

## CLAT Legal Aptitude

**Instructions:** Each question contains some basic principle and fact situation in which these basic principles have to be applied. A list of probable decision and reasons are given. You have to choose a decision with reason. **Principles:** 1. On the death of husband, the widow shall inherit the property of her deceased husband along with children equally. 2. A widow can not claim the property of the deceased if on the date when the question of succession opens, she has remarried. 3. A female acquiring property in any way has the absolute title to the property. Apply the above three principles and decide the case of the following fact situation:

**Facts:** When Sudhir died, he had 1/3rd share of the family property, which the three brothers Rudhir, Sudhir and Yasu inherited from father, B. Sudhir died on September 23rd 2006 without having any issue. The widow of Sudhir, Ms Win remarried on January 1, 2007. Rudhir and Yasu refused 'win' the share from Sudhir's portion when Win claimed the entire property belonging to Sudhir on January 30, 2007. Select your decision from the possible decisions given in list I and the appropriate reason from the indicated reason given in list II given below: List I—Decisions: **(a)** Win cannot inherit the property of Sudhir. **(b)** Win can inherit the property of Sudhir. List II—Reasons:

**(i)** Win does not belong to the family.  
**(ii)** Win was remarried.  
**(iii)** Her claim was on the date of Sudhir's death.  
**(iv)** Her claim was submitted after she was remarried.

**Q1. Your decision with the reason:**

(a) (a) (i) (b) (a) (ii) (c) (a) (iii) (d) (a) (iv)

**Ans:** [b]

**Instructions:** Each question contains some basic principle and fact situation in which these basic principles have to be applied. A list of probable decision and reasons are given. You have to choose a decision with reason. **Principles:** 1. If a person commits an act by which death is caused to another person and the act is done with the intention of causing death, that person is liable for murder. 2. A person has a right of self defence to the extent of causing death to another provided he apprehends death by the act of the latter.

**Facts:** Shuva went to a hardware shop owned by Anup. Bargaining on some item led to altercation between the two and Shuva picked up a sharp object and hit at Anup. When Anup started bleeding, his wife Maridula intervened and she was also hit by Shuva and she became unconscious. Finding himself totally cornered, Anup delivered a severe blow to Shuva with a sharp object. Shuva died instantly.

**Possible decisions:** **(a)** Anup murdered Shuva. **(b)** Anup killed Shuva with the intention of killing to save himself and his wife. **(c)** Anup killed Shuva without any intention to do so just to save himself and his wife probable reasons for the decision.

**Q1. Your decision with the reason:**

(a) (a) (i) (b) (a) (ii) (c) (a) (iii) (d) (a) (iv)

**Ans:** [b]

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**Possible decisions:** **(a)** Anup murdered Shuva. **(b)** Anup killed Shuva with the intention of killing to save himself and his wife. **(c)** Anup killed Shuva without any intention to do so just to save himself and his wife probable reasons for the decision.

**(i)** If a person kills another instantly on the spot, the intention to kill is obvious.

**(ii)** Anup used force apprehending death of himself and his wife.

**(iii)** Anup used disproportionate force.

**(iv)** There was nothing to show that Shuva wanted to kill Anup or his wife.

**Q2. Your decision with the reason:**

(a) (a) (i) (b) (a) (ii) (c) (a) (iii) (d) (a) (iv)

**Ans:** [c]

**Instructions:** Each question contains some basic principle and fact situation in which these basic principles have to be applied. A list of probable decision and reasons are given. You have to choose a decision with reason. **Principles:** 1. Consumable goods which are not fit for consumption are not marketable 2. A consumer shall not suffer on account of unmarketable goods 3. A seller is liable for knowingly selling unmarketable goods 4. A manufacturer shall be liable for the quality of his products

**Facts:** Ram bought a Coca Cola bottle from Shama's shop. Back at home, the server opened the bottle and poured the drink into the glasses drinking. He felt irritation in his throat, immediately, Ram and Tom took the sample to test and found nitric acid in the content. Ram filed a suit against Shama, Coca Cola company and the bottler, Kishan and Co. Suggested decisions: **(a)** Ram cannot get compensation. **(b)** Tom can get compensation. **(c)** Both Ram and Tom can get compensation. Suggested reasons:

**(i)** Shama did not know the contents of sealed bottle.  
**(ii)** Ram did not actually suffer though he bought the bottle.  
**(iii)** Tom did not buy the bottle.  
**(iv)** Coca Cola company is responsible since it supplied the concentrate. **(v)** Kishan & Co, is responsible since it added water, sugar, etc, and sealed the bottle.

**(vi)** Shama is responsible for selling the defective product.

**Q3. Your decision with the reason:**

(a) (a) (ii) (b) (b) (vi) (c) (c) (v) (d) (c) (iv)

**Ans:** [c]

**Instructions:** Each question contains some basic principle and fact situation in which these basic principles have to be applied. A list of probable decision and reasons are given. You have to choose a decision with reason. **Principles:** 1. If A is asked to do something by B, B is responsible for the act, not A. 2. If A, while acting for B commits a wrong, A is responsible for the wrong, not B. 3. If A is authorized to do something for B, but in the name for A without disclosing B's presence, both A and B may be held liable.

**Facts:** Somu contracted with Amar where under Amar would buy a pumpset to be used in Somu's farm such a pumpset was in short supply in the market. Gulab, a dealer, had such a pumpset and he refused to sell it to Amar. Amar threatened Gulab of serious consequences if he fails to part with the pumpset. Gulab filed a complaint against Amar. Proposed decision: **(a)** Amar alone is liable for the wrong through he acted for Somu. **(b)** Amar is not liable for the wrong. Through he is bound by the contract with Somu. **(c)** Somu is bound by the contract and liable for the wrong. **(d)** Both Somu and Amar are liable for the wrong. Suggested reasons:

**Q3. Your decision with the reason:**

(a) (a) (ii) (b) (b) (vi) (c) (c) (v) (d) (c) (iv)

**Ans:** [c]

**Instructions:** Each question contains some basic principle and fact situation in which these basic principles have to be applied. A list of probable decision and reasons are given. You have to choose a decision with reason. **Principles:** 1. If A is asked to do something by B, B is responsible for the act, not A. 2. If A, while acting for B commits a wrong, A is responsible for the wrong, not B. 3. If A is authorized to do something for B, but in the name for A without disclosing B's presence, both A and B may be held liable.

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**(i)** Amar committed the wrong while acting for the benefit of Somu.

**(ii)** Amar cannot do while acting for Somu something which he cannot do while acting for himself.

(iii) Both Amar and Somu are liable since they are bound by the contract.

(iv) Somu has to be responsible for the act of Amar committed for Somu's benefit.

**Q4. Your decision with the reason:**

(a) (a) (i) (b) (a) (ii) (c) (c) (iii) (d) (d) (iv)

Ans: [b]

**Instructions:** Each question contains some basic principle and fact situation in which these basic principles have to be applied. A list of probable decision and reasons are given. You have to choose a decision with reason. **Principles:** 1. The owner of a land has absolute interest on the property including the contents over and under the property. 2. Water flowing below your land is not yours though you can use it. 3. Any construction on your land belongs to you. 4. All mineral resources below the land belongs to the state.

**Facts:** There is a subterranean water flow under Suresh's land surface. Suresh constructed a huge reservoir and drew all subterranean water to the reservoir. As a result, the wells of all adjacent property owners have gone dry. They demanded that either Suresh must demolish the reservoir or share the reservoir water with them. Proposed decision: (a) Suresh need not demolish the reservoir. (b) Suresh has to demolish the reservoir. (c) Suresh has to share the water with his neighbours. (d) The government can take over the reservoir. Possible reasons:

(i) Water cannot be captured by one person for his personal use.

(ii) The government must ensure equitable distribution of water.

(iii) Whatever is under Suresh's land may be used by him.

(iv) Suresh has to respect the rights of others regarding water.

**Q5. Your decision with the reason:**

(a) (a) (iii) (b) (b) (i) (c) (c) (iv) (d) (d) (ii)

Ans: [d]

**Instructions:** Each question contains some basic principle and fact situation in which these basic principles have to be applied. A list of probable decision and reasons are given. You have to choose a decision with reason. **Principles:** 1. An employer shall be liable for the wrong committed by his employees in the course of employment. 2. Third parties must exercise reasonable care to find out whether a person is actually acting in the course of employment.

**Facts:** Nandan was appointed by syndicate bank to collect small savings from its customers spread over in different places on daily basis. Nagamma, a housemaid, was one of such customers making use of Nandan's service. Syndicate bank after a couple of years terminated Nandan's service. Nagamma, unaware of this fact, was handing over her savings to Nandan who misappropriated them. Nagamma realized this nearly after three months, when she went to the bank to withdraw money. She filed a complaint against the bank. **Possible decisions:** (a) Syndicate Bank shall be liable to compensate Nagamma. (b) Syndicate Bank not be liable to compensate Nagamma. (c) Nagamma has to blame herself for her negligence. Possible reasons:

(i) Nandan was not acting in the course of employment after the termination of his service.

(ii) A person cannot blame others for his own negligence.

(iii) Nagamma was entitled to be informed by the bank about Nandan.

(iv) The bank is entitled to expect its customers to know actual position.

**Q6. Your decision with the reason:**

(a) (b) (i) (b) (c) (ii) (c) (a) (iii) (d) (b) (iv)

Ans: [c]

**Instructions:** Each question contains some basic principle and fact situation in which these basic principles have to be applied. A list of probable decision and reasons are given. You have to choose a decision with reason. **Principles:** 1. A master shall be liable for the fraudulent acts of his servants committed in the course of employment. 2. Whether an act is committed in the course of employment has to be judged in the context of the case. 3. Both master and third parties must exercise reasonable care in this regard.

**Facts:** Rama Bhai was an uneducated widow and she opened a S.B. account with Syndicate Bank with the help of her nephew by name Keshav who was at that time working as a clerk in the bank, Keshav used to deposit the money of Rama Bhai from time to time and get the entries done in the passbook. After a year or so, Keshav was dismissed from the service by the bank. Being unaware of this fact, Rama Bhai continued to hand over her savings to him and Keshav misappropriated them. Rama Bhai realized this only when Keshav disappeared from the scene one day and she sought compensation from the bank. Possible decision: (a) Syndicate Bank shall be liable to compensate Rama Bhai (b) Syndicate Bank shall not be liable to compensate Rama Bhai (c) Rama Bhai cannot blame others for her negligence. Possible reasons:

(i) Keshav was not an employee of the Bank when the fraud was committed.

(ii) The Bank was not aware of the special arrangement between Rama Bhai and Keshav.

(iii) It is the Bank's duty to take care of vulnerable customers.

(iv) Rama Bhai should have checked about Keshav in her own interest.

**Q7. Your decision with the reason:**

(a) (a) (iii) (b) (c) (iv) (c) (b) (ii) (d) (b) (i)

Ans: [c]

**Instructions:** Each question contains some basic principle and fact situation in which these basic principles have to be applied. A list of probable decision and reasons are given. You have to choose a decision with reason. **Principles:** 1. A person is liable for negligence, if he fails to take care of his neighbour's interest. 2. A neighbour is anyone whose interests should have been foreseeable by a reasonable man while carrying on his activities.

**Facts:** A cricket match was going on in a closed door stadium. A cricket fan who could not get in to the stadium was watching the game by climbing up a nearby tree and sitting there. The cricket ball in the course of the game went out of the stadium and hit this person and injured him. He filed a suit against the organizers. **Possible decisions:** (a) The organizers are liable to compensate the injured person. (b) The organizers are not liable to compensate the injured person. (c) The injured person

should have avoided the place where he might be hit by the cricket ball. Possible reasons:

- (i) The organizers are responsible for the people inside the stadium.
- (ii) The organizers could not have foreseen somebody watching the game by climbing up a tree.
- (iii) A person crazy about something must pay the price for that.
- (iv) The organizers shall be liable to everybody likely to watch the game.

**Q8. Your decision with the reason:**

- (a) (a) (iv) (b) (a) (iii) (c) (b) (ii) (d) (c) (i)

Ans: [c]

**Instructions: Each question contains some basic principle and fact situation in which these basic principles have to be applied. A list of probable decision and reasons are given. You have to choose a decision with reason. Principles:** 1. When a person unlawfully interferes in the chattel of another person by which the latter is deprived of its use, the former commits the tort of conversion. 2. Nobody shall himself at other's expense.

**Facts:** A patient suffering from stomach ailment approached a teaching hospital. He was diagnosed as suffering from an appendicitis and his appendix was removed. He became alright. The hospital however found some unique cells in the appendix and using the cell lines thereof, it developed drugs of enormous commercial value. When the erstwhile patient came to know about it, he claimed a share in the profit made by the hospital. **Possible decisions:** (a) The hospital need not share its profits with the patient (b) The hospital may share its profits on ex gratia basis. (c) The hospital shall share its profits with the patient. Possible reasons:

- (i) The patient, far from being deprived of the use of his appendix, actually benefited by its removal.
- (ii) The hospital instead of throwing away the appendix conducted further research on it on its own and the development of drug was the result of its own effort.
- (iii) The hospital could not have achieved its success without that appendix belonging to the patient.
- (iv) Everybody must care for and share with others.

**Q9. Your decision with the reason:**

- (a) (a) (i) (b) (a) (ii) (c) (c) (iii) (d) (c) (iv)

Ans: [a]

**Instructions: Each question contains some basic principle and fact situation in which these basic principles have to be applied. A list of probable decision and reasons are given. You have to choose a decision with reason. Principle:** 1. Copying including attempt to copy in examinations is a serious offence. 2. One shall not take any unauthorized materials into the examinations hall.

**Facts:** Rohini, an examinee in PUC, was thoroughly checked while entering into the examination hall. She did not have anything other than authorized materials such as pen, instrument box, etc., with her. As she was writing her paper an invigilator found close to her feet a bunch of chits. The invigilator on scrutiny found that the chits contained answers to the paper being written by Rohini. Rohini's answers tallied with the answers in the chits. A charge of copying was leveled against Rohini. Probable decisions: (a)

Rohini shall be punished for copying. (b) Rohini cannot be punished for copying. Probable reasons

- (i) Something lying near the feet does not mean that the person is in possession of that thing.
- (ii) The fact that she was checked thoroughly while getting into the hall must be conclusive.
- (iii) Similarities between her answers and the answers in the chit indicate that she used those chits.
- (iv) After using those chits, she must have failed to dispose of them properly.

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**Q10. Your decision with the reason:**

- (a) (a) (iii) (b) (a) (iv) (c) (b) (iii) (d) (b) (i)

Ans: [d]

**Q11. All contracts are agreements all agreements are accepted offers. Which of the following derivation is correct?**

- (a) All accepted offers are contracts.
- (b) All agreements are contracts.
- (c) All contracts are accepted offers.
- (d) None of the above.

Ans: [c]

**Q12. No minor can enter into a contract of work. Working in a shop can be done only by a contract. Which of the following derivation is correct?**

- (a) A minor cannot work in a shop.
- (b) A shop cannot work in a shop.
- (c) There cannot be a contract to which minor is a party.
- (d) None of the above.

