

THE GAUHATI HIGH COURT AT GUWAHATI
(THE HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
**Written Examination (objective type multiple choices) for recruitment of Law Clerk
(Temporary Engagement) for the Principal Seat of Gauhati High Court.**

Dated 12-11-2017 (Sunday)
Total: 100 marks

Time 10.00AM to 11.30AM
Duration: 1 and ½ hour

ALL QUESTIONS CARRY EQUAL MARKS

GENERAL ENGLISH

Direction to Q.Nos.1 to 4 [Read the following passage and chose the correct answer from the options given below]

The Noble Committee, in fact, a notoriously conservative body, among other things, had a marked antipathy to pure sciences, especially to Mathematical Physics. Restrained by a clause in Alfred Noble's will that the prize should go to the person whose discovery or invention shall have conferred the greatest benefit to mankind. The Committee initially in physics, wracked, no doubt, by guilt that he had become a merchant of death through his invention of dynamite and smokeless powder and plagued by sadistic fantasies of destruction, the Swedish chemist, engineer and aspiring poet, Nobel, who had been described as Europe's richest vagabond, left his colossal fortune to the cause of progress in human knowledge. Five prizes were installed, one each for Literature ('to the person who shall have produced in the field of literature the most outstanding work of an idealistic tendency'), Physics, Chemistry, Medicine and Peace ('to the person who shall have done the most or the best work for fraternity among nations or abolition or reduction of armies, and for holding or promotion of peace').

1. The Nobel Committee has been called a conservative body because
 - [A] Its members believe in a conservative ideology
 - [B] Its members are old fashioned
 - [C] It awards prizes only to those people who adopt a conservative approach
 - [D] It is conservative in choice of subjects.
2. Nobel Prize would not be given to
 - [A] An author who wrote a novel
 - [B] A doctor who discovered a vaccine
 - [C] A composer who composed a symphony
 - [D] A diplomat who negotiated a peace settlement.
3. Alfred Noble left his colossal fortune to the cause of progress in human knowledge because he
 - [A] Was Europe's richest vagabond
 - [B] Was chemist, engineer and an aspiring poet
 - [C] Felt guilty for having invented highly destructive things
 - [D] Felt guilty for having earned so much money.
4. In the beginning the Nobel Committee ignored the great advances in theoretical physics because
 - [A] They were different from other branches of physics
 - [B] The Committee felt that the discovery and invention in the field did not contribute to the benefit of mankind
 - [C] They proved to be merchants of death and hence dangerous to mankind

[D] They were concerned with theory and did not suggest its application.

For Q. Nos. 5 to 9:-Each of the questions below consists of a word in bold capital letters followed by four words. Choose the word that is closest in meaning to the word in bold capital letters:

5. JUXTAPOSITION

[A] Distance [B] Remoteness [C] Proximity [D] Separation

6. ABSTRUSE

[A] Complicated [B] Easy [C] Unhidden [D] Clear

7. BOISTEROUS

[A] Calm [B] Clamorous [C] Peaceful [D] Quiet

8. FACILE

[A] Easily Manageable [B] Laborious [C] Tedious [D] Difficult

9. INTREPID

[A] Timid [B] Nervous [C] Hesitant [D] Fearless

Q. Nos. 10 to 14:- Each of the questions below consists of a word in bold capital letters followed by four words. Choose the word that is most nearly opposite in meaning to the word in capital letters:

10. DERIDE

[A] Praise [B] Taunt [C] Insult [D] Scorn

11. EXALT

[A] Dignify [B] Glorify [C] Humiliate [D] Ennoble

12. CAPRICIOUS

[A] Whimsical [B] Fickle [C] Fanciful [D] Reasonable

13. LOQUACIOUS

[A] Verbose [B] Silent [C] Babbling [D] Talkative

14. RANCOUR

[A] Spite [B] Malice [C] Benevolence [D] Ill will

Q. Nos. 15 to 19:- Each of the following idioms/phrases is followed by four options. Choose the option that correctly describes the idiom/ Phrase :

