Haryana Prelims Test Series – 2024

TEST 27 (Full Test - 7)

EXPLANATIONS

S.No	Key/Explanation
1.	Ans. a Lalita Kumari v. Govt. of UP (2014), the SC held that if the information received does not disclose a cognizable offence but indicates the necessity for an inquiry, a preliminary inquiry may be conducted only to ascertain whether cognizable offence is disclosed or not.
2.	Ans. b Refer section 167 of CrPC.
3.	Ans. b Refer section 468(2)(b) of CrPC.
4.	Ans. d As per section 216(1) of CrPC, Any Court may **alter or add to any charge** at any time before judgment is pronounced.
5.	Ans. b As per section 221 of CrPC
6.	Ans. b Refer section 253 of CrPC.
7.	Ans. c Refer section 262(2) of CrPC.
8.	Ans. c Refer section 265C(b) of CrPC
9.	Ans. c As per section 276 of CrPC, In all trials before a Court of Session, the evidence of each witness shall, as his examination proceeds, be taken down in writing either by the **presiding Judge** himself or by his dictation in open Court, or under his direction and superintendence, by an officer of the Court appointed by him in this behalf.
10.	Ans. d Section 481 provides that Public servants concerned in sale **not to purchase or bid** for property.

11.	Ans. a Circumstantial evidence is indirect evidence that may infer the commission of a crime as it does not directly prove a key fact. It is typically weaker than direct evidence. Circumstantial evidence proves another fact from which a person may make a reasonable inference that a key fact occurred.
12.	Ans. a CHAPTER II. –– OF THE RELEVANCY OF FACTS(Section 5-55)
13.	Ans. d Refer section 65 of IEA.
14.	Ans. b Refer section 45 of IEA.
15.	Ans. d Refer section 391 of Cr.P.C.
16.	Ans. b Refer section 62 of IEA.
17.	Ans. b Refer section 33 of IEA.
18.	Ans. a Refer section 64 of IEA.
19.	Ans. a Section 67A-Proof as to electronic signature
20.	Ans. d Section 90- Presumption as to documents thirty years old
21.	Ans. b Refer section 76 of IPC.
22.	Ans. a Refer section 85 and 86 of IPC.
23.	Ans. b A was at a distance and B had recourse to public authorities and instead firing at A, B could have saved his life. Thus B cannot use private defence as it is a preventive and not a punitive right.
24.	Ans. d Refer section 390 of IPC.
25.	Ans. b Refer illustration to section 511.
26.	Ans. a

	Refer section 99 of IPC.
27.	Ans. b Refer proviso to section 111 of IPC.
28.	Ans. c Refer section 72 of IPC.
29.	Ans. b Refer section 194 of IPC.
30.	Ans. c Refer section 401 of IPC.
31.	Ans- d Refer section 94 of Indian Constitution.
32.	Ans- a Refer section 100(3) of the Indian Constitution.33.
33.	Ans- b Refer 101(4) of the Indian Constitution.
34.	Ans- c Penalty for sitting or voting in the House without subscribing to oath has been provided under Article 104. The third schedule of the Indian Constitution contains the forms of oath and affirmation for: Union Ministers of India. Parliament Election Candidates. Members of Parliament (MPs)
35.	Ans- c Bill amending any of the lists in the VII Schedule shall also require to be ratified by the Legislatures of not less than one-half of the States by resolutions to that effect passed by those Legislatures before the Bill making provision for such amendment is presented to the President for assent.
36.	Ans- c Refer Article 14 and principles of Rule of Law laid down by AV Dicey.
37.	Ans- d The Supreme Court in the case of State of Bombay v. F.N. Balsara by applying doctrine of severability declared some provisions of Bombay Prohibition Act as illegal. These provisions were with regard to keeping alcohol-mixed medicines, and toilet goods, and also selling them. The other provisions were declared legal and valid.
38.	Ans- b The Law Commission is an executive body which is established by the

	government for a fixed tenure. It acts as an advisory body to the Law Ministry. The Law Commission is neither a statutory nor a constitutional body.
39.	Ans- b Refer Article 41 of the Indian Constitution.
40.	Ans- b Provision for early childhood care and education to children below the age of six years under Article 45 was added by an amendment made in the year 2002. The Directive Principle was converted into a fundamental right through the Constitution (Eighty-sixth Amendment) Act, 2002.
41.	Ans. b Refer section 63(Reasonable time a question of fact.) of SOGA.
42.	Ans. c Section 57-Suit for damages for non-delivery
43.	Ans. a Refer section 45(2) of SOGA.
44.	Ans. a As per section 18 of SOGA, Where there is a contract for the sale of unascertained goods, no property in the goods is transferred to the buyer unless and until the goods are ascertained.
45.	Ans. c Refer section 2(2) of SOGA.
46.	Ans. a Section 4- Sale and agreement to sell. Section 8-Goods perishing before sale but after agreement to sell Section 3-Application of provisions of Act 9 of 1872. Section 5-Contract of sale how made.
47.	Ans- a Refer section 2(3) of CPC.
48.	Ans- c Under section 14 of CPC, The Court shall presume upon the production of any document purporting to be a certified copy of a foreign judgment, that such judgment was pronounced by a Court of competent jurisdiction, unless the contrary appears on the record; **but such presumption may be displaced by proving want of jurisdiction.**

