

Directions (Questions 1-7): Read the following passage carefully and answer the questions that follow.

“The provisions relating to amendment of the Constitution have come in for a virulent attack at the hands of the critics of the Draft Constitution. It is said that the provisions contained in the Draft make amendment difficult. It is proposed that the Constitution should be amendable by a simple majority at least for some years. The argument is subtle and ingenious. It is said that this Constituent Assembly is not elected on adult suffrage while the future Parliament will be elected on adult suffrage and yet the former has been given the right to pass the Constitution by a simple majority while the latter has been denied the same right. It is paraded as one of the absurdities of the Draft Constitution. I must repudiate the charge because it is without foundation. To know how simple are the provisions of the Draft Constitution in respect of amending the Constitution one has only to study the provisions for amendment contained in the American and Australian Constitutions. Compared to them those contained in the Draft Constitution will be found to be the simplest. The Draft Constitution has eliminated the elaborate and difficult procedures such as a decision by a convention or a referendum. The Powers of amendment are left with the Legislature Central and Provincial. It is only for amendments of specific matters - and they are only few - that the ratification of the State legislatures is required. All other Articles of the Constitution are left to be amended by Parliament. The only limitation is that it shall be done by a majority of not less than two-thirds of the members of each House present and voting and a majority of the total membership of each House. It is difficult to conceive a simpler method of amending the Constitution. What is said to be the absurdity of the amending provisions is founded upon a misconception of the position of the Constituent Assembly and of the future Parliament elected under the Constitution. The Constituent Assembly in making a Constitution has no partisan motive. Beyond securing a good and workable constitution it has no axe to grind. In considering the Articles of the Constitution it has no eye on getting through a particular measure. The future Parliament if it met as a Constituent Assembly, its members will be acting as partisans seeking to carry amendments to the Constitution to facilitate the passing of party measures which they have failed to get through Parliament by reason of some Article of the Constitution which has acted as an obstacle in their way. Parliament will have an axe to grind while the Constituent Assembly has none. That is the difference between the Constituent Assembly and the future Parliament. That explains why the Constituent Assembly though elected on limited franchise can be trusted to pass the Constitution by simple majority and why the Parliament though elected on adult suffrage cannot be trusted with the same power to amend it.”

(Extract from Dr. B.R. Ambedkar, Speech Introducing the Draft Constitution in the Constituent Assembly, Nov. 04, 1948)

1. Which amongst the following statements best captures the argument of those who are attacking the amendment procedures?
 - (1) Parliament will be more representative and hence should have more powers to change the Constitution.
 - (2) Parliament will be partisan and hence the Constituent Assembly should make amendment procedures difficult.
 - (3) The Constituent Assembly is not likely to be partisan and hence it is appropriate that it ties the hands of the Parliament.
 - (4) Parliament will be elected on full adult suffrage and will therefore be less partisan.

2. Which amongst the following is consistent with the Dr Ambedkar's argument?
- (1) The Indian Constitution is easier to amend than the Australian Constitution.
 - (2) The Indian Constitution is more difficult to amend than the Australian Constitution.
 - (3) The Indian Constitution allows for amendment through referenda and therefore the charge that the Constituent Assembly is elected on limited franchise is unfounded.
 - (4) None of the above
3. In the context of the passage above, what does the term 'limited franchise' mean?
- (1) The Constituent Assembly had limited partisan interest in the issue.
 - (2) There were many restrictions on who could vote in the elections.
 - (3) All adults could vote in the elections, but many did not do so.
 - (4) The Constituent Assembly did not seek to enact party measures through the Constitution.
4. Which amongst the following is consistent with the Dr Ambedkar's argument?
- (1) Since Parliament is elected on the basis of adult suffrage, as compared to the Constituent Assembly which is based on limited franchise, it should be at least as easy for Parliament to amend the Constitution as the Constituent Assembly.
 - (2) Since the Constituent Assembly does not have any partisan interest in putting any provision into the Constitution, it should be easier for the Assembly to pass the Constitution as compared to Parliament's power to amend it.
 - (3) Parliamentarians can be trusted to enact changes to the Constitution in a non-partisan manner, and hence the procedure for amendment is relatively simple.
 - (4) None of the above
5. Which amongst the following, if true, will go against the Dr Ambedkar's argument in the passage above?
- (1) A non-partisan body makes better decisions than a partisan body.
 - (2) A less-representative body can make better decisions than a more representative body.
 - (3) A more representative body makes better decisions than a less representative body.
 - (4) Representativeness of a body has no correlation with the quality of its decisions.
6. In the context of the passage above, what does the phrase "axe to grind" mean?
- (1) Stake
 - (2) Hard working
 - (3) Commitment
 - (4) None of the above
7. What was the prescribed procedure that Dr. Ambedkar was referring to in the above extract to amend the Constitution?
- (1) Amended by Parliament by a majority of not less than two-thirds of the members of each House present and voting and a majority of the total membership of each House.
 - (2) Amended by Parliament by a majority of not less than two-thirds of the members of each House present and voting and a majority of the total membership of each House, followed by ratification by State legislatures.
 - (3) Both (1) and (2)
 - (4) None of the above

Directions (Questions 8-14): Read the following passage carefully and answer the questions that follow.

Our Constitution places the individual at the forefront of its focus, guaranteeing civil and political rights in Part III and embodying an aspiration for achieving socio-economic rights in Part IV... Civil and political rights and socio-economic rights do not exist in a state of antagonism. The conditions necessary for realising or fulfilling socio-economic rights do not postulate the subversion of political freedom. The reason for this is simple. Socio-economic entitlements must yield true benefits to those for whom they are intended. This can be achieved by eliminating rent-seeking behaviour and by preventing the capture of social welfare benefits by persons who are not entitled to them. Capture of social welfare benefits can be obviated only when political systems are transparent and when there is a free flow of information. Opacity inures to the benefit of those who monopolise scarce economic resources. On the other hand, conditions where civil and political freedoms flourish ensure that governmental policies are subjected to critique and assessment. It is this scrutiny which subserves the purpose of ensuring that socioeconomic benefits actually permeate to the underprivileged for whom they are meant. Conditions of freedom and a vibrant assertion of civil and political rights promote a constant review of the justness of socio-economic programmes and of their effectiveness in addressing deprivation and want. Scrutiny of public affairs is founded upon the existence of freedom. Hence civil and political rights and socio-economic rights are complementary and not mutually exclusive.

.... In the Indian context, [Amartya] Sen points out that the Bengal famine of 1943 “was made viable not only by the lack of democracy in colonial India but also by severe restrictions on reporting and criticism imposed on the Indian press, and the voluntary practice of “silence” on the famine that the British-owned media chose to follow” [Amartya Sen, *The Idea of Justice* (Penguin Books, 2009) at p. 339.]. Political liberties and democratic rights are hence regarded as “constituent components” of development. [Id, at p. 347] ... Sen has analysed the issue succinctly:

“The causal connection between democracy and the non-occurrence of famines is not hard to seek. Famines kill millions of people in different countries in the world, but they don't kill the rulers. The kings and the presidents, the bureaucrats and the bosses, the military leaders and the commanders never are famine victims. And if there are no elections, no opposition parties, no scope for uncensored public criticism, then those in authority don't have to suffer the political consequences of their failure to prevent famines. Democracy, on the other hand, would spread the penalty of famines to the ruling groups and political leaders as well. This gives them the political incentive to try to prevent any threatening famine, and since famines are in fact easy to prevent (the economic argument clicks into the political one at this stage), the approaching famines are firmly prevented.” [Amartya Sen, *Development as Freedom* (Oxford University Press, 2000) at p. 180.]...

Every individual in society irrespective of social class or economic status is entitled to the intimacy and autonomy which privacy protects.”

[Extract from *Puttaswamy v. Union of India*, (2017) 10 SCC 1].

