

THE GAUHATI HIGH COURT AT GUWAHATI
(The High Court of Assam, Nagaland, Mizoram & Arunachal Pradesh)

Preliminary Examination (Objective type) for direct recruitment to Grade III of Nagaland
Judicial Service.

Date: 27.07.2024 (Saturday)

Time: 10 A.M. to 12 Noon

Total Marks: 100

Duration: 2 Hours

[Total No. of questions 100. Each question carries 1 mark. There is no negative marking.]

(I) GENERAL KNOWLEDGE

(QUESTION NO. 1 TO 10)

In the following questions (Question Nos. 1 to 10) out of the four alternatives, choose the correct answer:

1. Indian Standard Time relates to:-

- A) 71.5° E Longitude
- C) 72.5° E Longitude

- B) 82.5° E Longitude
- D) 73.5° E Longitude

2. The land of maximum biodiversity is:-.

- A) Tropical
- C) Monsoonal

- B) Temperate
- D) Equatorial

3. The forest of Sunderban is called:-

- A) Scrub Jungle
- C) Deciduous Forest

- B) Mangrove
- D) Tundra

4. The Prime Minister of India is :-

- A) Elected
- C) Nominated

- B) Appointed
- D) Selected

5. Which is not an All India Service?

- A) Indian Administrative Service
- C) Indian Foreign Service

- B) Indian Police Service
- D) Indian Forest Service

6. Noise is measured in-

- A) Watt
- C) Centigrade

- B) REM
- D) Decibel

7. What is the chemical name of vinegar-

- A) Citric Acid
- C) Pyruvic Acid

- B) Acetic Acid
- D) Malic Acid

8. Mahatma Gandhi was profoundly influenced by the writings of

- A) Bernard Shaw
- B) Karl Marx
- C) Lenin
- D) Leo Tolostoy

9. WTO basically promotes

- A) Financial support
- B) Global peace
- C) Unilateral trade
- D) Multilateral trade

10. Who was the first woman to become a Judge of Supreme Court in India?

- A) Justice Ruma Pal
- B) Justice Fathima Beevi
- C) Justice Aruna Suresh
- D) Justice R.P. Desal

(II) ENGLISH

(QUESTION NO. 11 TO 19)

Sentences are given with blanks to be filled in with an appropriate word (s). Four alternatives are suggested for each question. Choose the correct alternative out of the four and indicate it in the Answer Sheet

11. The ----- of our civilisation from an agricultural society to today's complex industrial world was accompanied by war.

- A) Adjustment
- B) Migration
- C) Route
- D) Metamorphosis

12. The Hotel was not too expensive -----.

- A) Was it?
- B) Wasn't it?
- C) Is it?
- D) Isn't it?

Group of four words are given. In each group, one word is correctly spelt. Find the correctly spelt word and marked your answer in the answer sheet:

- 13. A) Cummulative
- B) Comemmorative
- C) Accummulative
- D) Accommodative
- 14. A) Collaborate
- B) Comemorate
- C) Colate
- D) Choclote

Choose the word opposite in meaning to the given word and mark in the answer sheet-

15. FERVENT

- A) Inexcitable
- B) Enduring
- C) Dispassionate
- D) Subdued

16. PERSPICACITY

- A) Vagueness
B) Dullness
C) Unfairness
D) Unwillingness

Out of the four alternatives, choose the one which can be substituted for the given words/sentence:-

17. Science of the races of mankind

- A) Geneology
B) Epistemology
C) Ethnology
D) Sociology

18. An underhand device resorted to in order to justify misconduct

- A) Subterfuge
B) Manoeuvre
C) Stratagem
D) Complicity

A sentence has been given in Active Voice/Passive Voice. Out of the four alternatives suggested, select the one which best expresses the same sentence in Passive Voice/Active Voice and mark the answer:-

19. Not a word was spoken by the criminal in self defence:

- A) The criminal spoke not a word in self-defence.
B) The criminal in self-defence spoke no word.
C) The criminal did not speak a word in self-defence.
D) The criminal spoke in self defence not a word.

