



RESILIENCE LAW ACADEMY



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LATEST JUDGEMENTS

1. Inadvertent errors do not constitute misrepresentation or wilful suppression

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Judgment Name: [Vashist Narayan Kumar vs. The State of Bihar & Ors.](#) (January 02, 2024)

Bench: [Justice J.K. Maheshwari](#) and [Justice K.V. Viswanathan](#)

Articles and Acts Involved: {Constitution of India, 1950- Article 142}

Supreme Court Decision: In this case, the appellant (Vashist Narayan) had applied for the post of a Police Constable under the reserved category. Satisfying the eligibility criteria, he passed all the stages of the selection process but was not selected, the reason being the incorrect date of birth on the online application form. The matter was first mentioned before the Patna High Court which ordered that “since incorrect information was provided, no relief could be given”. The same was affirmed by the division bench of the Patna HC. The appellant, therefore, approached the Supreme Court. The SC held that such an error is a trivial error that appears to be a genuine and bona fide mistake. It will be unjust to penalize the appellant for the same. The bench further directed the state to treat the appellant as a candidate who has “passed”, in the selection process with the date of birth as 18.12.1997 and issue an appointment letter.

2. Statutory Right of the Dissenting Financial Creditor

Judgment Name: [DBS Bank Limited Singapore vs. Ruchi Soya Industries Limited](#) (January 03, 2024)

Bench: [Justice Sanjiv Khanna](#) and [Justice S.V.N. Bhatti](#)

Articles and Acts Involved: {Indian Penal Code, 1860- Sections 302 and 201} and {Evidence Act, 1872- Section 27}

Supreme Court Decision: The question of law for consideration in the present case was “Whether Section 30(2)(b)(ii) of the Insolvency and Bankruptcy Code, 2016, as amended in 2019, entitles the dissenting financial creditor to be paid the minimum value of its security interest?” After hearing the contentions, the SC bench opined that it would be appropriate if the aforementioned question be

referred to a larger bench. It further mentioned to place the matter for appropriate orders before the Hon'ble Chief Justice.

3. Adani-Hindenburg Controversy (Stock Manipulation Case)

Judgment Name: [Vishal Tiwari vs. Union of India \(January 03, 2024\)](#)

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Bench: [Chief Justice of India DY Chandrachud](#), [Justice J.B. Pardiwala](#), and [Justice Manoj Misra](#)

Articles and Acts Involved: {Constitution of India, 1950- Articles 32 and 142}, {Companies Act, 2013- Sections 2(76) and 89}, {Securities and Exchange Board of India Act, 1992- Sections 11 and 30}, {Depositories Act 1996}, {Securities Contracts (Regulations) Rules, 1957- Rule 19A}, {SEBI (Foreign Portfolio Investments) Regulations, 2014}, and {SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015, Regulation 2(1)(zb)}

Supreme Court Decision: In the Adani-Hindenburg controversy regarding the stock manipulations by the Adani group of companies, as alleged by an “activist short seller”, Hindenburg Research, the SC held that they did not find any reason to interfere with regulations made by SEBI and transfer the probe to Special Investigation Team (SIT). Moreover, the bench stated that the reliance on a third-party report, the [Organized Crime and Corruption Reporting Project \(OCCRP\)](#), without any verification, cannot be used as proof to transfer the probe in this case from SEBI to SIT. While refusing to transfer the probe, the bench said that the report from third-party organizations “can be treated as inputs but not conclusive evidence to doubt SEBI’s probe.”

4. Bilkis Bano- 2002 Gujarat Riots Case

Judgment Name: [Bilkis Yakub Rasool vs. Union of India & Others](#) (January 08, 2024)

Bench: [Justice B.V. Nagarathna](#) and [Justice Ujjal Bhuyan](#)

Articles and Acts Involved: {Constitution of India, 1950- Articles 14, 19(1), 21, 32, 72, 142, 161, and 226}, {Indian Penal Code, 1860- Sections 143, 147, 302, and 376(2)(e) and (g)}, and {Code of Criminal Procedure, 1973- Sections 360, 432(2), 433, 433A, and 435}

Supreme Court Decision: In this case, the SC was hearing a plea against the remission and pre-mature release of 11 convicts, guilty of committing heinous crimes (murder and rape) during the 2002 Gujarat riots. The bench set aside the

remission granted to 11 convicts by the Gujarat Government and ordered them to report to the concerned jail authorities within two weeks from [January 08](#). The convicts were sentenced to life imprisonment for murders and gang rapes including of Bilkis Bano.

5. DHFL Fraud Case

Judgment Name: [Central Bureau of Investigation vs. Kapil Wadhawan](#) (January 24, 2024)

Bench: Justice Bela M. Trivedi and [Justice Pankaj Mithal](#)

Articles and Acts Involved: {Indian Penal Code, 1860- Section 120B r/w Sections 206, 409, 411, 420, 424, 465, 468 and 477A}, {The Code Of Criminal Procedure, 1973- Sections 167, 167(2), 173, and 173(2)}, and {Prevention Of Corruption Act, 1988- Section 8}

Supreme Court Decision: In this case, the appellant-CBI has sought to challenge the impugned order passed by the High Court upholding the order passed by the Special Judge (PC Act), by which respondent nos. 1 and 2 have been granted default bail. It was alleged in the said FIR inter alia that the DHFL, Sh. Kapil Wadhawan, the then Chairman and Managing Director, DHFL, along with 12 other accused persons entered into a criminal conspiracy to cheat the consortium of 17 banks led by Union Bank of India. The matter was mentioned before the SC and it denied bail to the accused stating that “the respondents could not have claimed the statutory right of default bail under Section 167(2) on the ground that the investigation qua other accused was pending.”

6. Facts sourced from accused who is not in "formal" police custody admissible as evidence: Supreme Court

Case Title: *Perumal Raja v. State Rep by Inspector of Police*

In this case, a division bench of Justices **Sanjiv Khanna** and **SVN Bhatti** ruled that facts sourced from a statement made by an accused is admissible as evidence during trial even if such accused is not in the "formal" custody of the police.