Ans: [c]

**Q13. All motor vehicle are required to have third party insurance. Any vehicle not using mechanical device is not a motor vehicle. Which of the following if correct derivation from the above?**

- (a) All third party insurances relate to motor vehicles.
- (b) Vehicles not using mechanical device need not have third party insurance.
- (c) All vehicles must have third party insurance.
- (d) None of the above.

Ans: [b]

**Q14. A contract contravening public policy is void. There cannot be a general definition of public policy. Which of the following is correct derivation for the above?**

- (a) There cannot be a general definition of contract.
- (b) Since public Policy is uncertain, contract is also uncertain.
- (c) The impact of Public Policy on contract is to be judged in individual cases.
- (d) None of the above

Ans: [c]

**Q15. International Law is the law between sovereign state. A sovereign is the supreme authority not bound by legal constraints. Which of the following is correct derivation from the above?**

- (a) International law is not law binding on the sovereign states.  
 (b) International law is only a positive morality.  
 (c) International law is in the nature of pact between sovereign states.  
 (d) None of the above.

Ans: [c]

**Q16. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Whoever, intending to take dishonestly any movable property out of the possession of any person without that person's consent moves that property, such taking is said to commit theft. **Fact:** RAMU cuts down a tree on RINKU'S ground, with the intention of dishonestly taking the tree out of RINKU'S possession without RINKU'S consent. A could not take the tree away.

- (a) RAMU can be prosecuted for theft.  
 (b) RAMU cannot be prosecuted for theft  
 (c) RAMU can be prosecuted for attempt to theft  
 (d) RAMU has **neither** committed theft nor attempt to commit theft.

Ans: [a]

**Q17. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** injuria sine damnum, i.e., injury without damage. **Fact:** SONU, who was a returning officer at a polling booth, wrongly refused to register a duly tendered vote of MONU, though he was a qualified voter. The candidate, whom MONU sought to vote, was declared elected.

- (a) MONU can sue SONU on the ground that he was denied to cast vote, which is fundamental right.  
 (b) MONU can sue SONU on the ground that he was denied to cast vote, which is a legal right.  
 (c) MONU cannot sue SONU because there is no injury or damage cause to MONU.  
 (d) MONU cannot sue SONU because to whom he sought to vote was declared elected.

Ans: [b]

**Q18. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** A person is said to be of sound mind for the purpose of making a contract if, at the time when he makes it, he is capable of understanding it and of forming a rational judgment as to its effect upon his interests. **Fact:** X who is usually of sound mind, but occasionally of unsound mind enters into a contract with Y when he is of unsound mind. Y came to know about this fact afterwards and now wants to file a suit against X.

- (a) X cannot enter into contract because he is of unsound mind when he entered into contract.  
 (b) X can enter into contract but the burden is on other party to prove that he was of unsound mind at the time of contract.

- (c) X can enter into a contract but the burden is on X to prove that he was of unsound mind at the time of contract.  
 (d) None of the above.

Ans: [c]

**Q19. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** When one person signifies to another his willingness to do or to abstain from doing anything, with a view to obtaining the assent of that other to such act or abstinence, he said to make a proposal. **Fact:** 'Ramanuj telegraphed to the Shyamsunder, writing: 'will you sell me your Rolls Royce CAR? Telegram the lowest cash price.' Shyamsunder replied, too by telegram: 'Lowest price for CAR is Rs. 20 lacs,' Ramanuj immediately sends his consent through telegram stating: 'I agree to buy the CAR for Rs. 20 lacs asked by you'. Now Shyamsunder refused to sell the CAR.

- (a) He cannot refuse to sell the CAR because the contract has already been made.  
 (b) He can refuse to sell the CAR because it was only invitation to offer and not the real offer.  
 (c) It was not a valid offer because willingness to enter into a contract was absent.  
 (d) None of the above.

Ans: [b]

**Q20. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** A master is liable for the acts committed by his servant in the course of employment. **Fact:** Sanjay is a driver working in Brookebond and Co. One day, the manager asked him to drop a customer at the airport and get back at the earliest. On his way back from the airport, he happened to see his fiance Ruhina, waiting for a bus to go home. He offered to drop her at home, which happened to be close to his office. She got into the car and soon thereafter; the car somersaulted due to the negligence of Sanjay. Ruhina was thrown out of the car and suffered multiple injuries. She seeks compensation from Brookebond and Co.

- (a) Brookebond and Co., shall be liable, because Sanjay was in the course of employment at the time of accident.  
 (b) Brookebond and Co., shall not be liable, Sanjay was not in the course of employment when he took Ruhina inside the car.  
 (c) Ruhina got into the car at her own risk, and therefore, she cannot sue anybody.  
 (d) None of the above.

Ans: [a]

**Q21. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Nuisance as a tort (civil wrong) means an unlawful interference with a person's use or enjoyment of land, or some right over, or in connection with it. **Fact:** During the scarcity of onions, long queues were made outside the defendant's shop who, having a license to sell

fruits and vegetables, used to sell only 1 kg. of onion per ration card. The queues extended on to the highway and also caused some obstruction to the neighboring shops. The neighboring shopkeepers brought an action for nuisance against the defendant.

- (a) The defendant is liable for nuisance
- (b) The defendant was not liable for nuisance.
- (c) The defendant was liable under the principle of strict liability
- (d) The plaintiff's suit should be decreed in his favour

Ans: [a]

**Q22. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Nothing is an offence which is done by a person who, at the time of doing it, by reason of unsoundness of mind, is incapable of knowing the nature of the act, or that he is doing what is either wrong or contrary to law. **Fact:** A takes his son B who is three years old, for a bath to the well. He throws his son inside the well so that he could have a good bath. After 10 minutes he also jumped in the well to take a bath and take his son out of the well. Both were rescued by the villagers but his son was found dead.

- (a) A has committed culpable homicide not amounting to murder.
- (b) A has committed murder.
- (c) A has done no offence as he can plead the defence of unsoundness of mind.
- (d) A's family should be responsible for this incident to let him to take child to the well

Ans: [c]

**Q23. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** ignorantia juris non excusat and ignorantia facti excusat. **Fact:** George was a passenger from Zurich to Manila in a Swiss Plane. When the plane landed at the airport at Bombay on 28th Nov. 1962, it was found on search that George carried 34 kgs of gold bars in person and that he had not declared it in the 'Manifest for transit'. On 26th Nov. 1962 Government issued a notification and modifies its earlier exemption and now it is necessary that the gold must be declared in the 'Manifest' of the aircraft.

- (a) George cannot be prosecuted because he had actually no knowledge about the new notification issued only two days ago.
- (b) George cannot be prosecuted because it is mistake of fact which is excusable.
- (c) George's will be prosecuted because mistake of laws is not excusable.
- (d) George liability would depend on the discretion of the court.

Ans: [c]

**Q24. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Everybody is under a legal obligation to take reasonable care to avoid an act or omission which he can

foresee would injure his neighbor. The neighbor for this purpose, is any person whom he should have in his mind as likely to be affected by his act. **Fact:** Krishnan, while driving a car at high speed in crowded road, knocked down a cyclist. The cyclist died on the spot with a lot of blood spilling around, Lakshmi, a pregnant woman passing by, suffered from a nervous shock, leading to abortion. Lakshmi filed a suit against Krishnan claiming damages.

- (a) Krishna will be liable, because he owed a duty of reasonable care to everybody on the road including Lakshmi
- (b) Krishna will not be liable, because he could not have foreseen Lakshmi suffering from nervous shock as a result of his act.
- (c) Krishna will be liable to Lakshmi because he failed to drive carefully
- (d) None of the above

Ans: [b]

**Q25. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Preparation is not an offence except the preparation of some special offences. **Fact:** Ramesh keeps poisoned halua in his house, wishing to kill Binoy whom he invited to a party and to whom he wishes to give it. Unknown to Ramesh, his only son takes the halua and dies. In this case

- (a) Ramesh is liable for the murder.
- (b) He is not liable for murder since it is a preparation alone.
- (c) He is liable for culpable homicide
- (d) None of the above

Ans: [b]

**Q26. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Agreements, the meaning of which is not certain, or capable of being made certain, are void. **Fact:** A horse was bought for a certain price couple with a promise to give Rs. 500 more if the horse proved lucky.

- (a) This is a valid agreement.
- (b) This agreement is void for uncertainty because it is very difficult to determine what luck, bad or good, the horse had brought to the buyer.
- (c) The agreement is partially valid and partially void.
- (d) None of the above.

Ans: [b]

**Q27. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Mere silence as to facts likely to affect the willingness of a person to enter into a contract is not fraud, unless the circumstances of the case are such that, regard being had to them, it is the duty of the person keeping silence to speak, or unless his silence is, in itself, equivalent to speech. **Fact:** A sells, by auction, to B, a horse which A knows to be unsound. A says nothing to B about the horse's unsoundness.

- (a) A can be held liable for fraud  
 (b) A can be held liable for misrepresentation  
 (c) A cannot be held liable, because he did not say anything positive about the soundness of horse.  
 (d) A cannot be held liable because it is the buyer who must be aware of the things.

Ans: [c]

**Q28. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Any direct physical interference with the goods in somebody's possession without lawful justification is called trespass to goods. **Fact:** A purchased a car from a person who had no title to it and had sent it to a garage for repair, X, believing wrongly, that the car was his, removed it from the garage.

- (a) X can be held responsible for trespass to goods.  
 (b) X cannot be held responsible for trespass to good as he was under a wrong belief.  
 (c) X has not committed any wrong.  
 (d) None of the above.

Ans: [a]

**Q29. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** 'Nobody shall unlawfully interfere with a person's use or enjoyment of land, or some right over, or in connection with it. The use or enjoyment, envisaged herein, should be normal and reasonable taking into account surrounding situation. **Fact:** Jeevan and Pavan were neighbours in a residential locality. Pavan started a typing class in a part of his house and his typing sound disturbed Jeevan who could not put up with any kind of continuous noise. He filed a suit against Pavan.

- (a) Pavan is liable, because he should not have started typing class in his house.  
 (b) Pavan is liable, because as a neighbour, he should have realised Jeevan's delicate nature  
 (c) Pavan is not liable, because typing sound did not disturb anyone else other than Jeevan  
 (d) None of the above.

Ans: [d]

**Q30. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Doctrine of Double Jeopardy: No person shall be prosecuted and punished for the same offence twice. **Fact:** Maqbool brought some gold into India without making any declaration to Custom department on the airport. The custom authorities confiscated the gold under the Sea Custom Act. Maqbool was later charged for having committed an offence under Foreign Exchange Regulation Act.

- (a) He cannot be prosecuted because it would amount to double jeopardy.  
 (b) He can be prosecuted because confiscation of good by custom authorities does not amount to prosecution by the Court.

- (c) Maqbool ought to have known that he can be stopped by the custom authorities.  
 (d) None of the above.

Ans: [b]

**Q31. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** Custom per se is law, independent of prior recognition by the sovereign or the judge. **Reason:** Custom is source of law but by itself is not law.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation to A  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [d]

**Q32. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** Idol is a person who can hold property. **Reason:** Only human being can be called person not the lifeless things.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [c]

**Q33. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** Laws are means of achieving an end namely social control. **Reason:** The ultimate end of law is to secure greatest happiness to greater number.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [b]

**Q34. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** Every person should have the freedom of speech and expression. **Reason:** If a person is stopped from speaking then mankind will lose the truth.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [a]

**Q35. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** Attempt to commit an offence though does not result in any harm, should also be punished. **Reason:** A person who tries to cause a prohibited harm and fails, is, in terms of more culpability, not materially different from the person who tries and succeeds.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false  
 (d) A is false but R is true

Ans: [a]

**Q36. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** In India, every state has a High Court in its territory. **Reason:** The Constitution of India provides for a High Court in each state.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false  
 (d) A is false but R is true

Ans: [d]

**Q37. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** The Council of Ministers at the centre is collectively responsible both to the Lok Sabha and Rajya Sabha. **Reason:** The members of both Lok Sabha and Rajya Sabha are eligible to be ministers of the Union Government.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false  
 (d) A is false but R is true

Ans: [d]

**Q38. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** The reservation of thirty-three percent of seats for women in Parliament and State Legislature does not require Constitutional Amendment. **Reason:** Political parties contesting election can allocate thirty-three per cent of seats they contest to women candidates without any Constitutional Amendment.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false  
 (d) A is false but R is true

Ans: [d]

**Q39. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** We, the people of India, having solemnly resolved to constitute India into a Democratic Republic. **Reason:** A republic will ensure we have a head of state, that is, democratically elected and accountable to voters. As a result the head of state will be a more effective constitutional safeguard.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false  
 (d) A is false but R is true

Ans: [a]

**Q40. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** Republic Day is celebrated on 26th January every year in the country. **Reason:** The Constitution of India came into force 26th January 1950

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false  
 (d) A is false but R is true

Ans: [a]

**Q41. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** When one person signifies to another his willingness to do or to abstain from doing anything, with a view to obtaining the assent of that other to such act or abstinence, he is said to make a proposal. The expression of willingness/desire results in a valid proposal only when it is made/ addressed to some person(s).

**Facts:** 'X' makes the following statement in an uninhabited hall: 'I wish to sell my mobile phone for Rs. 1,000.' Which of the following derivations is CORRECT?

- (a) 'X' made a statement that resulted in a promise  
 (b) 'X' made a statement that resulted in a proposal  
 (c) 'X' made a statement that did not result in any proposal  
 (d) 'X' made a statement that resulted in an agreement

Ans: [c]

**Q42. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** A proposal (offer) should be made with an intention that after its valid acceptance, a legally binding promise or agreement will be created. The test for the determination of such intention is not subjective, rather it is objective. The intention of the parties is to be ascertained

from the terms of the agreement and the surrounding circumstances under which such an agreement is entered into. As a general rule, in the case of arrangements regulating social relations, it follows as a matter of course that the parties do not intend legal consequences to follow. On the contrary, as a general rule, in the case of arrangements regulating business affairs, it follows as a matter of course that the parties intend legal consequences to follow. However, the above rules are just presumptive in nature, and hence, can be rebutted.

**Facts:** One morning while having breakfast, 'X', the father, says to 'Y' (X's son), in a casual manner, 'I shall buy a motorbike for you if you get through the CLAT.' Which of the following derivations is CORRECT?

- (a) 'X' made a statement that resulted in an enforceable promise
- (b) 'X' made a statement that resulted in a valid proposal
- (c) 'X' made a statement that resulted in an enforceable agreement
- (d) 'X' made a statement that did not result in any enforceable agreement

*Ans: [d]*

**Q43. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Acceptance (of offer) must be communicated by the offeree to the offeror so as to give rise to a binding obligation. The expression 'by the offeree to the offeror' includes communication between their authorised agents.  
**Facts:** 'X' made an offer to buy 'Y's property for a stipulated price. 'Y' accepted it and communicated his acceptance to 'Z', a stranger. Which of the following derivations is CORRECT?

