

Test Booklet Code & No.
प्रश्नपत्रिका कोड व क्र.
Paper-III
LAW

A

Signature and Name of Invigilator

1. (Signature)

(Name)

2. (Signature)

(Name)

Seat No.

(In figures as in Admit Card)

Seat No.

(In words)

OMR Sheet No.

(To be filled by the Candidate)

MAY -60316

Time Allowed : 2½ Hours]

[Maximum Marks : 150

Number of Pages in this Booklet : 24

Number of Questions in this Booklet : 75

Instructions for the Candidates

- Write your Seat No. and OMR Sheet No. in the space provided on the top of this page.
- This paper consists of 75 objective type questions. Each question will carry two marks. All questions of Paper-III will be compulsory, covering entire syllabus (including all electives, without options).
- At the commencement of examination, the question booklet will be given to the student. In the first 5 minutes, you are requested to open the booklet and compulsorily examine it as follows :
 - To have access to the Question Booklet, tear off the paper seal on the edge of this cover page. Do not accept a booklet without sticker-seal or open booklet.
 - Tally the number of pages and number of questions in the booklet with the information printed on the cover page. Faulty booklets due to missing pages/questions or questions repeated or not in serial order or any other discrepancy should not be accepted and correct booklet should be obtained from the invigilator within the period of 5 minutes. Afterwards, neither the Question Booklet will be replaced nor any extra time will be given. The same may please be noted.**
 - After this verification is over, the OMR Sheet Number should be entered on this Test Booklet.
- Each question has four alternative responses marked (A), (B), (C) and (D). You have to darken the circle as indicated below on the correct response against each item.
Example : where (C) is the correct response.

A B C D
- Your responses to the items are to be indicated in the **OMR Sheet given inside the Booklet only**. If you mark at any place other than in the circle in the OMR Sheet, it will not be evaluated.
- Read instructions given inside carefully.
- Rough Work is to be done at the end of this booklet.
- If you write your Name, Seat Number, Phone Number or put any mark on any part of the OMR Sheet, except for the space allotted for the relevant entries, which may disclose your identity, or use abusive language or employ any other unfair means, you will render yourself liable to disqualification.
- You have to return original OMR Sheet to the invigilator at the end of the examination compulsorily and must not carry it with you outside the Examination Hall. You are, however, allowed to carry the Test Booklet and duplicate copy of OMR Sheet on conclusion of examination.
- Use only Blue/Black Ball point pen.**
- Use of any calculator or log table, etc., is prohibited.**
- There is no negative marking for incorrect answers.**

विद्यार्थ्यांसाठी महत्त्वाच्या सूचना

- परिक्षार्थींनी आपला आसन क्रमांक या पृष्ठावरील वरच्या कोपऱ्यात लिहावा. तसेच आपणांस दिलेल्या उत्तरपत्रिकेचा क्रमांक त्याखाली लिहावा.
- सदर प्रश्नपत्रिकेत 75 बहुपर्यायी प्रश्न आहेत. प्रत्येक प्रश्नास दोन गुण आहेत. या प्रश्नपत्रिकेतील सर्व प्रश्न सोडविणे अनिवार्य आहे. सदरचे प्रश्न हे या विषयाच्या संपूर्ण अभ्यासक्रमावर आधारित आहेत.
- परीक्षा सुरु झाल्यावर विद्यार्थ्यांला प्रश्नपत्रिका दिली जाईल. सुरुवातीच्या 5 मिनीटांमध्ये आपण सदर प्रश्नपत्रिका उघडून खालील बाबी अवश्य तपासून घ्याव्यात.
 - प्रश्नपत्रिका उघडण्यासाठी प्रश्नपत्रिकेवर लावलेले सील उघडावे. सील नसलेली किंवा सील उघडलेली प्रश्नपत्रिका स्विकारू नये.
 - पहिल्या पृष्ठावर नमूद केल्याप्रमाणे प्रश्नपत्रिकेची एकूण पृष्ठे तसेच प्रश्नपत्रिकेतील एकूण प्रश्नांची संख्या पडताळून घ्यावी. पृष्ठे कमी असलेली/कमी प्रश्न असलेली/प्रश्नांचा चुकीचा क्रम असलेली किंवा इतर त्रुटी असलेली सदोष प्रश्नपत्रिका सुरुवातीच्या 5 मिनिटातच पर्यवेक्षकाला परत देऊन दुसरी प्रश्नपत्रिका मागवून घ्यावी. त्यानंतर प्रश्नपत्रिका बदलून मिळणार नाही तसेच वेळी वाढवून मिळणार नाही याची कृपया विद्यार्थ्यांनी नोंद घ्यावी.
 - वरीलप्रमाणे सर्व पडताळून पहिल्यानंतरच प्रश्नपत्रिकेवर ओ.एम.आर. उत्तरपत्रिकेचा नंबर लिहावा.
- प्रत्येक प्रश्नासाठी (A), (B), (C) आणि (D) अशी चार विकल्प उत्तरे दिली आहेत. त्यातील योग्य उत्तराचा रकाना खाली दर्शविल्याप्रमाणे ठळकपणे काळा/निळ्या करावा.
उदा. : जर (C) हे योग्य उत्तर असेल तर.