The Court stressed that the pre-requisite of police custody under [Section 27 of the Evidence Act](#) should be read pragmatically, rather than formalistically or euphemistically.

In doing so, the division bench appeared to disagree with a recent [three-judge bench decision](#) in *Rajesh & Anr. v. State of Madhya Pradesh*, wherein it was held that formal police custody is necessary to make facts obtained from confessions by an accused admissible.

However, the two-judge bench in the present case reasoned that there was a Constitution Bench decision in *State of U.P. v. Deoman Upadhyaya* reported in 1961 which supported the view that "formal" police custody was not necessary.

7. [**NGT not required to apply strict yardsticks of Code of Civil Procedure: Supreme Court**](#)

Case Title: *Nabendu Kumar Bandopadhyay v. Additional Chief Secretary and Others*

In this case, a division bench of Justices **Abhay S Oka** and **Ujjal Bhuyan** expressed displeasure on the approach of the National Green Tribunal (NGT) in summarily dismissing an application without holding any inquiry.

The Court was of the view that when a citizen approaches the NGT with a grievance, a different approach by the NGT is contemplated and it is not required to strictly apply the yardsticks provided under the Code of Civil Procedure of 1908 (CPC).

Therefore, it remitted the case back to the NGT for holding a fresh inquiry in accordance with the law on the application filed by the appellant.

8. [**Supreme Court slams NGT for stalling Shimla Development Plan 2041**](#)

Case Title: *State of Himachal Pradesh and Others v. Yogendra Mohan Sengupta and Another*

In this case, a division bench of Justices **BR Gavai** and **Aravind Kumar** criticised the National Green Tribunal (NGT) for stalling the implementation of the draft Development Plan 2041 for Shimla by passing stringent directions even as the Himachal Pradesh High Court was seized of the matter.

The Court stated that the tribunal had not acted in consonance with the principles of judicial propriety. It was hearing the Himachal Pradesh government's appeals against NGT orders that had banned all kinds of construction activities in the ecologically sensitive areas of Shimla.

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The Himachal Pradesh government and its instrumentalities were allowed to proceed with the implementation of the development plan as published in June 2023.

9. ["Right to clean air not for people of Delhi alone": Supreme Court on NGT's suggestion to divert trucks entering NCR](#)

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Case Title: *Container Corporation of India Ltd vs Ajay Khera and Others*

In this case, a division bench of Justices **Abhay S Oka** and **Pankaj Mithal** berated the National Green Tribunal (NGT) for suggesting that trucks heading to an Inland Container Depot (ICD) at Delhi's Tughlakabad be diverted to ICDs outside the National Capital Region (NCR).

The Court said that the right to clean air is not the entitlement of people living in Delhi alone and a suggestion to divert trucks to other ICDs was unjustified and unwarranted.

The observations came in a case concerning pollution caused by heavy-duty diesel trailer trucks in and around Delhi. The case arose after a former executive at the Central Warehousing Corporation approached the NGT raising a grievance against the pollution caused due to the trucks coming to ICD at Tughlakabad.

10. [Suit cannot be decreed merely on defendant's failure to file written statement if plaintiff's case not proved: Supreme Court](#)

Case Title: *Asma Latif and Another v. Shabbir Ahmed and Others*

In this case, a three-judge bench of Justices **BR Gavai**, **Dipankar Datta** and **Aravind Kumar** held that a Court cannot pronounce judgment in a suit merely on the default of the defendant to file a written statement if the plaintiff does not prove his case.

The Court observed that the failure on the part of the defendant to file the written statement within the time permitted by the court would not be enough to pronounce the judgment against the defendant when it is incumbent upon the plaintiff to prove the case by adducing evidence.

It explained that Order 8 Rule 10 of the Code of Civil Procedure, 1908 provided two alternatives - either to pronounce judgment against the defendant defaulting to file the written statement or to pass such other order as deemed fit. The first alternative (passing judgment) is not always mandatory.

The top court observed that the above rule is permissive, granting two options to the court, and if in every case a judgment is pronounced against a person in response to non-submission of the written statement then it would render the second part of Rule 10 otiose.

11. **Insurance policy effective from date of issuance, not from date of proposal or date of issuance of receipt: Supreme Court**

Case Title: *Reliance Life Insurance Company Limited v. Jaya Wadhvani*

In this case, a division bench of Justices **Vikram Nath** and **Rajesh Bindal** held that the insurance policy issuance date would be the relevant date for all purposes.

The issue before the Court was what would be the date from which the policy becomes effective; whether it would be the date on which the policy is issued or the date of the commencement mentioned in the policy, or if it would be the date of the issuance of the deposit receipt or cover note.

"We do not find any such issue of backdating but the date of issuance of the policy would be the relevant date for all the purposes and not the date of proposal or the date of issuance of the receipt," the Court observed.

LATEST LEGAL NEWS & CASE LAWS

✚ **Sequoia Capital Operations LLC v John Doe and Others: Delhi High Court Orders WhatsApp, Telegram to Take Action Against Fraudulent Groups Using Sequoia Capital's Name**

The Delhi High Court, presided over by Justice Sanjeev Narula, has issued orders to messaging platforms WhatsApp and Telegram to delete groups and block accounts that have been defrauding people under the guise of Sequoia Capital's name. Sequoia Capital, a venture capital firm based in California, filed a suit after discovering that groups like 'John Analyst Group-303' were falsely representing themselves as part of Sequoia and offering dubious financial and investment advice.

The court directed WhatsApp (operated by Meta Platforms Inc.) and Telegram to remove accounts and groups specifically identified in the suit, as well as any others misusing Sequoia's trademarks. Additionally, the court ordered the Domain Name Registrar to suspend domain names associated with the fraudulent activities and provide information about the registrants.