8. Which of the following is most consistent with the argument in the passage?
- (1) The Right to Food and the Right to Privacy are antithetical to each other.
 - (2) The Right to Food and the Right to Privacy operate in different spheres.
 - (3) The Right to Food and the Right to Privacy are not necessarily in conflict.
 - (4) The Right to Food and the Right to Privacy are always complementary to each other.
9. Which of the following, if true, would not flow from the argument in the passage?
- (1) A country with strong protections for press freedom and free speech have better implementation of social welfare schemes.
 - (2) A country with strong protections for press freedom and free speech have less corruption.
 - (3) A country will not have strong protections for press freedom and free speech unless it has a well-functioning social welfare system.
 - (4) A country will not have strong protections for press freedom and free speech unless the judiciary protects these rights.

10. What does the phrase "rent-seeking behaviour" mean in the passage?
(1) Increasing income by leveraging resources.
(2) Increasing wealth by manipulation, without increasing productivity.
(3) Leasing out property as a source of income.
(4) None of the above
11. Which of the following best captures Amartya Sen's claim regarding democracies and famines?
(1) Democracies do not have famines because they are better governed.
(2) Democracies do not have famines because it is in the interests of politicians to prevent a famine.
(3) Democracies do not have famines because their economic policies are better.
(4) Democracies do not have famines because people protest against famines.
12. In the passage above, what does the term "obviated" mean?
(1) Obvious
(2) Oblivious
(3) Precluded
(4) Paused
13. Which of the following is more consistent with the argument in the passage above?
(1) Political freedom creates conditions for better socio-economic policies.
(2) Political freedom creates conditions for better implementation of existing socio-economic policies.
(3) Both (1) and (2).
(4) Neither (1) nor (2).
14. Which of the following is true according to the above passage?
(1) Part III and Part IV of the Constitution are equally enforceable.
(2) Part III is more important than Part IV.
(3) Part III and Part IV are to be harmoniously constructed.
(4) Part IV is more important than Part III.

Directions (Question 15): Read the following passage carefully and answer the question that follows.

"To live is to live with dignity. The draftsmen of the Constitution defined their vision of the society in which constitutional values would be attained by emphasising, among other freedoms, liberty and dignity. So fundamental is dignity that it permeates the core of the rights guaranteed to the individual by Part III. Dignity is the core which unites the fundamental rights because the fundamental rights seek to achieve for each individual the dignity of existence." [Extract from Puttaswamy v. Union of India, (2017) 10 SCC 1].

15. Which is the most accurate in the above paragraph?
(1) Dignity and Liberty are equal.
(2) Dignity is part of Liberty.
(3) Dignity flows through all fundamental rights.
(4) None of the above

CONSTITUTIONAL LAW

Read the following hypothetical fact situation closely and provide the most accurate answer.

Parliament enacted the Vocational Training and Apprenticeship Act, 2023 ("VTAA"). The Statement of Objects and Reasons appended to the Bill stated that the Act was brought in to expand employment opportunities for the youth by facilitating education for them in a 'learning by doing' mode. As per the provisions of the Act, educational institutions as well industry associations can offer these vocational training programmes. They are required to register under the Act (called "Registered Institutions"), provide basic classroom training, and then place the apprentice with an employer empanelled with the registered institution (called "Empanelled Employer"). The Act empowers the appropriate government to make rules on the fees that Registered Institutions can charge from apprentices for the programme. To incentivise employers to empanel themselves with Registered Institutions, Empanelled Employers are provided tax incentives as well as exemptions from the application of various labour laws to such apprentices. They are also not required to pay minimum wages to the apprentices or provide for maternity benefits. The Statement of Objects and Reasons states that these exemptions from minimum wages and other labour law protections have been provided since vocational training programmes are primarily educational opportunities and apprentices are in the nature of trainee students who are being provided education. Therefore, they are not treated as employees. Provisions of the VTAA are challenged in various high courts across the country.

16. A party to one of the cases in one High Court files an application in the Supreme Court seeking transfer of all pending cases on the VTAA from the high courts to the Supreme Court of India. Does the Supreme Court of India have the power to transfer these cases to itself?
- (1) Yes.
 - (2) Yes, but only when they raise issues relating to the interpretation of the Constitution.
 - (3) No.
 - (4) Only if two different high courts give conflicting judgments on the subject matter of the challenge.
17. Assume that the Supreme Court transfers all cases challenging the VTAA to itself and sets up a five-judge bench to hear the matter. Some petitioners challenge provisions of the VTAA for being arbitrary and thus violating Article 14 of the Constitution. Can the Court strike down a legislation only on grounds of arbitrariness, without finding that any other fundamental right is infringed?
- (1) No, because the arbitrariness doctrine only applies to executive action.
 - (2) No, the test for violation of Article 14 is reasonable classification.
 - (3) Yes, only on grounds of manifest arbitrariness.
 - (4) Yes, but only when Article 14 violation is accompanied by a violation of Article 19 or 21.
18. Some petitioners challenge the law on the grounds that not providing minimum wages violates Part III of the Constitution. As a law clerk, you are asked to research on what the Supreme Court has held on the issue. Which of the following is most accurate?
- (1) The Supreme Court has held that not providing minimum wages does not violate Article 23.
 - (2) The Supreme Court has held that not providing minimum wages violates Article 23.
 - (3) The Supreme Court has not previously decided the issue.
 - (4) The Supreme Court has held that compulsory minimum wages laws violate Article 19 (1)(g) of the Constitution.

19. The Central Government makes rules under the VTAA for the training programmes under the Act. One such rule states that a vocational training programme shall be for a period of two years, and apprentices shall be provided diplomas upon satisfactory completion of the programme. No extension beyond two years is permissible. Rule 7(9) states that a diploma can be granted only if the empanelled employer certifies that the apprentice had a work attendance of at least 80%. If an apprentice does not satisfy the 80% attendance requirement at the end of two years, then they will not be awarded the diploma under the programme. This rule is challenged by a pregnant apprentice who missed the 80% requirement because of her pregnancy and childcare responsibilities. She alleges that the attendance requirement and deadline of two years without any relaxation for pregnant apprentices violates Article 15(1). The State argues that the rule applies equally to all persons, does not make distinctions on any grounds mentioned in Article 15(1), and therefore does not discriminate against anyone. What type of discrimination claim is the petitioner making?

- (1) Direct discrimination
- ✓ (2) Indirect discrimination
- (3) Hostile discrimination
- (4) Reasonable classification

20. Two months after the VTAA comes into force, the Karnataka legislature passes a law titled the Karnataka Regulation of Industries Act, 2023 (KRIA). Amongst various other provisions on industrial regulation, KRIA has a chapter titled Rights of Industrial Workers. Industrial Workers are defined as including apprentices. The Act provides that industrial employers cannot pay less than minimum wages to any industrial worker. Certain industry associations challenge this law, and it is tagged with the challenge to VTAA. The petitioners argue that the law on apprentices falls within Entry 25 of the Concurrent List ("Education, including technical education, medical education and universities...; vocational and technical training of labour.") and therefore KRIA is repugnant to VTAA. On the other hand, the State of Karnataka argues that KRIA falls under Entry 24 of List II ("Industries subject to the provisions of Entries 7 and 52 of List I."). Which of the following principles will the Court apply in determining which entry KRIA falls under?

- (1) Repugnancy
- ✓ (2) Pith and Substance
- (3) Colourable Legislation
- (4) None of the Above

21. VTAA provides for reservations for persons belonging to SC, ST, and OBC communities in the apprenticeship programme. All Registered Institutions are required to adhere to government prescribed reservations norms as a condition of their registration. Failure to adhere to these norms will result in de-registration. This provision is challenged by private unaided registered institutions who argue that the law violates their rights under Article 19(1)(g). On the other hand, the Union of India argues that the law has been made in pursuance of Article 15(5) of the Constitution which empowers the state to provide for reservations in admission to educational institutions, including private unaided educational institutions, notwithstanding anything to the contrary in Article 19(1)(g). In deciding this case, the Court has to determine the scope of Article 15(5). Which of the following statements is most consistent with precedent on this issue?