15. At Sea

[A] Certain [B] Clear [C] Perplexed [D] Sure

16. Green eye

[A] Fight with each other [B] Jealous [C] Royal [D] Humble

17. Half baked

[A] Flawless [B] Skilful [C] Experienced [D] Not fully planned

18. **Limb of the devil**

- [A] Obedient [B] Kind [C] Mischievous child [D] Well behaved

19. **Rainy days**

- [A] Hard time [B] Cheerful [C] Happy times [D] Wonderful

Directions for Q. Nos. 20 to 25: In each of the following sentences four words or phrases are underlined. If there is any mistake with regard to grammar or usage, it is only in the underlined part. Identify the incorrect part.

20. "Evidently our product is the most unquest in the market"

- 1 2 3 4
[A] 3 [B] 4 [C] 2 [D] 1

21. "The most difficult job is to bend and lifting the weight."

- 1 2 3 4
[A] 4 [B] 2 [C] 1 [D] 3

22. "With the hope to go through the book today I have absolutly read the half of it."

- 1 2 3 4
[A] 1 [B] 3 [C] 4 [D] 2

23. "Our boss always asks us to pay full attention to the work at hand."

- 1 2 3 4
[A] 2 [B] 3 [C] 1 [D] 4

24. "On listening to the confession of love she blushed until she was purple."

- 1 2 3 4
[A] 2 [B] 3 [C] 4 [D] 1

25. "Whenever I see mountains I am reminded of the Kashmir "

- 1 2 3 4
[A] 4 [B] 2 [C] 3 [D] 1

Direction for Q. Nos. 26 to 30: Fill in the blank by choosing the most appropriate option.

Q 26. We shall fail _____ we are industrious.

- [A] whether [B] unless [C] until [D] though

Q 27. She stood _____ Amit, but could not utter a single word for quite some time.

- [A] before [B] for [C] about [D] to

Q 28. Kanak is endowed _____ many great qualities.

- [A] by [B] with [C] in [D] of

Q 29. The minister flew _____ the flooded areas in a helicopter.

[A] along [B] over [C] in [D] about

Q 30. You have played a great role, for _____ your help I possibly would have landed myself into a problem.

[A] without [B] although [C] despite [D] after

GENERAL INTELLIGENCE

Answer the following questions by choosing the correct option-

31. Who was the first Chief Justice of the Supreme Court of India ?

[A] Justice P.N. Bhagawati [B] Justice M.M. Punchi

[C] Justice R.C. Lahoti [D] Justice H.J. Kania

32. The the President of the Republic of India is

[A] Sri Pranab Mukherjee [B] Sri Ram Nath Kovind

[C] Sri Venkaiah Naidu [D] None of the above

33. Which nation won the Under-17 FIFA Football World Cup finals held in 2017 at Kolkata

[A] Brazil [B] Spain [C] Mali [D] England

34. Mission Indradhanush is a mission

[A] to promote aerospace technology of India

[B] to promote national integration in India

[C] a health mission of the government of India immunize all children under the age of 2 years, as well as all pregnant women

[D] None of the above

35. UNICEF stands for

[A] United Nations International Children's Emergency Fund

[B] United Nations International Children's Education Fund

[C] United Nations International Children's Entertainment Fund

[D] None of the above

36. Who played the lead role in Assamese Film "Maj Rati Keteki"

[A] Robi Sharma [B] Jubin Garg [C] Adil Hussain [D] Jotin Bora

37. Digboi Refinery was established in the year

[A] 1982 [B] 1971 [C] 1901 [D] None of the above

38. Hayagriva Madhab Temple is situated at

[A] Tinsukia [B] Nagaon [C] Madhupur [D] Hajo

39. Lachit Borphukan was the

- [A] Ahom King [B] Army Commander of Ahom King
[C] Chief Minister of Ahom King [D] None of the above

40. Who was the last king of Ahom dynasty

- [A] Sukapha [B] Swargadeo Singha [C] Purandar Singha [D] None of the above

Direction for Q. Nos. 41 to 45: Find the statement that must be true according to the given information:-

41. Ramesh has a paper route. Each morning, he delivers 37 newspapers to customers in his neighborhood. It takes Ramesh 50 minutes to deliver all the papers. If Ramesh is sick or has other plans, his friend Thomas, who lives on the same street, will sometimes deliver the papers for him.