- (a) 'Y's acceptance resulted in an agreement
- (b) 'Y's acceptance did not result in any agreement
- (c) 'Y's acceptance resulted in a contract
- (d) 'Y's acceptance resulted in a promise

*Ans: [b]*

**Q44. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Acceptance should be made while the offer is still subsisting. The offeror is free to retract his offer at any time before his offer gets accepted by the offeree. Once the offer is withdrawn or is lapsed, it is not open to be accepted so as to give rise to a contract. Similarly, if a time is prescribed within which the offer is to be accepted, then, the offer must be accepted within the prescribed time. And, if no time is prescribed, then, the acceptance must be made within a reasonable time. 'What is a reasonable time', is a question of fact which is to be determined by taking into account all the relevant facts and surrounding circumstances.

**Facts:** 'X' makes an offer to 'Y' to sell his equipment for Rs. 1,000.00. No time is specified for the acceptance. 'Y' sends his reply two years after receiving the offer. Which of the following derivations is CORRECT?

- (a) There arises a contract between 'X' and 'Y' to sell/buy the equipment in question for Rs. 1,000.00
  - (b) There does not arise any contract between 'X' and 'Y' to sell/buy the equipment in question for Rs. 1,000.00
  - (c) 'X' is bound by his offer, and hence, cannot reject the acceptance made by 'Y'
  - (d) There arises a promise by 'Y' to buy the equipment
- Ans: [b]*

**Q45. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Minor's agreement is void from the very beginning. It can never be validated. It cannot be enforced in the court of law.

**Facts:** 'A', a boy of 16 years of age, agrees to buy a camera from 'B', who is a girl of 21 years of age. Which of the following derivations is CORRECT?

- (a) There arises a contract between 'A' and 'B' to sell/buy the camera in question
- (b) There arises an enforceable agreement between 'A' and 'B' to sell/buy the camera in question
- (c) There does not arise any contract between 'A' and 'B' to sell/buy the camera in question
- (d) There arises a voidable contract between 'A' and 'B' to sell/buy the camera in question

*Ans: [c]*

**Q46. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** A contract which is duly supported by real and lawful consideration is valid notwithstanding the fact that the consideration is inadequate. The quantum of consideration is for the parties to decide at the time of making a contract, and not for the courts (to decide) when the contract is sought to be enforced. An agreement to which the consent of the promisor is freely given is not void merely because the consideration is inadequate; but the inadequacy of the consideration may be taken into account by the Court in determining the question whether the consent of the promisor was freely given.

**Facts:** 'A' agrees to sell his mobile phone of Rs. 20,000/- for Rs. 100/- only to 'B'. 'A's consent is freely given. Which of the following derivations is CORRECT?

- (a) There is a contract between 'A' and 'B'
- (b) There is no contract between 'A' and 'B' because consideration is not adequate
- (c) There is no contract between 'A' and 'B' because a mobile phone worth Rs. 20,000/- cannot be sold for just Rs. 100/-
- (d) None of the above.

*Ans: [a]*

**Q47. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** The consideration or object of an agreement is unlawful if it is forbidden by law. Every agreement of which the object or consideration is unlawful is void.

**Facts:** 'X' promises to pay 'Y' Rs. 50,000, if he ('Y') commits a crime. 'X' further promises to indemnify him ('Y') against any liability arising thereof. 'Y' agrees to act as per X's promise. Which of the following derivations is CORRECT?

- (a) There is a contract between 'X' and 'Y'
- (b) There is an agreement between 'X' and 'Y' which can be enforced by the court of law
- (c) There is an agreement between 'X' and 'Y' which cannot be enforced by the court of law
- (d) There is a voidable contract between 'X' and 'Y'

Ans: [c]

**Q48. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** The consideration or object of an agreement is unlawful if the Court regards it as opposed to public policy. Every agreement of which the object or consideration is unlawful is void.

**Facts:** 'X' promises to obtain for 'Y' an employment in the public service; and 'Y' promises to pay Rs. 5,00,000/- to 'X'. Which of the following derivations is CORRECT?

- (a) There is a contract between 'X' and 'Y'
- (b) There is a voidable contract between 'X' and 'Y'
- (c) There is an agreement between 'X' and 'Y' which can be enforced by the court of law
- (d) There is an agreement between 'X' and 'Y' which cannot be enforced by the court of law

Ans: [d]

**Q49. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Two or more persons are said to consent if they agree upon the same thing in the same sense. Consent is said to be free when it is not caused by coercion, or undue influence, or fraud, or misrepresentation, or mistake. When consent to an agreement is caused by coercion, undue influence, fraud or misrepresentation, the agreement is a contract voidable (rescindable or terminable) at the option of the party whose consent was so caused. However, when consent to an agreement is caused by mistake as to a matter of fact essential to the agreement, the agreement is void.

**Facts:** 'X' threatens to gun down 'Y', if he ('Y') does not sell his property worth Rs. 20,00,000/- for Rs. 1,00,000/- only. As a consequence, 'Y' agrees to sell it as demanded by 'X'. Which of the following derivations is CORRECT?

- (a) There is a contract between 'X' and 'Y'
- (b) There is an agreement between 'X' and 'Y' which can be enforced by the court of law
- (c) There is an agreement between 'X' and 'Y' which cannot be enforced by the court of law
- (d) There is a contract between 'X' and 'Y' which voidable at the option of 'Y'

Ans: [d]

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**Q50. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Agreements in restraint of marriage are void.

**Facts:** 'X' enters into an agreement with 'Y' whereunder he agrees not to marry anybody else other than a person whose name starts with the letter 'A', and promises to pay Rs. 1,00,000/- to 'Y' if he ('X') breaks this agreement. Which of the following derivations is CORRECT?

- (a) There is a contract between 'X' and 'Y'
- (b) There is an agreement between 'X' and 'Y' which can be enforced by the court of law
- (c) There is an agreement between 'X' and 'Y' which cannot be enforced by the court of law
- (d) There is a voidable contract between 'X' and 'Y'

Ans: [c]

**Q51. Which is the oldest code of Law in India?**

- (a) Naradasmriti
- (b) Manusmriti
- (c) Vedasmriti
- (d) Prasarsmriti

Ans: [b]

**Q52. Private international law is also called**

- (a) civil law.
- (b) local laws.
- (c) conflict of laws.
- (d) common law.

Ans: [c]

**Q53. A nominal sum given as a token for striking a sale is called**

- (a) earnest money.
- (b) advance.
- (c) interest.
- (d) solution.

Ans: [a]

**Q54. Joint heirs to a property are called**

- (a) co-heirs.
- (b) coparceners.
- (c) successors.
- (d) joint owners.

Ans: [b]

**Q55. The right of party of initiate an action and be heard before a court of law is called**

- (a) right in rem.
- (b) right in personam.
- (c) fundamental right.
- (d) locus standi.

Ans: [d]

**Q56. Indian parliament is based on the principle of**

- (a) bicameralism.

- (b) Universal Adult Franchise.  
 (c) dyarchy.  
 (d) federalism.  
*Ans: [a]*

**Q57.** The Supreme Court held that evidence can be recorded by video conferencing in the case of \_\_\_\_\_.  
 (a) State of Maharashtra vs Prafull B. Desai  
 (b) Paramjit Kaur vs State of Punjab  
 (c) Pappu Yadav vs State of Bihar  
 (d) Bachan Singh vs State of Punjab  
*Ans: [a]*

**Q58.** When the master is held liable for the wrongful act of his servant, the liability is called wrongful at of his servant, the liability is called  
 (a) strict liability.  
 (b) vicarious liability.  
 (c) tortuous liability.  
 (d) absolute liability.  
*Ans: [b]*

**Q59.** The act of unlawfully entering into another's property constitutes  
 (a) trespass.  
 (b) restraint.  
 (c) appropriation.  
 (d) encroachment.  
*Ans: [a]*

**Q60.** Which Parliamentary Committee in Indian System of Democracy is Chaired by a Member of Opposition Party?  
 (a) Estimates Committee  
 (b) Joint Parliamentary Committee  
 (c) Public Accounts Committee  
 (d) Finance Committee  
*Ans: [c]*

**Q61.** Supreme Court held that Preamble as a basic feature of Constitution cannot be amended in the case of  
 (a) Golaknath vs State of Punjab.  
 (b) Maneka Gandhi vs Union of India.  
 (c) S. R. Bommai vs Union of India.  
 (d) Kesavanada Bahrati vs State of Kerala.  
*Ans: [d]*

**Q62.** In the year 2002 the competition act was enacted replacing  
 (a) Trademarks Act.  
 (b) Copyright Act.  
 (c) Contract Act.  
 (d) MRTP Act.  
*Ans: [d]*

**Q63.** A right to recover time barred debt is  
 (a) universal right.  
 (b) perfect right.  
 (c) imperfect right.  
 (d) fundamental right.  
*Ans: [c]*

**Q64.** The law relating to prisoners of war has been codified by  
 (a) Geneva Convention.

- (b) Vienna Convention.  
 (c) Paris Convention.  
 (d) None of the above.  
*Ans: [a]*

**Q65.** Public holiday are declared under  
 (a) Criminal Procedure Code.  
 (b) Civil Procedure Code.  
 (c) Constitution of India.  
 (d) Negotiable Instruments Act.  
*Ans: [d]*

**Q66.** When a person is prosecuted for committing a criminal offence, the burden of proof is on  
 (a) accused.  
 (b) prosecution.  
 (c) police.  
 (d) complainant.  
*Ans: [b]*

**Q67.** Offence which can be compromised between the parties is known as  
 (a) non-compoundable offence.  
 (b) cognizable offence.  
 (c) compoundable offence.  
 (d) non-cognizable offence.  
*Ans: [c]*

**Q68.** Husband and wife have a right to each others company. The right is called  
 (a) conjugal right.  
 (b) human right.  
 (c) civil right.  
 (d) fundamental right.  
*Ans: [a]*

**Q69.** A person 'dying intestate' means he  
 (a) died without legal heirs.  
 (b) died without making a will.  
 (c) died without any property.  
 (d) died without a son.  
*Ans: [b]*

**Q70.** If a witness makes a statement in court, knowing it to be false, he commits the offence of  
 (a) forgery.  
 (b) falsehood.  
 (c) perjury.  
 (d) breach of trust.  
*Ans: [c]*

**Q71.** A child born after father's death is  
 (a) posthumous.  
 (b) heir.  
 (c) intestate.  
 (d) bastard.  
*Ans: [a]*

**Q72.** A formal instrument by which one person empowers another to represent him is known as  
 (a) Affidavit.  
 (b) Power of Attorney.  
 (c) Will.  
 (d) Declaration.

Ans: [b]

**Q73.** The temporary release of a prisoner is called

- (a) parole.
- (b) amnesty.
- (c) discharge.
- (d) pardon.

Ans: [a]

**Q74.** The offence of inciting disaffection, hatred or contempt against government is

- (a) perjury.
- (b) forgery.
- (c) sedition.
- (d) revolt.

Ans: [c]

**Q75.** India became the member of United Nations in the year

- (a) 1956
- (b) 1945
- (c) 1946
- (d) 1950

Ans: [b]

**Q76.** A party to the suit is called

- (a) accused.
- (b) plaintiff.
- (c) litigant.
- (d) complainant.

Ans: [c]

**Q77.** Who heads the four member committee appointed to study the Centre-State relations especially the changes took place since Sarkaria commission?

- (a) Justice M.M. Punchi
- (b) Justice Nanavati
- (c) Justice Barucha
- (d) Justice Kuldip Singh

Ans: [a]

**Q78.** No one can be convicted twice the same offence. This doctrine is called

- (a) burden of proof.
- (b) double conviction.
- (c) double jeopardy.
- (d) corpus delicti.

Ans: [c]

**Q79.** A participant in commission of crime is popularly known as

- (a) respondent.
- (b) under-trial.
- (c) defendant.
- (d) accomplice.

Ans: [d]

**Q80.** Which of the following is not payable to central government?

- (a) Land revenue
- (b) Customs duty
- (c) Income tax
- (d) Wealth tax

Ans: [a]

**Q81.** Where is the national judicial academy located?

- (a) Kolkata
- (b) Bhopal
- (c) Delhi
- (d) Mumbai

Ans: [b]

**Q82.** Who has constitutional right to audience in all Indian courts?

- (a) President
- (b) Chief Justice of India
- (c) Attorney General
- (d) Solicitor General

Ans: [c]

**Q83.** Which of the following is not included in the preamble to the constitution?

- (a) Morality
- (b) Justice
- (c) Sovereign
- (d) Socialist

Ans: [a]

**Q84.** 'Court of Record' is a court which

- (a) maintains records.
- (b) preserves all its records.
- (c) can punish for its contempt.
- (d) is competent to issue writs.

Ans: [c]

**Q85.** A Judge of the Supreme Court can be removed from office only on grounds of

- (a) gross inefficiency.
- (b) delivering wrong judgments.
- (c) senility.
- (d) proven misbehavior or incapacity.

Ans: [b]

**Q86.** Fiduciary relationship means a relationship based on

- (a) trust.
- (b) money.
- (c) contract.
- (d) blood relation.

Ans: [a]

**Q87.** The Chairman of the Lok Sabha Enquiry Commission is

- (a) Justice Kirpal.
- (b) Justice S.N. Phukan.
- (c) Justice Saharia.
- (d) Justice Liberhan.

Ans: [b]

**Q88.** The concept of judicial review has been borrowed from the Constitution of

- (a) USSR.
- (b) UK.
- (c) USA.
- (d) Switzerland.

Ans: [c]

**Q89.** Every duty enforceable by law is called

- (a) accountability.
- (b) obligation.

- (c) burden.  
 (d) incidence.  
 Ans: [b]

**Q90.** The killing of a new born child by its parents is  
 (a) malfeasance.  
 (b) infanticide.  
 (c) abortion.  
 (d) foeticide.  
 Ans: [b]

**Q91.** Offence of breaking a divine idol is  
 (a) salus populi.  
 (b) crime.  
 (c) sacrilege.  
 (d) blasphemy.  
 Ans: [c]

**Q92.** A person who goes under-ground or evades the jurisdiction of the court is known as  
 (a) offender.  
 (b) under-ground.  
 (c) absentee.  
 (d) absconder.  
 Ans: [d]

**Q93.** What is a caveat?  
 (a) A warning  
 (b) An injunction  
 (c) Writ  
 (d) Certiorari  
 Ans: [a]

**Q94.** Muslim religious foundation are known as  
 (a) Din.  
 (b) Wakfs.  
 (c) Ulema.  
 (d) Quzat.  
 Ans: [b]

**Q95.** Beyond what distance from the coast, is the sea known as 'High Sea'?  
 (a) 20 miles  
 (b) 300 miles  
 (c) 200 km  
 (d) 12 miles  
 Ans: [c]

**Q96. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** When one person signifies to another his willingness to do or to abstain from doing anything, with a view to obtaining the assent of that other to such act or abstinence, he is said to make a proposal. The expression of willingness/desire results in a valid proposal only when it is made/ addressed to some person(s).