- ✓ (1) Article 15(5) is a facet of equality guaranteed by the Constitution of India.
- (2) Article 15(5) enacts a special provision which is an exception to equality guaranteed by the Constitution of India, and should therefore be interpreted narrowly.
- (3) Article 15(5) is unconstitutional since it obliterates the right under Article 19(1)(g), thus destroying the basic structure of the Constitution.
- (4) Article 15(5) is unconstitutional since it abrogates the principle of equality which is part of the basic structure of the Constitution.

22. Reservations in minority educational institutions violates the rights of Private unaided minority educational institutions under Article 30 of the Constitution. Whether the statement is correct in light of precedents on the issue?
- (1) Yes, a law made in pursuance of powers conferred under Article 15(5) cannot apply to minority educational institutions.
 - (2) No, a differential treatment of minority educational institutions from other institutions will violate Article 14 of the Constitution.
 - (3) Yes, since Article 29 prohibits discrimination in admission to educational institutions only with respect to State maintained or State aided institutions.
 - (4) None of the above
23. In deciding the issue of whether the reservations scheme provided for in the VTAA is constitutional, the Supreme Court wishes to refer to Constituent Assembly Debates to determine the intention of the framers with respect to equality and affirmative action. This approach to understanding the meaning of constitutional provisions is best captured by which of the following methods of constitutional interpretation?
- (1) Living Constitutionalism
 - (2) Originalism
 - (3) Structuralism
 - (4) Textualism
24. A dispute has arisen between State A and B, wherein state A claims that its land has been encroached by State B. Of the statements below, which one is the most accurate?
- (1) Disputes between states cannot be resolved in Courts, and States will have to work out a political solution.
 - (2) State A may sue State B before the Supreme Court of India under Article 131 of the Constitution.
 - (3) State A may sue State B before the Supreme Court of India under Article 136 of the Constitution.
 - (4) State A can file a civil suit against State B seeking a declaration before the jurisdictional civil court where the land in dispute is located.
25. Which of the following is incorrect?
- (1) A Special Leave Petition (SLP) will lie only against an order passed by a High Court.
 - (2) A Special Leave Petition (SLP) will lie against any judgment or order passed or made by any court or tribunal in India.
 - (3) The grant of a special leave to appeal by the Supreme Court of India is in the nature of a discretionary relief.
 - (4) The power to grant Special Leave to appeal extends to both civil and criminal cases.
26. Which of the following statements is incorrect?
- (1) Under Article 226, High Courts have the power to issue writs for the enforcement of any of the rights conferred under Part III of the Constitution, and for any other purpose.
 - (2) The Supreme Court of India, under Article 32, has the power to issue Writs for the enforcement of any of the rights conferred under Part III of the Constitution.
 - (3) In exercising the powers under Article 226, as long as the cause of action wholly or in part arises in the territory over which the High Court exercises jurisdiction, it will be immaterial whether the seat of the Government or authority against which the remedy is sought is not within that territory.
 - (4) Under Article 32, the Supreme Court has the power to issue writs for the enforcement of any rights for any purpose.

27. Article 239AA(4) provides that: "There shall be a Council of Ministers consisting of not more than ten per cent of the total number of members in the Legislative Assembly, with the Chief Minister at the head to aid and advise the Lieutenant Governor in the exercise of his functions in relation to matters with respect to which the Legislative Assembly has power to make laws, except in so far as he is, by or under any law, required to act in his discretion: Provided that in the case of difference of opinion between the Lieutenant Governor and his Ministers on any matter, the Lieutenant Governor shall refer it to the President for decision and act according to the decision given thereon by the President and pending such decision, it shall be competent for the Lieutenant Governor in any case where the matter, in his opinion, is so urgent that it is necessary for him to take immediate action, to take such action or to give such direction in the matter as he deems necessary." Considering the Constitution Bench judgments on this Article, which of these is true?
- (1) The Lieutenant Governor is bound by the aid and advice of the Council of Ministers of Delhi on all matters.
 - (2) In case of a difference, the Lieutenant Governor can refer every matter to the President, or can take a view contrary to that of Council of Ministers in all matters.
 - (3) The Lieutenant Governor is the final decision-making authority in Delhi on all matters.
 - (4) None of the above
28. Which of the following cases cannot be filed directly before the Supreme Court as per relevant judgments on Article 136?
- (1) Cases related to petty fines, such as electricity theft.
 - (2) Direct appeal from the decision of a Tribunal, unless a statute directly provides so.
 - (3) Bail matters.
 - (4) Appeal against an order of a district court.
29. Whether the Supreme Court of India is bound by international law – choose the most accurate answer?
- (1) Yes, in all circumstances.
 - (2) Yes, but only if there is a constitutional vacuum.
 - (3) Yes, even if there is a domestic law with a different framework than international law.
 - (4) Not at all.
30. Article 23 provides: "Traffic in human beings and begar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law." Decide:
- (1) It can be enforced only against the State.
 - (2) It can be enforced only against private citizens or entities/corporations.
 - (3) Both (1) and (2).
 - (4) It can be enforced against State-owned corporations only.

31. Kailash and Himanshi were married in 2018. On the evening of March 23, 2023, Kailash on finding that there was no salt in his food began screaming at Himanshi. Two hours later, while Himanshi was getting ready to go to the market, Kailash in a fit of extreme anger, picked up a hammer and hit her on the head. This resulted in her death. Neighbours told the police that Kailash was by nature an angry person. Kailash was charged with the offence of the murder of his wife Himanshi. Subsequently, it was learnt that Kailash has schizophrenia. The building security staff observed Kailash behaving erratically on the afternoon of March 23 and later at night on March 23. Decide which of the following is most accurate?
- (1) There is nothing to show that Kailash was schizophrenic at the time of the incident. Kailash killed his wife in a fit of rage and is hence, guilty of murder.
 - ✓ (2) The unsoundness of mind before and after the incident is a relevant fact and there is reasonable doubt that at the time of the crime, Kailash was incapable of knowing the nature of the act due to unsoundness of mind. Kailash cannot be convicted of murder.
 - (3) Kailash's mental state was of extreme anger due to sudden provocation by his wife and hence this situation falls within one of the exceptions to murder. Hence, he is not guilty of culpable homicide amounting to murder.
 - (4) None of the above
32. Theft and extortion have certain elements in common and certain distinctions. Please identify which of these statements is incorrect?
- (1) The object of both the offences is the wrongful gain of property.
 - (2) In both offences, movable property can be involved.
 - ✓ (3) In both offences, immovable property can be involved.
 - (4) In theft, the element of fear is not involved in the taking of the property, while in extortion, the property is obtained by intentionally putting a person in fear of injury to that person or any other person.
33. A police officer obtains certain valuables from Sudha by threatening that if she does not immediately hand them over, she will be locked up at once and not released for six months. Fearful Sudha hands the valuables over to the police officer. Which of the following is the most accurate?
- (1) The police officer has committed the offence of Extortion.
 - ✓ (2) The police officer has committed the offence of Robbery.
 - (3) The police officer has committed the offence of Theft.
 - (4) None of the above

34. Sudhir is a 30 year old temperamental man and an accomplished artist and art teacher. He teaches art to Rukmini, a school going girl just four months short of the age of 18 years, and a budding artist who shows great promise. Sudhir often takes Rukmini to various art exhibitions and installations with her parent's knowledge so that she is exposed to various art styles and approaches and can evolve her own style. Sudhir took Rukmini to the Delhi Art Fair with her parent's knowledge, where she confided in him her parents' plan to marry her to Ravi – a man she does not get along with. Rukmini states she would like to marry Sudhir. Sudhir was euphoric on hearing this as he was secretly in love with Rukmini for the past year but was scared of expressing his feelings. Sudhir persuades Rukmini to get married immediately in a temple. They both take a taxi to the temple. However, the taxi driver who knows Rukmini informs her parents, and they arrive at the temple in time to prevent the ceremony from taking place. Is Sudhir guilty of the offence of kidnapping from lawful guardianship?

