



Solved Paper of Haryana Judicial Services (Prelims)

**HARYANA CIVIL SERVICES (JUDICIAL BRANCH)
EXAMINATION 2017
Held on 16/07/2017 (Paper Cancelled)**

Note:- For filling up blank /answering the questions, choose the best option out of the given five.

Q.1. In which of the following judgment, Supreme Court held that irretrievable breakdown of marriage is not a ground for divorce under Hindu Marriage Act, 1955 yet Supreme Court in exercise of extraordinary powers under Article 142 of the Constitution of India can grant the relief:-

- (A) *Anil Kumar Jain v. Maya Jain* 2009 (4) RCR (Civil) 310 has committed the offence
- (B) *Dhannulal v. Ganeshram*. AIR 2015 SC 2382
- (C) *Krishna Bhattacharjee v. Sarathi Choudhury*, AIR 2015 SCW 6386
- (D) *Ramchander v. Ananta*, 2015 (2) RCR (Civil) 1
- (E) None of the above

Ans. (A) - In exercise of its extraordinary powers under Article 142 of the Constitution the Supreme Court can grant relief to the parties without even waiting for the statutory period of six months stipulated in Section 13-

Q.5.A Court may pass judgment on admission under Order XII Rule _____ of Code of Civil Procedure, 1908.
(A) 8

B of the aforesaid Act. This doctrine of irretrievable breakdown of marriage is not available even to the High Courts which do not have powers similar to those exercised by the Supreme Court under Article 142 of the Constitution. the Supreme Court can in special circumstances pass appropriate orders to do justice to the parties in a given fact situation by invoking its powers under Article 142 of the Constitution, but in normal circumstances the provisions of the statute have to be given effect to.

Q.2 Name the Governor General who abolished Sati in 1829?

- (A) Lord Clive
- (B) Lord Curzon
- (C) Lord William Bentinck
- (D) Lord Dalhousie
- (E) None of these

Ans. (C) - It was Bentinck who by law abolished this practice.

Q.3 Under which of the following provision of Code of Civil Procedure, 1908, a Court

- (B) 6
- (C) 4
- (D) 2
- (E) None of above

Ans. (B) - Judgment on admissions is provided under

may permit the plaintiff to effect service of summons by hand upon defendant personally:-

- (A) Order V Rule 3A
- (B) Order V Rule 7
- (C) Order V Rule 9A
- (D) Order V Rule 19A
- (E) None of above

Ans. (C) - Dasti Summons as it is popularly known is served under Order V Rule 9A. The Court may, in addition to the service of summons under rule 9, on the application of the plaintiff permit the plaintiff to effect service of summons on defendant and shall deliver the summons to the plaintiff for service.

Q.4. Under Section 34 of Code of Civil Procedure 1908, a Court may grant *pendent lite* interest at a rate _____

- (A) Agreed between the parties
- (B) Deemed by it reasonable
- (C) @6% per annum
- (D) Charged by nationalized bank
- (E) None of above

Ans. (B) - Interest pendent lite cannot exceed six percent per annum under section 34.

O.12 Rule 6. In case of admissions oral or written, the Court may at any stage of the suit, either on the application of any party or of its own motion and without waiting



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for the determination of any other question between the parties, make such order or give such judgment as it may think fit, having regard to such admissions.

Q.6. What is the maximum sentence of imprisonment which can be passed on conviction in a summary trial under Code of Criminal Procedure 1973?

- (A) 15 days
- (B) 30 days
- (C) Two months
- (D) Three months
- (E) None of above

Ans. (D) - The maximum sentence that can be awarded by a Court in a summary trial is imprisonment for three months as per section 262(2) CrPC.

Q.7 In all proceedings under Section 125 of Code of Criminal Procedure, 1973, the evidence shall be recorded in the manner prescribed for _____

- (A) Summons Cases
- (B) Warrant cases
- (C) Sessions cases
- (D) Summary cases
- (E) None of the above

Ans. (A) - Recording of evidence for proceedings under section 125 CrPC shall be taken in the presence of the person who is liable to pay maintenance or his pleader in the manner prescribed for summons cases as per section 126(2) of the CrPC.

Q.8 Sale of an obscene object to any person under the age of _____ years, is punishable

under section 293 of Indian Penal Code 1860.

- (A) 14
- (B) 16
- (C) 18
- (D) 20
- (E) None of the above

Ans. (D) Selling of an obscene object to a person under the age of 20 is an offence as per section 293 of the IPC.

Q.9 Which of the following section of Indian Penal Code, 1860 prescribes punishment for 'cheating':-

- (A) 416
- (B) 417
- (C) 419
- (D) 420
- (E) None of the above

Ans. (B) - Section 417 of the Indian Penal Code prescribes punishment for cheating. Whoever cheats shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

Q.10 A intending or knowing himself to be likely permanently to disfigure B's face, give B a blow which does not permanently disfigure B's face, but which cause B to suffer severe bodily pain for the space of more than three weeks. A has voluntarily caused _____

- (A) Hurt
- (B) Grievous hurt
- (C) Assault
- (D) Mischief
- (E) None of the above

Ans. (B) - The offence committed by A is grievous hurt as per section 320, Clause 8 of IPC.

Q.11. If a maker of dying declaration survives, his statement can be used under Indian Evidence Act, 1872:-

- (I) As substantive evidence
- (II) To corroborate the testimony of maker if examined
- (III) To contradict the testimony of maker if examined
- (IV) Cannot be used at all

Answers:

- A) II and III B) I and II
- C) I and III D) IV only
- E) None of the above

Ans. (A) - If the declarant survives after making the statement then it is inadmissible as dying declaration but the statement can be used under section 157 of the Indian evidence Act, in order to contradict, corroborate, impeach or confirm the credit of the person by whom it was made.

Q.12 Which of the following Section of Indian Evidence Act, 1872 is based upon the well know principle that 'Possession is prima facie proof of ownership'?

- (A) 110
- (B) 112
- (C) 114
- (D) 115
- (E) None of the above

Ans. (A) - As per section 110 of the Evidence Act, if a person is shown to be in possession of something, there is presumption that he is the owner. If anybody alleges that the party in possession is not the true owner, he must prove



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that fact, the longer the possession, the stronger the presumption.