49.	Ans- d Refer section 24 of CPC
50.	Ans- b Refer section 35(2) of CPC.
51.	Ans- b As per section 56 of CPC, Notwithstanding anything in this Part, the Court shall not order the arrest or detention in the civil prison of a woman in execution of a decree for the payment of money.
52.	Ans- a Refer section 89(2)(d)
53.	Ans- b Refer section 94 of CPC.
54.	Ans- a Refer Order XXII of CPC.
55.	Ans- b As per Order XXXIII Rule 10, Where the plaintiff succeeds in the suit, the Court shall calculate the amount of court-fees which would have been paid by the plaintiff if he had not been permitted to sue as an indigent person such amount **shall be recoverable by the State Government** from any party ordered by the decree to pay the same and shall be a first charge, on the subject-matter of the suit.
56.	Ans- a Refer Order XL Rule 1 of CPC.
57.	Ans- a The term receiver has not been defined in the Code of Civil Procedure 1908. Under order 40 of CPC, The Receiver is an independent and impartial person who is appointed by the court to administer/manage, that is, to protect and preserve a disputed property involved in a suit. The receiver is an officer of the court in all cases.
58.	Ans- d Refer section 10 of Limitation Act.
59.	Ans- c Section 15- Exclusion of time in certain other cases Section 16- Effect of death on or before the accrual of the right to sue Section 17-Effect of fraud or mistake Section 18-Effect of acknowledgment in writing

60.	Ans- b Refer proviso to section 21 of the Limitation Act.
61.	Ans- b Refer section 3(2)(b)(i) of the Limitation Act.
62.	Ans- d Section2(a)- "applicant" Section2(i)- "plaintiff" Section2(h)- "good faith"
63.	Ans- c Refer Article 124 of Limitation Act.
64.	Ans- a The court observed that while **readiness refers to the capacity of the plaintiff to enforce a contract**, willingness refers to the conduct of the plaintiff warranting performance. According to the court, specific performance of a contract can only be enforced if readiness is backed by willingness.
65.	Ans- c Refer section 26 of SRA.
66.	Ans- a Refer section 8 of SRA.
67.	Ans- d Refer section 8 of SRA.
68.	Ans- c Refer section 14A of SRA.
69.	Ans- b Section 11 provides Cases in which specific performance of contracts connected with trusts are enforceable.
70.	Ans- a Refer section 12 of SRA.
71.	Ans- a Refer section 2(e) of ICA.
72.	Ans- b Refer section 4 ICA.
73.	Ans- d Refer section 7 and 8 of ICA.
74.	Ans- c Refer illustration to section 15 of ICA.

75.	Ans- c Refer illustration (b) to section 19.
76.	Ans- d Refer section 54 of ICA.
77.	Ans- d **Modes of Discharge of Contract:** ● Discharge by Performance. ● Discharge by Agreement or Consent. ● Discharge by Impossibility of Performance. ● Discharge by lapse of Time. ● Discharge by Operation of Law. ● Discharge by Breach. ● Discharge by Novation
78.	Ans- b Refer section 75 of ICA.
79.	Ans- c Refer section 127 of ICA.
80.	Ans- a Under section 146 of the Indian Contract Act, Co-sureties are liable to contribute equally.
81.	Ans- d Section 19-Civil districts Section 20-District Judges Section 20A-Not Provided Section 21A-Not Provided
82.	Ans- a Refer section 36 of Punjab Courts Act.
83.	Ans- b Refer section 41(2) of Punjab Courts Act.
84.	Ans- c 44-A(1) provides that The period of limitation for an appeal under Section 41 of this Part shall be **ninety days** from the date of the decree appealed against
85.	Ans- a Refer section 47 of Punjab Courts Act.
86.	Ans. d Refer proviso to section 7 of Hindu Adoption and Maintenance Act,

	1956.
87.	Ans. b Refer Ramlal Agarwal v. Shantadevi (1999).
88.	Ans. c Refer section 12(1)(d)of Hindu Marriage Act, 1955
89.	Ans. b Refer sections 8, 9 and 10 of THE HINDU SUCCESSION ACT, 1956.
90.	Ans. b Refer section 8 of HMA, 1955.
91.	Ans. c An adoption of a boy, whose mother, the adopting father could not have legally married, is not recognised by law but is still considered valid because of custom.
92.	Ans. a These two are to be present in the deserting spouse:- ● The fact of separation (factum deserdendi) ● The intention to desert (animus deserendi)
93.	Ans. d Section 20 of the Hindu Adoptions and Maintenance Act, 1956, provides for Maintenance of children and aged parents.
94.	Ans. c Refer section 2(v) of Dissolution of Muslim Marriage Act.
95.	Ans. b In Sunni Law, the bequest to an heir is invalid even to the extent of one-third of the total property of a testator. Whereas in Shia Law, the bequest to heirs is valid up to the extent of one- third of the property.
96.	Ans. a For a woman whose husband has died, the 'iddah is four lunar months and ten days (i.e. about 128 days) after the death of her husband, whether or not the marriage was consummated. If a woman is pregnant when she is widowed or divorced, the 'iddah lasts until she gives birth.
97.	Ans. a Under Islamic law, Mushaa denotes an undivided share in joint property. It is, therefore, a co-owned or joint property. If one of the