- (1) There is no force or fraud and hence this is not kidnapping from lawful guardianship.
- (2) Sudhir took Rukmini out of the lawful guardianship of the parents with their consent. Hence, this is not kidnapping from lawful guardianship.
- (3) Both (1) and (2)
- ✓ (4) Sudhir is guilty of the offence of kidnapping from lawful guardianship.

35. Step 1: Asif buys a gun with the intent to murder Fawaz.

Step 2: With the intention of murdering Fawaz, Asif loads the gun at home.

Step 3: With the intention of murdering Fawaz, Asif walks to Fawaz's place of work, and enters his office.

Step 4: Asif walks up to the table Fawaz is sitting at and fires the gun at him.

Step 5: Due to this firing, Fawaz is wounded.

At what point has Asif committed a crime under Attempt to Murder of the IPC?

- (1) Step 2
- (2) Step 3
- ✓ (3) Step 4
- (4) Step 5

36. Ajay ordered his employee Amar to beat Zora. Amar refuses. Which of the following is correct?

- (1) Ajay has committed abetment and Amar has committed assault.
- ✓ (2) Ajay has committed abetment and Amar has committed no offence.
- (3) Ajay and Aman both have committed no offence.
- (4) Ajay has committed no offence, and may dismiss Amar on ground of subordination.

37. Due to waterlogging on her land, Sunanda with Laxmi's consent housed her herd of 120 goats in Laxmi's field for two days. While taking the herd after two days, both Sunanda and Laxmi counted the number of goats being loaded in the truck. Subsequently, Sunanda transported her herd of goats to the annual market for sale. At the time of the transaction, when the goats were counted, the presence of an extra goat belonging to Laxmi was highlighted to Sunanda. Sunanda tried calling Laxmi, however, Laxmi did not answer Sunanda's call. She then sent her daughter Radha to Laxmi's house to intimate her of this situation, however, Laxmi's house was locked. Sunanda sold this goat along with the rest. Sunanda is now being tried for theft and the dishonest misappropriation of Laxmi's goat. Decide whether Sunanda is guilty.
- (1) Sunanda is not guilty of dishonest misappropriation of property as she innocently came into possession of Laxmi's goat and is a legitimate finder of goods, and can hence use the goods for herself.
 - (2) Sunanda is not guilty of dishonest misappropriation of property as on receiving notice of the presence of the extra goat belonging to Laxmi, she made reasonable efforts to restore it to the true owner, however, the true owner was not found.
 - (3) Both (1) and (2)
 - (4) Sunanda is not guilty of theft but is guilty of dishonest misappropriation of property.
38. Sam puts jewels into a box belonging to Rita with the intention that they may be found in that box, and this circumstance may cause Rita to be convicted of theft. Which of the following is most accurate?
- (1) Sam may charge Rita for misappropriation of property.
 - (2) Sam has fabricated false evidence.
 - (3) Sam may prosecute Rita on the charge of theft.
 - (4) Sam is guilty of abetment.
39. Diana throws boiling milk at Heena, an unmarried girl of 16 years of age, causing burns on her torso. After ten days of intensive treatment, Heena was able to resume going to school. Decide whether Diana caused grievous hurt to Heena.
- (1) Diana has caused hurt to Heena.
 - (2) Diana has caused grievous hurt to Heena.
 - (3) Diana has caused both hurt and grievous hurt to Heena.
 - (4) Diana has not caused hurt or grievous hurt to Heena.
40. A, a thief, made a plan to commit theft in B's house. One day to cause disturbance, A sets fire by night at B's house. However, B was present in the house and dies in the fire. A is caught, and is sorry about the death of B and says that he did not intend B's death. Decide whether:
- (1) A is guilty of causing culpable homicide of B.
 - (2) A is not guilty of causing culpable homicide of B, as he did not intend it.
 - (3) A is not guilty, as he is sorry for B's death.
 - (4) Both (2) and (3)

INDIAN EVIDENCE ACT

41. Which of these statements related to relevancy and admissibility is false?

- (1) Relevancy is based on logic and probability while admissibility is not based on logic but on rules of law.
- ✓ (2) The facts which are admissible are necessarily relevant. The facts that are relevant are necessarily admissible.
- (3) In relevancy, the court has discretionary power. In admissibility, the court has no discretion.
- (4) None of the statements is false.

42. Match the descriptions to the category of evidence.

Description	Category of evidence
I. Geeta is charged with the murder of Paul inside Paul's home. Ameena says she saw Geeta killing Paul.	(a) Hearsay evidence
II. Gautam says Ameena told him a few days later that she saw Geeta killing Paul.	(b) Documentary evidence
III. Reena saw Geeta come out of Paul's home with a bloodstained knife.	(c) Direct evidence
IV. The police discover a caricature drawn by Geeta of Paul being knifed by her.	(d) Circumstantial evidence

Correct Matching

- (1) I-(a), II-(d), III-(b) and IV-(c)
- (2) I-(d), II-(b), III-(c) and IV-(a)
- (3) I-(b), II-(c), III-(a) and IV-(d)
- ✓ (4) I-(c), II-(a), III-(d) and IV-(b)

43. Anil dies leaving behind his widow Neeta and son Mukul. Three months later, Sachin files a suit for declaration that he is part owner of the Anil's property being his adopted son. Neeta denies this fact of adoption. Who does the onus of proof lie on?

- (1) Mukul
- (2) Neeta
- ✓ (3) Sachin
- (4) Both (1) and (2)

44. A dies and gives a two line dying declaration. B is convicted on the basis of the dying declaration of A and on appeal raises certain arguments. Which of the following is the ground for setting aside the conviction?
- (1) A's dying declaration cannot be basis for conviction because it is brief and a brief statement cannot be used.
 - (2) A's dying declaration cannot be used as a sole basis for conviction of B.
 - (3) A's dying declaration was not corroborated and an uncorroborated dying declaration cannot be used as a sole basis of conviction.
 - ✓ (4) None of the above
45. Bimal Chandra dies in 1980. In the year 2010, his widow, Aarthi decides to remodel the house. Their children while clearing out some old papers from Bimal's old writing bureau find Bimal Chandra's will which meets all the requirements of a validly executed will. Aarthi claims that the handwriting is that of Bimal's. The will bequeaths the house entirely to his son, Vineet. Vineet applies for probate and the proceedings are contested by Bimal's daughters. Choose the statement which is most accurate?
- (1) The fact that the will bequeaths the property to one child to the exclusion of other natural heirs creates a presumption that it is not a valid will.
 - (2) Since the will is an old document, there is a presumption that it is not a valid will.
 - ✓ (3) Since the will is from 1980 and recovered from proper custody there is a presumption that the handwriting on the will is Bimal's.
 - (4) None of the statements is accurate.
46. Section 112, Evidence Act provides: "The fact that any person was born during the continuance of a valid marriage between his mother and any man, or within two hundred and eighty days after its dissolution, the mother remaining unmarried, shall be conclusive proof that he is the legitimate son of that man, unless it can be shown that the parties to the marriage had no access to each other at any time when he could have been begotten." Rashmi, was married to Swamy in September 2020. Swamy died in an accident in May 2021. Rashmi then married Adit in June 2021 and gave birth to twins in August 2021. Adit disputes that he is the father of the twins. Which statement is most accurate?
- (1) Since conception was at the time Rashmi was married to Swamy the twins are the legitimate children of Swamy.
 - ✓ (2) The twins will be presumed to be the legitimate children of Adit.
 - (3) The marriage of Rashmi to Swamy cannot be merely considered as proof of the lack of access between Adit and Rashmi.
 - (4) Both (1) and (3).