13. A Constitution Bench of Supreme Court in *Jindal Stainless v. State of Haryana* (AIR 2016 SC 5617), has explained the constitutional provisions regarding:-

- (A) Use of religion in Elections
- (B) Liquor vends on Highway
- (C) National Anthem
- (D) Restriction on trade commerce etc.
- (E) None of the above

Ans. (D) - *the constitutional validity of the Haryana Local Area Development Act, 2000 regarding levy of entry tax was in question in this case.*

14. A suit for compensation for malicious prosecution shall be filed within _____ from the time when the plaintiff is acquitted or prosecution is otherwise terminated.

- (A) 6 month
- (B) 1 year
- (C) 2 years
- (D) 3 years
- (E) None of the above

Ans. (B) - *The period of limitation for a suit for compensation for a malicious prosecution is one year and the period of limitation begins from the date when the plaintiff is acquitted or the prosecution is otherwise terminated. (Refer to Article 74 of the Limitation Act)*

15. Which of the following statement is incorrect in the light of provisions of Hindu Marriage Act, 1955?

- (A) Documents not duly stamped or registered are admissible
- (B) Proceedings may be held in Camera on the request of the party
- (C) No appeal can be filed on the subject of costs only
- (D) Limitation for appeal against final Order under Section 25 of the Act in 90 days
- (E) None of the above

Ans. (B) - *Every proceeding under this Act shall be conducted in camera and it shall not be lawful for any person to print or publish any matter in relation to any such proceeding except a judgment of the High Court or of the Supreme Court printed or published with the previous permission of the Court. (Refer to Section 22, Hindu Marriage Act).*

16. A contract of life insurance is in the nature of:-

- (A) Agreement by way of wager
- (B) Quasi contract
- (C) Contingent contract
- (D) Gratuitous Contract
- (E) None of the above

Ans. (C) - *A life insurance is a contract in which one party agrees to pay a given sum of money upon the happening of a particular event contingent upon the duration of human life in consideration of immediate payment of smaller sum.*

17. A female Hindu inherited property from her husband. She died intestate. The said property shall, in the absence

of any children or grand children of the deceased, devolve upon:-

- (A) Government Charitable Trust
- (B) the heirs of her father
- (C) the heirs of her mother
- (D) the heirs of her husband
- (E) None of the above

Ans. (D) - *any property inherited by a female Hindu from her husband or from her father-in-law shall devolve, in the absence of any son or daughter of the deceased (including the children of any pre-deceased son or daughter) upon the heirs of the husband. (Refer to Section 15(2)(b) of The Hindu Succession Act.*

18. Who is known as the 'Saint of the Gutters'?

- (A) Mother Teresa
- (B) Vinoba Bhave
- (C) Bindeshwar Pathak
- (D) Kailash Satyarthi
- (E) None of the above

Ans. (A)

19. Which High Court declared Ganga Yamuna Rivers as 'living human'?

- (A) Allahabad
- (B) Uttarakhand
- (C) Himachal Pradesh
- (D) Delhi
- (E) None of the above

Ans. (B) - *However, this order of the Uttarakhand High Court was stayed by the SC in 2017 in the case of St. of Uttarakhand v. Mohd. Salim.*

20. 'X' residing in Chandigarh, publishes statements defamatory to 'Y' in Ludhiana.

'Y' may sue 'X' at-

- (A) Chandigarh only



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- (B) Ludhiana only
(C) anywhere in India
(D) either in Chandigarh or in Ludhiana.
(E) None of the above

Ans. (D) - According to section 20 of the CPC, all suits other than those covered under section 16 to 19 shall be filed at the place where the cause of action arose or where the defendant resides, work for gain or carries on business.

21. On production of a certified copy of the foreign judgment, the presumption as to the competency of the court, under section 14 of Code of Civil Procedure, 1908 is a:-

- (A) presumption of fact
(B) presumption of fact & law both
(C) rebuttable presumption of law
(D) irrebuttable presumption of law
(E) None of the above

Ans. (C) - Section 14 of the Code declares that the Court shall presume, upon the production of any document which is a certified copy of a foreign judgment that such judgment was pronounced by a Court of competent jurisdiction, unless the contrary appears on the record; but such presumption may be displaced by proving want of jurisdiction. Thus section 14 comes under the category of shall presume and is thus rebuttable.

22. Under Section 199 of Code of Criminal Procedure, 1973, in a prosecution for

defamation of the Vice President of India, Sessions Court may take cognizance of such offence without the case being committed to it, but only upon a complaint in writing made by _____

- (A) The President of India
(B) Director General of Police
(C) District Magistrate
(D) Public Prosecutor
(E) None of the above

Ans. (D) - The prosecution under Section 199 (2) CrPC is required to be initiated by the Public Prosecutor on receipt of a previous sanction of the Competent Authority in the State/Central Government under Section 199 (4) of the Code.

23. Constitution Bench of Supreme Court in judgment 'Hardeep Singh v. State of Punjab', decided on 10.01.2014 settled controversy regarding law containing in section _____ of Code of Criminal Procedure, 1973:-

- (A) 125
(B) 311
(C) 319
(D) 357
(E) None of the above

Ans. (C) The question in this case was can a person who was not named in the FIR or not charge sheeted be summoned under section 319 CrPC. It was held that - A person not named in the FIR or a person though named in the FIR but has not been charge sheeted or a person who has been discharged can be summoned under Section 319 Cr.P.C. provided from the evidence it appears that such

person can be tried along with the accused already facing trial

24. Which Section of Indian Penal Code, 1860 makes sexual intercourse by husband upon his wife, during separation, without her consent, punishable?

- (A) 376-A
(B) 376-B
(C) 376-C
(D) 376-E
(E) None of the above

Ans. (B) - Whoever has sexual intercourse with his own wife, who is living separately, whether under a decree of separation or otherwise, without her consent, shall be punished with imprisonment of either description for a term which shall not be less than two years but which may extend to seven years, and shall also be liable to fine.

25. A, along with his gang members B, C and D holds X down and fraudulently take X's money and jewels from X's clothes without his consent. Out of the following, what offence A and his gang members committed under Indian Penal Code, 1860:-

- (A) Extortion
(B) robbery
(C) Dacoity
(D) theft
(E) None of the above

Ans. (B) When theft is committed using violence, it amounts to the offence of robbery under section 390 of IPC.



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26. Who wrote the book 'The Argumentative India'?