- [A] Ramesh and Thomas live in the same neighbourhood.
[B] It takes Thomas more than 50 minutes to deliver the papers.
[C] It is dark outside when Ramesh begins his deliveries.
[D] Thomas would like to have his own paper route.

42. Erin is twelve years old. For three years, she has been asking her parents for a dog. Her parents have told her that they believe a dog would not be happy in an apartment, but they have given her permission to have a bird. Erin has not yet decided what kind of bird she would like to have.

- [A] Erin's parents like birds better than they like dogs. [B] Erin does not like birds.
[C] Erin and her parents live in an apartment. [D] Erin and her parents would like to move.

43. Tim's commute never bothered him because there were always seats available on the train and he was able to spend his 40 minutes comfortably reading the newspaper or catching up on paperwork. Ever since the train schedule changed, the train has been extremely crowded, and by the time the doors open at his station, there isn't a seat to be found.

- [A] Tim would be better off taking the bus to work.
[B] Tim's commute is less comfortable since the train schedule changed.
[C] Many commuters will complain about the new train schedule.
[D] Tim will likely look for a new job closer to home.

44. When they heard news of the hurricane, Maya and Julian decided to change their vacation plans. Instead of traveling to the island beach resort, they booked a room at a fancy new spa in the mountains. Their plans were a bit more expensive, but they'd heard wonderful things about the spa and they were relieved to find availability on such short notice.

- [A] Maya and Julian take beach vacations every year.
[B] The spa is overpriced.
[C] It is usually necessary to book at least six months in advance at the spa.
[D] Maya and Julian decided to change their vacation plans because of the hurricane.

45. On weekends, Mr. Sanchez spends many hours working in his vegetable and flower gardens. Mrs. Sanchez spends her free time reading and listening to classical music. Both Mr. Sanchez and Mrs. Sanchez like to cook.

- [A] Mr. Sanchez enjoys planting and growing vegetables.
[B] Mr. Sanchez does not like classical music.
[C] Mrs. Sanchez cooks the vegetables that Mr. Sanchez grows.
[D] Mrs. Sanchez enjoys reading nineteenth century novels.

Directions to answer question Nos 46 to 50: Find out the correct answer from the options given below-

46. Odometer is to mileage as compass is to

- [A] speed [B] hiking [C] needle [D] direction

47. Marathon is to race as hibernation is to

- [A] winter [B] bear [C] dream [D] sleep

48. Cup is to coffee as bowl is to

- [A] dish [B] soup [C] spoon [D] None of the above

49. Reptile is to lizard as flower is to

- [A] petal [B] stem [C] daisy [D] alligator

50. Play is to actor as concert is to

- [A] symphony [B] musician [C] piano [D] percussion

LAW

Select the correct answer from the options given below :-

51. The members of Rajya Sabha are elected by :

- [A] Elected members of the Legislative Assembly [B] By members of Lok Sabha
[C] By the voters of the respective constituency [D] By none of the above.