The Ministry of Electronics and Information Technology and the Department of Telecommunications were also instructed to block access to relevant telephone numbers, websites, and domain names. This decisive action is aimed at preventing further misuse of Sequoia's brand and protecting consumers from being misled and financially exploited.

Jang Bahadur Kushwaha v. State: Allahabad High Court Criticizes Lawyers' Strikes, Differentiates Legal Profession from Industries

The Allahabad High Court, led by Acting Chief Justice Manoj Kumar Gupta and Justice Kshitij Shailendra, has expressed strong disapproval of lawyers' strikes, highlighting the unique nature of the judicial system that separates it from industrial establishments. The court's observations came in response to a PIL concerning frequent strikes at the Tehsil Rasra Bar Association in Ballia district.

The bench emphasized that strikes in the legal profession cause significant judicial time wastage, harm social values, and contribute to the pendency of cases, affecting the justice delivery system. The Court pointed out the distinction between Bar associations and trade unions, underscoring that lawyers, equipped with legal means, should seek solutions without resorting to strikes. The bench also highlighted the human element in litigation, emphasizing the plight of downtrodden and weaker sections of society who rely on the justice system.

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The court expressed concern that prolonged court closures could drive people towards illegal dispute resolution methods, undermining the faith in the judiciary. The matter, set for further hearing on February 5, has prompted the Court to request guidelines from the Uttar Pradesh Bar Council on observing condolences and other situations leading to lawyers abstaining from work.

DRRA

Supreme Court Reaches Full Strength with Justice PB Varale's Appointment

The Supreme Court of India achieved its full sanctioned strength of 34 judges with the swearing-in of Justice PB Varale. The oath of office was administered by Chief Justice of India DY Chandrachud in a ceremony attended by other Supreme Court judges and members of the bar. Justice Varale, previously serving as the Chief Justice of the Karnataka High Court, was recommended for this position by the Supreme Court Collegium on January 19.

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His appointment, notified by the Central government on January 24, is notable as he becomes the third sitting judge from the Dalit community in the Supreme Court, alongside Justices BR Gavai and CT Ravikumar. Justice Varale, distinguished as the senior-most High Court Judge from a Scheduled Caste and the only Chief Justice from a Scheduled Caste among the country's High Court Chief Justices, will begin his tenure sitting with a bench comprising Justices Sanjiv Khanna and Dipankar Datta. This milestone marks a significant moment for the Indian judiciary, reflecting its commitment to diversity and representation.

Majority Support 'One Nation One Election' in Government Survey, Reveals Law Ministry"

A recent press release by the Union Ministry of Law and Justice revealed that 81% of respondents support the concept of 'One Nation One Election', following a public survey conducted by the Central government. The survey, which received 20,972 responses, was part of an initiative to explore changes in legal and administrative frameworks to enable simultaneous elections in India.

This idea was proposed to reduce the massive expenditure and resource allocation involved in conducting separate elections for the Lok Sabha and state assemblies. The high-level committee overseeing this initiative is chaired by former President Ram Nath Kovind and includes notable members like Ghulam Nabi Azad, Arjun Ram Meghwal, NK Singh and Harish Salve.

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The committee has also sought input from political parties, with responses received from 17 out of 46 parties and has engaged in consultations with eminent jurists, former justices and heads of major organisations. The next meeting of the committee is scheduled for January 27. This proposal looks back at the period between 1951-52 and 1967 when Lok Sabha and state assembly elections were mostly held simultaneously, a practice that was later discontinued, leading to annual, staggered elections.

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Bombay High Court to Hear Law Students' Plea Against Holiday for Ram Mandir Inauguration

Four law students from various institutions, including Maharashtra National Law University and Government Law College, Mumbai, have filed a petition in the Bombay High Court against the Maharashtra government's decision to declare January 22 as a public holiday. This date coincides with the inauguration of the Ram Mandir at Ayodhya.

The petitioners, Shivangi Agarwal, Satyajeet Salve, Vedant Agrawal, and Khushi Bangia, argue that the decision to declare a public holiday for a religious event violates the secular principles enshrined in the Indian Constitution. They contend that the government's action represents an inappropriate expenditure of state funds for religious purposes, which is constitutionally prohibited.

Additionally, they highlight the negative impact of such a holiday on education, financial transactions, and governance, with schools, banks, and government offices being closed. The petition also challenges the 1968 notification by the Union Ministry of Home Affairs that allows states to declare public holidays under the Negotiable Instruments Act, questioning its secular credentials.

Justices GS Kulkarni and Neela Gokhale of the Bombay High Court have formed a special bench to hear the petition urgently on January 21, 2024.

Jagat Singh Negi v. Surat Singh Negi: Himachal Pradesh High Court Deems Calling Someone 'Corrupt' Defamatory, Not Protected by Freedom of Speech

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The Himachal Pradesh High Court, led by Justice Rakesh Kainthla, ruled that labelling an individual as ‘corrupt’ is inherently defamatory, overruling a previous trial court’s dismissal of a defamation case.

The case involved State Revenue Minister Jagat Singh Negi of the Congress party, who accused BJP leader Surat Singh Negi of defamation for alleging corruption in a press conference. The trial court had initially dismissed the complaint, citing the importance of criticism in a vibrant democracy and the right to free speech.

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However, the High Court disagreed, asserting that freedom of speech under Article 19 of the Constitution is not absolute and does not extend to defamation. The Court emphasized that while criticism of public officials is essential, it should not devolve into abuse or defamation. Consequently, the High Court has summoned Surat Negi for defamation under Section 500 of the Indian Penal Code, setting aside the trial court’s judgment and scheduling the parties to appear in court on March 12.

Bombay High Court Allows Kala Ghoda Festival at Cross Maidan Sans Food and Commercial Stalls

The Bombay High Court has granted permission for the Kala Ghoda Association’s (KGA) art and cultural festival at Cross Maidan, Mumbai, from January 20 to 28. The court, however, specified that no refreshment or commercial stalls would be set up at the venue.