	several owners of such property makes a gift of his own share, there may arise confusion in regard to what part of the property is to be given to the donee.
98.	Ans. c Under the Sunni Law, the proposal and acceptance must be made in presence of two males or one male and two female witnesses who are sane, adult and Muslim. Thus, When the person who performed Nikah is dead, the proof of marriage will be given by the Witness.
99.	Ans. b If the husband is alive, the widow can recover the amount of dower by instituting a recovery suit against him. The wife is entitled to recover the dower amount, along with other creditors. This right of the wife is no greater than an unsecured creditor.
100.	Ans. c In ILA, the husband takes an oath not to have sexual intercourse with his wife. Followed by this oath, there is no consummation for a period of four months. After the expiry of the fourth month, the marriage dissolves irrevocably.
101.	Ans. b Section 5-Partnership not created by status Section 6-Mode of determining existence of partnership Section 9-General duties of partners Section 10-Duty to indemnify for loss caused by fraud
102.	Ans. a If a partner choose to use any assets of the partnership firm for his own purpose, it gives rise to Civil liability of the partner (Refer section 16 of the Partnership Act)
103.	Ans. d This is a partner that does not participate in the daily functioning of the partnership firm, i.e. he does not take an active part in the daily activities of the firm.
104.	Ans. a Refer section 25 of IPA.
105.	Ans. c A partnership, unlike a company, is not a separate legal entity from its members. It is unable to possess property, incur debts, or file lawsuits in its own name. Furthermore, the partners of a partnership firm are

	jointly and severally accountable for the firm's liabilities.
106.	Ans. b Refer section 7 of IPA.
107.	Ans. a Refer section 17 of the Registration Act.
108.	Ans. c Refer section 23 of the Registration Act, 1908
109.	Ans. b Refer section 47 of the Registration Act.
110.	Ans. b Section 16-Register-books and fire-proof boxes Section 15-Seal of registering officers. Section 20-Documents containing interlineations, blanks, erasures or alterations. Section 21-Description of property and maps or plans.
111.	Ans. c Section 30-Registration by Registrars in certain cases Section 22-Description of houses and land by reference to Government maps or surveys Section 23-Time for presenting documents Section 15-Seal of registering officers.
112.	Ans. d Section 10-Absence of Registrar or vacancy in his office.
113.	Ans- c Section 2(f)-rented land Section 2(g)-residential building Section 2(i)-urban area Section 2(j)-not provided
114.	Ans- b Section 3 provides that The State Government may direct that all or any of the provisions of this Act shall not apply to a particular building or rented land or to any class of buildings or rented lands.
115.	Ans- d Refer section 15(2) of the Haryana Urban (Control of Rent and Eviction) Act.
116.	Ans- d Refer section 13A(8) of Haryana Urban (Control of Rent and Eviction)

	Act.
117.	Ans- c Refer section 16 of Haryana Urban (Control of Rent and Eviction) Act.
118.	Ans- a Under section 4(1) of the Haryana Urban (Control of Rent and Eviction) Act, The **Controller shall** on application by the tenant or the landlord of a building or rented land fix the fair rent for such building or rented land after holding such enquiry 'as he may think fit. Such fair rent shall be operative from the date of application.
119.	Ans- c On 4 April 2023, Haryana Chief Secretary Sanjeev Kaushal launched the Drone Imaging and Information Service of Haryana Limited (DRIISHYA) for a survey of infrastructure projects, monitoring of agriculture & horticulture crops and sensitive areas for security purposes etc. by inaugurating 'Startup Symposium and Industry Ignite, 2023' at Chandigarh.
120.	Ans. b Rekha Sharma assumed the charge of Chairperson, National Commission for Women on August 7, 2018.
121.	Ans. a Shri Iqbal Singh Lalpura Ji reappointed as Chairman, National Commission for Minorities on 13.4. 2022.
122.	Ans. a Renu Bhatia is the chairperson of Haryana's Women's Commission.
123.	Ans. d The Chairperson and every Member shall, unless removed from office, hold office for a period not exceeding three years, or till the age of sixty-five years, whichever is earlier.
124.	Ans. b Shri Arun Halder is the vice-chairman. Shri Subhash Ramnath Pardhi and Smt. Anju Bala are the other members of the sixth NCSC.
125.	Ans. b The Union Territory of Ladakh is making its debut as hosts this year alongside the UT of Jammu & Kashmir, which has organised the Games from 2020.

	The fourth edition of Khelo India Winter Games 2024 starts from 21 February in Gulmarg, Jammu & Kashmir. The sports extravaganza will take place in Gulmarg, Jammu and Kashmir.

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