52. Chief Election Commissioner of India is appointed by:

- [A] Prime Minister [B] Parliament [C] President [D] Vice President

53. The word Socialist was added by the _____ Constitutional Amendment:

- [A] 44th [B] 42nd [C] 25th [D] 24th

54. Power of High Court to issue Writ is conferred under which Article of the Constitution:

- [A] Art 215 [B] Art 234 [C] Art 226 [D] Art 227

55. The Indian Federal system is modeled on the federal system of:

- [A] USA [B] UK [C] Canada [D] France

56. The Government of India can borrow from outside on the security of its consolidated fund, it is mentioned in:
 [A] Art 233 [B] Art 294 [C] Art 287 [D] Art 292
57. Which Court is regarded as the Guardian of the Fundamental Rights of the people:
 [A] Privy Council [B] Federal Court [C] Civil Court [D] Supreme Court
58. Right to Property is a legal Right mentioned in which Article of the Indian Constitution:
 [A] 332 [B] 339A [C] 230D [D] 300A
59. Emergency Provisions of Constitution of India are borrowed from:
 [A] Germany [B] USA [C] USSR [D] UK
60. Presidential Form of Government has been borrowed from:
 [A] USA [B] USSR [C] UK [D] France
61. Directive Principles of State Policy are taken from:
 [A] UK Constitution [B] French Constitution [C] USSR constitution [D] Irish Constitution
62. The First Indian High Courts Act came into existence in:
 [A] 1867 [B] 1861 [C] 1864 [D] 1865
63. When was the Advocates Act enacted?
 [A] 1962 [B] 1963 [C] 1961 [D] 1968
64. With which of the following issues did **D.K. Basu v. State of West Bengal** deal with?
 [A] Safeguards against sexual exploitation [B] Safeguards for arrested persons
 [C] Safeguards for children [D] Safeguards for unorganized workers
65. In which of the following cases did the Supreme Court direct the compulsory registration of all marriages in India?
 [A] Danial Latifi vs Union of India [B] Ashok Kumar vs Union of India
 [C] Seema vs Ashwini Kumar [D] Sharda vs Dharampal
66. In which landmark judgment did the Supreme Court of India lay down guidelines against sexual harassment of women at workplace?
 [A] Nilabati Behera vs. State of Orissa [B] Vishakha vs. State of Rajasthan
 [C] Maneka Gandhi vs. Union of India. [D] Hussainara Khatoon vs. State of Bihar
67. In which one of the following judgments of the Constitutional Bench of the Supreme Court of India, the 'rarest of rare' principle in the award of death penalty was first laid down?
 [A] Bachan Singh v. State of Punjab (1980) [B] Gopalanachari v. State of Kerala (1980)
 [C] Dr. Upendra Baxi v. State of UP (1983) [D] Tukaram v. State of Maharashtra (1979)
68. In which one of the following cases, the Constitutional validity of the Muslim Women (Protection of Rights of Divorce) Act 1986, was upheld by the Supreme Court?
 [A] Muhammad Ahmed Khan v. Shah Bano Begum [B] Danial Latifi v. Union of India
 [C] Mary Roy v. State of Kerala [D] Shankari Prasad v. Union of India
69. Who is the Highest Legal Advisor to the Government of a State in India?
 [A] The Solicitor General [B] The State Law Minister
 [C] The High Court [D] The Advocate General
70. Sharda Act deals with:

- [A] Widow Remarriage
- [C] Inter-caste Marriage

- [B] Child Marriage
- [D] Polygamy

71. Who of the following is credited with drafting the Indian Penal Code, 1860?

- [A] Sir James Stephen
- [B] Charles Wood
- [C] John Morley
- [D] Lord Macaulay

72. Who among the following was the first person to be directly appointed as the Judge of Supreme Court?

- [A] Soli Sorabji
- [B] Ghulam E Vanhavati
- [C] Kuldeep Singh
- [D] V.R. Krishna Iyer

73. Which of the following cases is popularly known as the Mandal Case?

- [A] T.M.A. Pai Foundation v. Union of India
- [B] Ashok Kumar Thakur v. Union of India
- [C] Indira Sawhney v. Union of India
- [D] None of these

74. Who has the constitutional right to the audience in all Indian Court?

- [A] Comptroller & Auditor General of India
- [B] Law Minister of India
- [C] Attorney General
- [D] Solicitor General

75. The concept of judicial review has been borrowed from the Constitution of:

- [A] U.S.S.R.
- [B] U.K.
- [C] U.S.A.
- [D] Switzerland

76. Where is the National Judicial Academy located?

- [A] Kolkata
- [B] Bhopal
- [C] Delhi
- [D] Mumbai

77. The doctrine of Lis pendens

[A] Prohibits of transfer of property during the pendency of litigation and the transfer if any is void ab initio