Justices GS Patel and Kamal Khata emphasized adherence to conditions laid down in previous orders, directing KGA to restore any portion of Cross Maidan used for the festival to its original condition. The court suggested that from next year, KGA could seek permission directly from civic authorities with strict compliance. The final hearing on the matter is scheduled for February 12.

Punjab & Haryana High Court Affirms Family Courts' Autonomy from CPC and Evidence Act

The Punjab and Haryana High Court has asserted that family courts are not bound by the technicalities of the Code of Civil Procedure (CPC) or the Indian Evidence Act. Justices Sudhir Singh and Sumeet Goel emphasized that family courts, governed by the Family Courts Act of 1984, have the authority to establish their own procedures in line with principles of natural justice, good conscience, and equity.

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The court stated that Section 14 of the Family Courts Act empowers family courts to adopt a distinct approach, deviating from the procedural rigours of the CPC. The judgment came as the court dismissed a husband's plea challenging a family court decision.

PREVIOUS YEAR QUESTIONS

HARYANA STATE JUDICIARY EXAMS

1. The definition of "Victim" has been inserted in CrPC in:

- (a) 2008
- (b) 2009
- (c) 2010
- (d) 2011.

2. Sec. 27 of the Cr.P.C. deals with:

- (a) Trial of Persons of Unsound Mind
- (b) Trial of Non-Citizens of India

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(c) Trial of Juveniles

(d) Trial of Diplomats.

3. Preventive action of Police has been discussed under:

(a) Chapter X of Cr.P.C.

(b) Chapter XI of Cr.P.C.

(c) Chapter XII of Cr.P.C.

(d) No specific Chapter has been prescribed.

4. Sec. 166A Cr.P.C. deals with:

(a) Medical Examination of Rape Victim

(b) Requisition of additional Search Warrant

(c) Recording of Statement of Rape Victim

(d) Investigation outside India.

5. Women detained below the age of eighteen years shall be sent to:

(a) Remand Home

(b) Women Prison

(c) Women Police Station

(d) Shall not be detained.

6. Case Diary has been discussed under:

(a) Sec. 169 of Cr.P.C.

(b) Sec. 170 of Cr.P.C.

(c) Sec. 171 of Cr.P.C.

(d) Sec. 172 of Cr.P.C.

7. The Principle of Speedy Trial and the limitation period of completing the trial of certain cases has been provided under:

(a) Sec. 301 of Cr.P.C.

(b) Sec. 305 of Cr.P.C.

(c) Sec. 308 of Cr.P.C.

(d) Sec. 309 of Cr.P.C.

8. At what stage of the trial, prosecution of any person can be withdrawn with the consent of the court?

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- (a) Before framing of charges
- (b) After the examination of accused
- (c) After the completion of examination of prosecution witnesses
- (d) At any time before the pronouncement of judgment.

9. Application for Plea bargaining may be filed by:

- (a) The Prosecutor
- (b) The De facto Complainant
- (c) The Accused
- (d) The Legal Services Authority.

10. Section 394 Cr.P.C. provides the procedure relating to:

- (a) Suspension of sentence
- (b) Summary dismissal of appeal
- (c) Abatement of appeal
- (d) Finality of judgment on appeal.

11. Commutation of a death sentence on a pregnant woman is provided under:

- (a) Sec. 413 of Cr.P.C.
- (b) Sec. 414 of Cr.P.C.
- (c) Sec. 415 of Cr.P.C.
- (d) Sec. 416 of Cr.P.C.

12. can proceed under Section 340 of the Code of Criminal Procedure, 1973 and hold a preliminary enquiry.

- I. Civil Court
- II. Revenue Court
- III. Criminal Court

- (a) I and II
- (b) II and III
- (c) III and I
- (d) I, II and III.

13. of the Cr.P.C deals with the power of the Magistrate to arrest.

- (a) Sec. 40

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(b) Sec. 44

(c) Sec. 48

(d) Sec. 52.

14. It is mandatory to produce the person arrested before the Magistrate, within 24 hours of his arrest, under:

(a) Sec. 55 Cr.P.C.

(b) Sec. 57 Cr.P.C.

(c) Sec. 58 Cr.P.C.

(d) Sec. 59 Cr.P.C.

15. Under Cr.P.C. imprisonment in default of payment of fine can be awarded:

(a) To run concurrently with substantive sentence imposed

(b) In addition to the substantive sentence imposed

(c) Court can condone it

(d) None of the above.

16. Under Cr.P.C. the period of limitation for taking cognizance of an offence shall be three years:

(a) If the offence is punishable with imprisonment for a term exceeding one year but not exceeding three years

(b) If the offence is punishable with imprisonment for a term exceeding one year but not exceeding seven years

(c) If the offence is punishable with imprisonment for a term exceeding one year but not exceeding ten years

(d) If the offence is punishable with imprisonment for a term exceeding one year but not exceeding five years.

17. The contents of documents:

(a) may only be proved by primary evidence

(b) may only be proved by secondary evidence

(c) may be proved either by primary or by secondary evidence

(d) shall be proved either by primary or by secondary evidence.

18. The following documents are public documents:

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(a) Documents forming the acts, or records of the acts of the sovereign authority, of official bodies and tribunals, and of public officers, legislative, judicial and executive, of any part of India or of the Commonwealth, or of a foreign country

(b) Public records kept (in any State) of private documents

(c) Both (a) and (b)

(d) Only documents maintained by legislative, judiciary and executive in India.

19. When the question is whether a man is alive or dead, and it is shown that he was alive within thirty years, the burden of proving that he is dead?

(a) is on a person who affirms it

(b) is on a person who denies it

(c) is on spouse of the dead person

(d) is on first blood relative of the dead person.

20. Which of the following is not included in the expression 'court' under the Indian Evidence Act?

(a) All judges

(b) All persons legally authorized to take evidence

(c) All magistrates

(d) Arbitrator.

21. Which of the following was included in the definition of evidence' under the Evidence Act by the Information Technology Act, 2000?