**Facts:** 'X' makes the following statement in an uninhabited hall: 'I wish to sell my mobile phone for Rs. 1,000.' Which of the following derivations is CORRECT?  
 (a) 'X' made a statement that resulted in a promise  
 (b) 'X' made a statement that resulted in a proposal

- (c) 'X' made a statement that did not result in any proposal  
 (d) 'X' made a statement that resulted in an agreement  
 Ans: [c]

**Q97. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** A proposal (offer) should be made with an intention that after its valid acceptance, a legally binding promise or agreement will be created. The test for the determination of such intention is not subjective, rather it is objective. The intention of the parties is to be ascertained from the terms of the agreement and the surrounding circumstances under which such an agreement is entered into. As a general rule, in the case of arrangements regulating social relations, it follows as a matter of course that the parties do not intend legal consequences to follow. On the contrary, as a general rule, in the case of arrangements regulating business affairs, it follows as a matter of course that the parties intend legal consequences to follow. However, the above rules are just presumptive in nature, and hence, can be rebutted.

**Facts:** One morning while having breakfast, 'X', the father, says to 'Y' (X's son), in a casual manner, 'I shall buy a motorbike for you if you get through the CLAT.' Which of the following derivations is CORRECT?

- (a) 'X' made a statement that resulted in an enforceable promise  
 (b) 'X' made a statement that resulted in a valid proposal  
 (c) 'X' made a statement that resulted in an enforceable agreement  
 (d) 'X' made a statement that did not result in any enforceable agreement  
 Ans: [d]

**Q98. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Acceptance (of offer) must be communicated by the offeree to the offeror so as to give rise to a binding obligation. The expression 'by the offeree to the offeror' includes communication between their authorised agents.

**Facts:** 'X' made an offer to buy Y's property for a stipulated price. 'Y' accepted it and communicated his acceptance to 'Z', a stranger. Which of the following derivations is CORRECT?

- (a) Y's acceptance resulted in an agreement  
 (b) Y's acceptance did not result in any agreement  
 (c) Y's acceptance resulted in a contract  
 (d) Y's acceptance resulted in a promise  
 Ans: [b]

**Q99. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Acceptance should be made while the offer is still subsisting. The offeror is free to retract his offer at any time before his offer gets accepted by the offeree. Once the

offer is withdrawn or is lapsed, it is not open to be accepted so as to give rise to a contract. Similarly, if a time is prescribed within which the offer is to be accepted, then, the offer must be accepted within the prescribed time. And, if no time is prescribed, then, the acceptance must be made within a reasonable time. 'What is a reasonable time', is a question of fact which is to be determined by taking into account all the relevant facts and surrounding circumstances.

**Facts:** 'X' makes an offer to 'Y' to sell his equipment for Rs. 1,000.00. No time is specified for the acceptance. 'Y' sends his reply two years after receiving the offer. Which of the following derivations is CORRECT?

- (a) There arises a contract between 'X' and 'Y' to sell/buy the equipment in question for Rs. 1,000.00
- (b) There does not arise any contract between 'X' and 'Y' to sell/buy the equipment in question for Rs. 1,000.00
- (c) 'X' is bound by his offer, and hence, cannot reject the acceptance made by 'Y'
- (d) There arises a promise by 'Y' to buy the equipment

Ans: [b]

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**Q100. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Minor's agreement is void from the very beginning. It can never be validated. It cannot be enforced in the court of law.

**Facts:** 'A', a boy of 16 years of age, agrees to buy a camera from 'B', who is a girl of 21 years of age. Which of the following derivations is CORRECT?

- (a) There arises a contract between 'A' and 'B' to sell/buy the camera in question
- (b) There arises an enforceable agreement between 'A' and 'B' to sell/buy the camera in question
- (c) There does not arise any contract between 'A' and 'B' to sell/buy the camera in question
- (d) There arises a voidable contract between 'A' and 'B' to sell/buy the camera in question

Ans: [c]

**Q101.** The manager of waqf is known as

- (a) Sajjadanashin.
- (b) Khadim.
- (c) Mutawalli.
- (d) Mujawar.

Ans: [c]

**Q102.** 'Ipso facto' means

- (a) in place of.
- (b) by reason of that fact.
- (c) by the same source.
- (d) by the way.

Ans: [c]

**Q103.** 'Requisition' means

- (a) permanent transfer of the e of the property.

- (b) supervision of property.
- (c) taking control of property temporarily.
- (d) taking possession permanently.

Ans: [c]

**Q104.** 'Corroborative evidence' means

- (a) main evidence in a case.
- (b) evidence which supports other evidence.
- (c) evidence that proves the guilt of an accused person.
- (d) evidence of a person who supports the accused.

Ans: [d]

**Q105.** Ex-parte decision means a decision given

- (a) after hearing both the parties.
- (b) without proper procedure.
- (c) after observing proper procedure.
- (d) without hearing the opponent.

Ans: [d]

**Q106.** Which of the following Constitutions is a Unitary Constitution?

- (a) USA
- (b) British
- (c) Indian
- (d) Australian

Ans: [b]

**Q107.** Which of the following is not a fundamental right in India?

- (a) right to form association
- (b) freedom of religion
- (c) right to property
- (d) right to move throughout the territory of India

Ans: [c]

**Q108.** Which of the following marriages is approved by Islamic law? Between a Muslim

- (a) male and a Christian female
- (b) female and a Hindu male
- (c) female and a Christian male
- (d) female and a Jew male

Ans: [a]

**Q109.** Which of the following Constitutions when framed did not provide for judicial review?

- (a) Indian
- (b) Pakistani
- (c) USA
- (d) Australian

Ans: [c]

**Q110.** Ratio decidendi means

- (a) a judicial decision.
- (b) part of the judgement which possesses authority.
- (c) any observation made by the court which goes beyond the requirement of the case.
- (d) an observation made by a judge.

Ans: [b]

**Q111.** 'Dyarchy' under the government of India Act 1919 meant

- (a) division of powers between the central and provincial government.
- (b) separation of judiciary from executive.

(c) division of executive departments under elected ministers and the members of the governor's executive council.

(d) separation between legislature and executive.

Ans: [a]

**Q112.** Fringe benefit tax is a tax

(a) paid by an employer in respect of the fringe benefits provided or deemed to have been provided by an employer to his employee.

(b) paid by an employer for the benefits which he enjoys.

(c) paid by a person for the benefits which he gets from his employer.

(d) paid by a member of scheduled castes and scheduled tribes for benefits they receive from the government.

Ans: [a]

**Q113.** Which of the following is not true about a criminal proceeding?

(a) The court may ask to pay a fine

(b) The court may order the transfer of the ownership of the property

(c) There is prosecution

(d) The court may discharge an accused

Ans: [b]

**Q114.** In Ram vs Shyam, Ram cannot be a

(a) plaintiff.

(b) appellants.

(c) defendant.

(d) prosecutor.

Ans: [d]

**Q115.** Cr.P.C. stands for

(a) Criminal Proceedings Code.

(b) Criminal Proceedings Court.

(c) Crime Prevention Code.

(d) Criminal Procedure Code.

Ans: [d]

**Q116.** Medical Science used for investigating crimes is known as

(a) Criminal Medicine.

(b) Epistemological Science.

(c) Forensic Science.

(d) Ontological Science.

Ans: [c]

**Q117.** A puisne judge of a High Court is

(a) a judge other than a Chief Justice.

(b) the Chief Justice.

(c) a temporary judge.

(d) a retired judge.

Ans: [a]

**Q118.** Intra vires means

(a) within the powers.

(b) outside the powers.

(c) within the scope of fundamental rights.

(d) regular.

Ans: [a]

**Q119.** X, the servant of Y, takes a hundred rupee note from Y's pocket and hides it under the carpet in the house of Y. X

tells Z another servant of Y, about the currency note and both agree to share the money when the currency note is taken by X from the hiding place. Before X could recover the note, it was found by Y. Decide if an offence was committed and if so who committed the offence?

(a) No offence was committed.

(b) Only X committed the offence.

(c) **Both** X and Z committed the offence.

(d) Only Z committed the offence.

Ans: [b]

**Q120.** Moots, in law schools, are

(a) exercise of law teaching.

(b) legal problems in the form of imaginary cases, argued by two opposing students before a bench pretending to be a real court.

(c) imaginary classroom where a student acts as a teacher.

(d) a debate on a legal problem.

Ans: [b]

**Q121.** Scheduled Tribe status is

(a) restricted to Hindus.

(b) religiously neutral.

(c) restricted to Hindus and Christians.

(d) restricted to Hindus and Muslims.

Ans: [b]

**Q122.** Which of the following has not been a woman judge of the Supreme Court of India, till 2009?

(a) Justice Gyan Sudha Mishra

(b) Justice Sujata Manohar

(c) Justice Ruma Pal

(d) Justice Fathima Beevi

Ans: [a]

**Q123.** What is the meaning of chattel?

(a) Any property

(b) Immovable property

(c) Movable property

(d) Cattle

Ans: [c]

**Q124.** In a civil suit, the person who files suit and the person against whom the suit is filed are called

(a) accused, prosecutor.

(b) accuser, defendant.

(c) appellant, respondent.

(d) plaintiff, defendant.

Ans: [d]

**Q125.** In a criminal case, an accused person, who in consideration of his non-prosecution offers to give evidence against other accused, is called

(a) accomplice.

(b) hostile witness.

(c) approver.

(d) hostile accomplice.

Ans: [c]

**Q126.** The President of India is elected by an electoral college consisting of

(a) all the members of both the Houses of Parliament and all the members of all the Legislative Assemblies.

(b) all the elective members of both the Houses of Parliament and all the members of all the Legislative Assemblies.

(c) all the members of both the Houses of Parliament and all the elected members of all the Legislative Assemblies.

(d) all the elected members of both the Houses of Parliament and all the elected members of all the Legislative Assemblies.

Ans: [d]

**Q127.** Which of the following is not a fundamental right?

(a) Freedom of speech

(b) Right to life

(c) Right to equality

(d) Right to work

Ans: [d]

**Q128.** International Labour Organization has its headquarters at

(a) The Hague.

(b) Geneva.

(c) New York.

(d) London.

Ans: [b]

**Q129.** The Child Marriage Restraint Act 2006 is applicable to

(a) only Hindus.

(b) all Indians except Muslims as the minimum age of marriage among Muslim girls is puberty (beginning of menstruation) in Muslim personal law.

(c) all irrespective of religion.

(d) all except Muslim, Christians and Jews.

Ans: [c]

**Q130.** X, a shopkeeper, leaves a sealed 5 kilogram bag of a branded wheat flour at the door of Y with a note 'you will like this quality wheat flour and pay Rupees 100 for this bag' without being asked to do so. Y on coming back, collects the bag from his door, opens the seal of the bag, and uses a quarter of kilogram for making chapattis (unleavened bread). But next day returns the bag. Is he bound to pay for the bag? He is

(a) not bound to pay as he did not ask the shopkeeper to deliver the bag.

(b) bound to pay as he has opened the bag.

(c) bound to pay only for the quantity used.

(d) **neither** bound to pay nor return the bag.

Ans: [a]

**Q131.** Within the jurisdiction of which High Court does Lakshadweep fall?

(a) Bombay (now is Mumbai) High Court

(b) Kerala High Court

(c) Madras (now is Chennai) High Court

(d) Delhi High Court

Ans: [b]

**Q132.** Which of the following is not the function of the International Court of Justice?

(a) It gives advisory opinion at the request of general Assembly.

(b) It gives advisory opinion at the request of Security Council.

(c) It interprets treaties when considering legal disputes brought before it by nations.

(d) It decides international crimes.

Ans: [d]

**Q133.** Bank nationalization case relates to the nationalization of

(a) some banks by the government of India after economic liberalization in 1991

(b) some banks under a law during the Prime Ministership of Mrs Indira Gandhi.

(c) all the private Indian Banks during the Prime Ministership of Narasimha Rao.

(d) all the private Indian Banks during the Prime Ministership of Mrs Indira Gandhi.

Ans: [b]

**Q134.** Which of the following is not included within the meaning of intellectual property?

(a) Patents

(b) Copyrights

(c) Trade mark

(d) Property of an intellectual

Ans: [d]

**Q135.** The main aim of the competition Act 2002 is to protect the interests of

(a) the multinational corporation.

(b) the Indian companies.

(c) the consumers.

(d) the market.

Ans: [a]

**Q136.** Which of the following judges had never been the Chairman of the Law Commission of India?

(a) Justice R. C. Lahoti

(b) Justice A. R. Lakshamanan

(c) Justice Jeevan Reddy

(d) Justice Jagannadha Rao

Ans: [a]

**Q137.** Who among the following was the first chief Information Commissioner of India?

(a) Wajahat Habibullah

(b) Irfan Habib

(c) Tahir Mahmood

(d) Najma Heptullah

Ans: [a]

**Q138.** R.T.I stands for

(a) Revenue Transactions in India.

(b) Research and Technology institute.

(c) Rural and Transparency infrastructure.

(d) Right To Information.

Ans: [d]

**Q139.** Fiduciary relationship is relationship based on

(a) contract.

(b) trust.

(c) blood relationship.

(d) money.

Ans: [b]

**Q140.** Human rights day is observed on

- (a) 14th February.  
 (b) 26th November.  
 (c) 2nd October.  
 (d) 10th December.  
 Ans: [d]

**Q141.** 'No-fault liability' means

- (a) liability for damage caused through negligence.  
 (b) liability for damage caused through fault.  
 (c) absolute liability even with out any negligence or fault.  
 (d) freedom from liability.  
 Ans: [c]

**Q142.** An 'encumbrance' in legal parlance is a

- (a) liability on property.  
 (b) grant of property.  
 (c) gift of property.  
 (d) restriction on property.  
 Ans: [a]

**Q143.** A husband and wife have a right to each other's company. This right is called

- (a) matrimonial right.  
 (b) consortium right.  
 (c) marital right.  
 (d) conjugal right.  
 Ans: [d]

**Q144.** Release of prisoner before completion of his sentence is called

- (a) release.  
 (b) parole.  
 (c) acquittal.  
 (d) lease.  
 Ans: [b]

**Q145.** Result of successful prosecution is

- (a) acquittal.  
 (b) discharge.  
 (c) conviction.  
 (d) charge sheeting.  
 Ans: [c]

**Direction: Read the definition and elements of the attempt, apply them on the given fact situation and answer the question:**

Definition of Attempt: Lord Blackburn has said that 'there is no doubt that there is difference between a preparation antecedent to an attempt and the actual attempt, but if the actual transaction has commenced which would have ended in the crime if not interrupted, there is clearly an attempt to commit the crime.' 1. Fault Element: Intention or knowledge requisite for committing an offence; and 2. Conduct Element: does any act towards its commission and has crossed the stage of preparation. This act is so closely connected with, and proximate to the commission that it fails in object because of facts not known to him or because of circumstances beyond his control.