[B] Does not prohibit the transfer of property during the pendency of litigation but the effect of transfer of property is subject to the result of litigation

[C] Both [A] & [B]

[D] None of the above

78. A contract for sale of immovable property

[A] does not create any interest or charge on the immovable property

[B] creates an interest or charge on the immovable property

[C] transfers full ownership rights on the immovable property

[D] none of the above

79. Section 376 of the Indian Penal Code deals with the offence of

- [A] Murder
- [B] Dacoity
- [C] Rape
- [D] None of the above

80. Cyber Crime is committed by using

- [A] Computer
- [B] Internet
- [C] Nuclear weapon
- [D] Both [A] and [B]

81. A Writ of Habeas Corpus is issued by the court

- [A] For granting bail in corruption case
- [B] For production of a person held in detention

[C] Both [A] and [B]

[D] None of the above

82. When the person to whom a proposal is made signifies his assent thereto, the proposal is said to be accepted than its called

[A] Agreement

[B] Proposal

[C] Promise

[D] None of the above

83. An agreement not enforceable by law is called

[A] Voidable agreement

[B] Void agreement

[C] Valid agreement

[D] None of the above

84. Vicarious liability means

[A] Responsible for the act of another

[B] Not responsible for the act of another

[C] Responsible for one's own act

[D] None of the above

85. Libel is defamation

[A] by words in writing

[B] by words spoken

[C] both A & B

[D] None of the above

86 Part IV of the Constitution of India deals with

[A] Directive Principles of State Policy

[B] Fundamental Rights

[C] Center-State Relationships

[D] None of the above

87. A Civil Suit is instituted by filing

[A] Writ Petition

[B] Pleat

[C] Written Statement

[D] None of the above

88. Article 21 of the Constitution deals with

[A] Right to Education

[B] Protection of life and Personal liberty

[C] Right to property

[D] Right to Equality

89. Which of the following expression is not a part of the Preamble to the Constitution?

[A] Justice

[B] Fraternity

[C] Liberty

[D] Integrity

90. Sixth Schedule of the Constitution of India deals with

[A] Legislative Power of the State

[B] Procedure of Amendment of the Constitution

[C] Administration of Tribal Areas in Assam, Meghalaya, Tripura and Mizoram. [D] Presidential Election

Directions for Q. Nos. 91 to 100:- In each of these questions certain fact situation has been provided. You have to pick the correct answer from the options provided by correctly applying the given principle.

91. **Principle:** The concept of natural justice is against bias and for the right to a fair hearing. While the term natural justice is often retained as a general concept, and it has largely been replaced and extended by the general 'duty to act fairly'.

Fact: 'X', a male employee of a company was dismissed by the employer just on the basis of a complaint by 'Y', a female employee of the company that 'X' was trying to be too friendly with her and often requested her to accompany him to the canteen.

Is the dismissal of 'X' valid?

[A] No, because in the modern times this type of behaviour is common

[B] No, because the employer did not give a chance to 'X' to explain his side, thereby violated the principles of natural justice.

[C] Yes, moral law is antique and therefore, not applicable in modern times, therefore the termination is valid and no violations of the principles of natural justice occurred

[D] Yes, because men are not supposed to behave improperly with women and hence there is no violation of any principles of law

92. Principle: Ownership in property consists of right to possess, right to use, right to alienate and right to exclude others. Sale is complete when property gets transferred from the seller to the buyer on sale.

Facts: 'A' sold his car to 'B'. After this, 'B' requested 'A' to keep the car in his care on behalf 'B' for one month. 'A' agreed.

[A] Sale of car is not complete [B] Sale will be completed when 'B' will take the delivery of the car

[C] Sale of car is complete [D] Sale will be automatically completed after the expiry of one month

93. Principle: Every agreement, by which any party is restricted absolutely from enforcing his right in respect of any contract, by the usual legal proceedings in the ordinary Tribunals, is void to that extent. The law also provides that nobody can confer jurisdiction to a civil court by an agreement between parties.