(a) Social media

(b) E-mail

(c) Electronic record

(d) Compact Disk.

22. An admission constitutes a:

(a) Substantive piece of evidence

(b) Corroborative piece of evidence

(c) Conclusive proof

(d) None of the above.

23. "Hearsay evidence is no evidence." Which one of the following is an

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exception to the above rule under the Evidence Act?

(a) Sec. 32

(b) Sec. 27

(c) Sec. 14

(d) Sec. 23.

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24. Judge's power to put question or order the production of any document or thing is given in of Evidence Act.

(a) Sec. 165

(b) Sec. 167

(c) Sec. 141

(d) Sec. 159.

25. Confidential communication with whom of the following is protected under Evidence Act?

(a) To Magistrate

(b) To Police Officer

(c) To Legal Advisor

(d) To Revenue Officer.

26. Section 62 of the Evidence Act deals with:

(a) Primary evidence

(b) Secondary evidence

(c) Proof of documents by primary evidence

(d) Cases in which secondary evidence relating to documents may be given.

27. In the absence of substantive evidence:

(a) corroborative evidence can be used

(b) corroborative evidence has no worth

(c) corroborative evidence may be or may not be used as per the discretion of the Court

(d) none of the above.

28. Where a married woman, dying of burns was a person of unsound mind and the medical certificate vouchsafed her physical fitness for a statement and not

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the state of mind at the crucial moment; in which of the following cases the court said that the statement could not be relied upon?

- (a) Ravi Chander v. State of Punjab
- (b) Shripatrno v. State of Maharashtra
- (c) Ulka Ram v. State of Rajasthan
- (d) Baldev Raj v. State of H.P.

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29. Under Section 14 of the Evidence Act, the facts showing the existence of state of mind must be:

- (a) Specific state of mind
- (b) General state of mind
- (c) Both (a) and (b)
- (d) None of the above.

30. Statement recorded during investigation under Section 161 Cr.P.C. can be used during trial:

- (a) For corroborating the witness
- (b) For contradicting the witness
- (c) Both (a) and (b)
- (d) Neither (a) nor (b).

31. Where by a contract of sale, the seller purports to affect a present sale of future goods, the contract operates as:

- (a) Sale
- (b) An agreement to sell the goods
- (c) A sale or an agreement to sell the goods, depending upon the facts and circumstances of the case
- (d) None of the above.

32. The unpaid seller's right of lien terminates:

- (a) When he delivers the goods to a carrier or other bailee for the purpose of transmission to the buyer without reserving the right of disposal of the goods
- (b) When the buyer or his agent lawfully obtains possession of the goods
- (c) Both (a) and (b)

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(d) None of the above.

33. There are exceptions to the rule that a seller of goods cannot give to the buyer a better title than he himself has over them, which among the following is a wrong exception?

- (a) Sale by Mercantile Agent
- (b) Sale by one of the joint owners
- (c) Sale by seller in possession after sale
- (d) Sale without the consent or authority of owner.

34. Which provision of the Limitation Act provides that an appeal from an order can be filed in a High Court within 90 days and in another court within 30 days?

- (a) Article 102
- (b) Article 133
- (c) Article 116
- (d) Article 109.

35. Which of the following is not covered under Section 6 of The Limitation Act, 1963?

- (a) Insane
- (b) Insolvent
- (c) Idiot
- (d) Minor.

36. Which of the following provisions of The Limitation Act, 1953 states that in case of debt, payment will provide fresh period of limitation from the time of payment?

- (a) Sec. 13
- (b) Sec. 16
- (c) Sec. 19
- (d) Sec. 22.

37. Section 20 of The Specific Relief Act, 1963 provides for:

- (a) Discretion of the court as to decreeing specific performance

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- (b) Substituted performance of contract
- (c) Power of the court to engage experts
- (d) Expeditious disposal of suits.

38. Which of the following situation(s) has/have been inserted by the Specific Relief (Amendment) Act, 2018 in Section 41 of The Specific Relief Act, 1963 (when an injunction cannot be granted):

- (a) To restrain any person from applying to any legislative body
- (b) When equally efficacious relief can certainly be obtained by any other usual mode of proceedings except in case of breach of trust
- (c) If it would impede or delay the progress or completion of any infrastructure project or interfere with the continued provision of relevant facility related thereto or services being the subject matter of such project
- (d) All of the above.

39. Which of the following provisions of the Code of Civil Procedure relates to the application of the doctrine of res-judicata in a representative suit?

- (a) Sec. 11, Explanation II
- (b) Sec. 11, Explanation IV
- (c) Sec. 11, Explanation VI
- (d) Sec. 11, Explanation VIII.

40. In which of the following proceedings Order II Rule 2 of the Code of Civil Procedure is applicable?

- I. Appeals
- II. Execution Proceedings
- III. Petition under Article 226 of the Constitution of India

- (a) Only II
- (b) II and III
- (c) I, II and III
- (d) None of the above.

41. Which of the following provision of the Code of Civil Procedure prohibits further appeal against the decision of a single judge in second appeal?

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- (a) Section 100
- (b) Section 100-A
- (c) Section 101
- (d) Section 102.

42. An order allowing or disallowing an application for amendment is:

- (a) Appealable
- (b) A decree
- (c) An appealable order
- (d) None of the above.

43. Among the following properties, which shall not be liable for attachment under the Code of Civil Procedure?

- (a) Government securities
- (b) Bank notes
- (c) A mere right to sue for damages
- (d) All of the above.

44. A plaint was rejected under Order VII Rule 11 Code of Civil Procedure, for non- payment of court fee. Remedy available to the aggrieved party is:

- (a) To file an appeal
- (b) To file a revision
- (c) To file a restoration petition in the same court
- (d) All of the above.

45. A decree is preliminary:

- (a) When it deals with some preliminary issue
- (b) When it is used in the preliminary stages of the suit
- (c) When further proceedings have to be taken before the suit to be completely disposed of
- (d) None of the above.

