Haryana Prelims Test Series – 2024

TEST 28 (Full Test - 8)

EXPLANATIONS

1. Ans. a
Refer Ashok Kumar Golu Vs Union of India.

2. Ans. c
Refer section 25 of CrPC.

3. Ans. d
Refer Section 145 of CrPC.

4. Ans. b
A magistrate has power to deal with urgent cases of apprehended danger or
nuisance under Section 144-.

5. Ans. d
All the persons are entitled to maintenance under section 125 of CrPC.

6. Ans. c
Refer section 219 of CrPC.

7. Ans. b
Refer section 130(1) of CrPC.

8. Ans. a
Refer section 227 of the Code of Criminal Procedure.

9. Ans. d
Victim Compensation Scheme-Section 357A

10. Ans. d
Refer section 229 of CrPC.

11. Ans. c
Refer section 165 of IEA.

12. Ans. a
A fact in issue is that fact, which fundamentally affects the dispute before the court. The facts in issue would often be that thing over which both parties disagree or which one party (prosecution) is expected to prove to the court.

13. Ans. d
Refer section 14 of IEA.

14. Ans. b
Section 14, Explanation 2 provides that 'But where, upon the trial of a person accused of an offence, the previous commission by the accused of an offence is relevant within the meaning of this section, the previous conviction of such person shall also be a relevant fact'

15. Ans. d
Refer section 21 of IEA.

16. Ans. c
As per section 25 of IEA, No confession made to a police-officer , shall be proved as against a person **accused of any offence**.

17. Ans. d
Section 33 is applicable in both civil and criminal proceedings.

18. Ans. c
Refer Proviso of Section 146(3) of the Evidence Act.

19. Ans. d
Refer section 155 of IEA.

20. Ans. b
Refer section 154 of IEA.

21. Ans. d
Refer section 141(Unlawful Assembly) of IPC.

22. Ans. a
Refer section 148 of IPC.

23. Ans. b
Refer illustration(n) to section 378

24. Ans. d
Refer illustration to exception 5 of Section 300.

25. Ans. c
The common principles of ignorantia juris non excusat (ignorance of law is not an excuse) and ignorantia facti excusat (ignorance of fact is an excuse) have been embodied in sections 76 and 79 of the IPC.

26. Ans. c
Section 77 provides that "Nothing is an offence which is done by a Judge when acting judicially in the exercise of any power which is, or which in good faith he believes to be, given to him by law."

27. Ans. c
Motive is something which prompts a man to form an intention and knowledge is an awareness of the consequences of the act.

28. Ans. d
As per section 52A of IPC, **Except in section 157, and in section 130** in the case in which the harbour is given by the wife or husband of the person harboured, the word "harbour" includes the supplying a person with shelter, food, drink, money, clothes, arms, ammunition or means of conveyance, or the assisting a person by any means, whether of the same kind as those enumerated in this section or not, to evade apprehension.

29. Ans. c
Refer section 44 of IPC.

30. Ans. c

Refer S Vardharajan v. State of Madras AIR 1965 SC 942

31. Ans- d
Refer Article 20 of the Indian constitution.

32. Ans- d
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. It is primarily composed of legal experts.

33. Ans- c
Article 51A was not a part of the Constitution of India 1950. It was inserted by the Constitution (Forty-second Amendment) Act, 1976, and subsequently amended by the Constitution (Eighty-sixth Amendment) Act, 2002.
The 86th Constitutional Amendment Act provided the Right to Education as a fundamental right under part III Article 51A(k).

34. Ans- c
Pursuant to an order of the Honourable Supreme Court of India, dated December 12, 2005, the Ministry of Human Resource Development had instituted a Committee under the Chairmanship of Shri J.M. Lyngdoh (Former Chief Election Commissioner) to examine and recommend upon certain aspects of student body and student union

35. Ans- d
The 97th Amendment granted a Constitutional status to cooperative societies and inserted Part IXB in the Constitution which specified several conditions for state laws relating to cooperative societies.

36. Ans- c
The term 'state emergency' is not mentioned under Indian Constitution.

37. Ans- b
Refer Article 360 of Indian Constitution.

38. Ans- d
The ADM Jabalpur Case is popularly known as the Habeas Corpus case.

39. Ans- b
Third Judges Case (1998): SC on the President's reference (Article 143) expanded the Collegium to a five-member body, comprising the CJI and four of his senior-most colleagues.

40. Ans- c
The Court, emphasizing the decision in DC Wadhwa v. State of Bihar held that such a re-promulgation of ordinances constitutes a fraud on the Constitution.

41. Ans. b
Section 14(b) of SOGA provides that —In a contract of sale, unless the circumstances of the contract are such as to show a different intention, there is an implied warranty that the buyer shall have and enjoy quiet possession of the goods.

