



Judiciary & APO
Exam Prep Courses



DOON LAW MENTOR

MAINS MODEL QUESTIONS MOCK TEST -1



contact@doonlawmentor.com



www.doonlawmentor.com

Mock Test Paper 1

Subject Covered:

- 1) **Indian Contract Act, 1872**
- 2) **Indian Penal Code, 1860**
- 3) **Indian Evidence Act, 1872**
- 4) **Code of Criminal Procedure, 1908**
- 5) **Constitution of India**
- 6) **Civil Procedure Code, 1908**
- 7) **Limitation Act, 1963**
- 8) **Specific Relief Act, 1963**
- 9) **Transfer of Property Act, 1882**
- 10) **Hindu law**
- 11) **Muslim Law**

1. What are the liabilities of a surety under the Indian Contract Act? When is the liability of a surety discharged?
2. What are quasi contracts? Explain its various types.
3. What is meant by frustration of contract? What are the prerequisites for excusing parties from performing the contract on the ground of frustration?
4. The relationship of principal and agent is a fiduciary relationship. In the light of this statement, explain the concept of agency pointing out the difference, if any, between an agent and a trustee.
5. Explain with illustrations the difference between illegal and void contracts?
6. What is the difference between common intention and similar intention?
7. Distinguish between culpable homicide and murder in the light of Reg v. Govinda, I.L.R. 1876 Bomb, 342. X has been suspecting his wife to have illicit intimacy with A. He followed her one day secretly to A's house having provided himself with a dagger. When saw them undressed, X suddenly pounced upon them and killed them then and there. For what offence X is liable to be convicted.
8. Explain the legal effect of Section 375 IPC after its latest amendment on Section 377 IPC with reference to the decision of the apex court in the case of Suresh Kumar v. Naz Foundation, 2014 (1) SCC Page 1. Describe the offences of voyeurism and stalking?
9. Distinguish any two of the following terms:-
 - (a) Theft and mischief
 - (b) Kidnapping and abduction
 - (c) Giving false evidence and fabricating false evidence –

(d) Rape and adultery

10. The accused was beating a person with fists. The wife of the man being beaten intervened with her baby in arms with a view to rescuing her husband. The accused gave a fist blow to her also, which struck the baby, as a result of which it died. On being prosecuted, the accused pleads accident. Decide.

11. Explain "Leading question"? How would court decide that a particular question is proper or improper ?

12. A commits the murder of B. Two police officers are eye-witnesses of this occurrence. There is no witness except these two police officers. Can the court convict offender A on the basis of the testimony of only a police witness? Give reasons and also refer to case law, if any, on the point.

13. A comes to the police station and lodges First Information Report that B has beaten him and has threatened to kill him. After two days A is murdered. B is arrested and prosecuted for the offence of murdering A. Decide whether First Information Report may be admitted as a dying declaration?

14. A filed a suit against B and C on the basis of a promissory note. B in his written statement admitted the claim of A. When A appeared as a witness, B wanted permission to cross-examine A. Decide and give reasons

15. Jolly informed John in the year 1988 that she had committed theft of the ornaments of her neighbor. Thereafter, Jolly and John were married in 1989. In the year 1992, the prosecution was started against Jolly in respect of the theft of ornaments. John is called to give evidence in this case. Can John disclose the communication made to him by Jolly?

16. What is the provision under Cr.P.C regarding the examination of a person accused of rape by a medical practitioner?

17. Briefly describe the procedure prescribed for trial before the Court of Session.

18. What is meant by Commencement of proceedings? [Sec 200, 201, 202] When can a complaint be dismissed?[Sec 203]

19. At what stage the power under Section 319 of the Code of Criminal Procedure is to be exercised by the Court? Does the power under Section 319 Cr.P.C. extend to persons not named in the FIR or named in the FIR but not charged or who have been discharged?

20. A, a Sessions Judge confers power upon B, a 1st class Magistrate to conduct a case summarily. Is the order of the Sessions Judge conferring power upon the 1st Class Judicial Magistrate valid?

21. Describe the prohibition of discrimination based on sex.

22. Trace the development of the fundamental right to life and personal liberty from 1950 to the present day. What are the contents of this right now?

23. Write a short note on "Constitutional position of the Governor"?

24. Write a short note on Appellate jurisdiction of the Supreme Court of India?

25. Briefly discuss the applicability of Doctrine of Severability under Article 13(1) of the Constitution of India

26. Discuss some of the important changes made by Amendment Act of 2002 in Civil Procedure Code. Distinguish between Decree and Order.

27. What is an Interpleader Suit? ““Agent and tenant may not institute interpleader suits”. Discuss

28. Discuss the validity of the following :

(a) decree against a major treating him as a minor;

(b) decree against a minor treating him as a major;

(c) decree in favour of a minor without a next friend;

(d) decree passed against a minor in a suit in which he is not represented by a guardian ad litem;

(e) decree passed against a person who is a minor at the date of the institution of the suit with a properly appointed guardian ad litem; he attains majority during the pendency of the suit, but no steps are taken to remove the guardian ad litem and the decree is passed against him as a minor.