A B C D
- या प्रश्नपत्रिकेतील प्रश्नांची उत्तरे ओ.एम.आर. उत्तरपत्रिकेतच दर्शवावीत. इतर ठिकाणी लिहिलेली उत्तरे तपासली जाणार नाहीत.
- आत दिलेल्या सूचना काळजीपूर्वक वाचाव्यात.
- प्रश्नपत्रिकेच्या शेवटी जोडलेल्या कोऱ्या पानावरच कच्चे काम करावे.
- जर आपण ओ.एम.आर. वर नमूद केलेल्या ठिकाणा व्यतिरिक्त इतर कोठेही नाव, आसन क्रमांक, फोन नंबर किंवा ओळख पटेल अशी कोणतीही खुण केलेली आढळून आल्यास अथवा असभ्य भाषेचा वापर किंवा इतर गैरमागीचा अवलंब केल्यास विद्यार्थ्यांला परीक्षेस अपात्र ठरविण्यात येईल.
- परीक्षा संपल्यानंतर विद्यार्थ्यांने मूळ ओ.एम.आर. उत्तरपत्रिका पर्यवेक्षकांकडे परत करणे आवश्यक आहे. तथापी, प्रश्नपत्रिका व ओ.एम.आर. उत्तरपत्रिकेची द्वितीय प्रत आपल्याबरोबर नेण्यास विद्यार्थ्यांना परवानगी आहे.
- फक्त निळ्या किंवा काळ्या बॉल पेनचाच वापर करावा.**
- कॅलक्युलेटर किंवा लॉग टेबल वापरण्यास परवानगी नाही.**
- चुकीच्या उत्तरासाठी गुण कपात केली जाणार नाही.**

MAY - 60316/III—A

LAW

Paper III

Time Allowed : 2½ Hours]

[Maximum Marks : 150

Note : This paper contains **Seventy Five (75)** multiple choice questions. Each question carries **Two (2)** marks. Attempt *All* questions.

<p>1. “It is true that the constitution of India does not place any restriction on our power to review earlier decision or even to depart from the them and there can be no doubt that in matters relating to decisions of constitutional points which have a significant impact on the rights of citizen we would be prepared to review our earlier decision in the interest of public good.” It was observed by the Supreme Court in :</p> <p>(A) Sajjan Singh v/s State of Rajasthan</p> <p>(B) S.P. Gupta Vs Union of India</p> <p>(C) A.S. Gauraya Vs S.N. Thakur</p> <p>(D) T.K.N Rajapal Vs T.M. Karunanidhi</p>	<p>2. Arrange the following in chronological order :</p> <p>(1) Bennete Coleman Co Vs Union of India</p> <p>(2) Makhan Singh Vs State of Punjab</p> <p>(3) A.D.M. Jabalpur Vs Shivkant Shukla</p> <p>(4) S.R. Bommai Vs Union of India</p> <p>(A) (1) (2) (3) (4)</p> <p>(B) (2) (3) (1) (4)</p> <p>(C) (4) (3) (2) (1)</p> <p>(D) (2) (1) (3) (4)</p>
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3. Arrange the following decisions of the Supreme Court on Fundamental rights relating to personal liberty in correct chronological sequence.