- (A) Jhumpa Lahiri
- (B) Shashi Tharoor
- (C) Amartya Sen
- (D) Vikram Seth
- (E) None of the above

Ans. (C)

27. Which of the following statements (s) is/are incorrect in the context of Section 165 of Indian Evidence Act, 1872 regarding judge's power?

- (I) A Judge can ask any question he pleases, even irrelevant
- (II) Judge may order production of any document or thing
- (III) Any party has right to make any objection to such question or order
- (IV) The parties have inherent right to cross examine witness upon said question/answer.

Answers:-

- A) I and II
- B) II and III
- C) III and IV
- D) I and IV
- E) None of the above

Ans. (C) - *The Judge may, in order to discover or to obtain proper proof of relevant facts, ask any question he pleases, in any form, at any time, of any witness, or of the parties about any fact relevant or irrelevant; and may order the production of any document or thing; and neither the parties nor their agents shall be entitled to make any objection to any such question or order, nor, without the leave of the Court, to cross-examine any witness upon any answer given in reply to any such question.*

28. In which of the following judgment, Supreme Court laid down the procedure regarding dealing with the objections as to the admissibility of the documents and other items of evidence?

- (A) *Baldev Singh v. State of Punjab*, (AIR 2009 SC 913)
- (B) *Balu Yadav v. State of Bihar*, (AIR 1997 SC 2678)
- (C) *Chhotanney v. State of UP*, (AIR 2009 SC 2013)
- (D) *Bipan Chander Panchal v. State of Gujrat*, (AIR 2001 SC 1158).
- (E) None of the above

Ans. (D)

29. Which of the following Directive Principle of State Policy, directs the state to take steps for preserving and improving the breeds, and prohibiting the slaughter of cows and calves and other milch and draught cattle?

- (A) 46
- (B) 47
- (C) 48
- (D) 48-A
- (E) None of the above

Ans. (C) - *The State shall endeavor to organize agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle.*

30. M agrees to pay N 10,000 rupees if two parallel lines should enclose a space. The agreement is:-

- (A) Voidable at the instance of Promisee

- (B) Void because of uncertainty and ambiguity
- (C) Void because of future event
- (D) Void because of impossible event.
- (E) None of the above

Ans. (D) - *Impossibility of performance makes a contract void under section 56 of the Indian contract Act.*

31. If an intestate deceased has left no heir qualified to succeed his property under Hindu Succession Act, 1956 the property shall, devolves on:-

- (A) Orphan home
- (B) Charitable trust
- (C) Government
- (D) All the above
- (E) None of the above

Ans. (C) - *the Doctrine of Escheat is a common law principle which lays down that the Crown or the State is the owner of the property left by a person without any legal heir. Law in such circumstances assign ownership of the property to the state.*

32. The headquarters of SAARC Secretariat is situated in:-

- (A) Kathmandu
- (B) Thimphu
- (C) Dhaka
- (D) Colombo
- (E) None of the above

Ans. (A)

33. If a Hindu male dies intestate leaving behind Mother, Father, Son, Brother and Sister, the property will devolve on:-



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- (A) All 5 getting $1/5^{\text{th}}$ share each
(B) Father, Son & Brother being males getting $1/3^{\text{rd}}$ share each
(C) Father & Mother getting $1/2$ share each
(D) Mother & Son getting $1/2$ share each
(E) None of the above

Ans. (D) - *Mother and son comes under Class I heirs and they have the right to inherit to the exclusion of Class II heirs.*

34. Which section of Registration Act, 1908 makes it compulsory to affix passport size photographs and fingerprints upon the documents to be registered?

- (A) 16-A
(B) 23-A
(C) 32-A
(D) 79-A
(E) None of the above

Ans. (C) - *Every person presenting any document at the proper registration office under section 32 shall affix his passport size photograph and fingerprints to the document (refer to section 32A).*

35. Warranty as per Section 12 of Sale of Goods Act, 1930, is:-

- (A) a stipulation essential to main purpose of the contract
(B) a stipulation collateral to the main purpose of the contract
(C) the same as a condition
(D) a ground for repudiating the contract
(E) None of the above

Ans. (B) - *A warranty, is a stipulation collateral to the main purpose of the contract,*

the breach which gives rise to a right to treat the contract as stipulated. (Refer to section 12(3)).

36. Who among the following under Hindu Minority and Guardianship Act, 1956, will be the natural guardian of minor wife's person?

- (A) Husband
(B) Her Father
(C) Her mother
(D) a father-in-law
(E) None of the above

Ans. (A) - *Husband is the guardian of his minor wife. If both husband and wife are minors, then father-in-law will be the guardian in such cases.*

37. 'Yad Vashem' is an Israeli:-

- (A) Irrigation technique
(B) Holocaust Memorial
(C) Nuclear Reactor
(D) Commando Force
(E) None of the above

Ans. (B)

38. Where is the headquarter of World Anti-Doping Agency (WADA)?

- (A) Montreal
(B) New York
(C) Athens
(D) Paris
(E) None of the above

Ans. (A)

39. Sir Creek, a disputed region between India and Pakistan is a:-

- (A) coral island
(B) volcanic island
(C) tidal estuary
(D) backwater lagoon
(E) None of the above

Ans. (C) *It is a tidal estuary on the border of India and Pakistan.*

40. Sudirman Cup is associated with game of:-

- (A) Judo
(B) Hockey
(C) Football
(D) Badminton
(E) None of the above

Ans. (D)

41. The propositions are: under Order XVIII, Rule 2 of Code of Civil Procedure, 1908:-

I. A copy of the written arguments shall be furnished simultaneously to the opposite party

II. Adjournment shall be granted generally for the purpose of filing the written arguments

III. The Court cannot fix any time-limit for oral arguments

Which of the following is correct in respect of the aforesaid propositions:-

- (A) I is correct, II & III are incorrect
(B) I & II are correct, III are incorrect
(C) I & III are correct, II is incorrect
(D) II & III are correct, I is incorrect
(E) None of the above

Ans. (A) - *Refer to section 2(3A), 2(3B), 2(3C) & 2(3D) of Order XVIII Rule 2*

42. Where an interim injunction has been granted under Order XXXIX of Code of Civil Procedure, 1908, without notice to opposite party, the court shall make an endeavor to finally dispose of



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the application within thirty days from the date on which