(II) APTITUDE

(QUESTION NO. 20 TO 28)

Select the one which is different from the other three responses:-

- 20.** A) Bulb
B) Light
C) Heat
D) Electricity

- 21.** A) Wave
B) Storm
C) Tide
D) Current

Select the related letters/words/numbers from the given alternatives:-

22. Sty : Pig :: Byre : ---?

- A) Eagle
B) Cow
C) Tiger
D) Hen

23. Patrol : Security :: Insurance : ----?

- A) Money
B) Policy
C) Savings
D) Risk

24. If the day before yesterday was Sunday, what day will it be three days after the day after tomorrow?

- A) Sunday
- B) Monday
- C) Wednesday
- D) Saturday

25. M is the son of P, Q is the granddaughter of O who is the husband of P. How is M related O?

- A) Son
- B) Daughter
- C) Mother
- D) Father

26. Find the next two letters in the given series:- B C E H L ? ?

- A) XY
- B) MN
- C) QW
- D) OP

27. **A statement is given followed by four alternative arguments. Select the one which is not appropriate:-**

Statement: White clothes are worn more often in summer because:-

- A) They are thin and cool
- B) They are bad absorbers of heat
- C) They can be easily washed
- D) They are easily available in summer

28. Study the statements and the two conclusions and give answer

Statement:- If you want to own a personal imported car, you do not need an import licence

- (I) Cars are manufactured in India;
- (II) Cars can be imported easily;
- A) If only conclusion I follows
- B) If only conclusion II follows
- C) If both conclusions I and II follows
- D) If neither I nor II follows

(IV) CONSTITUTION OF INDIA

(QUESTION NO.29 TO 37)

29. Which of the following is the guardian of Fundamental Rights?

- A) Legislature
- B) Executive
- C) Political parties
- D) Judiciary

30) The speaker of the Lok-Sobha has to address his/her letter of resignation to :-:

- A) Prime Minister of India
- B) President of India
- C) Deputy Speaker of Lok-Sabha
- D) Minister of Parliamentary affairs.

31. Article 14 guarantees equality before law and equal protection of law to:
- A) All persons living within the territory of India;
 - B) All Indian Citizens living in India;
 - C) All persons domiciled in India;
 - D) All persons natural as well as artificial;
32. Which of the following is not a Directive Principles of the State Policy?
- A) To raise the level of nutrition.
 - B) To develop the scientific temper.
 - C) To promote economic interests of weaker sections.
 - D) To separate the Judiciary from the Executive.
33. Right to constitutional remedies in India is available to ?
- A) Citizen of India only;
 - B) All persons in case of infringement of any fundamental right;
 - C) Any person for enforcing any of the fundamental rights conferred on all persons;
 - D) An aggrieved individual alone;
34. The Constitution described India as a-
- A) Federation of states.
 - B) Union of states
 - C) Confederation of states
 - D) Unitary states
35. How many languages are there in VIII Schedule ?
- A) 18
 - B) 20
 - C) 22
 - D) 24
36. If the President of India wants to resign from office, he may do so by writing to the ?
- A) Vice President
 - B) Chief Justice of India
 - C) Prime Minister
 - D) Speaker of Lok-sabha
37. The Chief Minister of Union Territory where such a setup exists, is appointed by the
- A) President
 - B) Prime Minister
 - C) Lt. Governor
 - D) Majority party in Legislature

(V) CODE OF CIVIL PROCEDURE

(QUESTION NO.38 TO 46)

38. The term Res-Judicata means-
- A) Stay of the proceeding
 - B) Further proceeding
 - C) A matter already adjudicated
 - D) None of the above