(1) Maneka Gandhi Vs Union of India

(2) ADM Jabalpur Vs Shivkant Shukla

(3) AK Gopalan Vs State of Madras

(A) (3) (2) (1)

(B) (2) (1) (3)

(C) (2) (3) (1)

(D) (1) (2) (3)

4. Which Article requires participation of workers in management of Industries ?

(A) Article 43-A

(B) Article 53-A

(C) Article 44

(D) Article 38

5. Which of the following Articles deals with the pardoning powers of President of India ?

(A) 70

(B) 71

(C) 72

(D) 73

6. Parliament can make any law for the whole or any part of India for implementing international treaties.
- (A) With the consent of all the states
- (B) With the consent of majority of states
- (C) With the consent of the states concerned
- (D) Without the consent of any states
7. The Right to property as fundamental right from the list of fundamental rights was removed by virtue of :
- (A) Fourth Amendment
- (B) Twenty-First Amendment
- (C) Forty-second Amendment
- (D) Forty-fourth Amendment
8. In which of the following case the Supreme Court held that the preamble is not a part of the constitution ?
- (A) Re Berubari Union and Exchange of Enclaves
- (B) Keshavananda Bharati Vs State of Kerala
- (C) S.R. Bommai Vs Union of India
- (D) Maneka Gandhi Vs Union of India
9. Which of the following is a quasi judicial function ?
- (A) Adjudication of dispute by a Court of Law
- (B) Framing of Rules for implementing a statute
- (C) Collection of tax
- (D) Domestic Enquiry for Disciplinary action

10. The purpose of writ of quo warranto is :
- (A) To release a person from illegal detention
 - (B) To remove a person occupying substantive public office without necessary qualification
 - (C) To compel a public authority to perform a public duty
 - (D) To prevent unlawful action
11. Which of the following statements related to Lok Pal is correct ?
- (A) In India no legal measures have been adopted for establishing Lok Pal
 - (B) In India Parliament enacted law for establishing Lok Pal
 - (C) In India constitution has been amended for establishing Lok Pal
 - (D) In India institution of Lok Pal has been functioning since 2014
12. Which of the following action can be treated as non exercise of discretion.
- (A) Exercising discretion without taking into consideration of relevant factors
 - (B) Exercising discretion for improper purpose
 - (C) Exercising discretion without applying the mind
 - (D) Exercising discretion with an evil motive
13. Which of the following is not a ground for issuing the writs of Certiorari ?
- (A) Lack of jurisdiction
 - (B) Violation of public policy
 - (C) Error of law apparent on the face of record
 - (D) Violation of the principles of Natural Justice

14. Which of the following is not a mandatory requirement of fair hearing ?

- (A) Right to be represented by the lawyer
- (B) Proper notice
- (C) Opportunity to adduce evidence
- (D) Opportunity of rebut the evidence adduced by the other side

15. In which of the following case Lord Diplock summarised the principles of judicial review of administrative action as “Illegality, procedural impropriety and irrationality”.

- (A) Council of Civil Services Union Vs Minister of Civil Services
- (B) Anisminic Vs Foreign Compensation Commission
- (C) Liversidge Vs Anderson
- (D) Ridge Vs Baldwin

16. **Assertion (A)** : Property includes the proprietary rights of a person and not his personal rights.

Reason (R) : The law of property confers only legal rights.

Codes :

- (A) Both (A) and (R) are true, (R) is the correct Reason
- (B) Both (A) and (R) are correct, (R) is not the correct explanation of (A)
- (C) (A) is correct but (R) is wrong
- (D) (A) is wrong but (R) is correct

17. In which case chief Justice Park reiterated the urgent need for the significance of recognising the binding force of precedents.
- (A) Law Caster Motor Co (Ltd) VS Bremith
 - (B) Mire House Vs Rennel
 - (C) Morrelle Ltd Vs Wakeling
 - (D) Peterson Vs Hughes
18. “The study of Jurisprudence is an opportunity for the lawyer to bring theory and life into focus, for it concerns human thought in relation to social existence.” Name the Jurist associated with the above statement.
- (A) John Rawls
 - (B) Winfield
 - (C) RMW Dias
 - (D) Salmond
19. In which case, the Supreme Court of India adopted the “Doctrine of Prospective overruling”.
- (A) Maneka Gandhi Vs Union of India
 - (B) Golak Nath Vs Union of Inida
 - (C) Sajjan Singh Vs Union of Inida
 - (D) EP Royyappa Vs State of Tamil Nadu
20. According to Salmond Jurisprudence constituts as
- (A) Art of Law
 - (B) Significant Facet of Property Law
 - (C) The Science of Law
 - (D) Positive Law