47. Apply the sections below to the facts provided:

Section 25 provides: "No confession made to a police-officer, shall be proved as against a person accused of any offence."

Section 28 provides: "If such a confession as is referred to in section 24 is made after the impression caused by any such inducement, threat or promise has, in the opinion of the Court, been fully removed, it is relevant."

Section 29 provides: "If such a confession is otherwise relevant, it does not become irrelevant merely because it was made under a promise of secrecy, or in consequence of a deception practiced on the accused person for the purpose of obtaining it, or when he was drunk, or because it was made in answer to questions which he need not have answered, whatever may have been the form of those questions, or because he was not warned that he was not bound to make such confession, and that evidence of it might be given against him."

Akshay is accused of an offence. He makes certain confessions. Which of the following confessions may be proved against him?

- (1) Akshay makes a confession to a police officer.
- ✓ (2) Akshay makes a confession to his friend Bimal and Bimal promises to keep it a secret.
- (3) Akshay makes a confession based on Kamla's promise to pay Akshay's family a sum of Rs 10 lakhs for confessing to the offence.
- (4) All of these confessions may be proved against him.

48. The evidence unearthed by the sniffer dog falls under

- (1) oral evidence.
- (2) documentary evidence.
- ✓ (3) hearsay evidence.
- (4) scientific evidence.

49. Amit sues Nimit for money due on a bond. The execution of the bond is admitted, but Nimit says that it was obtained by fraud, which Amit denies. The burden of proof is on:

- (1) Amit
- ✓ (2) Nimit
- (3) The Police
- (4) Amit and Nimit both

50. Where both oral as well as documentary evidence are admissible, which of the following is correct?

- ✓ (1) The court may go by the evidence which seems to be more reliable.
- (2) The documentary evidence should prevail over the oral evidence.
- (3) Both (1) and (2) are correct.
- (4) None of the above

CRIMINAL PROCEDURE CODE

51. 'A' is accused of bigamy. Which of the following is most accurate?
- (1) A police officer can arrest at his discretion.
 - (2) A police officer has authority to arrest without a warrant.
 - ✓ (3) A police officer cannot arrest without a warrant.
 - (4) An arrest can be made on the request of the complainant.
52. Anirudh is tried by a Court of Sessions and is convicted. The Sessions Court passes a sentence of imprisonment for one month and INR 199 as a fine. Which of the following is most accurate if Anirudh wants to challenge the conviction?
- (1) Anirudh can file an appeal in the High Court.
 - (2) Anirudh can file an appeal with the Metropolitan Magistrate.
 - ✓ (3) In this instance, there is no appeal available against the judgment of the Sessions Judge.
 - (4) None of the above
53. A non bailable offence is an offence where:
- ✓ (1) grant of bail is at the discretion of the Court.
 - (2) the accused cannot be released on bail.
 - (3) only the High Court is empowered to grant bail.
 - (4) the accused may be considered for the grant of bail once the trial in the Court has commenced.
54. Consider the following statements:
- I. Warrant case is defined as a case relating to an offence punishable with death, imprisonment for life or imprisonment for a term exceeding two years.
 - II. Enquiry and trial are judicial proceedings.
 - III. Investigation is a judicial proceeding.
 - IV. Investigation of an offence is conducted by a police officer.
- Which among the following statements are correct?
- (1) I and III
 - ✓ (2) I, II and IV
 - (3) II and IV
 - (4) II, III and IV
55. Read the following statements:
- I. An FIR is a substantial evidence in itself.
 - II. An FIR is only a report about the commission of a crime.
- Please choose the correct option:
- (1) I is true, but II is false.
 - ✓ (2) I is false, but II is true.
 - (3) Both I and II are true.
 - (4) Both I and II are false.

56. Brijesh, in apprehension of being falsely arrested in connection with a non-bailable offence, applies for Anticipatory bail. The Sessions Judge orders that the applicant shall be released on bail "whenever arrested, for whichever offence, whatsoever". Consider the following:

- I. Anticipatory bail cannot be issued in a non-bailable offence.
- II. Mere fear in itself is not a basis for issuance of anticipatory bail.
- III. Blanket order of anticipatory bail should not be issued.

Identify which of the following statements are most accurate.

- (1) Only III
- (2) Only II and III
- (3) Only I and III
- (4) I, II and III

57. Aishwarya abducts Binendri from Bengaluru. Binendri is then taken to Jaipur and then to Lucknow. In light of this, consider the following sections:

[Section 177: "Every offence shall ordinarily be inquired into and tried by a Court within whose local jurisdiction it was committed."]

Section 178: "(a) When it is uncertain in which of several local areas an offence was committed, or (b) where an offence is committed partly in one local area and partly in another, or (c) where an offence is a continuing one, and continues to be committed in more local areas than one, or (d) where it consists of several acts done in different local areas, it may be inquired into or tried by a Court having jurisdiction over any of such local areas."]

Where can the offence be inquired into or tried by a court?

- (1) Only Bengaluru
- (2) Bengaluru or Lucknow
- (3) Only Lucknow
- (4) Either Bengaluru or Jaipur or Lucknow

58. During the investigation, Neharika told the police officer that she saw Dheeraj shooting Darius dead. This statement was reduced to writing. Following this, during the trial of Dheeraj for Darius' murder, Neharika stated in her examination in chief that Dheeraj first punched Darius and subsequently shot him dead.

[Section 145 provides: "A witness may be cross examined as to previous statements made by him in writing or reduced into writing, and relevant to matters in question, without such writing being shown to him, or being proved; but, if it is intended to contradict him by the writing, his attention must, before the writing can be proved, be called to those parts of it which are to be used for the purpose of contradicting him."]

Can the defence counsel during cross examination ask Neharika whether Dheeraj punched Darius before shooting him?

- (1) Yes, if the Defence Counsel can show that the difference between the police statement and the examination is a contradiction.
- (2) Yes, if the Defence Counsel can show that the difference between the police statement and examination is significant and touches the very factum of what is required to be proved by the defence.
- (3) Both (1) and (2).
- (4) No.

59. On 24.03.2022, an old video of an incident of 21.01.2018 surfaced wherein Kaushal was seen with a group that was protesting against the screening of a new film. The protestors got riled up and some members caused damage to the public infrastructure and some even carried arms in the public and fired shots in the air. The police is seeking to charge Kaushal for the offence of Section 148, IPC- Rioting, armed with a deadly weapon for which the maximum punishment prescribed is 3 years. Can the police proceed against Kaushal in light of Section 468 of Cr.P.C.? Select the most accurate answer.

[Section 468. Bar to taking cognizance after lapse of the period of limitation.—

(1) Except as otherwise provided elsewhere in this Code, no Court shall take cognizance of an offence of the category specified in sub-section (2), after the expiry of the period of limitation.

(2) The period of limitation shall be—

(a) six months, if the offence is punishable with fine only; (b) one year, if the offence is punishable with imprisonment for a term not exceeding one year; (c) three years, if the offence is punishable with imprisonment for a term exceeding one year but not exceeding three years.

(3) For the purposes of this section, the period of limitation, in relation to offences which may be tried together, shall be determined with reference to the offence which is punishable with the more severe punishment or, as the case may be, the most severe punishment.]

(1) Yes, the police can proceed against Kaushal.

(2) Depends on the discretion of police.

✓ (3) No, the cognizance of the offence in the instant case cannot be taken.