46. Second appeal shall not lie from any decree, as provided under Section 102 of the Code of Civil Procedure when the subject matter of the original suit is for recovery of money not exceeding:

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- (a) Rs. 10,000/-
- (b) Rs. 25,000/-
- (c) Rs. 20,000/-
- (d) Rs. 15,000/-

47. Which of the following statement is correct?

- (a) No decree is to be reversed or modified for error or irregularity not affecting merits or jurisdiction
- (b) An appeal shall lie from a decree passed by the court with the consent of parties
- (c) An appeal may lie from an original decree passed ex parte
- (d) Both (a) and (c).

48. If a cloud is cast upon the title or legal character of the plaintiff, he is entitled to seek the aid of the court to dispel it by way of:

- (a) Injunction
- (b) Order
- (c) Declaratory Decree
- (d) Specific Performance.

49. The Order of injunction may be discharged, of varied, or set aside by the Court at the instance of:

- (a) Plaintiff
- (b) Defendant
- (c) Both (a) and (b)
- (d) State Government.

50. "Section 10 of Code of Civil Procedure, bars not only the trial of subsequent suit, but also the institution of subsequent suit.' This statement is:

- (a) Partly true
- (b) Untrue
- (c) True
- (d) None of the above.

51. Decree means:

- (a) Extract of the judgment

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- (b) Reasons for which the suit is decreed or dismissed
- (c) Formal expression of the court of an adjudication determining the rights of parties
- (d) Bill of costs.

52. On the ground of jurisdiction under Section 13 of Code of Civil Procedure be challenged.

- (a) only a judgment in personam
- (b) only a judgment in rem
- (c) both (a) and (b)
- (d) neither of the above.

53. Which of the following propositions incorrect?

- (a) A void contract is void ab initio
- (b) A void agreement is void ab initio
- (c) A voidable contract is a contract until rescinded
- (d) An illegal agreement is void ab initio.

54. Where the acceptance to an offer is sent by the offeree by an e-mail?

- (a) The postal rule will be applied for the purpose of determining the communication of acceptance, as also the place and time of contract
- (b) The receipt (recipient) rule will be applied for the purpose of determining the communication of acceptance, as also the, place and time of contract
- (c) The law in India is unclear on this subject
- (d) Neither of the above.

55. Which of the following propositions is incorrect about the doctrine of frustration of contract?

- (a) The event which causes frustration must have occurred without the fault of either party
- (b) Frustration puts an end to a contract independently of the volition of the parties at the time of the frustrating event (automatic discharge)
- (c) A contract is not frustrated by an event arising from an act or election of the promisor
- (d) The doctrine of frustration is applicable when the rights and obligations of the

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parties arise under a transfer of property under a lease.

56. X owes Rs.10,000/- to Y under a contract. It is agreed between X,Y, & Z that shall henceforth accept Z as his debtor instead of X for the same amount.

Old debt of X is discharged and a new debt from Z to Y is contracted. This is:

- (a) Alteration of contract
- (b) Rescission of contract
- (c) Novation of contract
- (d) Change in contract.

57. Which of the following statement(s) is correct?

- (a) An agreement enforceable by law is a contract
- (b) Every promise and every set of promises, forming the consideration for each other, is an agreement
- (c) All agreements enforceable by law are contracts and valid. But all agreements are not enforceable by law
- (d) All of the above.

58. Section 27 of the Indian Contract Act declares an agreement in restraint of trade:

- (a) Voidable
- (b) Unenforceable
- (c) Void
- (d) Valid.

59. As per the Punjab Courts Act, 1918, the provision for second appeal is mentioned in:

- (a) Sec. 40
- (b) Sec. 41
- (c) Sec. 39
- (d) Sec. 43.

60. Which country has become the first country to adopt bitcoin as legal tender?

- (a) Ecuador

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- (b) Costa Rica
- (c) El Salvador
- (d) Cuba.

61. What is the amount of ex-gratia compensation recommended by the central government to be paid to the family members of persons who succumbed to Covid19?

- (a) Rs. 50,000/-
- (b) Rs. 1,50,000/-
- (c) Rs. 1,00,000/-
- (d) Rs. 2,00,000/-

62. Which among the following cases deal with the Pegasus surveillance scandal?

- (a) Prashant Bhushan v. Union of India
- (b) Sadre Alam v. Union of India
- (c) CPIL v. Union of India
- (d) Manohar Lai Sharma v. Union of India.

63. In which among the following cases the Supreme Court refused to vacate its order allowing women candidates to appear for the National Defence Academy examination this year?

- (a) Dr. Apurva Satish Gupta v. Union of India
- (b) Kush Kalra v. Union of India
- (c) R Rajeshwaran v. Union of India
- (d) K Jayakumar v. Union of India.

64. Who among the following is the Chairman of the Bar Council of India?

- (a) Manan Kumar Mishra
- (b) Apurba Kumar Sharma
- (c) Prashant Kumar Singh
- (d) Ashok Kumar Deb.

65. Exposure to sunlight helps a person improve his health because:

- (a) the infrared light kills bacteria in the body

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- (b) resistance power increases
- (c) the pigment cells in the skin get stimulated and produce tan
- (d) the ultraviolet rays convert 7-dehydrocholesterol in the skin into vitamin D.

66. Ecology deals with:

- (a) Birds
- (b) cell formation
- (c) Relation between the organisms and their environment
- (d) Tissues.

67. How many medals were won by India in the Tokyo Olympics 2020?

- (a) 5
- (b) 6
- (c) 7
- (d) 8.

68. 'A' dissent in a court of last resort is an appeal to the brooding spirit of the law, to the intelligence of a future day, when a later decision may possibly correct the error into which the dissenting judge believes the court to have been betrayed.' This statement made by Chief Justices Charles Evans Hughes and subsequently cited in a famous Indian dissent by:

- (a) Justice M.C. Chagla
- (b) Justice Sir Saiyid Fazl Ali
- (c) Justice A.N. Ray
- (d) Justice H.R. Khanna.