21. Who is regarded as the fore runner of introducing sociological method into Jurisprudence ?
- (A) Emile Durkheim
- (B) Auguste Comte
- (C) Ronald Dwarkin
- (D) Moutes quieu
22. According which Judge “Judicial decision are not a source of Law, but the best proof of what the law is” :
- (A) Black stone
- (B) Justice Coke
- (C) R. Esher
- (D) Justic Bhagwati
23. For availing a benefit of defence of act done in ‘good faith’ during the criminal proceeding, one needs to prove :
- (A) That the act has not been done negligently
- (B) That the act has been done with due care and attention
- (C) That the act is as expected by Law
- (D) That the act is done in the manner as if done by prudence man

24. Which one of the following statement is true ?

- (A) Advice per se amounts to instigation even though nothing has happened in furtherance of such advice and such advice may not have any stimulation or suggestion for any specific activity
- (B) Advice per se does not amount to instigation unless an abettor actively takes part in commission of an offence
- (C) Merely advice per se amounts to instigation if it has been given by authority having undue influence on the person
- (D) Advice amounts to instigate only if it was meant to suggest or stimulate commission of an offence

25. Abetment is considered to be happened only if a person abetting does anything to facilitate the commission of that act :

- (A) Directly or indirectly support to the commission of an offence
- (B) Facilitate the commission of an offence prior to or at the time of commission of an act
- (C) Facilitate the commission of an offence prior to, or at the time of, or after the commission of an act
- (D) Facilitate and take leading role to commit offence

26. In which of the following case the Supreme Court has held that creating a circumstance that provoke or force wife to commit suicide attract S.306 of IPC ?

(A) Amit Vs State of Uttar Pradesh

AIR 2012 SC 1433

(B) Saukat Hussian Guru Vs

State (NCT) National

Capital Territory Delhi AIR

2008 SC 2419

(C) State of Punjab Vs Iqbal Singh

AIR 1991 SC 1532

(D) Om Prakash Vs State of Uttar

Pradesh AIR 2000 SC 2214

27. With respect to “Stolen property” under section 410 of IPC, which is the most important criteria to constitute offence :

(A) Knowledge and possession of stolen goods necessary

(B) Dishonestly misappropriation and converts to ones own use

(C) Wrongful loss and destruction to the property

(D) Fraudulently assists in the concealment or removal of property

28. "A", a Hindu, expelled his wife from marital home, and refused to return her ornaments, money and clothes. despite her repeated demand for returning the same "A" has a plea that the ornaments belong to him because of husband-wife relationship and he is, by virtue of husband entitled to owe everything that belong to his wife.

What offence if any "X" has committed ?

- (A) Cheating
- (B) Theft
- (C) Criminal breach of trust
- (D) Criminal intimidation

29. The offence of theft u/s 378 of IPC constituted if :

- (A) person obtained movable property of another dishonestly, or by deception
- (B) Person obtained movable property of another person by dishonestly inducing fear of any injury
- (C) Person dishonestly misappropriates property to his own use
- (D) Person entrusted with property, disposes of that property in violation of any direction of law

30. In which of the following incidence “A” can be held guilty for defamation under IPC ?

- (A) “A” in telephonic communication with “B” abuse him and raise doubt about his moral and illectual character
- (B) “A” raise doubt about honesty and loyalty of “B” and send secret E-mail to the employer of “B”
- (C) “A” during criminal proceeding raise the doubt about trust worthiness of “B” and remark about his illiteracy
- (D) “A” in a public meeting put remark that “B” has accumulated property by taking bribe. “B” has already died 5 years back

31. The term “Environmental Pollutant” has been defined under which of the section of the Environment (Protection) Act, 1986.

- (A) S. 2.(a)
- (B) S. 2.(b)
- (C) S. 2.(c)
- (D) S. 2.(d)

32. Which or the following is not the function of environmental laboratories as specified under rule 9 of the Environment (Protection) Rules, 1986 ?