(4) None of the above

60. Urban Gonsalves, a journalist is a resident of Mumbai. Upon his statement on air, several FIRs were registered against him under Section 499, Indian Penal Code in Nagpur, Aurangabad, Lucknow, and Jodhpur. Which would be the most appropriate forum for clubbing of FIRs against him?

(1) Either of the benches of Bombay High Court (Mumbai, Aurangabad, Nagpur)

(2) Either Bombay High Court or Allahabad High Court

(3) Either of Bombay High Court, Allahabad High Court, or Rajasthan High Court

✓ (4) None of the above

CIVIL PROCEDURE CODE

61. Sanjana, a defendant in a suit, is absent from her residence at the time when the service of summons is sought to be served on her at her residence and she is not likely to be at home for a long duration. She has also not authorized anyone else to accept summons on her behalf. In this regard,

Order 5, Rule 15, CPC provides: "Where in any suit the defendant is absent from his residence at the time when the service of summons is sought to be effected on his at his residence and there is no likelihood of his being found at the residence within a reasonable time and he has no agent empowered to accept service of the summons on his behalf, service may be made on any adult member of the family, whether male or female, who is residing with him."

In such a situation the summons may be served on: -

- ✓ (1) Savitri, her 58 year old mother.
(2) Pinki, her 17 year old sister.
(3) Somnath, the cook who resides in the house.
(4) All of the above
62. A suit in which the principal question relates to caste or religion is not a suit of a civil nature. But if the principal question in a suit is of a civil nature and the adjudication incidentally involves the determination relating to a question of caste or to religious rights and ceremonies, it does not cease to be a suit of civil nature and the jurisdiction of civil court in such case is not barred.
- (1) Above said statement is true as discretion is available to the civil court.
(2) Above said statement is not true as discretion is not available to the civil court.
✓ (3) Above said statement is true as per Section 9 of Code of Civil Procedure.
(4) Above said statement is true as political and religious questions are covered by the expression of "suit of a civil nature".
63. Jharna is aggrieved by a Decree of a district court. She files a review application against the decree which was rejected by the Court. She now seeks to file an appeal against the original decree under the Civil Procedure Code. Which of the following is the most accurate?
- (1) No, she can only file an appeal against the rejection of the review application.
(2) She cannot file an appeal as the review application was rejected by the Court.
✓ (3) Yes, she can file an appeal against the original decree.
(4) No, she can only file a revision.
64. A suit is transferred by the Supreme Court from one court 'A' to another court 'B'. Meanwhile, during the transfer, the law applicable to the suit got changed. Which of the following is correct?
- ✓ (1) The original law which was to be applied by the court 'A' has to be applied by the court 'B'.
(2) The original law which was to be applied by the court 'A' is not to be applied by the court 'B'.
(3) The court 'B' is required to consider the stage at which the suit was transferred for determining the applicability of old or new law to it.
(4) Both (2) and (3)

65. Which one of the following is incorrect?

- (1) Suit for the recovery of immovable property with or without rent shall be instituted in the court within the local limits of whose jurisdiction the property is situated.
- (2) Suit for the partition of immovable property shall be instituted in the court within the local limits of whose jurisdiction the property is situated.
- ✓ (3) Suit for the compensation for any wrong in respect to moveable property shall be instituted in the court within the local limits of whose jurisdiction the property is found.
- (4) Suit for the compensation for any wrong in respect to immovable property shall be instituted in the court within the local limits of whose jurisdiction the property is situated.

66. Shivani has filed for maintenance against her estranged husband Pramod who earns a salary of INR 1,20,000/- per month.

[Section 60 CPC provides:

“The following property is liable to attachment and sale in execution of a decree, namely, lands, houses or other buildings, goods, in money, bank-notes, cheques, bills of exchange, hundis, promissory notes, Government securities, bonds or other securities for money, debts, shares in a corporation and, save as hereinafter mentioned, all other saleable property, movable or immovable, belonging to the judgment-debtor, or over which, or the profits of which, he has a disposing power which he may exercise for his own benefit, whether the same be held in the name of the judgment-debtor or by another person in trust for him or on his behalf:

Provided that the following particulars shall not be liable to such attachment or sale, namely:-

(a) the necessary wearing-apparel, cooking vessels, beds and bedding of the judgment-debtor, his wife and children, and such personal ornaments as, in accordance with religious usage, cannot be parted with by any woman;...

(c) houses and other buildings (with the materials and the sites thereof and the land immediately appurtenant thereto and necessary for their enjoyment) belonging to an agriculturist and occupied by him;

(d) books of account...

(i) salary to the extent of 9 [the first 10 [one thousand rupees] and two third of the remainder] 11[in execution of any decree other than a decree for maintenance]:

(ia) one-third of the salary in execution of any decree for maintenance;...

(n) a right to future maintenance...”]

In light of the above Section, to what extent under Section 60 CPC can the Court attach Pramod's salary in execution of the decree ?

(1) INR 60,000/-

(2) INR 40,000/-

✓ (3) INR 80,000/-

(4) Salary cannot be attached in the execution of a decree of maintenance.

67. Bahubali lived in Mahishmati. The civil court of Mahishmati had pecuniary jurisdiction upto Rs.10,000, while the civil court of Kuntala had pecuniary jurisdiction upto Rs.20,000. In a dispute with his brother, Bahubali had a claim of Rs.17,000. However, as he wanted to stay in Mahishmati only, he filed a suit before its civil court for claiming Rs.10,000. He won the suit. Now, he is thinking to file another suit to claim the remaining amount of Rs.7,000 before the Mahishmati civil court. His legal advisor Katappa read the following sections of CPC to Bahubali:

[Section 11: "No Court shall try any suit or issue in which the matter directly and substantially in issue has been directly and substantially in issue in a former suit between the same parties, or between parties under whom they or any of them claim, litigating under the same title, in a Court competent to try such subsequent suit or the suit in which such issue has been subsequently raised, and has been heard and finally decided by such Court."

Order II, Rules 1 and 2: "(1) Every suit shall include the whole of the claim which the plaintiff is entitled to make in respect of the cause of action; but a plaintiff may relinquish any portion of his claim in order to bring the suit within the jurisdiction of any Court. (2) Where a plaintiff omits to sue in respect of, or intentionally relinquishes, any portion of his claim he shall not afterwards sue in respect of the portion so omitted or relinquished.]

Which of the following is most accurate?

(1) Bahubali can claim the rest Rs.7,000 before the Mahishmati civil court.

✓ (2) Bahubali cannot claim Rs.7,000 now before the Mahishmati civil court.

(3) Bahubali can claim Rs.7,000 before Kuntala civil court.

(4) Either (1) or (3)

68. A decision or finding given by a court or a tribunal without jurisdiction

(1) can operate as res-judicata under all circumstances.

✓ (2) cannot operate as res-judicata.

(3) can operate as res-judicata under certain circumstances only.

(4) may or may not operate as res-judicata.

69. The expression "costs shall follow the event" in a civil suit implies

✓ (1) the successful party is entitled to his costs.

(2) each party shall bear his own costs.

(3) the successful party is not entitled to his costs.

(4) each party shall not bear his own costs.

70. Which of the following shall be counted as out of court settlement under CPC?

(1) Only settlement through Lok Adalat.

(2) Only Settlement through Lok Adalat as well as Mediation.

(3) Arbitration, Mediation, Conciliation, but not settlement through Lok Adalat.

✓ (4) Arbitration, Mediation, Conciliation, settlement through Lok Adalat.

