in question  
 (D) property is situated outside the territorial jurisdiction of the court

65. Which of the following gifts is valid:-

- (A) 'A' gives Rs.5000 to 'B' on condition that he shall murder 'C'
- (B) 'A' makes a gift of his field to 'B' with a proviso that if 'B' becomes insolvent, 'B's interest in the field shall cease
- (C) 'A' makes a gift of his field to 'B' with a condition that if 'B' does not within a year set fire to C's house, his interest shall cease
- (D) 'A' makes a gift of a house to 'B' on the condition that the gift will be forfeited if 'B' does not reside in it.

66. In case of "part performance" what is *not* necessary with a transferee:-

- (A) Possession
- (B) Contract for consideration
- (C) Notice to transfer
- (D) Readiness on his part

### INDIAN CONTRACT ACT, 1872

67. A contract with or by a minor is a contract:-

- (A) valid
- (B) void
- (C) voidable
- (D) voidable at option of either party

68. A contingent contract is a:-

- (A) valid contract
- (B) voidable contract
- (C) contract *void-ab-initio*
- (D) contract becomes void when the event become impossible

69. Tender is:-

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

70. A "consideration" may be:-

- (A) only in the future
- (B) only in the present
- (C) only in the past
- (D) in past, present or future

71. Which is the terminology used to describe a situation when two parties make identical offers to each other in ignorance of each other's offer:-

- (A) Offer
- (B) Cross-offer
- (C) Counter-offer
- (D) Conditional Offer

72. In the formation of a Contract which is *not* among the three essentials:-

- (A) Damages
- (B) Consideration
- (C) Offer
- (D) Acceptance

### SPECIFIC RELIEF ACT, 1963

73. No suit under section 6 of the Act for recovery of possession of immovable property, may *not* be instituted by a person dispossessed without his consent:-

- (A) against the government
- (B) after expiry of three months from the date of dispossession
- (C) if the suit is instituted by any person claiming through him
- (D) if the suit is also to establish the title along with recovery of possession

74. Which of the following contracts cannot be specifically enforced as per the provision of section 14 of the Act:-

- (A) execution of a formal deed of partnership
- (B) contract for construction of a building
- (C) contract which is determinable in its nature
- (D) contract to execute a mortgage against loan

75. 'A', 'B' and 'C' are coparceners. 'A' is in separate possession of joint family property. He sells it to 'D' and puts 'D' in possession. 'B' and 'C' sue for declaration of title that the property is joint family property. The Court:-

- (A) will issue a declaration that property is joint family property
- (B) will direct the plaintiff to implead 'A' as a party before granting decree of declaration
- (C) may ask the plaintiffs to claim consequential relief of possession
- (D) may order 'D' to give up the possession

76. 'A' threatens to publish statements concerning 'B' which would be punishable under Chapter XXI of the Indian Penal Code, 1860. 'B' files a suit for injunction praying for restraining 'A' from publishing the Statement:-

- (A) Court may grant injunction even though it shown that it is not injurious to B's property
- (B) Court may refuse injunction as publication is not injurious to B's property
- (C) Court may dismiss the suit as plaintiff has not claimed declaration
- (D) Court may dismiss the suit as no cause of action has arisen

### INDIAN PENAL CODE, 1860

77. The offence of attempt to commit "culpable homicide" is punishable under Section:-

- (A) 304
- (B) 308
- (C) 307
- (D) 301

78. 'A' kills 'C' thinking 'C' is 'B'. 'A' is guilty of offence punishable under section:-  
 (A) 301 (B) 304 Part-1  
 (C) 302 (D) 304 Part-2
79. Section 195-A I.P.C. is related to:-  
 (A) Protection of witness  
 (B) Protection for victim  
 (C) Threat to give false evidence  
 (D) None of these
80. Imprisonment for life means, imprisonment for:-  
 (A) 20 years (B) 74 years  
 (C) 14 years (D) whole of the remaining life
81. 'X' knows 'Y' is suffering from a disease in his head and a blow to Y on his head is likely to cause his death. 'X' gives a fist blow to 'Y' on his head. 'Y' died. 'X' is guilty of:-  
 (A) culpable homicide only (B) murder  
 (C) causing hurt (D) no offence
82. Robbery is dacoity if committed conjointly by:-  
 (A) less than five persons (B) five or more persons  
 (C) at least seven persons (D) at least ten persons
83. Which of the following is *not* a Public Servant?  
 (A) Municipal Commissioner  
 (B) Member of Parliament  
 (C) M.L.A.  
 (D) Examiner of University

### CODE OF CRIMINAL PROCEDURE, 1973

84. Under section 428, the period of detention undergone by a convict cannot be set off during:-  
 (A) investigation of the case  
 (B) trial of the case  
 (C) enquiry of the case  
 (D) another case
85. Appeal against an order of acquittal by JMFC in respect of an offence under section 138 Negotiable Instruments Act can be filed in:-  
 (A) High Court  
 (B) Court of Sessions  
 (C) High Court with leave of Court  
 (D) C.J.M. Court