69. Which is the first country to make broadband a legal right for every citizen?

- (a) England
- (b) Finland
- (c) Denmark
- (d) China.

70. To inculcate reading habit among students, which mission has been initiated by the state Government of Haryana?

- (a) Read More Lead More — Haryana

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(b) Reading to leading — Haryana

(c) Reading Mission — Haryana

(d) Read to learn — Haryana.

71. Justice N.V. Ramana is serving as the Chief Justice of India.

(a) 49th CJ

(b) 48th CJ

(c) 47th CJ

(d) 46th CJ.

72. The boundary line between India and China is:

(a) Redline

(b) Durand Line

(c) McMahan Line

(d) Radcliffe Line.

73. Who is the Union Minister of Law and Justice, Government of India?

(a) Pashupati Kumar

(b) Kiren Rijju

(c) Ashwini Vaishnav

(d) Ravishankar Prasad.

74. Under Section 7 of the Hindu Marriage Act, 1955 a marriage must be solemnised in accordance with the customary rites and ceremonies of:

(a) the bride

(b) the bridegroom

(c) both bride and bridegroom

(d) either bride or bridegroom.

75. The consequence of non-registration of a marriage under Section 8 of the Hindu Marriage Act is:

(a) Marriage becomes voidable at the option of either party thereto

(b) Marriage is valid but calls for Imposition of penalty

(c) Marriage is void and calls for imposition of penalty

(d) None of the above.

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76. Restitution of conjugal rights can be claimed:

- (a) when there is a withdrawal from the society by one spouse from the other spouse with or without any excuse
- (b) only when the withdrawal from society is with a valid excuse
- (c) only when the withdrawal from society is without a valid excuse
- (d) only when the withdrawal from society is with a wrong motive.

77. On the ground of inability to produce a progeny a marriage can be:

- (a) void
- (b) voidable
- (c) both (a) and (b)
- (d) none of the above.

78. If two persons are related to each other by blood or adoption not wholly through males, they are called:

- (a) blood relations
- (b) agnates
- (c) cognates
- (d) cousins.

79. Under the Hindu Adoption and Maintenance Act, 1956, a Hindu male can adopt a child without the consent of his wife provided:

- (a) the wife is not interested in the adoption
- (b) the wife is living in a foreign country
- (c) he has more than one wife
- (d) the wife has ceased to be a Hindu.

80. Choose the wrong statement:

- (a) A Hindu who has a Hindu son cannot adopt a son
- (b) A Hindu who has a Hindu grandson cannot adopt a son
- (c) A Hindu who has a Hindu great grandson cannot adopt a son
- (d) A Hindu who has a Hindu daughter cannot adopt a son.

81. Alienation by the Karta without legal necessity or the benefit of estate is:

- (a) valid

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- (b) voidable at the instance of the coparcener
- (c) voidable at the instance of alienee
- (d) void ab initio.

82. Proceedings to be in camera and may not be printed or published, is provided in of the Hindu Marriage Act, 1955.

- (a) Section 24
- (b) Section 22
- (c) Section 21
- (d) Section 23.

83. Which section of the Hindu Marriage Act, 1955 deals with Custody of children?

- (a) Section 27
- (b) Section 24
- (c) Section 26
- (d) Section 29.

84. Desertion is:

- (a) total repudiation of obligation of marriage
- (b) partial repudiation of the obligation of marriage
- (c) both (a) and (b)
- (d) none of the above.

85. Presumption that the younger survived the elder under Section 21 of the Hindu Succession Act is a:

- (a) Presumption of fact
- (b) Presumption of fact and law
- (c) Rebuttable presumption of law
- (d) Irrebuttable presumption of law.

86. Section 14 of the Hindu Succession Act applies to:

- (a) Movable property
- (b) Immovable property

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(c) Both movable and immovable property

(d) None of the above.

87. A Hindu die leaving behind father and son's daughter's son. They are:

(a) Class 1 heirs

(b) Class II heirs

(c) Preferential heirs

(d) None of the above.

88. The effect of death of Muslim husband or wife during the period of iddat, following a revocable pronouncement of divorce on inheritance rights is:

(a) only husband can inherit

(b) only wife can inherit

(c) both can inherit

(d) both cannot inherit.

89. The punishment for pronouncement of any irrevocable form of divorce by a Muslim husband upon his wife is:

(a) imprisonment for a term which may extend to three years

(b) imprisonment for a term which may extend to three years and fine

(c) imprisonment for a term which may extend to two years

(d) imprisonment for a term which may extend to two years and fine.

90. Under Muslim law, Wakf means:

(a) permanent dedication of movable property

(b) permanent dedication of immovable property

(c) permanent dedication of movable or immovable property

(d) permanent or temporary dedication of movable or immovable property.

91. Where partners upon or in anticipation of the dissolution of the firm make an agreement that some or all of them will not carry on a business similar to that of the firm within a specified period or within specified local limits, such agreement is:

(a) Valid, its restrictions imposed are reasonable, notwithstanding anything contained in Section 27 of the Indian Contract Act

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(b) Void, irrespective of the nature of restrictions imposed on the ground of being an agreement in restraint of trade

(c) Voidable

(d) None of the above.

92. In which of the following situations, a public notice is not required to be given under the Indian Partnership Act, 1932:

(a) When a partner retires from the firm

(b) When a partner is expelled from the firm

(c) When the firm is dissolved

(d) When an alteration is made in the name of the firm.

93. An act of a firm means:

(a) Any act of partner or agent of the firm which gives rise to a right enforceable by or against the firm

(b) Any act by all the partners

(c) Any omission by all the partners

(d) All of the above.

94. The registering officer may in his discretion refuse to accept for registration any document in which any interlineation, blank, erasure or alteration appears, unless attest with their signatures or initials such interlineation, blank, erasure or alteration.

(a) The Sub Registrar

(b) The Notary Public

(c) The persons executing the document

(d) Document Writer.