- (A) the application was filed
- (B) the injunction was granted
- (C) the injunction order was served upon opposite party
- (D) opposite party appears in court
- (E) None of the above

Ans. (B) - *Where an injunction has been granted without giving notice to the opposite party, the Court shall make an endeavor to finally dispose of the application within thirty days from the date on which the injunction was granted; and where it is unable so to do, it shall record its reasons for such inability (refer to Rule 3A of Order XXXIX CPC).*

43. Which of the following provision of Code of Civil Procedure, 1908 deals with attachment before judgment?

- (A) Order XXXVIII, Rule 1
- (B) Order XXXVIII, Rule 3
- (C) Order XXXVIII, Rule 5
- (D) Order XXXVIII, Rule 4
- (E) None of the above

Ans. (C) - *Attachment before judgment is provided under Order 38 Rule 5. This is a provision purely discretionary and equitable. Like all equitable remedies, the court must take into consideration the attendant fact situation and form an opinion that the balance of convenience lies in favor of issuing the attachment.*

44. If trial Court is satisfied that convict intends to file appeal, it shall release him on

bail under Section 389(3) of Code of Criminal Procedure, 1973 where:-

- (A) Convict is on bail, and awarded imprisonment is not exceeding 3 years
- (B) Convict is on bail, and awarded imprisonment is not exceeding 5 years
- (C) Convict is on bail, and awarded imprisonment is not exceeding 7 years
- (D) Offence is exclusively bailable though convict is in jail
- (E) None of the above

Ans. (A) - *Refer to section 389(3) (i) of the CrPC.*

45. In the Indian Constitution, criminal procedure is included in the _____

- (A) Concurrent list
- (B) Union list
- (C) State list
- (D) Residuary list
- (E) None of the above

Ans. (A) - *CrPC is in the concurrent list of the Constitution and both the central as well as state governments can make law on it.*

46. A proclamation under Section 82 of Code of Criminal Procedure, 1973 shall specify time for not less than 30 days from the date of _____, of such proclamation"

- (A) Issuing
- (B) Receiving
- (C) Publishing
- (D) Returning
- (E) None of the above

Ans. (C) - *the period of thirty days has to be counted from the date of publishing of proclamation.*

47. Under which section of the Code of Criminal Procedure, 1973 Court can grant adjournment subject to payment of costs by a party:-

- (A) 310
- (B) 311
- (C) 312
- (D) 316

(E) None of the above
Ans. (E) - *None of the above sections deal with any such provision.*

48. If, in a complaint case it is made to appear to Magistrate that an investigation by the police is in progress in relation to the same offence, which of the following order(s) a Magistrate may pass under Section 210 of Code of Criminal Procedure, 1973?

- I. Return the complaint to be re-filed after police investigation
- II. Stay the proceeding of inquiry or trial on such complaint
- III. Call a report from the investigating Officer
- IV. Refer the complaint for investigation by police
- V. Refer the complaint to Chief Judicial Magistrate

Answers:

- (A) III & IV
- (B) II & IV
- (C) II and III
- (D) II only
- (E) None of the above

Ans. (C) *In case investigation by the police is in progress in relation to the offence which is the subject-matter of the inquiry or trial the Magistrate shall stay the proceedings of such inquiry or trial and call for a report on the matter from*



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the police officer conducting the investigation.

49. Judgment in *Mahboob Shah v. Emperor*, AIR 1945 PC 118 explained the penal law relating to:-

- (A) Right to private defence
- (B) Defence of unsound mind
- (C) Common object
- (D) Common intention
- (E) None of the above

Ans. (D) - *This case relates to common intention under section 34 of the IPC.*

50. Which Section of the Indian Penal Code, 1860 defines 'sedition'?

- (A) Section 121-A
- (B) Section 123
- (C) Section 124
- (D) Section 124-A
- (E) None of the above

Ans. (D) - *Sedition is defined under section 124-A IPC. Whoever brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the government commits the offence of sedition.*

51. The question is as to the date of Y's birth. An entry in the diary of a deceased surgeon regularly kept in the course of business, stating that, on a given day he attended Y's mother and delivered her of a son, is a relevant fact under which of the following Section of the Indian Evidence Act, 1872?

- (A) Section 32
- (B) Section 33
- (C) Section 34
- (D) Section 73
- (E) None of the above

Ans. (A) - *Section 32, statements of persons who cannot be called in as witnesses.*

52. The constitutional validity of which of the following section of Indian Evidence Act, 1872 has been upheld by Supreme Court in *State of U.P. v. Deoman Upadhyaya* (AIR 1960 SC 1125):-

- (A) 27
- (B) 32
- (C) 73
- (D) 119
- (E) None of the above

Ans. (A) - *Section 27 was challenged in this case as unconstitutional, however the court held that the section is intravires and not violative of Article 14.*

53. Who among the following is empowered to finally determine whether a Bill is Money Bill or not?

- (A) The Prime Minister of India
- (B) The Council of Ministers
- (C) The Finance Minister
- (D) The Speaker of the Lok Sabha
- (E) None of the above

Ans. (D) - *The decision as to whether a Bill is money Bill or not is to be finally taken by the Speaker. (Refer to Article 110(3) of the Constitution).*

54. Which of the following is not a writ issued by a superior court to an inferior Court?

- (A) *Mandamus*
- (B) *Certiorari*
- (C) *Quo-Warranto*
- (D) *Prohibition*
- (E) None of the above

Ans. (C) - *Quo warranto is issued to a person usurping public office illegally.*

55. Which of the following section of the Limitation Act, 1963 gives recognition to the concept of 'Adverse Possession'?

- (A) 22
- (B) 24
- (C) 26
- (D) 27
- (E) None of the above

Ans. (D) - *A person, though having no right to enter into possession of the property of someone else, does so and continues in possession setting up title in himself and adversely to the title of the owner, commences prescribing title into himself and such prescription having continued for a period of 12 years, he acquires title not on his own but on account of the default or inaction on part of the real owner (Refer to section 27)*

56. Who among the following was in news for National Anthem decision (2016)?

- (A) Justice J.S. Khehar
 - (B) Justice Dipak Misra
 - (C) Justice T.S. Thakur
 - (D) Justice J. Chelameswar
 - (E) None of the above
- Ans. (B)

57. A and B jointly purchased a tea shop. Each of them contributed half of the expense incurred for pottery and utensils. Then they leased out the shop and shared the rent equally. They are :-

(A) Partners



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- (B) Co-owners
- (C) Co-obligants
- (D) Agent of each other
- (E) None of the above

Ans. (B) – They are co-owners in this case.