CONTRACT ACT

71. Which of the following is incorrect?
(1) Contract with a minor is void.
(2) An agreement against public policy, if the court so finds, is void.
(3) An agreement, the meaning of which is not certain, is still valid.
(4) Contingent contracts are legal.
72. A, under coercion from B, enters into an agreement to pay B a sum of Rs.2,000 every month. The said agreement is
(1) Void.
(2) Voidable.
(3) Valid.
(4) Contingent.
73. Anand promises, for no consideration, to give to Parveen Rs.1000, but fails to do so. Can the promise be enforced?
(1) No, this is a voidable agreement.
(2) Yes, this is a valid agreement.
(3) No, this is a void agreement.
(4) None of the above
74. Riddhi and Siddhi enter into a contract that stipulated that Riddhi shall deliver gold articles to Siddhi at a price to be paid by Siddhi in installments and first installment shall be paid ten days in advance from the date fixed for the delivery of the articles. Siddhi did not pay the first installment within the stipulated time but offers that she will do the payment subsequently. Which of the following is correct?
(1) Riddhi needs to deliver the articles to Siddhi.
(2) Riddhi need not deliver the articles to Siddhi.
(3) Court will decide whether Riddhi needs to deliver the articles to Siddhi.
(4) The delay is irrelevant since Siddhi has offered to make the payment subsequently.
75. Arpita is an owner of a factory producing umbrellas. She intends to sell this factory. Though, the production capacity of the factory is 400 umbrellas per day, Arpita leads Bilal to believe that the factory is producing 500 umbrellas per day. Bilal examines the accounts of the factory which are in consonance with its actual production capacity, and enters into a contract to buy the factory. Later, he challenges the agreement under the ground of misrepresentation under Section 25, which provides: "*When consent to an agreement is caused by... misrepresentation, the agreement is a contract voidable at the option of the party whose consent was so caused. Exception.—If such consent was caused by misrepresentation or by silence..., the contract, nevertheless, is not voidable, if the party whose consent was so caused had the means of discovering the truth with ordinary diligence.*" Which of the following statements is most accurate?
(1) Contract is voidable due to Arpita's fraud.
(2) Contract is voidable due to Arpita's misrepresentation.
(3) Contract is not voidable on account of Arpita's misrepresentation.
(4) Contract is void on account of Bilal's mistake.

76. Akhil becomes surety to Chandan for Bhushan's conduct as a manager of Chandan's bank. Afterwards, Bhushan and Chandan contract without Akhil's permission that Bhushan shall become liable for one-fourth of the losses on overdraft by any customer. Bhushan allows a customer to overdraw and the bank loses a sum of money. To make good this loss Akhil is -
- (1) wholly liable.
 - ✓ (2) not liable.
 - (3) liable to the extent of one-fourth of the loss.
 - (4) liable to the extent of three-fourths of the loss.
77. There may be a contract without consideration if
- (1) Agreement is in writing and registered.
 - (2) For Past voluntary services or time barred debt.
 - (3) Agreement is made due to natural love and affection.
 - ✓ (4) In all above cases.
78. Section 23 of the Contract Act provides: "*The consideration or object of an agreement is lawful, unless— it is forbidden by law ; or is of such a nature that if permitted, it would defeat the provisions of any law; or is fraudulent ; or involves or implies injury to the person or property of another; or the Court regards it as immoral, or opposed to public policy... Every agreement of which the object or consideration is unlawful is void.*"
- Based on above, consider the following scenario: S enters a contract to obtain for B an employment in the public service, and B promises to pay 1,00,000 rupees to S. Which of the following is correct?
- (1) The agreement is valid, as there was a consideration and an acceptance.
 - (2) The agreement is voidable at the instance of any of the parties.
 - ✓ (3) The agreement is void.
 - (4) Both (1) and (2)
79. A took an education loan without interest of Rs. 1,00,000 from his uncle Z. Impressed with A's educational progress and being affectionate with him, Z enters into a written agreement with A that he does not need to return the money. Subsequently, Z is in need of money, and demands Rs. 1,00,000 from A. However, A refuses to pay, while relying on Section 25, which provides: "*An agreement made without consideration is void, unless— (1) it is expressed in writing and registered under the law for the time being in force for the registration of documents, and is made on account of natural love and affection between parties standing in a near relation to each other*". Z is angry with A. Which of the following is true?
- ✓ (1) The agreement between A and Z is valid.
 - (2) The agreement is voidable at the instance of Z, because there is no affection between them now.
 - (3) The agreement is void ab initio.
 - (4) None of the above
80. A agrees with B to discover treasure by magic. The agreement is
- (1) Valid.
 - ✓ (2) Void.
 - (3) Voidable.
 - (4) None of the Above

LATEST DEVELOPMENTS IN LAW

81. In *Trimurthi Fragrances (P) Ltd. v. State (NCT of Delhi)*, 2022 SCC OnLine SC 1247, the Supreme Court delivered a landmark judgment on overruling precedents. Which of the following is true?
- (1) Between a 7-judge bench decision decided 4:3 in favour of proposition X, and a 5-judge bench decision decided 5-0 against the proposition X, the 7-judge bench decision will be binding since it is a larger bench.
 - (2) Between a 7-judge bench decision decided 4:3 in favour of proposition X, and a 5-judge bench decision decided 5-0 against the proposition X, the 5-judge bench decision will be binding since a larger number of judges have decided against the proposition.
 - (3) Between a 7-judge bench decision decided 4:3 in favour of proposition X, and a 5-judge bench decision decided 5-0 against the proposition X, neither will be binding and the matter has to be referred to a 9-judge bench.
 - (4) None of the above
82. In *Janhit Abhiyan v. Union of India*, 2022 SCC OnLine SC 1540, the Supreme Court upheld the 103rd Constitutional Amendment:
- (1) In its entirety.
 - (2) Struck down parts of Article 15(6).
 - (3) Upheld Article 15 (6) but limited its application for 10 years.
 - (4) None of the above
83. In *Shilpa Sailesh v. Varun Sreenivasan*, 2023 SCC OnLine SC 544, the Supreme Court of India has delivered a judgment on the issue of irretrievable breakdown of marriage. Which of the following is true?
- (1) In exercise of its powers under Article 142(1) of the Constitution of India, the Court can grant divorce on grounds of irretrievable breakdown of marriage only when both parties consent to such divorce.
 - (2) In exercise of its powers under Article 142(1) of the Constitution of India, the Court can grant divorce on grounds of irretrievable breakdown of marriage even when one party does not consent to such divorce.
 - (3) In exercise of its powers under Article 142(1) of the Constitution of India, the Court can grant divorce on grounds of irretrievable breakdown of marriage only when all the procedural and substantive requirements of divorce by mutual consent under the Hindu Marriage Act, 1955 are satisfied.
 - (4) In exercise of its powers under Article 142(1) of the Constitution of India, the Court cannot grant divorce on grounds of irretrievable breakdown of marriage.

84. In *Arup Bhuyan v. State of Assam*, 2023 SCC OnLine SC 338, the Supreme Court held that under the UAPA,

- (1) the offence of membership in an unlawful association is made out only when the accused is an active member of an association that has been notified as unlawful by the government.
- (2) the offence of membership in an unlawful association is made out only when the accused becomes a member after the association has been notified as unlawful.
- ✓ (3) the offence of membership in an unlawful association is made out even when the accused is a mere member of an association that has been declared as unlawful by the government.
- (4) the offence of membership in an unlawful association violates Article 19(1)(c).

85. In *Subhash Desai v. Principle Secretary, Maharashtra*, W.P. (C) No. 493/2022, the Supreme Court held that for purposes of the X Schedule of the Constitution, the Whip is to be appointed by

- (1) the legislature party.
- ✓ (2) the political party.
- (3) the Speaker.
- (4) the leader of the House.