29. Write a short note on ex parte decree under the Code of Civil Procedure?

30. A died leaving his widow and a son as his only legal heirs. A was the owner of a house, the ground floor whereof was commercial and occupied by various tenants and one portion of the ground floor was in use of the son for his business. The widow and the son were residing on the upper floor. The widow filed a suit against her son claiming that upon the demise of A, under his Will she had become the absolute owner of the house; that the son was merely licensee in a portion of the ground floor and which licence came to an end on the demise of A; that the son had however failed to vacate the said portion of the ground floor. The widow sought a decree for injunction restraining the son from selling, transferring or parting with possession of the portion of the ground floor in his occupation. The son after some contest gave a statement stating that he will not sell, transfer or part with possession of the said portion of the ground floor and the suit was disposed off. On the demise of the widow, her brother filed a second suit against the son claiming that the widow under her Will bequeathed the house to him and claiming possession not only of the portion of the ground floor in which the son was had been running a shop but also of the upper floor. The defendant contended that the suit was barred under Order 2 Rule 2 of the CPC. Decide the said objection.

31. Explain the rule against perpetuity. What are the exceptions to rule against perpetuity ? Does the rule apply to a covenant for pre-emption ?

32. Discuss following :-

(a) "The rule of acceleration of subsequent interest on failure of prior disposition."

(b) "A conditional limitation is a condition subsequent as regards the prior interest and condition precedent as regards the ulterior interest."

(c) "The effect of an interest created on transfer of property and dependent upon a condition on which a condition is attached :-

(i) If a condition precedent is void.

(ii) If a condition subsequent is void.

33. Describe :-

(A) Transfer by person authorised under special circumstances.

(B) Transfer where third person is entitled to maintenance.

34. Define 'Mortgage'. What are the essentials of Mortgage ? Distinguishable it from "Sale of Immoveable property"

35. Explain any four of the following : (a) Attestation (b) Profits a prendre (c) Meaning of Transfer of Property under section 5 of the TPA (d) Registration as Constructive Notice.

36. What do you understand by term Valid Acknowledgement under Section 18 of the Limitation Act? Explain with the help of decided cases.

37. What is the difference between:- (i) the doctrine of limitation and laches, (ii) doctrine of limitation and acquiescence

38. What do you understand by legal disability, as embodied under the Limitation Act?

39. Under what circumstances can delay be condoned in the filling of appeal and applications?

40. Examine the effect of death, fraud or mistake on the period of limitation.

41. What is the position of law regarding specific performance of part of Contract?

42. To whom and in which conditions can court grant declaratory decree? What is the effect of declaration?

43. What a plaintiff has to establish to succeed in a suit under section 6?

44. Enumerate cases in which the Court can properly exercise discretion not to decree specific performance

45. Under what circumstances can a person sue for the cancellation of an instrument?

46. What new changes have been brought about with regard to the property held by a female by the Hindu Succession Act. Substantiate your answer.

47. A Hindu Marriage is a sacrament and not a contract. Discuss and examine whether the concept is effective after the enactment of the Hindu Marriage Act, 1955.

48. Apostacy does not automatically dissolve a marriage already solemnized under the Hindu Marriage Act, 1955. Discuss with relevant case law.

49. Explain 'Fraud' as envisaged u/s 12(1)(c) of Hindu Marriage Act, 1955. Explain 'Desertion' as a ground for decree of divorce, mention what constitutes desertion?

50. Are the following marriages valid under Hindu Marriage Act 1955 and what are the remedies are open to the wife?

i) The husband had a wife at the time of marriage, the first marriage having been performed in England before 1955.

ii) The age of the bride at the time of marriage was below 15 years.

51. "The holy Quran is the supreme and fundamental source of Muslim law but not only one.". Elaborate. What are the essentials of a Muslim Marriage? Discuss the prohibitions to marriage under Muslim Law?

52. What is the provision of Muslim Law regarding the following issues connected with dower :-

(a) Can the amount of dower be increased after marriage?

(b) Is it necessary to specify the amount of dower at the time of marriage ?

(c) Is a Muslim wife entitled to any other dower when the specified dower is unlawful?

(d) Whether the contract of dower made by a father on behalf of his minor son make him (son) liable to pay such dower ?

(e) Can a Muslim wife remit the whole or part of the dower in favour of her husband? If so when and how?

53. What marriages are void and invalid and what marriages are mere irregular under Muslim Law? Briefly discuss the legal consequences of such marriages.

54. State concisely what do you understand by option of puberty of a Muslim Girl.

55. A Muslim girl is given in marriage by her father. When she attained the age of 17 years she repudiated the marriage and brought a suit for dissolution of her marriage. What facts she is required to prove in order to succeed ? Can the husband successfully resist the suit on any ground ? Would it make any difference if the party repudiating the marriage is the husband.