**Q146.** 'RANI' ran to a well stating that she would jump into it, and she started running towards the well but she was caught before she could reach it.

- (a) She is not guilty of attempt to commit suicide because she might have changed her mind before jumping into the well.

- (b) She is guilty of attempt to commit suicide.  
 (c) Right to life includes right to die hence a person should not be held responsible for attempt to commit suicide.  
 (d) None of the above.  
 Ans: [a]

**Q147.** SINY with an intention to pick-pocket puts his hand into MINU'S pocket. MINU had a loaded pistol in his pocket. The thief touches the pistol and trigger goes on, whereby MINU is shot dead.

- (a) SINY will be liable only for attempting to pick-pocket and not for killing because she cannot be treated differently from all other pick-pockets who steal under exactly similar circumstances and same intention, with no risk of causing death and with no greater care to avoid it.  
 (b) SINY will be liable for attempting to murder.  
 (c) SINY will be liable for culpable homicide not amounting to murder as his intention was definitely not to kill.  
 (d) None of the above.  
 Ans: [a]

**Q148.** JAM denied food to his wife JANE for several days by keeping her confined in a room with an intention to accelerate her death. JANE ultimately managed to escape.

- (a) JAM is guilty for attempt to murder his wife.  
 (b) JAM is not guilty for attempt to murder his wife and he was only doing preparation.  
 (c) JAM is not guilty for attempt to murder his wife as she always had option to escape.  
 (d) None of the above.  
 Ans: [a]

**Q149.** The NDA led government notice the ..... and the National Judicial Appointments Commission Act, thus ending the over two-decade-old ..... of appointing judges of supreme court and high courts. Under the new law, a six-member panel headed by ..... will select judges of the apex court and state high courts.

- (a) 99th Constitutional (Amendment) Act 2015, collegium system, the Chief Justice of India.  
 (b) 121st Constitutional (Amendment) Act 2015, collegium system, the Union Law Minister  
 (c) 121st Constitutional (Amendment) Act 2015, collegium system, the Prime Minister.  
 (d) 99th Constitutional (Amendment) Act 2015, cabinet system, the Prime Minister  
 Ans: [a]

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**Q150.** The ..... Legislative Assembly on 31st March 2015 passed a controversial AntiTerrorism Law. Earlier, the passed bill was rejected two times by the then ..... in 2004 and 2008.

- (a) Bihar, president.  
 (b) Madhya Pradesh, Governors  
 (c) Gujarat, Presidents  
 (d) Maharashtra, Governors  
 Ans: [c]

**Directions:** Each problem consists of a set of rules and facts. Apply the specified rules to the set of facts and answer the questions. In answering the following questions, you should not rely on any rule(s) except the rule(s) that are supplied for every problem. Further, you should not assume any fact other than those stated in the problem. **Rules:** A. The fundamental right to freedom of association includes the right to form an association as well as not join an association. B. The fundamental right to freedom of association also includes the freedom to decide with whom to associate. C. The fundamental right to freedom of association does not extend to the right to realize the objectives of forming the association. D. Fundamental rights are applicable only to laws made by or administrative actions of the State and do not apply to actions of private persons. E. Any law in contravention of fundamental rights is unconstitutional and therefore cannot bind any person.

**Facts:** Gajodhar Pharmaceuticals, a private company, offered an employment contract of two years to Syed Monirul Alam. One of the clauses in the employment contract provided that Syed Monirul Alam must join Gajodhar Mazdoor Sangh (GMS), one of the trade unions active in Gajodhar Pharmaceuticals.

**Q151. Decide which of the following propositions can be most reasonably inferred through the application of the stated legal rules to the facts of this case?**

(a) The employment contract offered to Monirul Alam to join GMS is legal as it does not restrict his freedom not to join any association.

(b) The condition requiring Monirul Alam to join GMS cannot bind him as it impinges on his freedom not to join any association.

(c) Syed Monirul Alam cannot claim a fundamental right to freedom of association against Gajodhar Pharmaceuticals and therefore, the contract would bind him even though his freedom of association is restricted.

(d) The employment contract infringes Syed Monirul Alam's freedom to decide with whom to associate and therefore is legally not enforceable.

*Ans: [c]*

**Q152. If Parliament enacts a law which requires every employee to join the largest trade union in their workplace mandating Syed Monirul Alam to join GMS, then**

(a) such a law would merely govern private action to which fundamental rights do not apply.

(b) such a law would not curtail any individual's right to freedom of association.

(c) **neither** the employment contract, nor the law of the Parliament would be enforceable as they would curtail the freedom of association.

(d) the law of Parliament would violate an individual's freedom not to join any association and therefore be unconstitutional.

*Ans: [d]*

**Q153. If Parliament enacts a law that requires a trade union to open its membership to all the employees, then**

(a) such a law would not infringe any fundamental right to freedom of association.

(b) the law of the Parliament would curtail an individual's right not to join any association.

(c) such a law would curtail the union members' right to decide with whom they would like to associate.

(d) such a law would render the employment contract offered by Gajodhar Pharmaceuticals to Syed Monirul Alam unenforceable.

*Ans: [a]*

**Q154. If Gajodhar Pharmaceuticals enter into an agreement with GMS wherein the former agrees to hire only the existing members of GMS as employees, then**

(a) the agreement would be illegal as it would curtail the union members' right to decide with whom they would like to associate.

(b) such an agreement would infringe the union's right to decide with whom to associate and therefore is legally not enforceable.

(c) the agreement would not be enforceable as it would infringe upon the employer's right not to join an association.

(d) the constitutionality of this agreement cannot be contested on grounds of contravention of fundamental rights as such rights are not applicable to private persons.

*Ans: [d]*

**Q155. If Parliament enacts a legislation prohibiting strikes by trade unions of employees engaged in pharmaceutical industry, then**

(a) the legislation would not violate the right to freedom of association.

(b) the legislation would curtail the right of trade unions to strike and therefore violate freedom of association.

(c) since strike is only one of the objectives with which a trade union is formed, right to strike is not protected by the right to freedom of association.

(d) none of the above.

*Ans: [a]*

**Directions:** Each problem consists of a set of rules and facts. Apply the specified rules to the set of facts and answer the questions. In answering the following questions, you should not rely on any rule(s) except the rule(s) that are supplied for every problem. Further, you should not assume any fact other than those stated in the problem. **Rule:** Whoever finds an unattended object can keep it unless the true owner claims that object. This does not affect the property owner's right to the ownership of the property on which the object is found. The right to ownership of a property does not include the right to ownership of unattended objects on that property.

**Facts:** Elizabeth is the CEO of a global management services company in Chennai and is on her way to Ranchi to deliver a convocation address at India's leading business school on the outskirts of Ranchi. Flying business class on Dolphin Airlines, she is entitled to use the lounge owned by the airline in Chennai airport while waiting for her flight. She finds a diamond earring on the floor of the lounge and gives it to the staff of Dolphin Airlines expressly stating that in the event of nobody claiming the earring within six months, she would claim it back. The airline sells the earring after eight months and Elizabeth files a case to recover the value of the earring from the airline when she is informed about its sale.

**Q156. As a judge you would order that**

(a) Elizabeth is not entitled to compensation because the earring was found on the property of the airline and therefore, the airline is entitled to sell it.

(b) the airline must compensate Elizabeth because owning the lounge does not give the airline the right over all things that might be found on it.

(c) the airline must compensate Elizabeth because while accepting the earring from Elizabeth they had agreed to return it if nobody claimed it within six months.

(d) Elizabeth is not entitled to compensation because she did not claim the earring after the expiry of six months and the airline waited for a couple more months before selling it.

Ans: [b]

**Q157. Assume now that Elizabeth was only an economy class passenger and was not entitled to use the airline's lounge. However, she manages to gain entry and finds the earring in the lounge. The rest of the above facts remain the same. Will her illegal entry into the lounge affect Elizabeth's right to keep the earring (or be compensated for its value)?**

(a) Yes, the airline claims that Elizabeth's entry into the lounge was illegal and therefore she has no right over anything she found there.

(b) No, because Elizabeth's class of travel has no bearing on the outcome in this case.

(c) Cannot be determined as we need to know how Elizabeth was able to access the airline's lounge.

(d) None of the above.

Ans: [b]

**Q158. To the original fact scenario, the following fact is added: In the lounge there are numerous signboards which proclaim 'Any unattended item will be confiscated by Dolphin Airlines'. In this case, you would**

(a) order the airline to pay compensation to Elizabeth because the board in the lounge cannot grant property rights over unattended objects to the airline.

(b) deny Elizabeth compensation because the signboard makes it evident that the airline, as owner of the lounge, is exercising all rights over all unattended items in the lounge and the earring is one such item.

(c) deny Elizabeth compensation because she knew any unattended item belonged to the airline.

(d) order the airline to pay compensation to Elizabeth because the property rights of the airline are relevant only if the item is unattended. The moment Elizabeth found the earring, it belonged to her.

Ans: [a]

**Directions: Each problem consists of a set of rules and facts. Apply the specified rules to the set of facts and answer the questions. In answering the following questions, you should not rely on any rule(s) except the rule(s) that are supplied for every problem. Further, you should not assume any fact other than those stated in the problem. Rule A:** The State shall not discriminate, either directly or indirectly, on the grounds of sex, race, religion, caste, creed, sexual orientation, marital status, disability, pregnancy, place of birth, gender orientation, or any other status. **Rule B:** Direct discrimination occurs when for a reason related to one or more prohibited grounds a person or group of persons is treated less favorably than another person or another group of persons

in a comparable situation. **Rule C:** Indirect discrimination occurs when a provision, criterion, or practice which is neutral on the face of it would have the effect of putting persons having a status or a characteristic associated with one or more prohibited grounds at a particular disadvantage compared with other persons. **Rule D:**

Discrimination shall be justified when such discrimination is absolutely necessary in order to promote the well-being of disadvantaged groups, such as women, dalits, religious minorities, sexual minorities, or disabled persons.

**Facts:** On 2nd October 2010, the Governor of the State of Bihar ordered the release of all women prisoners who were serving sentence of less than one year imprisonment to mark the occasion of Mahatma Gandhi's birthday.

**Q159. Which of the following is correct with respect to the Governor's order?**

(a) It discriminates directly on the ground of sex.

(b) It discriminates indirectly on the ground of sex.

(c) It does not discriminate on the ground of sex.

(d) It discriminates directly as well as indirectly on the ground of sex.

Ans: [a]

**Q160. Is the Governor's order justified under Rule D?**

(a) Yes, because it is for the well-being of women prisoners.

(b) No because it is not absolutely necessary for the well-being of women prisoners.

(c) No, because it does not promote the well-being of women prisoners or the society.

(d) None of the above.

Ans: [b]

**Q161. Assume that the Governor also made a second order requiring the release of all persons under the age of 25 and over the age of 65 who were serving a sentence of less than one year's imprisonment. Under the rules, this order is**

(a) directly discriminatory.

(b) indirectly discriminatory.

(c) not discriminatory.

(d) discriminatory, but justifiable.

Ans: [c]

**Q162. Assume further that the government made a third order, releasing all graduate prisoners who are serving a sentence of less than one year's imprisonment. Which of the following statistics would have to be true for this order to be indirectly discriminatory?**

(a) Only 13% of the prison population in Bihar have graduation degree.

(b) Of the graduate prisoners 89% belong to upper castes.

(c) Only 25% women in Bihar get a graduation degree.

(d) All of the above.

Ans: [b]

**Q163. Rule E: A discriminatory act shall be justified if its effect is to promote the well-being of disadvantaged groups, such as women, Dalits, religious minorities, sexual minorities, or disabled persons. Would the first order of release of all women prisoners be justified under Rule E?**

(a) Yes, because it promotes the well-being of women.

- (b) No, because it does not promote the wellbeing of women prisoners.  
 (c) No, because it does not promote the well-being of all disadvantaged groups equally.  
 (d) None of the above.

Ans: [a]

**Directions: Each problem consists of a set of rules and facts. Apply the specified rules to the set of facts and answer the questions. In answering the following questions, you should not rely on any rule(s) except the rule(s) that are supplied for every problem. Further, you should not assume any fact other than those stated in the problem. Rules:**

**A.** A minor is a person who is below the age of eighteen. However, where a guardian administers the minor's property the age of majority is twenty-one. **B.** A minor is not permitted by law to enter into a contract. Hence, where a minor enters into a contract with a major person, the contract is not enforceable. This effectively means that neither the minor nor the other party can make any claim on the basis of the contract. **C.** In a contract with a minor, if the other party hands over any money or confers any other benefit on the minor, the same shall not be recoverable from the minor unless the other party was deceived by the minor to hand over money or any other benefit. The other party will have to show that the minor misrepresented her age, he was ignorant about the age of the minor and that he handed over the benefit on the basis of such representation. **Facts:** Ajay convinces Bandita, a girl aged 18 that she should sell her land to him. Bandita's mother Chaaru is her guardian. Nonetheless Bandita, without the permission of Chaaru, sells the land to Ajay for a total sum of rupees fifty lakh, paid in full and final settlement of the price. Chaaru challenges this transaction claiming that Bandita is a minor and hence the possession of the land shall not be given to Ajay. Thus, Ajay is in a difficult situation and has no idea how to recover his money from Bandita.

**Q164. Chaaru is justified in challenging the sale transaction because**

- (a) Bandita is of unsound mind and is not in a position to make rational decisions.  
 (b) though Bandita is eighteen years old, she will be treated as a minor, as Chaaru is her guardian.  
 (c) though Bandita is eighteen year old, she cannot sell the land without the permission of her mother.  
 (d) though Bandita is eighteen year old she should not be treated like a person who has attained the age of majority.

Ans: [b]

**Q165. Ajay can be allowed to recover the money only if he can show that**

- (a) he was deceived by Bandita who misrepresented her age.  
 (b) he honestly believed that Bandita was empowered under the law to sell the land.  
 (c) he was an honest person who had paid the full price of the land to Bandita.  
 (d) **Both** a and b

Ans: [b]

**Q166. In order to defend the sale, Bandita will need to show that**

- (a) Bandita has attained the age of majority.

- (b) Bandita is mature enough to make rational decisions regarding her own affairs.  
 (c) the sale transaction was beneficial to her interest and will enhance her financial status.  
 (d) None of the above.

Ans: [a]

**Q167. Which of the following is correct?**

- (a) Ajay should be allowed to recover the money because even though there is no contract, Bandita and Chaaru should not be allowed to unjustly benefit from Ajay's money.  
 (b) Ajay should be allowed the possession of the land because Chaaru can always decide to approve the transaction between Ajay and Bandita.  
 (c) Ajay should not be allowed to recover because he induced Bandita, a minor, to sell the land.  
 (d) None of the above.

Ans: [a]

**Q168. Which of the following is correct?**

- (a) If Ajay is allowed to recover the money, that will defeat the law framed for protecting the minors against fraudulent persons.  
 (b) If Ajay is not allowed to recover that will cause him injustice as he has not paid the entire sale price.  
 (c) If Ajay is not allowed to recover, Chaaru will benefit from both the money and the land.  
 (d) None of the above.