95. Normally no document other than a Will shall be accepted for registration unless presented for that purpose to the proper officer within month (s) from the date of its execution.

(a) One

(b) Two

(c) Three

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(d) Four.

96. Which of the following documents needs compulsory registration as per the Registration Act, 1908?

- (a) Wills
- (b) Instruments acknowledging the receipt of payment
- (c) Lease of Immovable property not exceeding one year
- (d) Lease of Immovable property exceeding one year.

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97. No person shall convert a residential building into a non-residential building except with the permission in writing of:

- (a) The Landlord
- (b) The Tenant
- (c) The Controller appointed by the State Government under the Haryana Urban (Control of Rent and Eviction) Act, 1973
- (d) The Municipal Authority.

98. When the fair rent of building rented has been made or fixed under Section 4 of the Haryana Urban (Control of Rent and Eviction) Act, 1973, no further increase or decrease in such fair rent shall be permissible for a period of:

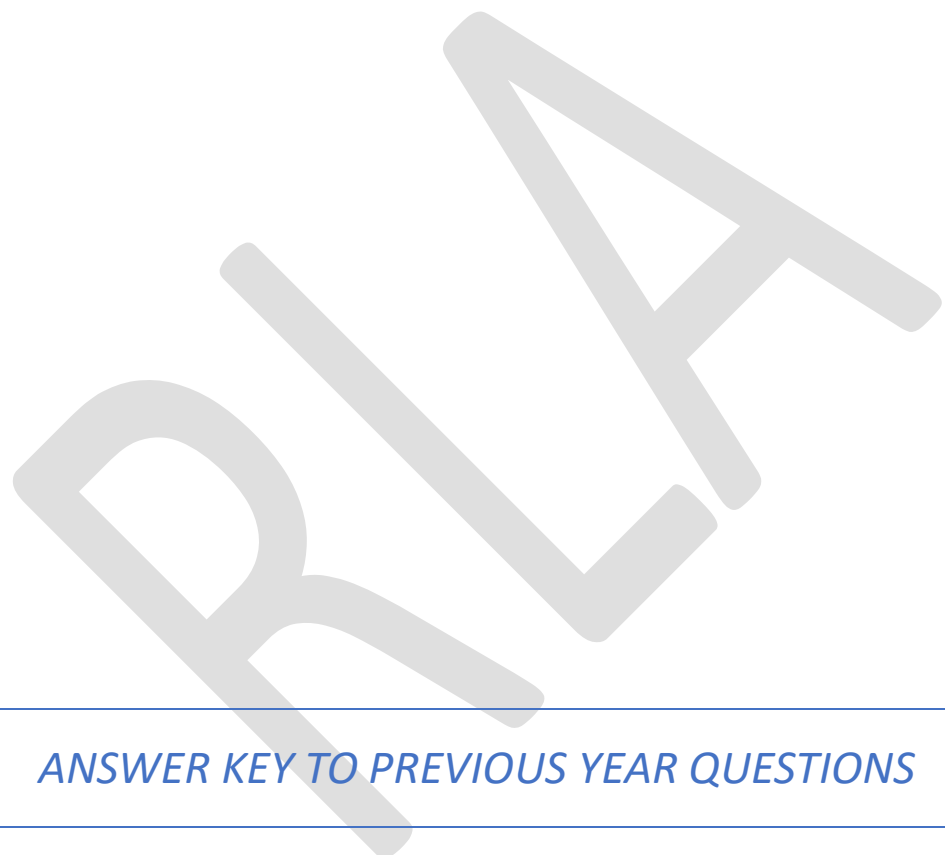
- (a) Two years
- (b) Three years
- (c) One year
- (d) Five years.

99. A custom must be immemorial. In India this implies that:

- (a) The custom dates back to 1189 AD
- (b) It should date back to 1189 AD for mofussil districts and 1775 for presidencies
- (c) Long usage is sufficient
- (d) It should date back to 1950.

100. 'Uberrima Fides' means:

- (a) Reason for deciding the judgment
- (b) In utmost good faith
- (c) As much as deserved
- (d) The principle that courts abide by.



ANSWER KEY TO PREVIOUS YEAR QUESTIONS

| | |
|----|---|
| 1 | B |
| 2 | C |
| 3 | B |
| 4 | D |
| 5 | A |
| 6 | D |
| 7 | D |
| 8 | D |
| 9 | C |
| 10 | C |

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| | |
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| 11 | D |
| 12 | D |
| 13 | B |
| 14 | B |
| 15 | B |
| 16 | A |
| 17 | C |
| 18 | C |
| 19 | A |
| 20 | D |
| 21 | C |
| 22 | A |
| 23 | A |
| 24 | A |
| 25 | C |
| 26 | A |
| 27 | B |
| 28 | A |
| 29 | A |
| 30 | B |
| 31 | B |
| 32 | C |
| 33 | D |
| 34 | C |
| 35 | B |
| 36 | C |
| 37 | B |
| 38 | C |
| 39 | C |
| 40 | D |
| 41 | B |
| 42 | D |
| 43 | C |
| 44 | A |
| 45 | C |
| 46 | B |
| 47 | D |
| 48 | C |
| 49 | C |
| 50 | B |

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| | |
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| 51 | C |
| 52 | A |
| 53 | A |
| 54 | B |
| 55 | D |
| 56 | C |
| 57 | D |
| 58 | C |
| 59 | B |
| 60 | C |
| 61 | A |
| 62 | D |
| 63 | B |
| 64 | A |
| 65 | D |
| 66 | C |
| 67 | C |
| 68 | C |
| 69 | B |
| 70 | C |
| 71 | C |
| 72 | C |
| 73 | B |
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| 84 | D |
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| 88 | C |
| 89 | B |
| 90 | C |

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| | |
|-----|---|
| 91 | A |
| 92 | D |
| 93 | D |
| 94 | C |
| 95 | D |
| 96 | D |
| 97 | C |
| 98 | D |
| 99 | C |
| 100 | B |

RLA