86. Whether an arbitration agreement under an unstamped contract between parties is enforceable? Answer in light of the latest Constitution Bench judgment in *N.N. Global Mercantile (P) Ltd. v. Indo Unique Flame Ltd*, 2023 SCC OnLine SC 495:

- (1) Since an arbitration clause is separable from the underlying contract, non-stamping/inadequate stamping of the underlying contract will not impact the enforceability of the arbitration clause.
- ✓ (2) If the underlying contract is not stamped or not properly stamped, then the arbitration clause is not enforceable.
- (3) Under the doctrine of *Kompetenz Kompetenz*, it is for the arbitrators to determine whether the arbitration clause is enforceable when the underlying contract is not stamped or not properly stamped.
- (4) None of the above

87. In *Vijay Madanlal Choudhary v. Union of India*, 2022 SCC OnLine SC 929, the Supreme Court held that the Authorities under the Prevention of Money Laundering Act, 2002 are:

- (1) Police Officers
- ✓ (2) Not Police Officers
- (3) Civil Judges
- (4) None of the above

88. Police register a case under Section 124A, Section 120B and Section 153A of the IPC against Rama, a journalist. The trial is slated to begin. In light of the recent case laws, which of these statements is most accurate?
- ✓ (1) Rama can approach the concerned Court and request that the trial on the charges of Section 124A be kept in abeyance.
 - (2) Rama can approach the concerned Court and request that the trial on all charges under the IPC be kept in abeyance.
 - (3) Both (1) and (2).
 - (4) None of the above
89. In light of the Supreme Court's order in State of Jharkhand vs Shailendra Kumar Rai in 2022, which statement is false?
- ✓ (1) The two finger test violates the right to privacy, integrity and dignity of a woman, however, it is scientifically sound.
 - (2) The victim's character and the prior sexual experience of a woman is irrelevant while examining whether the accused has raped her.
 - (3) The probative value of a woman's testimony does not depend upon her sexual history.
 - (4) The status of the hymen is not relevant since an intact hymen does not preclude sexual violence, and a torn hymen does not prove previous sexual intercourse.
90. Which of the following statements is inconsistent with the Supreme Court's decision in X v. The Principal Secretary Health, GNCTD in 2022?
- (1) Live-in relationships have been recognized by the Supreme Court.
 - ✓ (2) The distinction between a married and unmarried woman bears a nexus to the basic purpose and object which is sought to be achieved by Parliament which is conveyed specifically by the provisions of Explanation 1 to Section 3 of the Act.
 - (3) Divorced, widowed, single and unmarried women all have the reproductive choice whether to bear a child or not.
 - (4) A woman's right to reproductive choice is an inseparable part of her personal liberty under Article 21 of the Constitution.
91. In its judgment in Kaushal Kishor v. State of U.P., (2023) 4 SCC 1, the Constitution Bench of the Supreme Court gave an interpretation dealing the horizontal and vertical application of fundamental rights. Which of the following propositions was upheld by the Supreme Court?
- (1) Article 19 is enforceable only horizontally.
 - (2) Article 19 is enforceable only vertically.
 - (3) Article 19 is enforceable only in an indirectly horizontal manner.
 - ✓ (4) Article 19 is enforceable both horizontally and vertically.
92. In Union of India v. Mohit Minerals (P) Ltd., (2022) 10 SCC 700, the Supreme Court held that:
- (1) The recommendations of the GST Council are binding.
 - ✓ (2) The recommendations of the GST Council are not binding.
 - (3) The recommendations of the GST Council are binding unless they are repugnant to a central law.
 - (4) The recommendations of the GST Council are binding only if passed unanimously.

93. In March 2035, a deadly virus Nutsflu emerges from the Republic of Moffgideon and sweeps the globe, killing millions. Pharmaceutical company Skywalker works against the clock and has a vaccine ready to roll out by September 2035. The Indian government issues a vaccine mandate and states that if individuals are not vaccinated, they will not have access to various public spaces. Millions in India receive the vaccine over the rest of 2035 and early 2036 and it is shown to be effective in reducing the severity of the infection and saving lives. By April 2036, infection rates are low. Leading media outlet R2D2 highlights research findings that the risk of transmission of the virus from unvaccinated individuals is almost on par with that from vaccinated persons. Bo-Katan files a case before the High Court of Uttarakhand contending that the vaccine mandate in the absence of informed consent is unconstitutional and interferes with Article 21. Which of the following is most accurate in light of the Supreme Court decisions in K.S. Puttaswamy (9-judge bench, 2017) and Jacob Puliye vs Union of India (2 May, 2022)?

- (1) All fundamental rights have limits and the communitarian health should always have priority over individual rights. Hence, the government's vaccine mandate is constitutional.
- (2) The Court does not have the expertise to decide on merits of scientific issues and interrogate whether the public health policy impinges on the right to life of persons. Hence, the Court should always defer to the Executive on public health issues.
- (3) Both (1) and (2)
- ✓ (4) The Court can examine the proportionality of the restrictions imposed by the vaccine mandate on the rights to bodily integrity and personal autonomy of unvaccinated individuals.

94. The Supreme Court's decision in Budhadev Karmaskar v. State of West Bengal 2022 is related to sex workers. In light of the judgment, which of the statements is true?

- (1) Due to their profession, sex workers are not entitled to immediate medical assistance, in accordance with Section 357C of the Code of Criminal Procedure, 1973 read with "Guidelines and Protocols: Medico-legal care for survivor/victims of sexual violence", Ministry of Health and Family Welfare.
- (2) Whether the sex worker is participating with consent or not, the police officer must take criminal action, and arrest them, as it is against social morality.
- (3) Both (1) and (2)
- ✓ (4) No child of a sex worker should be separated from the mother merely on the ground that she is in the sex trade.

95. In light of the latest judgment in Indira Jaising v. Supreme Court of India (dated 12 May 2023), which of these is not a factor to be counted while designating a lawyer as a Senior Advocate by the Supreme Court?

- (1) Research publications and teaching assignments
- (2) Diversity
- ✓ (3) Number of mentioning before Chief Justice's Court
- (4) Number of years of practice

96. The Lieutenant Governor transferred the Joint Commissioner of Police, Delhi East. The Government of Delhi filed a petition arguing that only the Chief Minister can transfer the officers in Delhi. In light of the latest judgment on the issue, kindly select the most accurate answer:
- (1) The Lieutenant Governor has the power to transfer the Joint Commissioner of Police.
 - (2) The Lieutenant Governor has the power to transfer any officer in Delhi.
 - (3) Only the Chief Minister of Delhi can transfer any officer in Delhi, as he is the elected head of government.
 - (4) Both (1) and (2)
97. Which of the following cases are being live-streamed by the Supreme Court of India?
- (1) All matters related to constitutional law
 - (2) Only Constitution bench hearing involving interpretation of the Constitution
 - (3) All Constitution bench hearings
 - (4) All cases
98. Can the decisions of the Supreme Court Collegium be subject to judicial review? Which is the most accurate answer?
- (1) Yes, only on grounds of "suitability" of the candidate.
 - (2) Yes, only when "eligibility" of the candidate is in question.
 - (3) No.
 - (4) Both (1) and (2)
99. In its judgment in *Dobbs v. Jackson Women's Health Organization*, dated 24 June 2022, what did the Supreme Court of the United States held?
- (1) Procuring an abortion is not a fundamental constitutional right because such a right has no basis in the Constitution's text or in the Nation's history.
 - (2) Procuring an abortion is a fundamental constitutional right, despite such a right not having a basis in the Constitution's text or in the Nation's history.
 - (3) Procuring an abortion is a fundamental constitutional right, and it flows from the progressiveness in the Constitution's text and in the Nation's history.
 - (4) None of the above
100. In the debates around same-sex marriage, there are questions related to adoption laws. Which of the following is not true under the adoption laws in India in the light of CARA Regulations and Juvenile Justice (Care and Protection of Children) Act, 2015? Select the most accurate answer.
- (1) The consent of both the spouses for the adoption shall be required, in case of a married couple.
 - (2) A single female can adopt a child of any gender.
 - (3) A single male may be eligible to adopt a child of any gender.
 - (4) The minimum age difference between the child and either of the prospective adoptive parents shall not be less than twenty five years.