39. Under the Code the provision of notice before instituting a suit against the Government is given in–
- A) Section 82
 B) Section 80
 C) Section 79
 D) Section 78
40. A decree, when an adjudication completely disposes of the suit, suit is–
- A) A preliminary decree
 B) A final decree
 C) Partly preliminary and partly final decree
 D) None of the above
41. If a plaint is rejected for non-payment of Court fee, the remedy is
- A) Appeal
 B) Writ
 C) Revision
 D) None of the above
42. According to section 21 of the Code, objection at jurisdiction of Court can be raised in–
- A) Trial
 B) Appeal
 C) Revision
 D) Either (A), (B) or (C)
43. Doctrine of res-sub judice is provided under section –
- A) 9
 B) 10
 C) 11
 D) 12
44. A statement given by a judge on the ground of decree or order is called -----
- A) Plaint
 B) Written Statement
 C) Judgment
 D) Summon
45. Inherent power of the court can be exercised under the Code
- A) To help the plaintiff
 B) To help the defendant
 C) For the end of justice or to prevent abuse of the process of the court
 D) To grant interim relief
46. When it appears to the court that there exist elements of a settlement the court shall-
- A) Leave the matter undecided
 B) Decide the matter itself
 C) Refer the same to arbitration, conciliation or mediation
 D) None of the above

(VI) CODE OF CRIMINAL PROCEDURE

(QUESTION NO.47 TO 55)

47. The term “taking cognizance” under the provisions of Code of Criminal Procedure, 1973 means-
- A) Starting a trial
 B) Completing preliminary requirements for starting a Criminal trial
 C) Taking notice of the matter judicially
 D) An administrative action to decide if criminal trial is required
48. The Magistrate at his discretion can allow the complainant to withdraw the complaint and acquit the accused in case of –

- A) Warrant case
B) Summons case
C) Both A and B
D) neither A nor B
49. For the application of section 300 of the Code of Criminal Procedure, 1973 it is not necessary-
- A. That there must have been a previous trial of the accused
B. For the accused to be acquitted in the previous trial
C. For the previous proceedings to have been for an offence
D. For the second trial to be for the same offence
50. When the police register a case regarding commission of a cognizable offence, the registration of the case is under:
- A) Section 154 of Cr PC
B) section 155 of Cr PC
C) Section 156(3) of Cr PC
D) section 190 of Cr PC
51. Laying of trap is a part of:
- A) Investigation
B) Inquiry
C) Preliminary inquiry
D) Trial.
52. Statement made under section 161, Cr. P.C. during investigation of a cross-case is:
- A) Always admissible in the main case
B) May be admissible in the main case
C) Not at all admissible in the main case
D) Admissible in the main case with the leave of the Court.
53. Order to release on probation of good conduct or after admonition is covered under-
- A) Section 359 of Cr. P. C
B) Section 360 of Cr. P. C
C) Section 361 of Cr. P. C
D) Section 362 of Cr. P. C
54. The power to direct investigation under section 156(3) of Cr.P.C. can be exercised by :-
- A) A Magistrate
B) A Sessions Judge
C) Both (A) and (B)
D) Either (A) or (B)
55. Powers to examine the accused comes under-
- A) Section 313 of Cr. P. C
B) Section 314 of Cr. P. C
C) Section 315 of Cr. P. C
D) Section 316 of Cr. P. C

(VII) TRANSFER OF PROPERTY ACT

(QUESTION NO.56 TO 64)

56. Which section of Transfer of Property Act , 1882 deals with the Persons competent to transfer ?
- A) Section 21 of Transfer of Property Act , 1882
B) Section 7 of Transfer of Property Act , 1882

- C) Section 4 of Transfer of Property Act , 1882
- D) Section 20 of Transfer of Property Act , 1882

57. Which of the following is not valid consideration for establishing a lease under the Transfer of Property Act, 1882?

- A) Rent partly in money partly in kind;
- B) A stipulation to pay government assessment or taxes payable by lessor;
- C) A personal agreement by a tenant to pay a certain sum or a certain quantity in kind to the land lord;
- D) None of the above;

58. For the purpose of making a gift of immovable property, the transfer must be effected by signed by or on behalf of the donor, and attested by at least two witnesses:

- A) An Oral agreement
- B) A registered instrument
- C) An affidavit
- D) An unregistered instrument

59. The mortgagor in Indian law is the owner who had parted with some rights of ownership and the rights of redemption is a right which he exercises by virtue of his:

- A) Pecuniary ownership
- B) Residuary ownership
- C) Conditional ownership
- D) None of the above.