- (A) To evolve standardised methods for sampling and analysis of various types of environmental pollutants
- (B) To analyse samples sent by central govenment
- (C) To send periodical reports regarding its activites
- (D) To formulate policy of environmental protection as provided under International documents

33. Which one of the following is not the objectives set for the Environment (Protection) Act, 1986 ?
- (A) to strive for protection of environment
 - (B) to strive for improvement of environment
 - (C) to strive for implementation of environmental policies as set out at Earth Summit
 - (D) To strive for prevention of hazards to human being and other living creatures
34. Any person desirous to undertake any project in any part of India or the expansion or modernisation of any existing industry or project listed in schedule 1 shall need to obtain.
- (A) Authorisation certification from National Bio-diversity Authority
 - (B) Environmental Audit Report (EAR)
 - (C) Environmental Clearance for Project
 - (D) No-objection certificate from Industrial Development Corporation
35. In which of the following case the Supreme Court dealt the matter of criminal liability of corporation in the sphere of pollution in the context of the Water (Prevention and Control of Pollution) Act, 1974 ?
- (A) MC Mehta and another Vs Union of India and others (1987)
1 Comp LJ 99 (SC)
 - (B) Shriram foods and Fertilizer industries and another Vs Union of India and others (1986)
1 Comp LJ 25 (SC)
 - (C) U.P. Pollution Control Board Vs Modi Distillery 8 Ind. Jud. Reports (SC) 375
 - (D) Parmanad Katara Vs Union of India AIR 1989 SC 2039

36. While according the Environmental Clearance by the central or state government clearance would be so accorded only on the basis of
- (A) Environmental impact assessment
 - (B) Environmental Audit Report
 - (C) Industrial Non-Hazardous Certificate
 - (D) National Bio-diversity authorisation certificate
37. Which of the following category can not be held responsible u/s 15 of the Environmental (Protection) Act, 1986
- (A) Offences Committed by Company
 - (B) Person who is director/manager/secretary with the consent or connivance of whom the offence has been committed
 - (C) Head of the government department who shall be guilty of the offence
 - (D) The person who abets to commit for environmental pollution
38. The concept of 'Sustainable development' was first highlighted at
- (A) UN conference on Human Environment held at Stockholm
 - (B) International covenant on Economic, social and cultural Rights
 - (C) Rio Declaration 1992
 - (D) United Nations convention on International Trade Law
39. The Jurist who denied the legal characteristic of International law is :
- (A) J.L. Brierly
 - (B) J. Bentham
 - (C) Oppenheim
 - (D) H.L.A Hart

40. A state which is under the suzerainty of another state is called :
- (A) Vassal State
 - (B) Protectorate State
 - (C) Confederation
 - (D) Condominium
41. When a state fulfils the qualifications prescribed for acquiring statehood, it becomes an International person. No recognition is necessary for this purpose. This was laid down in the following convention.
- (A) The Hague convention of 1907
 - (B) The Vienna convention of 1805
 - (C) Warsaw convention 1929
 - (D) Montevideo convention 1933
42. US Vs Rauscher case is related to :
- (A) Rule of Speciality
 - (B) Double Nationality
 - (C) Asylum
 - (D) Military Crime
43. The Trail Smelter case is relating to which of the following issue ?
- (A) Genocide
 - (B) War Crimes
 - (C) Advisory opinion
 - (D) Transboundary air pollution
44. The right to 'Veto' can be exercised in :
- (A) The General Assembly
 - (B) The Security Council
 - (C) Economic Social Council
 - (D) International Court of Justice
45. Prior to WTO international trade was essentially regulated by :
- (A) GATT
 - (B) GATS
 - (C) IMF
 - (D) WCO

46. Read Assertion (A) Reason (R) and with the help of codes given below, point out the correct explanation :

Assertion (A) :

Presently, under the Hindu law sapinda and Sagotra marriages are declared invalid

Reason (R) :

Under section 3(f)(i) of the Hindu law sapinda relationship with reference to any person extends as far as the third generation (inclusive) in the line of ascent through mother, and the fifth (inclusive) in the line of ascent through the father, the line being traced upwards in each case from the person concerned, who is to be counted as the first generation.