Facts: A and B entered into a valid contract for rendering certain service. A clause in the contract was that in case of any dispute arose out of the contract; it shall be referred to for Arbitration only. Is the contract valid?

[A] Arbitration is also a valid dispute settlement machinery recognized by law and hence the entire contract is valid.

[B] The parties were trying to confer jurisdiction to some authority to decide a dispute and hence the clause would be invalid.

[C] Arbitrator cannot be termed as an ordinary Tribunal. Hence, the agreement is void and would be unenforceable.

[D] The contract is valid but the clause regarding Arbitration is void.

94. Principle: It is a case of fraud where a party to a contract knows or believes a fact to be true, but conceals it actively from the other party with a view to induce that person to enter into the contract.

Facts: While taking a life insurance policy, in reply to questions by the insurance company during the inquiry into his proposal, Zameer deliberately concealed the fact of his medical treatment for a serious ailment, which he had undergone only a few weeks ago.

[A] The act of Zameer did not amount to fraud, as disclosing the fact would have resulted in exposure of his privacy.

[B] The act of Zameer amounted to innocent misrepresentation

[C] The act of Zameer did not amount to any misrepresentation.

[D] The concealment of fact by Zameer amounted to fraud.

95. Principle: Contract is a written or spoken agreement, with specific terms between two or more persons or entities in which there is a promise to do something in return for a valuable benefit known as consideration. Such an agreement is intended to be enforceable by law. A unilateral contract is one in which there is a promise to pay or give other consideration in return for actual performance.

Facts: A Toilet Soap Manufacturing Company in India in order to promote the sale of their product, published an advertisement in all the Newspapers on January 1, 2017 that the Company has kept a model ignition key of an Audi A3 Car. The advertisement also stated that whoever gets the said key before December 31, 2017 from a soap bar will be gifted with the Audi A3 Car. Mr. Martin, a foreigner who came to India as a Tourist who was staying in a Hotel found a Key similar to same Car Ignition Key. Mr. Martin brought this matter to the notice of the Hotel Manager. The Manager informed Mr. Martin about the Company's advertisement on January 1, 2017. Mr. Martin wants to claim the Car. Will he succeed?

[A] No. The Soap Company has not entered into a contract with Mr. Martin as he was not in India on January 1, 2017 when the advertisement was published.

[B] No. Actual intention of the Company was to promote the sale of the Soap.

[C] The Hotel Manager who could legally claim the Car as he was the one actually purchased the soap for the use in the Hotel.

[D] Mr. Martin obtained the Key before the stipulated date from the Soap Bar. So he is covered by the offer of the Soap Company and can claim the car.

96. Principle: When a person who has made a promise to another person to do something does not fulfill his promise, the other person becomes entitled to receive, from the person who did not fulfill his promise, compensation in the form of money.

Facts: 'X' made a promise to 'Y' to repair his car engine. 'Y' made the payment for repair. After the repair, 'Y' went for a drive in the same car. While driving the car, 'Y' met with an accident due to bursting of a tyre.

[A] 'Y' will be entitled to receive compensation from 'X' in the form of money.

[B] 'X' will not be entitled to receive compensation.

[C] 'X' will be entitled to receive compensation from 'Y' in the form of money.

[D] 'Y' will not be entitled to receive compensation from 'X'.

97. Principle: In criminal law, misappropriation is the intentional, illegal use of the property or funds of another person for one's own use or other unauthorized purpose, particularly by a public official, a trustee of a trust, an executor or administrator of a dead person's estate or by any person with a responsibility to care for and protect another's assets. Embezzlement is misappropriation when the funds involved have been lawfully entrusted to the embezzler. On the contrary, theft is the illegal taking of

another person's property or services without that person's permission or consent with the intent to deprive the rightful owner of it.

Facts: A went for swimming at the Municipal Swimming Pool. A handed over all his valuables, including some cash to X, the guard on duty for safe custody, as notified by the Municipality. After swimming for an hour, A came out and searched for X. He found another guard on duty and that guard informed A that X had gone home after completing his shift and did not hand over anything to be given to A. A registered a complaint with the police. X was traced but he told the police that he sold all the valuables and the entire cash was used for drinking liquor. What offence, if any, was/were committed by X?