58. To prevent a continuing breach in which the plaintiff has acquiesced, a court:-

- (A) Can grant perpetual injunction
- (B) can grant mandatory injunction
- (C) can grant prohibitory injunction
- (D) cannot grant injunction
- (E) None of the above

Ans. (D) – The Court cannot grant injunction to an act acquiesced by the plaintiff.

59. When consideration or object of an agreement is partly unlawful, under Indian Contract Act, 1872 the agreement is:-

- (A) Void
- (B) Voidable
- (C) Partially void and partially voidable
- (D) Enforceable
- (E) None of the above

Ans. (A) – According to section 57, where two sets of promises are distinct; first to do certain things which are legal and secondly to do something which is illegal. When the void part of the statement can be properly separated from the rest, the latter does not become invalid, in otherwise the entire contract will be invalid.

60. Under which section of the Hindu Adoption and Maintenance Act, 1956 a

dependant's claim for maintenance under the Act, can be created as a charge on the estate of deceased?

- (A) 25
- (B) 26
- (C) 27
- (D) 28
- (E) None of the above

Ans. (C) – Under section 27 - A dependant's claim for maintenance under this Act shall not be a charge on the estate of the deceased or any portion thereof, unless one has been created by the will of the deceased, by a decree of court, by agreement between the dependant and the owner of the estate or portion, or otherwise.

61. Registration of the documents containing contract to transfer for consideration, any immovable property for the purpose of Section 53-A of the Transfer of Property Act, 1882, has been made compulsory with effect from _____

- (A) 24.09.2001
- (B) 24.09.2003
- (C) 24.09.2002
- (D) 24.09.2004
- (E) None of the above

Ans. (A)

62. Section ____ of Sale of Goods Act, 1930, is an exception to rule of Caveat Emptor.

- (A) 8
- (B) 11
- (C) 16
- (D) 18
- (E) None of the above

Ans. (C) Section 16 is an exception to the principle of

caveat emptor. The principle of caveat emptor caused a lot of hardship to the buyer as in certain situations, the buyer was left with no remedy even though he suffered losses and as result of this, a number of exceptions gradually developed in the course of time.

63. Section 12 of Hindu Minority and Guardianship Act, 1956 does not oust the jurisdiction of _____ to appoint guardian of a minor's undivided interest in joint family property.

- (A) District Court
- (B) High Court
- (C) Collector of the District
- (D) State Government
- (E) None of the above

Ans. (B) - Where a minor has an undivided interest in joint family property and the property is under the management of an adult member of the family, no guardian shall be appointed for the minor in respect of such undivided interest. Provided that nothing in this section shall be deemed to affect the jurisdiction of a High Court to appoint a guardian in respect of such interest.

64. Which of the following is/are 'goods' according to sale of Goods Act, 1930?

- (A) Actionable claim
- (B) Money
- (C) Stocks and Shares
- (D) All of the above
- (E) None of the above

Ans. (C) – Goods means "every kind of movable



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property other than actionable claims and money; and includes stock and shares, growing crops, grass and things attached to or forming part of the land which are agreed to be severed before sale or under the contract of sale.

65. Alienation of the minor's property made by a natural guardian without the previous permission of the Court, under Section 8 (3) of Hindu Minority and Guardianship Act, 1956 will be voidable at the instance of:-

- (A) Seller
- (B) Purchaser
- (C) Minor
- (D) Both (B)&(C)
- (E) None of the above

Ans. (C) - Any disposal of immovable property by a natural guardian, in contravention of sub-section (1) or sub-section (2), is voidable at the instance of the minor or by any person claiming under him. (Refer to section 8(3)).

66. Pecuniary limits of jurisdiction of Civil Judges (Junior Division) are determined, under Punjab Courts Act, 1918 by_____.

- (A) State Government.
- (B) High Court
- (C) District Judge
- (D) Civil Judge (Senior Division)
- (E) None of the above

Ans. (B) - Refer to section 26 of the Act

67. Who among the following was the first person to be

honored with Bharat Ratna posthumously?

- (A) B. R. Ambedkar
- (B) K. Kamaraj
- (C) Lal Bahadur Shastri (D)
- Vinoba Bhave
- (E) None of the above

Ans. (C)

68. 'Decibel' is the unit used for measuring:-

- (A) Speed of light
- (B) Intensity of sound
- (C) Intensity of heat.
- (D) Intensity of earthquake
- (E) None of the above

Ans. (B)

69. Which of the following State in India has launched 'Quit India Movement 2' Against social ills?

- (A) Maharashtra
- (B) Bihar
- (C) West Bengal
- (D) Tamil Nadu
- (E) None of the above

Ans. (A)

70. To compel the attendance of a person to whom a summon has been issued under Section 30 of Code of Civil Procedure, 1908, the court is empowered to impose upon him fine not exceeding _____ rupees.

- (A) 500/-
- (B) 1000/-
- (C) 5000/-
- (D) 3000/-
- (E) None of the above

Ans. (C) - Refer to section 32 of CPC.

71. Which Section of Code of Civil Procedure, 1908 states that place of trial is to be deemed to be open Court?

- (A) 153
- (B) 153-A
- (C) 153B
- (D) 153C
- (E) None of the above

Ans. (C) - The place in which any Civil Court is held for the purpose of trying any suit shall be deemed to be an open Court, to which the public generally may have access.

72. A decree for restitution of conjugal rights may be enforced under Order XXI Rule 32 of Code of Civil Procedure, 1908, by:-

- (A) Attachment of property
- (B) Detention in civil prison
- (C) Imposition of fine
- (D) All of above
- (E) None of the above

Ans. (A) - Refer to Order 21 Rule 32(1).

73. If an indigent person succeeds in the suit. The due amount of Court fees shall be recoverable from:-

- (A) The plaintiff
- (B) The defendant
- (C) Any party ordered by the decree to pay the same
- (D) The State Government
- (E) None of the above

Ans. (C) - Refer to Order 33, Rule 10.

74. Which of the following section of the Code of Criminal Procedure, 1973 declares accused person to be a competent defence witness?