Codes :

- (A) Both (A) and (R) are true but (R) is not a correct explanatory of (A)
- (B) Both (A) and (R) are true and (R) is a the correct explanatory of (A)
- (C) (A) is false but (R) is true
- (D) (A) is true but (R) is false

47. In, the Apex Court held that “cohabitation leads to presumption that persons are living as husband and wife”.

- (A) Seema Vs Ashwin Kumar
- (B) Vishu Prakash Vs Sheela Devi
- (C) Balasubramaniyan Vs Suruttayan
- (D) Shanti Dev Berma Vs K.P. Devi

48. Match List I with List II and select the correct answer from the codes given below :

List I

(Cases)

- (a) Ram Narayan Vs Rameshwari
- (b) Lachman Vs Meena
- (c) Mr. X. V Hospital Z
- (d) Dastane Vs Dastane

List II

(Grounds)

- (1) Cruelty
- (2) Insanity
- (3) Desertion
- (4) Venereal Diseases

Codes :

- (a) (b) (c) (d)
- (A) (2) (3) (1) (4)
- (B) (2) (3) (4) (1)
- (C) (1) (2) (3) (4)
- (D) (4) (2) (1) (3)

49. Which of the following is not a ground for divorce under the dissolution of Muslim Marriage Act, 1939 ?
- (A) That the husband has been insane for a period of at least two years
 - (B) The husband has been sentenced for a period of two years
 - (C) Treating the wife with cruelty
 - (D) That the whereabouts of the husband have not been known for a period for more than four years
50. Section 7 of the Hindu Adoptions and Maintenance Act, 1956, provides for
- (A) Requisites of a valid adoption
 - (B) Capacity of a male Hindu to take in adoption
 - (C) Capacity of female Hindu to take in adoption
 - (D) Persons capable of giving in adoption
51. Guardianship in Islamic law terminates when the minor
- (A) attains puberty
 - (B) attains the age of eighteen years
 - (C) attains the age of twenty one years
 - (D) if female attains the age of eighteen years and if male, attains the age of sixteen years
52. A decree for restitution of conjugal rights enables the aggrieved spouse for of the Hindu Marriage Act, 1955.
- (A) maintenance under section 25
 - (B) Maintenance pendente lite under section 24
 - (C) Both (A) and (B)
 - (D) Either (A) or (B)

53. Why back in 1985 in view of the fact that the “law relating to judicial separation, divorce and nullity of marriage is far from uniform”, the Apex Court in has suggested that the “time has come for the intervention of the legislature in these matters to provide for a uniform code of marriage and divorce”.

- (A) Sarla Mudgal Vs Union of India
- (B) Lily Thomas Vs Union of India
- (C) Danial Latifi Vs Union of India
- (D) Ms. Jorden Diengdeh Vs S.S. Chopra

54. Who among the following was the first philosopher to use the word “Human Right” ?

- (A) Thomas Paine
- (B) John Stuart Mill
- (C) Henry David Thoreau
- (D) Confucius

55. Which of the following cases is considered as a blow of civil liberties ?

- (A) Asiad Worker’s case
- (B) ADM Jabalpur case
- (C) Golaknath case
- (D) Vishaka case

56. The second optional protocol to the International covenant on Civil and Political Rights aims at the abolition of the

- (A) Child labour
- (B) Death Penalty
- (C) Slavrey
- (D) Trafficking

57. In which of the following cases did the Supreme Court hold that narco-analysis, brain mapping and other forensic techniques user violates the “Right against self incrimination” ?

- (A) Parliament attack case
- (B) Selvi r/s State of Karnataka
- (C) Naaz Foundation case
- (D) Sunil Batra’s case

58. The American Convention of Human Rights came into force in the year
- (A) 1978
 - (B) 1987
 - (C) 1988
 - (D) 1967
59. The Chairperson of the National Human Rights Commission holds office for a term of :
- (A) Five years
 - (B) Three years
 - (C) Ten years
 - (D) Two years
60. India acceded to the Convention on the Rights of the Child (CRC) on
- (A) 10th September, 1992
 - (B) 11th December, 1992
 - (C) 10th December, 1959
 - (D) 15th September, 1960
61. “Any one who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation” is provided in
- (A) Article 6 of ICCPR, 1966
 - (B) Article 8 of ICCPR, 1966
 - (C) Article 9(5) of ICCPR, 1966
 - (D) Article 8(3) of ICCPR, 1966
62. The profounder of “Pigeon-hole” theory is :
- (A) Salmond
 - (B) Paton
 - (C) Austin
 - (D) Winfield
63. In public nuisance private action lies.
- (A) When injury is merely consequential
 - (B) When there is proof of damage
 - (C) When the injury is particular direct and substantial
 - (D) When the injury is substantial and consequential