[A] X is not guilty of criminal misappropriation as he did not make any personal gain out of those items with him.

[B] X is liable for criminal misappropriation and embezzlement.

[C] X is liable for theft as he took A's property without X's permission.

[D] If at all X is liable, it is for criminal misappropriation only.

98. Principle: Under the Employees Compensation Act, 1923, an employer is liable to pay compensation to his workmen for injuries sustained by them by an accident arising out of and in the course of employment.

Facts: M, the Manager of SRK Industries asked his secretary S to submit a report at the Government Labour Office. 'S' submitted the report as directed. On his way back S met one of his class mates. He then decided to have a cup of tea together on a way side restaurant. Sometime later, 'S' got a message from his office to report back as it was long time since he left the office. 'S' rushed back on his Motor Cycle. On his way back a Truck which was coming from a side road hit 'S'. He was admitted in a nearby hospital with multiple injuries. He claims compensation under the Employees Compensation Act from his employer.

[A] The Employer is not liable as the truck driver was negligent.

[B] The Employer is liable as S had to rush back to the office, because of the message from the office.

[C] The Employer is liable to pay compensation as the accident took place arising out of and in the course of employment.

[D] The Employer is not liable as he was admitted in a private hospital and not a Government Hospital.

99. Principle: If a party to a contract agrees to it under undue influence of any other party then the party under the undue influence may refuse to perform in accordance with the agreement.

Facts: A, a rich youngster became a member of a religious group and soon he was appointed by P the head of the group as his personal secretary. As per the rules of the group, all officials and staff of the group were supposed to stay in the group's official premises itself. Some days later, A was asked by P to execute a Gift deed in favour of P, in which it was mentioned that all immovable properties in his name are being gifted to P. A was unwilling to execute the deed, but he was forcefully restrained by P and his body guards in P's office and made A sign the gift deed. Soon after this A left the group and refused to hand over the property as agreed to in the gift deed. Is A's action valid?

[A] A executed the deed, under compulsion and undue influence, and was right in withdrawing from the contract.

[B] It is illegal for religious groups acquire property from its members.

[C] As the gift deed was executed by A, he cannot refuse.

[D] As Gift is also a contract, the consent of A was not obtained by P while executing the deed.

100. Principle: According to law, a person who find goods belonging to another and takes them into his custody, is subject to the same responsibility as a bailee. Bailee is a person or party to whom goods are delivered for a purpose, such as custody or repair, without transfer of ownership. The finder of the goods legally can sell the goods found by him under certain circumstances including the situation that the owner refuses to pay the lawful charges of the finder.

Facts: P, a college student, while coming out of a Cricket stadium found a necklace, studded with apparently precious diamonds. P kept it for two days thinking that the owner would notify it in a local newspaper. Since he did not notice any such notification, P published a small classified advertisement in a local newspaper. In two days' time, P was contacted by a film actor claiming that it was her Necklace and requested P to return it to her. P told her that she should compensate him for the advertisement charges then only he would return it otherwise he will sell it and make good his expenses. The film star told P that she had advertised in a national newspaper about her lost Necklace which was lost somewhere in the Cricket Stadium. The advertisement was published for three consecutive days incurring a large expenditure for her. Mentioning all this she refuses to pay P and claims the Necklace back. Which among the following is the most appropriate answer to this?

[A] P was requesting the film star for the actual expenditure incurred by him before returning the Necklace. This request is legally sustainable.

[B] The film star was right in refusing P, as she did not offer any reward for anyone who would return the Necklace.

[C] As it was wrong on the part of P to bargain over a property belonging to a celebrity and he should have accepted some gift which might have been given by the film star and returned the Necklace instead of threatening her that he would sell it.

[D] As the film star had notified in the newspaper, P ought to have read it and contacted her instead of publishing another notification. So he cannot claim any compensation.

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