Ans: [b]

**Directions: Each problem consists of a set of rules and facts. Apply the specified rules to the set of facts and answer the questions. In answering the following questions, you should not rely on any rule(s) except the rule(s) that are supplied for every problem. Further, you should not assume any fact other than those stated in the problem. Rules: A.** The act of using threats to force another person to enter into a contract is called coercion. **B.** The act of using influence on another and taking undue advantage of that person is called undue influence. **C.** In order to prove coercion, the existence of the use of threat, in any form and manner, is necessary. If coercion is proved, the person who has been so threatened can refuse to abide by the contract. **D.** In order to prove undue influence, there has to be a pre-existing relationship between the parties to a contract. The relationship has to be of such a nature that one is in a position to influence the other. If it is proven that there has been undue influence, the party who has been so influenced need not enforce the contract or perform his obligations under the contract.

**Facts:** Aadil and Baalu are best friends. Aadil is the son of a multi-millionaire business person, Chulbul who owns Maakhan Pharmaceuticals. Baalu is the son of a bank employee, Dhanraj. One day, Aadil is abducted from his office by Baalu. Chulbul receives a phone call from Dhanraj telling him that if he does not make Baalu the CEO of Maakhan Pharmaceuticals, Aadil will be killed. Chulbul reluctantly agrees to make Baalu the CEO. Subsequently Chulbul and Baalu sign an employment contract. However, as soon as Aadil is released and safely returns home, Chulbul tells Baalu that he shall not enforce the employment contract. Baalu and Dhanraj are not sure as to what is to be done next.

**Q169. As per the rules and the given facts, who coerces whom?**

- (a) Aadil coerces Baalu
- (b) Baalu coerces Chulbul
- (c) Dhanraj coerces Chulbul
- (d) None of the above

Ans: [c]

**Q170. In the above fact situation**

- (a) there is undue influence exercised by Dhanraj on Baalu.
- (b) there is undue influence exercised by Aadil on Chulbul.
- (c) there is no undue influence.
- (d) none of the above.

Ans: [c]

**Q171. Chulbul is**

- (a) justified in refusing to enforce the employment contract as Chulbul was coerced by Dhanraj.
- (b) justified in refusing to enforce the employment contract as Baalu was complicity in the coercive act.
- (c) not justified in refusing to enforce the employment contract as Baalu was an innocent person and has not coerced Chulbul.
- (d) Both a and b

Ans: [a]

**Q172. Baalu will succeed in getting the employment contract enforced if he can show that**

- (a) he is the best friend of Aadil.
- (b) it was his father, and not he, who used coercion against Chulbul.
- (c) Chulbul has promised his father to employ him.
- (d) None of the above.

Ans: [d]

**Directions: Each problem consists of a set of rules and facts. Apply the specified rules to the set of facts and answer the questions. In answering the following questions, you should not rely on any rule(s) except the rule(s) that are supplied for every problem. Further, you should not assume any fact other than those stated in the problem. Rule A:** When a State undertakes any measure, the effects of the measure must be the same for all those who are affected by it.

**Facts:** Hundred mountaineers embarked on an extremely risky climbing expedition in Leh. Weather conditions worsened five days into the expedition and the mountaineers are trapped under heavy snow. The government received information of this tragedy only two weeks after the unfortunate incident and has only 24-hours in which to send rescue helicopters. Weather stations across the world confirm that this particular region of Leh will experience blizzards of unprecedented intensity for almost two weeks after this 24 hour window rendering any helicopter activity in the region impossible and certain death for anyone left behind. The government has only five rescue helicopters with a maximum capacity of 50 people (excluding pilots and requisite soldiers) and these helicopters can fly only once in 24 hours to such altitudes. As the Air Force gets ready to send the helicopters, an emergency hearing is convened in the Supreme Court to challenge this measure as this would leave 50 people to die.

**Q173. If you were the judge required to apply Rule A, you would decide that**

- (a) as many lives must be saved as possible.

- (b) if everyone cannot be rescued, then everyone must be left behind.
  - (c) a measure cannot be upheld at the cost of 50 lives.
  - (d) it must be left to those who are trapped to decide if they want half amongst them to be saved and leave the rest to die. Rule B: When a State undertakes any measure, every one affected must have an equal chance to benefit from it.
- Ans: [a]

**Q174. As the government prepares to send in rescue helicopters, which option would be acceptable only under Rule B and not Rule A?**

- (a) A lottery to choose the 50 survivors excluding those diagnosed with terminal illnesses from participating in the lottery.
- (b) A lottery to decide the 50 survivors with single parents of children below five years of age automatically qualifying to be rescued.
- (c) The 50 youngest people should be rescued.
- (d) None of the above.

Ans: [b]

**Q175. Choosing 50 survivors exclusively by a lottery would be**

- (a) permissible under Rules A and B.
- (b) impermissible under Rules A and B.
- (c) permissible only under Rule B.
- (d) permissible only under Rule A.

Ans: [c]

**Q176. If the government decides that it will either save everyone or save none, it would be**

- (a) permissible under Rules A and B.
- (b) impermissible under Rules A and B.
- (c) permissible only under Rule A.
- (d) permissible only under Rule B.

Ans: [c]

**Directions: Each problem consists of a set of rules and facts. Apply the specified rules to the set of facts and answer the questions. In answering the following questions, you should not rely on any rule(s) except the rule(s) that are supplied for every problem. Further, you should not assume any fact other than those stated in the problem. Rules: A.** A person is an employee of another if the mode and the manner in which he or she carries out his work is subject to control and supervision of the latter. **B.** An employer is required to provide compensation to his or her employees for any injury caused by an accident arising in the course of employment. The term 'in the course of the employment' mean in the course of the work which the employee is contracted to do and which is incidental to it.

**Facts:** Messrs Zafar Abidi and Co. (Company) manufactures bidis with the help of persons known as 'pattadars'. The pattadars are supplied tobacco and leaves by the Company and are required to roll them into bidis and bring the bidis back to the Company. The pattadars are free to roll the bidis either in the factory or anywhere else they prefer. They are not bound to attend the factory for any fixed hours of work or for any fixed number of days. Neither are they required to roll up any fixed number of bidis. The Company verifies whether the bidis adhere to the specified instructions or not and pays the pattadars on the basis of the number of bidis that are found to be of right quality.

Aashish Mathew is one of the pattadars of the Company. He was hit by a car just outside the precinct of the factory while he was heading to have lunch in a nearby food-stall. Aashish Mathew has applied for compensation from the Company.

**Q177. Which of the following statements can most plausibly be inferred from the application of the rules to the given facts?**

- (a) Aashish Mathew is an employee of the Company because the latter exercises control over the manner in which Aashish Mathew carries out his work.
- (b) Aashish Mathew is not an employee but an independent contractor as he does not have a fixed salary.
- (c) Aashish Mathew is an employee because the Company exercises control over the final quality of the bidis.
- (d) Verification of the quality of bidis amounts to control over the product and not control over the mode and method of work and therefore, Aashish Mathew is not an employee of the Company.

*Ans: [d]*

**Q178. In case the pattadars were compulsorily required to work in the factory for a minimum number of hours every day, then it would be correct to state that**

- (a) the injury was not caused by an accident in the course of employment.
- (b) Aashish Mathew would not be an employee as the Company would have still not exercised control over the manner of work.
- (c) the injury suffered by Aashish Mathew could not be held to be one caused by an accident.
- (d) stipulations on place and hours of work relate to manner and mode of work and therefore, Aashish Mathew would be held to be an employee of the Company.

*Ans: [d]*

**Q179. According to the facts and the rules specified, which of the following propositions is correct?**

- (a) The Company is not liable to pay compensation as the injury to Aashish Mathew was not caused by an accident arising in the course of employment.
- (b) The Company is liable to pay the compensation.
- (c) Since the injury did not arise in the course of employment, the Company would not be liable to pay the compensation even though Aashish Mathew is an employee of the company.
- (d) The Company is liable to pay the compensation as Aashish Mathew is a contracted pattadar with the company.

*Ans: [a]*

**Q180. Select the statement that could be said to be most direct inference from specified.**

- (a) The injury to Aashish Mathew did not arise in the course of employment as he was not rolling bidis at the time when he was hit by the car.
- (b) Since Aashish Mathew is a contracted pattadar with the Company, it shall be presumed that the injury was caused by an accident in the course of employment.
- (c) Since there was no relationship of employment between Aashish Mathew and the Company, the injury suffered by Aashish Mathew could not be held to be one arising in the course of employment notwithstanding the fact that the

concerned injury was caused while he was involved in an activity incidental to his duties.

(d) As the concerned injury was caused to Aashish Mathew while he was involved in an activity incidental to his duties, the injury did arise in the course of employment.

*Ans: [c]*

**Q181. If the pattadars were compulsorily required to work in the factory for a minimum number of hours every day, then the Company would have been liable to pay compensation to Aashish Mathew if the latter**

- (a) had been assaulted and grievously hurt by his neighbor inside the factory precincts over a property dispute.
- (b) had slipped and fractured his arm while trying to commute on a city bus from his home to the factory.
- (c) had been injured while commuting on a bus provided by the Company, which he was required by his contract to use every day.
- (d) had been caught in the middle of a cross-fire between police and a gang of robbers while traveling to work on a city bus.

*Ans: [c]*

**Directions: Each problem consists of a set of rules and facts. Apply the specified rules to the set of facts and answer the questions. In answering the following questions, you should not rely on any rule(s) except the rule(s) that are supplied for every problem. Further, you should not assume any fact other than those stated in the problem. Rules: A. Whoever intending to take any moveable property out of the possession of any person without that person's consent, moves that property out of his or her possession, is said to commit theft. B. A person who, without lawful excuse, damages any property belonging to another intending to damage any such property shall be guilty of causing criminal damage. C. Damage means any impairment of the value of a property.**

**Facts:** Veena, an old lady of 78 years, used to live with her grand-daughter Indira. Veena was ill and therefore bed-ridden for several months. In those months, she could not tolerate any noise and it became quite difficult to clean her room. After she died, Indira hired a cleaner, Lucky, to clean the room and throwaway any rubbish that may be there.

There was a pile of old newspapers which Veena had stacked in a corner of her room. Lucky asked Indira if he should clear away the pile of old newspapers, to which she said yes. Lucky took the pile to a municipality rubbish dump. While Lucky was sorting and throwing away the newspapers, he was very surprised to find a beautiful painting in between two sheets of paper. He thought that Indira probably would not want this old painting back, especially because it was torn in several places and the color was fading. He took the painting home, mounted it on a wooden frame and hung it on the wall of his bedroom. Unknown to him, the painting was an old masterpiece, and worth Rs. 20, 000. Before mounting the painting, Lucky pasted it on a plain sheet of paper so that it does not tear any more. By doing so, he made its professional restoration very difficult and thereby reduced its value by half. Lucky's neighbor Kamala discovered that the painting belonged to Indira. With the motive of returning the painting to Indira, Kamala climbed through an open window into Lucky's room when he was away one afternoon and removed the painting from his house.

**Q182. Has Lucky committed theft?**

(a) Yes, Lucky has committed theft of the newspapers and the painting.

(b) No, Lucky has not committed theft because he had Veena's consent.

(c) Yes, Lucky has committed theft of the painting, but not of the newspapers.

(d) No, Lucky has not committed theft because he has not moved the painting out of Veena's possession.

Ans: [b]

**Q183. Is Lucky guilty of criminal damage?**

(a) No, Lucky is not guilty of criminal damage as he did not intentionally impair the value of the painting.

(b) Yes, Lucky is guilty of criminal damage as he intentionally stuck the paper on to the painting.

(c) No, Lucky is not guilty of criminal damage as he does not have the painting in his possession anymore.

(d) No, Lucky is not guilty of the criminal damage as he has not destroyed the painting.

Ans: [a]

**Q184. If Lucky had discovered the painting before leaving Indira's house rather than at the rubbish dump, would he have been guilty of theft in this case?**

(a) Yes, he would be guilty of theft of the newspapers and the paintings.

(b) No, he would not be guilty of theft.

(c) Yes, he would be guilty of theft of the painting.

(d) None of the above.

Ans: [c]

**Q185. Is Kamala guilty of theft?**

(a) No, Kamala is not guilty of theft since the person she took the painting from (Lucky) was not its lawful owner.

(b) No, Kamala is not guilty of theft since she took the painting only with the motive of returning it to Indira.

(c) Yes, Kamala is guilty of theft as she took the painting out of Lucky's possession without his consent.

(d) None of the above.

Ans: [c]

**Q186. Which of the following propositions could be inferred from the facts and the rules specified?**

(a) Kamala is guilty of criminal damage as the person she took the painting from (Lucky) was not its lawful owner.

(b) Kamala is guilty of criminal damage as she took the painting without Lucky's consent.

(c) Kamala is not guilty of criminal damage as the painting has not been completely destroyed.

(d) None of the above.

Ans: [d]

**Directions:** Each problem consists of a set of rules and facts. Apply the specified rules to the set of facts and answer the questions. In answering the following questions, you should not rely on any rule(s) except the rule(s) that are supplied for every problem. Further, you should not assume any fact other than those stated in the problem. **Rules:** A. When land is sold, all 'fixtures' on the land are also deemed to have been sold. B. If a movable thing is attached to the land or any building on the land, then it becomes a 'fixture'.

**Facts:** Khaleeda wants to sell a plot of land she owns in Baghmara, Meghalaya and the sale value decided for the plot includes the fully furnished palatial six-bedroom house

that she has built on it five years ago. She sells it to Gurpreet for Rs. 60 lacs. After completing the sale, she removes the expensive Iranian carpet which used to cover the entire wooden floor of one of the bedrooms. The room had very little light and Khaleeda used this light-colored radiant carpet to negate some of the darkness in the room. Gurpreet, after moving in, realizes this and files a case to recover the carpet from Khaleeda.

**Q187. As a judge you would decide in favor of**

(a) Gurpreet because when the price was agreed upon, Khaleeda did not inform her about removing the carpet.

(b) Gurpreet because the carpet was integral to the floor of the bedroom and therefore attached to the building that was sold.

(c) Khaleeda because a fully furnished house does not entail the buyer to everything in the house.

(d) Khaleeda because by virtue of being a carpet it was never permanently fixed to the floor of the building. Assume that in the above fact scenario, Khaleeda no longer wants the carpet. She removes the elaborately carved door to the house after the sale has been concluded and claims that Gurpreet has no claim to the door. The door in question was part of Khaleeda's ancestral home in Nagercoil, Tamil Nadu, for more than 150 years before she had it fitted as the entrance to her Baghmara house.

Ans: [d]

**Q188. As a judge you would decide in favor of**

(a) Khaleeda because while the rest of the building belongs to Khaleeda exclusively, the door is ancestral property and therefore the decision to sell it cannot be Khaleeda's alone.

(b) Gurpreet because the door is an integral part of the building as it is attached to it.