- (A) 315
- (B) 300
- (C) 313
- (D) 317
- (E) None of the above



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Ans. (A) - Any person accused of an offence before a Criminal Court shall be a competent witness for the defence and may give evidence on oath in disproof of the charges made against him or any person charged together with him at the same trial subject to conditions as under section 315.

75. Which of the following is incorrect response in the light of Code of Criminal Procedure, 1973?

- (A) Inquiry is conducted by the Court
- (B) Inquiry is conducted after framing of charge
- (C) Inquiry is conducted prior to framing of charge
- (D) Inquiry is conducted by the Magistrate
- (E) None of the above

Ans. (B) - Inquiry is usually conducted prior to the framing of charges to verify the truth of the allegation.

76. Section 482 of Code of Criminal Procedure, 1973 saves inherent powers of _____?

- (A) High Court
- (B) Session Court
- (C) Both (A) and (B) above
- (D) Chief Judicial Magistrate
- (E) None of the above

Ans. (A) - Nothing in this Code shall be deemed to limit or affect the inherent powers of the High Court to make such orders as may be necessary to give effect to any order under this Code, or to prevent abuse of the process of any Court or otherwise to secure the ends of justice.

77. No court shall take cognizance of an offence, after the expiry of _____, if the offence is punishable with fine only.

- (A) Six months
- (B) One year
- (C) Three years
- (D) Five years
- (E) None of the above

Ans. (A) - As per section 468, The period of limitation shall be-

1. six months, if the offence is punishable with fine only;
2. one year, if the offence is punishable with imprisonment for a term not exceeding one year;
3. three years, if the offence is punishable with imprisonment for a term exceeding one year but not exceeding three years.

78. Section 73 of Indian Penal Code, 1860 prescribes the maximum limit of solitary confinement to be:-

- (A) One year
- (B) Two year
- (C) Three months
- (D) Six months
- (E) None of the above

Ans. (C) - The maximum limit as per section 73 is three months. It is applicable in rigorous imprisonment only and it is further restricted to the limit as prescribed under section 74 IPC.

79. An Indian citizen murders a French citizen in Paris and absconded. He is found by Indian police in Mumbai. He (with previous sanction of Central Government) can be:-

- (A) Prosecuted in India at the place fixed by Foreign Ministry
- (B) Prosecuted in national capital New Delhi only
- (C) Prosecuted in Mumbai only
- (D) Prosecuted at any place as per the request of French Government
- (E) None of the above

Ans. (C) - In such cases, prosecution should take place at the place where he is found in India. (Refer to section 188 CrPC).

80. 'A' finds a purse with money, not knowing to whom it belongs; he afterwards discovers that it belongs to 'B' but retains it for his own use. Under Indian Penal Code, 1860 'A' is guilty of:-

- (A) Theft
- (B) Criminal misappropriation
- (C) Criminal breach of trust
- (D) Cheating
- (E) None of the above

Ans. (B) - When the initial possession is innocent and subsequently it becomes malafide and property is misappropriated, it amounts to criminal misappropriation under section 403 of IPC.

81. Which of the following Section of the Indian Evidence Act, 1872 makes an accomplice a competent witness against accused?

- (A) 130
- (B) 131
- (C) 132
- (D) 133
- (E) None of the above

Ans. (D) - According to Section 133 an accomplice



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shall be a competent witness against an accused person and a conviction is not illegal merely because it proceeds upon the uncorroborated testimony of an accomplice.

82. Which of the following section of Indian Evidence Act, 1872 prescribes conditions for making oral admissions as to the contents of documents as relevant?

- (A) 21
- (B) 22
- (C) 23
- (D) 24
- (E) None of the above

Ans. (B) - Oral admissions as to the contents of a document are not relevant, unless and until the party proposing to prove them shows that he is entitled to give secondary evidence of the contents of such document under the rules hereinafter contained, or unless the genuineness of a document produced is in question. (Section 22)

83. Which of the following sections(s) of Indian Evidence Act, 1872 makes confession of co-accused admissible?

- (A) 30
- (B) 25
- (C) 18
- (D) Both (B) and (C)
- (E) None of the above

Ans. (A) - Confession of a co-accused is given under section 30 of the Indian Evidence Act. The Court may take into consideration such confession as against such other person as well as against the person who makes such confession.

84. In case any question arises as to age of a Judge of a High Court, decision of which of the following authority shall be final as per the Constitution of India:-

- (A) President of India
- (B) Chief Justice of India
- (C) Chief Justice of High Court
- (D) Collegium of Supreme Court
- (E) None of the above

Ans. (A) - Refer to Article 217(3) of the Constitution of India. If any question arises as to the age of a Judge of a High Court, the question shall be decided by the President after consultation with the Chief Justice of India and the decision of the President shall be final.

85. Which of the following is not among the languages recognized under the Eighth Schedule of the Constitution of India?

- (A) Sindhi
- (B) Santhali
- (C) Dogri
- (D) Bodo
- (E) None of the above

Ans. (E) - All the above languages are recognized under the Eighth Schedule of India.

86. How many 'Fundamental Duties' are prescribed under Article 51-A of the Constitution of India?

- (A) 10
- (B) 12
- (C) 13
- (D) 8
- (E) None of the above

Ans. (E) - Part IVA of Indian Constitution deals with

Fundamental Duties. Originally, the Constitution of India did not contain these duties. Fundamental duties were added by 42nd and 86th Constitutional Amendment acts. As of now there are 11 Fundamental duties.

87. A Pakistani citizen residing in India cannot claim Fundamental Right to:-

- (A) Equality before the law
- (B) Life and personal liberty
- (C) Freedom of trade and profession
- (D) Freedom of religion
- (E) None of the above

Ans. (C) Freedoms under Article 19 of the Constitution of India is available to the citizens of India only.

88. What will be limitation period for instituting a suit for which no specific period of limitation is provided under Limitation Act, 1963?

- (A) 1 year
- (B) 2 years
- (C) 3 Years
- (D) No limitation
- (E) None of the above

Ans. (C) - Refer to Article 137, Part II of the Schedule.

89. Section 13-B of Hindu Marriage Act, 1955 has been incorporated by Amendment Act of:-

- (A) 1956
- (B) 1964
- (C) 1976
- (D) 1999
- (E) None of the above

Ans. (C)



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90. Which of the following is not a mode of dissolution of firm under Indian Partnership Act, 1932?