64. Select the correct response :

- (A) Both libel and Slander are equally actionable
- (B) Libel is actionable per se as it is of itself an infringement of right
- (C) Slander is actionable only on proof of special damage
- (D) Libel is both civil and criminal wrong, slander is merely a civil wrong

65. Exceptions to Ryland Vs Fletcher is :

- (A) Consent of the plaintiff only
- (B) Act of God only
- (C) Consent of the plaintiff and Act of God
- (D) Consent of the plaintiff, Act of God and Statutory Authority

66. Vicarious liability arises in the following cases.

- (1) Liability of the principal for the torts of his agent
- (2) Liability of partners for each other's tort
- (3) Liability of the master for the tort of his servant
- (4) Liability of the parents for torts of their children

The *correct* answer is :

Codes :

- (A) (1) and (2) only
- (B) (1), (2) and (3) only
- (C) (1), (2), (3) and (4)
- (D) (1) and (4) only

67. In tort legal action is for :

- (A) Unliquidated damages
- (B) Unliquidated damage
- (C) Liquidated damages
- (D) Liquidated damage

68. Throwing goods overboard a ship to reduce the total weight of the ship for saving the ship or persons on the board of the ship is an example of the defence of :

- (A) Necessity
- (B) Mistake
- (C) Act of God
- (D) Private defence

69. Which statement is correct ?

- (1) Partner has a duty of good faith
- (2) Partner has a duty not to compete
- (3) Partner has duty of due diligence
- (4) Partner has duty to indemnify for fraud

Codes :

- (A) Only (1) is correct
- (B) Only (1) and (2) are correct
- (C) Only (1), (2) and (3) are correct
- (D) (1), (2), (3) and (4) are correct

70. Mark the incorrect statement :

- (A) A contract of partnership cannot be entered into with a minor
- (B) There can be a partnership consisting of all minors
- (C) A minor is not a partner even if he is so described in the agreement
- (D) A minor could be admitted to the benefits of partnership with the consent of all the partners

71. R, a grain merchant displays wheat of different varieties. A, after satisfying himself of the quality, buys the wheat in the belief that the wheat is of earlier harvest. Infact, the wheat is of recent harvest. A wants to return the wheat and refuses to pay the price.

Which of the following is/are true :

- (A) A can return the wheat
- (B) A can refuse to pay the price
- (C) A cannot return the wheat
- (D) R cannot sue A to recover the money

72. 'A' acquired certain goods from 'C' by falsely representing that he was acting on behalf of 'B' and was authorized to collect the goods. 'A' later sold the goods to 'D'. Is the sale valid ?
- (A) The sale is valid as 'D' is not supposed to inquire the status of 'A' as a seller
 - (B) The sale is valid because 'D' has purchased the goods in good faith
 - (C) The sale is valid as 'A' has acquired the goods by way of fraud
 - (D) The sale is not valid because it is a sale by non-owner and therefore, 'D' the buyer will not acquire any good title of the goods
73. In Negotiable Instrument Act, "San Frais" words are added at the end of the endorsement to indicate that :
- (A) No expenses should be incurred on account of the bill
 - (B) Expenses should be incurred on account of the bill
 - (C) Expenses should be incurred on account of the bill only to the extent of 5% of the bill
 - (D) Expenses should be incurred on account of the bill only to the extent of 10% of the bill amount
74. A director appointed by the Board to hold the office until the conclusion of next annual general meeting is known as
- (A) Additional director
 - (B) Alternate director
 - (C) Nominee director
 - (D) Director retiring by rotation
75. The doctrine of indoor management seeks to :
- (A) Protect the company against the outsider
 - (B) Protect outsiders against the company
 - (C) Protect the creditors of the company
 - (D) Protect the shareholders of the company

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ROUGH WORK