42. Ans. c
Refer section 50 of SOGA.

43. Ans. c
Refer section 41 of SOGA.

44. Ans. a
Section 9 of the Sale of Goods Act, 1930-Ascertainment of price

45. Ans. a
Refer proviso to section 10 of SOGA.

46. Ans. a
Section 15-Sale by description.
Section 10-Agreement to sell at valuation
Section 20- Specific goods in a deliverable state
Section 14-Implied undertaking as to title, etc

47. Ans- b
Section 15-Court in which suits to be instituted

Section 18-Place of Institution of suit where local limits of jurisdiction of Courts are uncertain
Section 13-When foreign judgment not conclusive
Section 12-Bar to further suit

48. Ans- b
Refer Order 8 Rule 5 of CPC.

49. Ans- a
Refer section 33 of CPC.

50. Ans- a
Refer section 35B(1)(a) of CPC,

51. Ans- b
As per section 73 of CPC, Where assets are held by a Court and more persons than one have, before the receipt of such assets, made application to the Court for the execution of decrees for the payment of money passed against the same judgment-debtor and have not obtained satisfaction thereof, the assets, after deducting the costs of realization, **shall be rateably distributed among all such persons.**

52. Ans- c
As per section 77 of CPC, In lieu of issuing a commission the Court may issue a letter of request to examine a witness residing at any place not within India.

53. Ans- b
Order XI, Rule 17 of CPC provides "Time for inspection when notice given"

54. Ans- d
Refer Order 7 Rule 11 of CPC.

55. Ans- d
Refer Order 5, Rule 26 of CPC.

56. Ans- a
Refer section 54 of CPC

57. Ans- d
Refer section 96 of CPC.

58. Ans- d
As per section 2(c) of CPC "bill of exchange" **includes a hundi and a cheque**.

59. Ans- c
Section 2(d)-"bond"
Section 2(e)-"defendant"
Section 2(f)-"easement"
Section 2(g)-"foreign country"

60. Ans- a
As per section 6 of the Limitation Act, Where a person entitled to institute a suit or make an application for the execution of a decree is, at the time from which the prescribed period is to be reckoned, **a minor or insane, or an idiot,** he may institute the suit or make the application within the same period after the disability has ceased, as would otherwise have been allowed from the time specified there for in the third column of the Schedule.

61. Ans- c
Refer proviso to section 9 of Limitation Act.

62. Ans- a
Refer section 19 of Limitation Act.

63. Ans- d
Section 19-Effect of payment on account of debt or of interest on legacy
Section 20-Effect of acknowledgment or payment by another person
Section 21-Effect of substituting or adding new plaintiff or defendant
Section 22-Continuing breaches and torts

64. Ans- b
Refer section 3(b) of the Specific relief Act,

65. Ans- c
As per section 9 of SRA, Except as otherwise provided herein where any relief is claimed under this Chapter in respect of a contract, the person against whom the relief is claimed may plead by way of defence any ground **which is available to him under any law relating to contracts.**

66. Ans- b
Section 12 of the Specific Relief Act provides the provision for Specific performance of Part of a contract.

67. Ans- d
Refer section 13(2) of SRA.

68. Ans- d
Refer section 14A of SRA.

69. Ans- a
Section 20A-Special provisions for contract relating to infrastructure project

70. Ans- a
Refer section 42 of SRA.

71. Ans- d
Refer section 6 of the Indian Contract Act

72.
Ans- c
As per section 11 of ICA, Every person is competent to contract who is of the age of majority according to the law to which he is subject , and who is of sound mind, and is not disqualified from contracting by any law to which he is subject

73.
Ans- d
Refer sections 21 and 22 of ICA.

74.
Ans- a

Refer section 31 of ICA.

75. Ans- c
Section 34 of the Indian Contract Act-When event on which contract is contingent to be deemed impossible, if it is the future conduct of a living person
Section 35 of the Indian Contract Act-When event on which contract is contingent to be deemed impossible, if it is the future conduct of a living person
Section 36 of the Indian Contract Act-Agreement contingent on impossible events void
Section 37 of the Indian Contract Act-. Obligation of parties to contracts

76. Ans- d
Refer section 51 of ICA.

77. Ans- c
Refer section 55 of ICA.

78. Ans- A
Refer section 68 of ICA.

79. Ans- a
Refer section 129 of ICA.

80. Ans- b
Refer section 133 of ICA.

81. Ans- b
Section 3(1)-Small cause
Section 3(2)-Land Suit
Section 3(3)-Unclassed suit
Section 3(4)-Value

82. Ans- c

Refer section 21 of the Punjab Courts Act.

83. Ans- c
Refer section 29 of Punjab Courts Act.

84. Ans- b
As per section 33 of the Punjab Courts Act, Subject to the general superintendence and control of the High Court, the District Judge shall have control over all the Civil Courts under this Part within the local limits of his jurisdiction.