60. A gift of immovable property effected by a deed of gift but brought about by undue influence of the donee, though the donor acted voluntarily in making it:

- A) Is valid and binding
- B) Is void
- C) Is voidable at the donee's option
- D) Is voidable at the donor's option

61. According to provisions of the Transfer of Property Act, 1882, the easements:

- A) Can be transferred
- B) Cannot be transferred
- C) Cannot be transferred apart from the dominant heritage
- D) Can be transferred apart from the dominant heritage

62. Sale is a transfer of ownership in exchange for a price paid or promised or part-paid and part-promised. This definition refers to:

- A) Section 54 of the Transfer of Property Act, 1872
- B) Section 54 of the Sale of Goods Act, 1930
- C) Section 54 of the Indian Registration Act, 1908
- D) None of the above.

63. The foundation of doctrine of election under the Transfer of Property Act, 1882 is that a person taking the benefit of an instrument:

- A) Must bear the burden
- B) Must not bear the burden
- C) Burden is not the subject of election
- D) None of the above.

64. Under the provisions of the Transfer of Property Act, 1882 an unborn person acquires vested interest on transfer upon his birth, although:

- A) He may not be entitled to the enjoyment immediately on his birth
- B) He is entitled after 7 days after his birth
- C) No such provision is made
- D) None of the above.

(VIII) INDIAN CONTRACT ACT

(QUESTION NO.65 TO 73)

65. In the formation of a contract, the essential requirement is that

- A) There should be a consensus between the contracting parties
- B) There must be a definite proposal by one party to other
- C) Unqualified acceptance by the other party
- D) All of the above

66. Consent is said to be an unfree consent when it is caused by

- A) Coercion
- B) Undue influence
- C) Fraud
- D) All of the above

67. A father promises his son to pay him Rs. 2,000/- as pocket money

- A) Social Agreement
- B) Domestic agreement
- C) Legal agreement
- D) None of the above

68. I want to purchase this car. This is a?

- A) Offer
- B) Promise
- C) Statement
- D) None of above

69. Goods displayed in a shop with a price tag is an-

- A) Offer
- B) invitation to offer
- C) Counter offer
- D) none of the above.

70. All Government contracts made in exercise of the executive power of the union shall be expressed to be made by the President under:-

- A) Article 297 of the constitution of India
- B) Article 280 of the constitution of India
- C) Article 299 of the constitution of India
- D) None of the above

71. Consent is set to be free when it is not caused by

- A) Coercion
- B) Undue influence
- C) Fraud or misrepresentation
- D) All of the above

72. The term quid pro quo is applied in relation to

- A) Legality of object
- B) Capacity of parties
- C) Free consent
- D) Consideration

73. The parties to the contract agree to substitute the existing contract with new contract. This is:-

- A) Alteration
- B) Recession
- C) Novation
- D) None of the above

(IX) INDIAN PENAL CODE

(QUESTION NO. 74 TO 82)

74. Mere agreement to commit an offence amounts to criminal conspiracy and is therefore an offence-

- A) Incorrect
- B) Correct
- C) Offence in some cases
- D) Civil offence

75. An affray must take place in a ----- place only;

- A) In house
- B) Public Place
- C) Anywhere
- D) Private place

76. The offence of giving false evidence is known as -----under the English law-

- A) Hostile witness
- B) No specific term
- C) Perjury
- D) False evidence

77. In order to constitute a riot there must be minimum ----- of persons:-

- A) Four persons
- B) One person
- C) Three persons
- D) Five persons

78. The offence of cheating under the IPC requires proof of -----

- A) Entrustment
- B) Deceit
- C) Actual Loss
- D) None of these

79. Under the Indian Penal Code 'theft' is an offence against-----

- A) Ownership
- B) Possession
- C) Entrustment
- D) None of these

80. 'Infancy' as an exception has been provided under:

- A) Section 80
- B) Section 81
- C) Section 82
- D) Section 84.