(c) Khaleeda because the door can be removed from the building and is therefore not attached to it.

(d) Gurpreet because the contract is explicitly for the whole house and since the door is part of house, it cannot be removed subsequent to the sale.

Ans: [d]

**Q189. Amongst the following options, the most relevant consideration while deciding a case on the basis of the above two principles would be**

(a) whether the movable thing was included in the sale agreement.

(b) whether the movable thing was merely placed on the land or building.

(c) whether the movable thing had become an inseparable part of the land or building.

(d) whether the movable thing could be removed.

Ans: [d]

**Q190. Rule C: If a movable thing is placed on land with the intention that it should become an integral part of the land or any structure on the land it becomes a fixture. Applying, Rules A and C, to the fact situations in Questions 192 and 193, as a judge you would decide in favor of**

(a) Khaleeda in both situations.

(b) Gurpreet only in

(c) Khaleeda only in

(d) Gurpreet in both situations.

Ans: [d]

**Directions:** Each problem consists of a set of rules and facts. Apply the specified rules to the set of facts and answer the questions. In answering the following questions, you should not rely on any rule(s) except the rule(s) that are supplied for every problem. Further, you should not assume any fact other than those stated in the problem. **Rules:** **Rule A:** An owner of land has the right to use the land in any manner he or she desires. The owner of land also owns the space above and the depths below it. **Rule B:** Rights above the land extend only to the point they are essential to any use or enjoyment of land. **Rule C:** An owner cannot claim infringement of her property right if the space above his or her land is put to reasonable use by someone else at a height at which the owner would have no reasonable use of it and it does not affect the reasonable enjoyment of his or her land.

**Ramesh's case:** Ramesh owns an acre of land on the outskirts of Sullurpeta, Andhra Pradesh. The Government of India launches its satellites into space frequently from Sriharikota, near Sullurpeta. The Government of India does not deny that once the satellite launch has travelled the distance of almost 7,000 kilometers it passes over Ramesh's property. Ramesh files a case claiming that the Government of India has violated his property rights by routing its satellite over his property, albeit 7,000 kilometer directly above it.

**Q191. Applying only Rule A to Ramesh's case, as a judge you would decide**

- (a) in favor of the Government of India because the transgression was at a height at which Ramesh could not possibly have any use for.
  - (b) that ownership of land does not mean that the owner's right extends infinitely into space above the land.
  - (c) in favor of Ramesh because he has the right to infinite space above the land he owns.
  - (d) in favor of the Government of India because it would lead to the absurd result that Ramesh and most other property owners would have a claim against airline companies and other countries of the world whose satellites orbit the earth.
- Shazia's case:** Shazia owns a single storied house in Ahmedabad which has been in her family for more than 75 years. The foundation of the house cannot support another floor and Shazia has no intention of demolishing her family home to construct a bigger building. Javed and Sandeep are business partners and own three-storied houses on **either** side of Shazia's house. Javed and Sandeep are also Ahmedabad's main distributors for a major soft drink company. They have erected a huge hoarding advertising their products, with the ends supported on their roofs but the hoarding also passes over Shazia's house at 70 feet and casts a permanent shadow on her terrace. Shazia decides to hoist a huge Indian flag, going up to 75 feet, on her roof. She files a case, asking the court to order Javed and Sandeep to remove the hoarding for all these reasons.

*Ans: [c]*

**Q192. Applying only Rule B to Shazia's case, you would decide in favor of**

- (a) Javed and Sandeep because Shazia can easily hoist a flag below 70 feet.
- (b) Shazia because she has the right to put her land to any use and the court cannot go into her intentions for hoisting a flag at 75 feet.

- (c) Shazia because she has the absolute right to the space above her land.
- (d) Javed and Sandeep because hoisting a flag 75 feet above one's roof is not essential to the use and enjoyment of the land.

*Ans: [b]*

**Q193. Applying only Rules A and B to Shazia's case, you would decide**

- (a) in favor of Shazia only under Rule A.
- (b) in favor of Shazia under Rule A as well as B.
- (c) against Shazia under Rule B.
- (d) against Shazia under Rule A as well as B.

*Ans: [b]*

**Q194. Applying only Rule B and C to Ramesh's case, you would decide**

- (a) in favor of Ramesh only under Rule B.
- (b) in favor of Ramesh under Rule B as well as C.
- (c) against Ramesh under Rule C.
- (d) against Ramesh under Rule B as well as C.

*Ans: [d]*

**Q195. Applying Rule C to Shazia's case, you would decide**

- (a) in her favor because hoisting a 75 feet high flag is reasonable.
- (b) against her because hoisting a 75 feet high flag is not reasonable.
- (c) against her because the hoarding is a reasonable use of the space above her land.
- (d) in her favor because the permanent shadow cast by the hoarding affects the reasonable enjoyment of her land.

*Ans: [d]*

**Q196. Directions: Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct**

**answers. Assertion (A):** A void contract is not necessarily illegal. **Reason (R):** Every illegal contract is void.

- (a) **Both** A and R are individually true and R is the correct explanation of A.
- (b) **Both** A and R are individually true but R is not the correct explanation of A.
- (c) A is true but R is false.
- (d) A is false but R is true.

*Ans: [a]*

**Q197. Directions: Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct**

**answers. Assertion (A):** The Indian Constitution was adopted on 26th November, 1949. **Reason (R):** Law Day is celebrated in India on 26th November every year.

- (a) **Both** A and R are individually true and R is the correct explanation of A.
- (b) **Both** A and R are individually true but R is not the correct explanation of A.
- (c) A is true but R is false.
- (d) A is false but R is true.

*Ans: [a]*

**Q198. Directions:** Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct answers. **Assertion (A):** The state shall not make any law, which takes away or abridges the rights conferred by Part III (Fundamental Rights) and any law made in contravention of this clause shall, to the extent of the contravention, be void. **Reason (R):** The fundamental rights are the rights reserved by the people and for this reason they are eternal and sacrosanct.

- (a) **Both** A and R are individually true and R is the correct explanation of A.  
 (b) **Both** A and R are individually true but R is not the correct explanation of A.  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [c]

**Q199. Directions:** Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct answers. **Assertion (A):** Directive Principles of State Policy contained in Part IV shall not be enforceable by any court, but the principles there in laid down are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws. **Reason (R):** Directive Principles of State Policy and Fundamental Rights are both complementary to each other but in case of any controversy fundamental rights will prevail.

- (a) **Both** A and R are individually true and R is the correct explanation of A.  
 (b) **Both** A and R are individually true but R is not correct explanation of A.  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [a]

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**Q200. Directions:** Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct answers. **Assertion (A):** All minorities, whether based on religion or language, shall have the right to establish and administer educational institute. **Reason (R):** Institutions established by the minorities are not entitled to government aid and government is not under an obligation to give aid.

- (a) **Both** A and R are individually true and R is the correct explanation of A.  
 (b) **Both** A and R are individually true but R is not the correct explanation of A.  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [a]

**Q201. Directions:** Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct answers. **Assertion (A):** The right to move the Supreme Court under Article 32 of the Constitution by appropriate proceedings for the enforcement of the fundamental right. **Reason (R):** Supreme Court of India has been appointed as a the guardian of the Constitution.

- (a) **Both** A and R are individually true and R is the correct explanation of A.  
 (b) **Both** A and R are individually true but R is not the correct explanation of A.  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [a]

**Q202. Directions:** Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct answers. **Assertion (A):** If the budget presented to the Rajya Sabha in not passed in the stipulated period, the budget proposals are not affected. **Reason (R):** The Lok Sabha is more powerful, in financial matters, than the Rajya Sabha.

- (a) **Both** A and R are individually true and R is the correct explanation of A.  
 (b) **Both** A and R are individually true but R is not the correct explanation of A.  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [d]

**Q203. Directions:** Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct answers. **Assertion (A):** In the Event of violation of any legal right (tort) the aggrieved party is entitled to recover unliquidated damages. **Reason (R):** The object of awarding damages to the aggrieved party is to put him in the same position in which he would have been if the wrong would not have been committed. Damages are therefore, assessed on that basis.

- (a) **Both** A and R are individually true and R is the correct explanation of A.  
 (b) **Both** A and R are individually true but R is not the correct explanation of A.  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [a]

**Q204. Directions:** Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct answers. **Assertion (A):** During inflation, there is increase in money supply and rise in price level. **Reason (R):** The rise in prices is due to shortage in supply of essential consumer goods.

- (a) **Both** A and R are individually true and R is the correct explanation of A.

- (b) **Both** A and R are individually true but R is not the correct explanation of A.  
 (c) A is true but R is false.  
 (d) A is false but R is true.  
 Ans: [a]

**Q205. Directions: Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct answers. Assertion (A):** X, because of unsound state of mind and not knowing the nature of the act, attacks Y, who in self defense and in order to ward off the attack, hits him thereby injuring him. Y has not committed an offence.

**Reason (R):** Y had a right of private defense against X under Section 98 of the Indian Penal Code.

- (a) **Both** A and R are individually true and R is the correct explanation of A.  
 (b) **Both** A and R are individually true but R is not the correct explanation of A.  
 (c) A is true but R is false.  
 (d) A is false but R is true.  
 Ans: [a]

**Q206. Directions: Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct answers. Assertion (A):** X and Y independently entertained the idea to kill Z. Accordingly; each of them separately inflicted wounds on Z who died as a consequence. X and Y are liable for murder under Section 341 IPC.

**Reason (R):** When a criminal act is done by several persons in furtherance of common intention of all, each of such persons is liable as if the whole act was done by him alone.

- (a) **Both** A and R are individually true and R is the correct explanation of A.  
 (b) **Both** A and R are individually true but R is not the correct explanation of A.  
 (c) A is true but R is false.  
 (d) A is false but R is true.  
 Ans: [a]

**Q207. Directions: Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct answers. Assertion (A):** A person claims compensation for his non-gratuitous act.

**Reason (R):** A person who enjoys benefit from lawful, non-gratuitous act of another must compensate him even though there is no contract.

- (a) **Both** A and R are individually true and R is the correct explanation of A.  
 (b) **Both** A and R are individually true but R is not the correct explanation of A.  
 (c) A is true but R is false.  
 (d) A is false but P is true.  
 Ans: [c]

**Q208. Directions: Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct**

**answers. Assertion (A):** Freedom of Speech is the most important civil liberty of people in a democratic polity.  
**Reason (R):** State can regulate free speech in the interest of public order.

- (a) **Both** A and R are individually true and R is the correct explanation of A.  
 (b) **Both** A and R are individually true but R is not the correct explanation of A.  
 (c) A is true but R is false.  
 (d) A is false but R is true.  
 Ans: [a]

**Q209. Directions: Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct answers. Assertion (A):** Austin's concept of law is known as imperative theory.

**Reason (R):** Austin emphasized on the commanding character of law.

- (a) **Both** A and R are individually true and R is the correct explanation of A.  
 (b) **Both** A and R are individually true but R is not the correct explanation of A.  
 (c) A is true but R is false.  
 (d) A is false but R is true.  
 Ans: [a]

**Q210. Directions: Each of the next nine questions consists of two statements, one labeled as 'Assertion' (A) and other as 'Reason' (R). You are to examine these two statements carefully and select the correct**

**answers. Assertion (A):** The essence of joint liability under section 149 of the IPC is that the criminal act must have been done with a view to fulfill the common object of an unlawful assembly.

**Reason (R):** Any sudden and provocative act done by a member of an unlawful assembly would render the other members of that assembly liable.

- (a) **Both** A and R are individually true and R is the correct explanation of A.  
 (b) **Both** A and R are individually true but R is not the correct explanation of A.  
 (c) A is true but R is false.  
 (d) A is false but R is true.  
 Ans: [c]

**Q211.** The following are enshrined in the Preamble of the Constitution of India. **I.** Equality of status and of opportunity. **II.** Liberty of thought, expression, belief, faith and worship.

**III.** Justice-social, economic and political. **IV.** Fraternity assuring the dignity of the individual. **V.** Unity and integrity of the nation. Which of the following is the correct order in which they appear in the preamble?

- (a) V-I-II-IV-III  
 (b) III-II-I-IV-V  
 (c) III-I-II-V-IV  
 (d) I-II-IV-III-V  
 Ans: [b]

**Q212.** Which one of the following statements is correct? Right to free and compulsory education for all Children of the age of 6 to 14 years is

- (a) a fundamental right enforceable in law.  
 (b) a fundamental duty.

- (c) a directive principle of state policy.  
 (d) a fundamental right which, however; can be enforced only if the state makes an enabling legislation.  
 Ans: [d]

**Q213.** Affirmative action connotes **I.** measures taken by the state to help the socially disadvantaged groups. **II.** positive discrimination.

**III.** strict quotas for the socially and educationally backward class in school/college admissions and jobs. Which of the above mentioned is true?

- (a) I and II only.  
 (b) II only.  
 (c) I, II and III.  
 (d) II and III only.

Ans: [c]

**Q214.** Identify the correct statement:

- (a) Federalism implies a system of government which embodies a division of powers between a central and a number of regional authorities.  
 (b) Federalism implies a system of government which embodies a division of powers between Legislature, Executive and Judiciary.  
 (c) Federalism implies a system of Government which embodies Parliamentary supremacy.  
 (d) None of these.

Ans: [a]

**Q215. Consider the following statements: I.** In a recent Supreme Court verdict pronounced by Justice Markandeya Katju and Justice Gyan Sudha Mishra, the court upheld the constitutionality of the Haj subsidy. **II.** Muslims are not the only beneficiaries of the secular state's generosity. Hindus have also received substantial financial support from the Government. With reference to the statements mentioned above, which of the following is correct?

- (a) I only.  
 (b) II only.  
 (c) **Both I and II.**  
 (d) **Neither I nor II.**

Ans: [a]

**Q216.** X, a married woman, agreed to live in adultery with B and also agreed to serve him as his housekeeper. In return, B agreed to pay X Rs. 500 per month for living in adultery and Rs. 500 per month for housekeeping. The agreement is

- (a) valid.  
 (b) void.  
 (c) void as to the first object but valid with respect to the second object.  
 (d) unlawful as being opposed to public policy.

Ans: [c]

**Q217.** Ramu applied for the post of Director in an organization. The governing body of the organization passed a resolution appointing him to the post. After the meeting, one of the members of the governing body informed him privately of the resolution. Subsequently, the resolution was rescinded. Ramu claims damages. Which one of the following is the correct legal proposition in the case?

- (a) Ramu cannot claim damages as he had not resigned from his existing post in anticipation of getting the appointment letter.  
 (b) Ramu cannot claim damages as there was no formal communication.  
 (c) Ramu can claim damages as governing body cannot rescind the resolution once passed.  
 (d) Ramu can claim damages as there was private communication.