85. Ans- a
Refer section 37 of the Punjab Courts Act.

86. Ans. b
Refer section 14 of HMA.

87. Ans. a
Refer section 16 of HMA.

88. Ans. c
Refer section 9 of HMA.

89. Ans. c
As per section 11 of HMA, Any marriage solemnised after the commencement of this Act shall be null and void and may, **on a petition presented by either party** thereto against the other party be so declared by a decree of nullity if it contravenes any one of the conditions specified in clauses (i), (iv) and (v) of section 5.

90. Ans. c
The Law Commission in its 71st report (1978), dealt with the concept of irretrievable breakdown of marriage.

91. Ans. a
Refer section 11(vi) of HAMA.

92. Ans. d
Refer section 13 of HMA.

93. Ans. d
Refer section 10(iv) of HMA.

94. Ans. c
THE DISSOLUTION OF MUSLIM MARRIAGES ACT, 1939 is an An Act to consolidate and clarify the provisions of Muslim law relating to suits for dissolution of marriage by women married under Muslim law and to remove doubts as to the effect of the renunciation of Islam by a married Muslim woman on her marriage tie.

95. Ans. b
The mother in Hanafi Law is entitled to the custody of her male child upto the age of seven years and in the case of a female child till she attains puberty. Whereas in Shia law, up to 2 years for the male child and 7 years for the male child. The mother can't execute Waqf on behalf of the minor.

96. Ans. a
In the Case titled as Shabnam Hashmi v Union of India, (2014) 4 SCC 1, the Supreme Court declared that the right to adopt a child by a person as per the provisions of Juvenile Justice Act would prevail over all personal laws and religious codes in the country.

97. Ans. d
Muslim law also recognizes the concept of faskh, which is a form of judicial divorce that is initiated by the wife. Faskh is granted on the grounds of cruelty, desertion, impotency, or any other grounds recognized by Muslim law.

98. Ans. b
Under Muslim Law, in the matter of marriage, if there is a conflict between the views of minor and guardian, the law gives priority to Guardian

99. Ans. d
Where the husband accuses the wife of adultery and such a charge turns out to be false, the wife is entitled to sue and obtain a divorce. A regular application for the dissolution needs to be filed by the wife.

100. Ans. c

If a sick person makes an endowment and cannot speak due to weakness, gives a nod with his head in a comprehensive way and if it is understood what he is trying to convey and subsequently, he dies without regaining his ability to speak, the bequest is valid and lawful.

101. Ans. d
Refer section 19 of IPA.

102. Ans. c
Refer section 40 of IPA.

103. Ans. a
Refer section 30(7)(a) of IPA.

104. Ans. d
A partner may cease to be a partner without the dissolution of the firm in all the above mentioned cases.

105. Ans. b
Refer section 6 of IPA.

106. Ans. d
The partnership agreement can be made by any of the above mentioned ways.

107. Ans- a
Refer section 20 of the Registration Act.

108. Ans- b
Refer section 23 the Registration Act, "no document other than a will shall be accepted for registration unless presented for that purpose to the proper officer within four months **from the date of its execution"**

109. Ans- b
Section 23A-Re-registration of certain documents

110. Ans- d
Refer section 27 of the Registration Act.

111. Ans- d
Refer section 32 of the Registration Act.

112. Ans- b
Part IX-Deposit of wills

113. Ans- b
Section 2(b)-Controller
Section 2(c)-landlord
Section 2(e)-prescribed
Section 2(g)- residential building

114. Ans- c
Section 6-Landlord not to claim anything in excess of fair rent.

115. Ans- d
Refer Section 6(b) of Haryana Urban (Control of Rent and Eviction) Act.

116. Ans- a
Refer second proviso to section 8(1).

117. Ans- d
Section 15(1)-State Government confers power of appellate authority

118. Ans- a
Section 20-District Judge

119. Ans- a
'Dabchik' resort set up by Haryana Tourism is situated in Palwal.

120. Ans- c
The first governor of Haryana was Dharam Vira.

121. Ans- b
SHI YAN 6 is a Research/Survey Vessel and is sailing under the flag of China. Her length overall (LOA) is 90.6 meters and her width is 17 meters.

122. Ans- b
'Agartala-Akhaura cross-border rail link project' connects Agartala—the capital city of India's Northeastern state, Tripura—with the Akhaura upazila in Bangladesh's Bahmanbaria district.

123. Ans- d
The platform has led to a sharp reduction in time taken by the road transport and highways ministry to prepare the detailed project report (DPR). The time is reduced to about 15 days from six months.

124. Ans- a
WHO declares loneliness as a grave global health threat, launches a commission to address concern.

125. Ans- b

Megalencephaly is a congenital condition characterized by severe overdeveloped brain size.