81. The maxim 'actus non facit rea nisi mens sit rea' means:

- A) Crime has to be coupled with guilty mind
- B) An act does not render a man guilty of a crime unless his mind is guilty;
- C) Crime is the result of guilty mind
- D) Criminal mind leads to crime.

82. The right to private defence is based on the natural instinct of:

- A) Self-preservation
- B) self-respect
- C) Self-sufficiency
- D) self-reliance.

(X) INDIAN EVIDENCE ACT

(QUESTION NO. 83 TO 91)

83. Law of Evidence is---

- A) A substantive law
- B) An adjective law
- C) Both A & B
- D) Neither A nor B

84. An attesting witness is:

- A) One who signs his name to an instrument, at the request of the party or parties, for the purposes of proving or identifying it
- B) A witness who has attested the document
- C) Both (A) and (B)
- D) None of them

85. Admissible evidence is thus that which is:

- A) Relevant
- B) Not excluded by any rule of law or practice
- C) Either (A) or (B)
- D) Both (A) and (B)

86. The defence of alibi is best because:

- A) If the accused was not there, when the deceased was murdered, he could not have murdered her
- B) Once the pleas of alibi is raised no other defence is open to the prosecution
- C) It leaves room for no other defence for the accused
- D) None of them

87. A dying declaration to be admissible:

- A) Must be made before a Magistrate
- B) Must be made before the police officer
- C) May be made before a doctor or a private person
- D) May be made either before a magistrate or a police officer or a doctor or a private person.

88. Oral evidence under section 60 of Evidence Act may be:

- A) Direct only
- B) Hearsay
- C) Both (a) & (b)
- D) Either (a) or (b).

89. Secondary evidence is admissible:

- A) Where the non-production of primary evidence has not been accounted for
- B) Where the non-production of primary evidence has been accounted for
- C) Irrespective of whether the non-production of primary evidence has been accounted for or not
- D) Both (a) & (c) are correct.

90. A Child witness below the age of _____ cannot give evidence in the Indian Courts.

- A) 15 years
- B) 12 years
- C) 10 years
- D) There is no such limit

91. Which of the following conditions are essential for applicability of section 27 of the Indian Evidence Act, 1872?

- I. The person giving information must be in police custody
- II. The person giving information must NOT be in police custody
- III. The person giving the information must not be accused of any offence
- IV. The person giving the information must be accused of any offence

- A) I and III
- B) I and IV
- C) II and III
- D) II and IV

(XI) LAW OF TORTS

(QUESTION NO. 92 TO 100)

92. Tort is a violation of:

- A) A right in personam
- B) A right in rem
- C) Both right in personam & a right in rem
- D) Neither a right in personam nor a Right in rem.

93. 'Damnum Sine Injuria means:

- A) Damage with injury;
- B) Damage done with intention;
- C) Damage without legal injury;
- D) None of the above;

94. Volenti non fit injuria is:-

- A) A defence in an action for torts.
- B) A ground for initiation action for torts.
- C) Not a defence in an action for torts.
- D) Both B. & C. above.

95. The doctrine of vicarious liability applies when there is a:

- A) Relationship of principal & agent.
- B) Relationship of partners.
- C) Relationship of master & servant.

D) All the above.

96. Which one of the following is not a tort described as 'trespass to the person...

A) Battery

B) False imprisonment

C) Public nuisance

D) Assault

97. Why is defamation a tort?

A) Individuals have the right to be free from bodily harm.

B) Individuals have the right to conduct business without interference.

C) Individuals have the right to own property.

D) Individuals have the right to enjoy a good reputation

98. Vis Major means-

A) Major vices

B) Major injury

C) Act of God

D) None of the above

99. The case in India that laid down the rule of absolute liability was?

A) M. C. Mehta vs. Union of India,

B) Rylands vs. Fletcher,

C) N. Natayanan Bhattathiripad vs. Travancore Govt.

D) Ponting vs. Noakes,

100. _____ is failure to do what a reasonable and prudent person would ordinarily have done under the circumstances of the situation.

A) Assault

B) Nuisance

C) Mayhem

D) Negligence