- (A) Dissolution by agreement
- (B) Compulsory dissolution
- (C) Dissolution by Registrar
- (D) Dissolution by Court
- (E) None of the above

Ans. (C) - *There is no such dissolution as dissolution by Registrar. Please refer to sections 40-44 of the Indian Partnership Act.*

91. Under Section 16 of Specific Relief Act, 1963, in a suit for specific performance of contract, the plaintiff must aver performance of, or readiness and willingness to perform. What is the meaning of 'readiness'?

- (A) Filing of suit within limitation
- (B) plaintiff's capacity including financial
- (C) Conduct of plaintiff wanting performance
- (D) All of above
- (E) None of the above

Ans. (B)

92. Any agreement between the landlord and tenant for payment of any sum in addition to fixed fair rent, shall under Haryana Urban (Control of Rent and Eviction) Act, 1973 be:-

- (A) Null and void
- (B) Voidable
- (C) Valid
- (D) Illegal
- (E) None of the above

Ans. (A) - *Refer to section 6(b) of the Act.*

93. When consent to an agreement is caused by misrepresentation, under Indian Contract Act, 1872 the agreement is:-

- (A) Void
- (B) Valid
- (C) Voidable
- (D) Illegal
- (E) None of the above

Ans. (C) - *If the consent of the party has been obtained by misrepresentation of facts, then the party whose consent has been obtained so can avoid the contract and hence voidable. (Refer to section 18 Indian Contract Act).*

94. 'Qui facit per alium facit per se' means:

- (A) He who acts through another acts himself
- (B) He who does not the power of alienating is under the necessity of retaining
- (C) He who does not prohibit when he is able to prohibit, is in fault
- (D) He who is silent appears to consent
- (E) None of the above

Ans. (A)

95. A compromise which is voidable under Indian Contract Act, 1872 shall not be deemed to bewithin the meaning of Order XXIII Rule 3 of Code of Civil Procedure, 1908.

- (A) Void
- (B) Voidable
- (C) Illegal
- (D) Lawful
- (E) None of the above

Ans. (D) - *An agreement or compromise which is void or voidable under the Indian*

Contract Act, 1872, shall not be deemed to be lawful within the meaning of the rule. (Order XXIII Rule 3).

96. Where an appellant has withdrawn the appeal preferred against a decree passed *ex parte*, a subsequent application filed under Order IX Rule 13 of Code of Civil Procedure, 1908 shall be:-

- (A) Rejected
- (B) Returned
- (C) Maintainable
- (D) Referred to the appellate court
- (E) None of the above

Ans. (C) - *Refer to Explanation of Order 9 Rule 13.*

97. Which provision of Code of Civil Procedure, 1908 debars a tenant from filing inter -pleader suit against his landlord?

- (A) Section 88
- (B) Section 90
- (C) Order XXXV Rule 3
- (D) Order XXXV Rule 4
- (E) None of the above

Ans. (E) - *It is provided under order XXXV, Rule 5.*

98. Composition of an offence under Code of Criminal Procedure, 1973 will result in ___ of the accused.

- (A) acquittal
- (B) discharge
- (C) compromise
- (D) probation
- (E) None of the above

Ans. (A) - *Refer to State of UP v. Chandrapal Singh.*

99. In one trial, X is convicted against which no appeal lies,



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whereas conviction against Y is appealable. Whether X can file an appeal against his conviction?

- (A) No
- (B) Yes
- (C) Only with special leave
- (D) There is no such provision
- (E) None of the above

Ans. (B)

100. Under section _____ of Code of Criminal Procedure, 1973, it is mandatory for a police officer to inform the person arrested without warrants, about the right of bail if the offence is not non-bailable.

- (A) 41A
- (B) 50
- (C) 50A
- (D) 54
- (E) None of the above

Ans. (B) - Person arrested to be informed of grounds of arrest and of right to bail.

101. X, a blacksmith, is seized by a gang of dacoits and forced, by threat of instant death to take his tools and forced him to open the door of Y's house. The dacoits then looted Y's money and jewels and also killed Y's son Z. What offence, among the following offences under Indian Penal Code, 1860 has been committed by X?

- (A) Dacoity with murder
- (B) Abetment of dacoity and murder
- (C) No offence
- (D) Preparation to commit dacoity
- (E) None of the above

Ans. (C) - Acts to be punishable must be performed voluntarily.

102. For constituting an offence of 'Abduction' under Indian Penal Code, 1860, the abducted male person should be:-

- (A) Below 16 years of age
- (B) Below 18 years of age
- (C) Insane
- (D) Of any age
- (E) None of the above

Ans. (D) - there is no age restriction in case of the offence of abduction.

103. How many minimum number of persons are required to constitute the offence of rioting under Section 146 of Indian Penal Code, 1860?

- (A) 2
- (B) 5
- (C) 7
- (D) 11
- (E) None of the above

Ans. (B) - Rioting under section 146 requires five or more people.

104. The five golden principles which constitute the 'Panchsheel' of the proof of a case based on circumstantial evidence are laid down in:-

- (A) Haricharan Kurmi v. State of Bihar (AIR 1964 SC 1184)
- (B) Sharad v. State of Maharashtra (AIR 1986 SC 1622)
- (C) Ram Singh v. Col. Ram Singh (AIR 1986 SC 3)
- (D) Kashmir Singh v. State of M. P. (AIR 1952 SC 159)
- (E) None of the above

Ans. (B)

105. What minimum number of witnesses are required to prove offence of dacoity in a trial?

- (A) 5
- (B) 8
- (C) Judge directs how many witnesses are to be examined
- (D) No particular number of witnesses is prescribed
- (E) None of the above

Ans. (D) - There is no requirement as to number of witnesses for the offence of dacoity.

106. The examination after the cross examination of a witness by the party who has called him, is called:-

- (A) Additional examination-in-chief
- (B) Additional cross examination
- (C) Re-examination
- (D) Re cross-examination
- (E) None of the above

Ans. (C) - After cross examination, either party may make a request to the court to further examine any witness who has already deposed. Such examination is called re-examination.

107. Which Article of the Constitution of India provides Constitutional safeguards to the civil servants?

- (A) 309
- (B) 310
- (C) 311
- (D) 312
- (E) None of the above

Ans. (C) - Safeguards to civil servants are given under Article 311 of the Constitution.