86. Who may record any confession or a statement made to him in the course of an investigation:-  
 (A) Any senior police officer  
 (B) Judicial Magistrate having jurisdiction  
 (C) Executive Magistrate  
 (D) Any Judicial Magistrate
87. Compounding of offence under the provisions of the Code in criminal case when charge was framed, results in:-  
 (A) acquittal of accused (B) discharge of accused  
 (C) release only (D) case filed only
88. An inquest report must contain the:-  
 (A) names of accused (B) apparent cause of death  
 (C) details of the weapons (D) details of the incident
89. 'A' charge-sheet is filed under section 302 of the I.P.C. against five accused - 'A' 'B' 'C' 'D' and 'E'. 'A' and 'B' are absconding, 'C' is exempted from personal appearance by the order of the court, 'D' and 'E' are present in the Court, The case can be committed to Sessions Court against:-  
 (A) 'A' and 'B' (B) 'D' and 'E'  
 (C) 'C', 'D' and 'E' (D) all the accused
90. Offences in which a compromise can be arrived at between the parties are:-  
 (A) bailable offences (B) non-cognizable offences  
 (C) compoundable offences (D) non-compoundable offences
91. The provisions of plea bargaining are applicable:-  
 (A) to juvenile offenders  
 (B) at appellate stage  
 (C) where punishment is for more than 7 years imprisonment  
 (D) after issuance of process under section 204

### EVIDENCE ACT, 1872

92. The presumption under section 114-A is a:-  
 (A) rebuttable presumption  
 (B) presumption of fact  
 (C) mixed presumption of law and fact  
 (D) irrebuttable presumption of law
93. Under Evidence Act, a statement made by co-accused at the time of commission of the offence is:-  
 (A) admissible under section 6  
 (B) admissible under section 8

- (C) admissible under section 30  
 (D) not at all admissible
94. **Leading questions can be asked during:-**  
 (A) examination in chief (B) cross-examination  
 (C) re-examination (D) under no circumstances
95. **The following is *not* the exception to the rule of hearsay:-**  
 (A) Dying declaration (B) Res gestae  
 (C) Expert's opinion (D) Confession
96. **Opinion of Handwriting Expert:-**  
 (A) always needs corroboration  
 (B) is inadmissible in evidence  
 (C) is always binding on the courts  
 (D) can be acted upon without corroboration
97. **Test Identifications Parade is:-**  
 (A) substantive evidence (B) corroborative evidence  
 (C) no evidence (D) hearsay evidence

**RIGHT TO INFORMATION, 2005**

98. **General Limitation for filing second appeal under the Act is:-**  
 (A) 30 days (B) 60 days  
 (C) 90 days (D) 45 days
99. **Chief Information Commissioner holds office for a term of:-**  
 (A) 3 years (B) 4 years  
 (C) 5 years (D) 6 years
100. **Provisions of the Act do *not* apply to:-**  
 (A) Public Authority (B) Private Organization  
 (C) Public Undertaking (D) Registry of High Court

**ANSWERS**

**M.P. Judicial Service Examination, 2010**

**PART I  
 GENERAL KNOWLEDGE**

1. (D)  
 2. (C)  
 3. (B)  
 4. (A)

5. (A)  
 6. (B)  
 7. (B)  
 8. (A)  
 9. (A)  
 10. (A)  
 11. (A)  
 12. (C)  
 13. (B)  
 14. (B)  
 15. (D)  
 16. (D)  
 17. (B) & (D)  
 18. (D)  
 19. (A)  
 20. (C)  
 21. (A)  
 22. (B)  
 23. (C)  
 24. (C)  
 25. (C)  
 26. (C)  
 27. (C)  
 28. (A)  
 29. (B)  
 30. (B)

**PART II  
 LAW**

31. (B)  
 32. (C)

33. (D)

- 34. (B)
- 35. (A)
- 36. (C)
- 37. (A)
- 38. (D)
- 39. (C)
- 40. (C)
- 41. (A)
- 42. (A) & (B)

- 43. (C)
- 44. (A)
- 45. (C)

- 46. (B)
- 47. (B)
- 48. (C)
- 49. (B)
- 50. (B)
- 51. (B)
- 52. (D)
- 53. (C)
- 54. (B)
- 55. (B)
- 56. (D)
- 57. (C)
- 58. (C)
- 59. (C)
- 60. (C)
- 61. (A)
- 62. (A)
- 63. (D)
- 64. (B)
- 65. (D)
- 66. (C)

- 67. (B)
- 68. (D)
- 69. (B)
- 70. (D)
- 71. (B)
- 72. (A)
- 73. (A)
- 74. (C)
- 75. (C)
- 76. (A)
- 77. (B)
- 78. (C)
- 79. (C)
- 80. (D)
- 81. (B)
- 82. (B)
- 83. (C)
- 84. (D)
- 85. (C)
- 86. (D)
- 87. (A)
- 88. (B)
- 89. (D)
- 90. (C)
- 91. (D)
- 92. (B)
- 93. (A)
- 94. (B)
- 95. (D)
- 96. (D)
- 97. (B)
- 98. (C)
- 99. (C)
- 100. (B)