108. What kind of jurisdiction has been conferred under



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Article 143 of the Constitution of India upon the Supreme Court?

- (A) Appellate jurisdiction
- (B) Writ jurisdiction
- (C) Original jurisdiction
- (D) Supervisory jurisdiction
- (E) None of the above

Ans. (E) Article 143 of the Constitution confers Advisory jurisdiction to the Supreme Court.

109. A counter-claim shall be deemed under Section 3 of the Limitation Act, 1963 to have been instituted:-

- (A) On the same day as the suit in which counter-claim is made, was filed
- (B) On the day on which the counter-claim is made in Court
- (C) Either (A) or (b) whichever is beneficial to the defendant
- (D) Either (A) or (B) whichever is beneficial to the plaintiff
- (E) None of the above

Ans. (B) - In case of a legal set off the amount must be recoverable at the date of the suit, while in the case of a counterclaim the amount must be recoverable at the date of the written statement.

110. Section 15 of the Limitation Act, 1963 excludes from computation of limitation:-

- (A) Period of notice
- (B) Time required for obtaining consent
- (C) Time required for obtaining sanction
- (D) All of the above
- (E) None of the above

Ans. (D) - Section 15 excludes all the above.

111. Section 16 of the Hindu Marriage Act, 1955 confers legitimacy on the children of:-

- (A) A void marriage
- (B) A voidable marriage
- (C) A broken marriage
- (D) Both (A) and (B)
- (E) None of the above

Ans. (D) - Children of both void and voidable marriages will be legitimate as per section 16 of the Hindu Marriage Act.

112. How many additional grounds of divorce are provided for women under Section 13 (2) of the Hindu Marriage Act, 1955?

- (A) 2
- (B) 3
- (C) 4
- (D) 5
- (E) None of the above

Ans. (C) - There are four additional grounds under section 13(2) which can be claimed by women only.

113. Where in a contract between the partners no provision is made for duration of their partnership or for determination of their partnership, the partnership is:-

- (A) Unlimited Partnership
- (B) Particular Partnership
- (C) Implied Partnership
- (D) Partnership at will
- (E) None of the above

Ans. (D) - Such partnership will be called partnership at will (Refer to section 7-8 of the Indian partnership Act).

114. No suit for recovery of possession shall be brought under Section 6 of Specific Relief Act, 1963 against:-

- (A) Government
- (B) A Public Company
- (C) A Private Company
- (D) All of above
- (E) None of the above

Ans. (A) - Section 6 of the specific relief Act cannot be invoked against the government.

115. When to prevent breach of an obligation, it is necessary to compel the performance of certain acts which the court is capable of enforcing, court may under Section 39 of Specific Relief Act, 1963 grant:-

- (A) Mandatory Injunction
- (B) Prepetual Injunction
- (C) Prohibitory Injunction
- (D) Specific Performance Decree
- (E) None of the above

Ans. (A) When, to prevent the breach of an obligation, it is necessary to compel the performance of certain acts which the court is capable of enforcing, the court may in its discretion grant an injunction to prevent the breach complained of.

116. The fair rent of a building or rented land fixed under Haryana Urban (Control of Rent and Eviction) Act, 1973 generally prevails for a period of:-

- (A) Three years
- (B) Four years
- (C) Five years
- (D) Six years
- (E) None of the above



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Ans. (C) – Refer to section 5(1) of the Act.

117. A continuing guarantee may at any time be revoked by the surety, as to future transactions, by _____

- (A) notice to the creditor
- (B) notice to the principal debtor
- (C) notice to both creditor and to the principal debtor
- (D) notice to public
- (E) None of the above

Ans. (A) - A continuing guarantee may at any time be revoked by the surety, as to future transactions, by notice to the creditor as per section 133 of the Indian Contract Act.

118. What can a catalogue of books, listing price of each book and specifying the place where the listed books are available, be termed as?

- (A) An offer
- (B) An obligation to sell book
- (C) An invitation to offer
- (D) A promise to make available the book at the listed place
- (E) None of the above

Ans. (C) – It is an invitation to offer, When a man advertises that he has something to sell, or houses to let, there is no offer to be bound by contract.

119. X, being in debt to Y, the money lender of his village, contracts a fresh loan on term which appear to be unconscionable. That the contract was not induced by undue influence is to be proved by:-

- (A) Y
- (B) X

- (C) Both X and Y
- (D) Either X and Y
- (E) None of the above

Ans. (A) – In case of undue influence, it is the duty of the person who is in a position of dominance to prove that the contract is not induced by undue influence.

120. The principle 'facts speak for themselves can be expressed by the maxim:-

- (A) Ubi jus ibi remedium
- (B) Res ipsa loquitur
- (C) Novus actus interveniens
- (D) Causa Causans
- (E) None of the above

Ans. (B) *res ipsa loquitur* means the things speaks for itself.

121. How many grounds of divorce are provided for a Muslim woman under Section 2 of the Dissolution of Muslim Marriage Act, 1939?

- (A) 7
 - (B) 8
 - (C) 9
 - (D) 10
 - (E) None of the above
- Ans. (C)

122. 'X' and 'Y' are husband and wife having a son and a daughter. They have adopted a girl 'Z'. The adoption under Hindu Adoption and Maintenance Act, 1956, is:-

- (A) Valid
- (B) Void
- (C) Voidable
- (D) Illegal
- (E) None of the above

Ans. (B) – A Hindu having a daughter or son's daughter cannot adopt a daughter under HAMA 1956.

123. Which Section of the Hindu Succession Act, 1956 lays down the order of succession among agnates and cognates?

- (A) Section 8
- (B) Section 10
- (C) Section 12
- (D) Section 14
- (E) None of the above

Ans. (C) – Succession to agnates and cognates are given under section 12 of the Act.

124. If, at the time of solemnization of marriage, wife has been subject to recurrent attacks of insanity, under Hindu Marriage Act, 1955 the marriage will be:-

- (A) Valid
- (B) Void
- (C) Voidable
- (D) Legal
- (E) None of the above

Ans. (C) - Insanity is a ground that makes marriage voidable under section 12 of the Hindu Marriage Act.

125. Unavoidable delay upto _____ in presentation of a document for registration under the Registration Act, 1908 may be condoned by Registrar.

- (A) two months
- (B) four months
- (C) six months
- (D) one month
- (E) None of the above

Ans. (B) – Refer to section 25 of the Act.