Ans: [b]

**Q218.** The Railway authorities allowed a train to be over crowded. In consequence, a legitimate passenger Mr X got his pocket picked. Choose the appropriate answer:

- (a) Mr X can sue the Railway authorities for the loss suffered.  
 (b) Mr X cannot sue because he had given his consent to travel in a over-crowded train.  
 (c) Mr X cannot sue railway authorities because there was no infringement of his legal right and mere fact that the loss was caused does not give rise to a cause of action.  
 (d) None of these.

Ans: [c]

**Q219.** Z is carried off by a tiger. X fires at the tiger, knowing that the shot might kill Z, but with no intention to kill Z, and in good faith trying to save Z. X's shot, however, gives Z a mortal wound. Choose the correct option -

- (a) X has committed an offence of a grievous nature.  
 (b) X has no moral duty to save Z therefore he can be held liable.  
 (c) X has not committed any offence, as the act was in good faith and for the benefit of Z.  
 (d) None of the above.

Ans: [a]

**Q220.** Ms. Usha wants to file a suit against Bhagyalaxmi Theatre praying for a permanent injunction (stay order) restraining the theatre from running the film named 'Jai Santoshi Maa'. Her contention is that the film hurt her religious feelings and sentiments as Goddess Saraswati, Laxmi and Parvati were depicted as jealous and were ridiculed.

- (a) She cannot file a suit because injury to religious feelings is not a legally recognized right.  
 (b) She cannot file a suit because the Theatre has a fundamental right to speech and expression.  
 (c) She can file a suit as injury to religious feelings has been legally recognized as a right (injuria sine damnum).  
 (d) It is a case of complete judicial discretion.

Ans: [c]

**Q221.** Match schedule one and two and choose the appropriate answer. Schedule I Schedule II **i.** Concurrent list **1.** Constitution of Japan **ii.** Rule of Law **2.** Constitution of Ireland **iii.** Directive Principle **3.** British Constitution of State Policy **iv.** Procedure **4.** Constitution of established Australia by law **i ii iii iv**

- (a) 1 2 3 4  
 (b) 2 4 3 1  
 (c) 1 3 4 2  
 (d) 4 3 2 1

Ans: [d]

**Q222.** P, Q and R made a joint promise to give S, a sum of Rs. 3,000. S recovered the whole amount from P. Q was declared insolvent and can not give anything. Which statement out of the following is correct?

- (a) P cannot get anything from R.
- (b) P can cover Rs. 1,000 from R.
- (c) P can recover Rs. 1,500 from R.
- (d) can recover Rs. 2,000 from R.

Ans: [a]

**Q223.** X went to Y's house and forgot his bag which contained 1 kg sweets. Y's children consumed the sweets. Decide the liability of Y.

- (a) Y is bound to pay the price of sweets,
- (b) Y is not bound to pay anything.
- (c) Y is bound to pay half the price of sweets.
- (d) Y would not have to pay anything because X loves Y's children.

Ans: [b]

**Q224.** Which one of the following is not correct?

- (a) Freedom of speech and expression includes freedom of press.
- (b) Right to life and personal liberty includes right to carry on any trade and profession.
- (c) Right to equality includes the principles of natural justice.
- (d) Freedom of conscience includes the wearing and carrying of kirpans by the Sikhs.

Ans: [c]

**Q225.** Y makes an attempt to steal some jewels by breaking open a box and finds, after opening the box, that there is no jewel in it. Choose the appropriate answer.

- (a) Y is not guilty of attempt to theft because the box was empty.
- (b) Y is guilty of attempt to commit theft.
- (c) Y is guilty of trespass.
- (d) Y is not guilty of any offence.

Ans: [b]

**Q226.** A lady wanted to get a railway ticket but finding a crowd near the ticket window at the station, asked Raju. Who was near the window, to get a ticket for her and handed him money for the same. Raju took the money and instead of getting the ticket, ran away with it. What offence has been committed by Raju?

- (a) No offence.
- (b) Criminal breach of trust.
- (c) Criminal misappropriation.
- (d) Theft.

Ans: [c]

**Q227.** The Right to Equality is guaranteed by

- (a) Article 14 to 18.
- (b) Article 14.
- (c) Article 14 and 15.
- (d) Article 14, 15 and 16.

Ans: [a]

**Q228.** Mr Samay was severely hurt while working in his factory and fell unconscious. He was rushed to a hospital by his fellow workers. In the hospital (at emergency/casualty ward) the doctors opined that he should be operated

immediately. While conducting preliminary examinations, he was found to be HIV positive. The doctors are in a dilemma regarding what should they do first

- (a) Doctors should operate first.
- (b) Doctors should inform his family members.
- (c) Doctors should inform his employers.
- (d) Doctors should not inform anyone because it would violate patient's right of privacy.

Ans: [b]

**Q229.** Match the schedule I and II and choose the appropriate answer. Schedule I Schedule II i Republic 1. Head of the state is elected by the people ii Secular 2. State does not recognize any religion as religion of the state iii Democracy 3. The government which gets authority from the will of the people

- (a) 1 2 3
- (b) 1 3 2
- (c) 2 3 1
- (d) 3 2 1

Ans: [a]

**Q230.** In which of the following cases can a Constitutional amendment be passed just by a simple majority in Parliament?

- (a) Election matters.
- (b) Change in the name and boundaries of states.
- (c) Powers of the President.
- (d) None of the above.

Ans: [b]

**Q231.** Legal Principle: Only Parliament or State Legislatures have the authority to enact laws on their own. No law made by the State can take away a person's fundamental right. Facts: Parliament enacted a law, which according to a group of lawyers is violating the fundamental rights of traders. A group of lawyers files a writ petition challenging the Constitutional validity of the statute seeking relief to quash the statute and further direct Parliament to enact a new law.

- (a) No writ would lie against Parliament, as the court has no authority to direct Parliament to enact or re-enact a law.
- (b) The court can quash existing law if it violates fundamental rights and can direct Parliament to make a new law.
- (c) The court can quash the existing law if it violates fundamental rights but cannot direct Parliament to make a new law.
- (d) None of these.

Ans: [b]

**Q232.** Legal Principle: When one person signifies to another his willingness to do or abstain from doing anything, with a view to obtaining the assent of that person to such an act or abstinence, he is said to have made a proposal. Fact: 'Ramanuj telegraphed to Shyam Sunder, writing: 'Will you sell me your Rolls Royce CAR? Telegram the lowest cash price.' Shyam Sunder also replied by telegram: 'Lowest price for CAR is Rs. 20 lakh.' Ramanuj immediately sent his consent through telegram stating: 'I agree to buy the CAR for Rs. 20 lakh asked by you.' Shyam Sunder refused to sell the car.

- (a) He cannot refuse to sell the CAR because the contract has already been made.

- (b) He can refuse to sell the CAR because it was only invitation to offer and not the real offer.  
 (c) It was not a valid offer because willingness to enter into a contract was absent.  
 (d) None of these.

Ans: [a]

**Q233.** Legal Principle: Every person, who is of the age of majority, is competent to contract according to the law to which he is subject. Facts: A minor mortgaged his house in favour of Thakur Das, a money lender, to secure a loan of Rs. 20,000. A part of this, i.e. Rs. 10,500 was actually advanced, the attorney who was acting for the money lender, received information that the plaintiff was still a minor. Subsequently the minor commenced an action stating that he was underage when he executed the mortgage and the same should, therefore, be cancelled. He prayed for setting aside the mortgage. The mortgagee money lender prayed for the refund of Rs. 10,500 from the minor.

- (a) As a minor's contract is void, any money advanced to a minor can be recovered.  
 (b) A minor's contract is void ab initio any money advanced to a minor cannot be recovered.  
 (c) A minor's contract is voidable; any money advanced to a minor can be recovered.  
 (d) Advanced money can be recovered because minor has given wrong information about his age.

Ans: [b]

**Q234.** Legal Principle: A person is said to be of sound mind for the purpose of making a contract if, at the time when he makes it, he is incapable of understanding it and of forming a rational judgment as to its effect upon his interests. Facts: Mr X who is usually of sound state of mind, but occasionally of unsound state of mind, enters into a contract with Mr Y when he was of unsound state of mind. Mr Y having come to know about this fact afterwards, wants to file a suit against Mr X.

- (a) Mr X cannot enter into contract because he is of unsound state of mind when he entered into contract.  
 (b) Mr X can enter into contract but the burden is on the other party to prove that he was of unsound state of mind at the time of contract.  
 (c) Mr X can enter into contract but the burden is on Mr X to prove that he was of sound state of mind at the time of contract.  
 (d) None of these.

Ans: [a]

**Q235.** Legal Principle: (1) The state shall not deny to any person equality before the law and equal protection of the laws within the territory of India. (2) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex and place of birth or any of them. Facts: The Government of Rajasthan, passed an order providing for reservations for the Scheduled Castes/ Scheduled Tribes and Socially and Educationally Backward Classes (including Muslims), and Women, in all institutions of higher education, including private educational institutions, both aided as well as unaided, in the following manner: Scheduled Caste 15%; Scheduled Tribe 7.5%, Socially and Educationally Backward Classes (including Muslims) 27%  
**I.** The reservation policy of the government is violative of

the principle of equality envisaged in the Constitution. **II.** The reservation policy is unconstitutional because it is based on 'caste' which is a prohibited marker.  
**III.** Reservation does not violate equality clause as it entails 'like should be treated like and unlike should be treated differently.'  
**IV.** Reservation does not violate equality clause as the Constitution itself enables the State to make special provision for the advancement of socially and educationally backward classes of citizens or for the Scheduled Castes and Scheduled Tribes.

- (a) I is correct.  
 (b) I and II are both correct answers.  
 (c) III is correct answer.  
 (d) III and IV both are correct answers.

Ans: [d]

### Q236. Legal

**Principle:** Nothing is an Offence merely by reason of its being done with the knowledge that it is likely to cause harm, if it be done without any criminal intention to cause harm, and in good faith for the purpose of preventing or avoiding other harm to a person or property. Facts: Mr Sharman, the Captain of a steam vessel, suddenly and without any fault or negligence: on his part, finds himself in such a position that, before he can stop his vessel, he must inevitably run down a boat B, with twenty or thirty passengers on board, unless he changes the course of his vessel, and that, by changing his course, he must incur the risk of running down a boat C with only two passengers on board and which he/may possibly clear.

- (a) Sharman has committed no offence because this was done out of necessity.  
 (b) Sharman can be held responsible for the act of criminal negligence.  
 (c) Sharman can be held responsible for culpable homicide.  
 (d) This is a clear case of accident so Sharman cannot be held responsible.

Ans: [d]

### Q237. Legal

**Principle:** Willful rash driving is an offence. Facts: Mr Tiwari was driving his car after drinking alcohol. Police books him for willful negligent driving. Is the act of the police lawful?

- (a) No, because Mr Tiwari was not driving rashly; he was drunk while driving.  
 (b) No, this is not a negligent act.  
 (c) Yes, because Mr Tiwari was driving rashly.  
 (d) Yes, because the police has the power to arrest a person driving rashly.

Ans: [a]

### Q238. Legal

**Principle:** Whoever, intending to take dishonestly any movable property out of the possession of any person without that person's consent, moves that property with an intention to take it, is said to commit theft. Facts: Y cuts down a tree on Z's ground, with the intention of dishonestly taking it out of Z's possession without Z's consent. Y could not take away the tree.

- (a) Y can be prosecuted for theft.  
 (b) Y cannot be prosecuted for theft.  
 (c) Y can be prosecuted for attempt to theft.

(d) Y has **neither** committed theft nor attempted to commit theft.

Ans: [c]

### Q239. Legal

**Principle:** Injuria Sine Damnum i.e. Injury (violation of legal right) without damage. Facts: X, who was the returning officer at a polling booth in Amethi, wrongly refused to register a duly tendered vote of Y in the recent UP elections, even though Y was an eligible voter. The candidate in whose favour Y wanted to vote, was declared elected. Give the appropriate answer.

(a) Y can sue X on the ground that he was denied the right to cast vote, which is a fundamental right.

(b) Y can sue X on the ground that he was denied the right to cast vote, which is a legal right.

(c) Y cannot sue X because there is no injury or damage caused to Y.

(d) Y cannot sue X because the candidate in whose favor he wanted to vote was declared elected.

Ans: [a]

**Q240. Legal Principle:** Nothing is an offence which is done by a person who, at the time of doing it, by reason of unsound state of mind, is incapable of knowing the nature of the act, or something that he is doing is either wrong or contrary to law. Fact: X takes his son Y who is three years old, for bathing to the well. He throws his son inside the well so that the son can have a good bath. After 10 minutes he also jumps into the well to take bath and get his son out of the well. Both were rescued by the villagers but his son was found dead.

(a) X has committed culpable homicide amounting to murder.

(b) X has committed murder.

(c) X has done no offence as he can plead the defense of unsound state of mind.

(d) X's family should be held responsible for allowing him to take the child to the well.

Ans: [a]

**Q241. Legal Principle:** Ignorance of fact is excused but Ignorance of law is no excuse. Fact: X was a passenger from Zurich to Manila in a Swiss Plane. When the plane landed at the Airport of Bombay on 28 Nov. 1962 it was found on searching that X carried 34 kg of Gold Bars on his person and that he had not declared it in the 'Manifest for Transit'. On 26th Nov. 1962 the Government of India had issued a notification modifying its earlier- exemption, making it mandatory now that the gold must be declared in the 'Manifest' of the aircraft.

(a) X cannot be prosecuted because he had actually no knowledge about the new notification issued two days ago.

(b) X cannot be prosecuted because ignorance of fact is excusable.

(c) X can be prosecuted because ignorance of law is not excusable.

(d) X's liability would depend on the discretion of the court.

Ans: [d]

**Q242. Legal Principle:** Proposal (communication) + Acceptance (communication) + Consideration = Contract. The communication of a proposal is complete when it comes to the knowledge of the person to whom it is made.

Facts: X's nephew absconded from home. He sent his servant in search of the boy. After the servant had left, X by handbills offered to pay Rs. 501 to anybody finding his nephew. The servant came to know of this offer only after he had already traced the missing child. He, therefore, brought an action to recover the reward.

(a) His action would fail because he was not aware of the offer.

(b) His action would not fail because it was a general offer.

(c) The fact that he was not aware of the offer does not make any difference and hence it was a valid contract. It is a mere formality.

(d) None of the above.

Ans: [a]

**Q243. Legal Principle:** Agreements, the meaning of which is not certain, or not capable of being made certain, are void.

Facts: A horse was bought for a certain price coupled with a promise to give Rs. 500 more if the horse is proved lucky.

(a) This is a valid agreement.

(b) This agreement is void for uncertainty because it is very difficult to determine what luck, bad or good, the horse has brought to the buyer.

(c) The agreement is partially valid and partially void.

(d) None of the above.

Ans: [b]

**Q244. Legal Principle:** Mere silence as to the facts likely to affect the willingness of a person to enter into a contract is not a fraud, unless the circumstances of the case are such that, on close examination it is found to be the duty of the person keeping silent to speak, or unless his silence is, in itself, equivalent to speech. Facts: X sells by auction to Y, a horse which X knows to be of unsound state of mind. X says nothing to Y about the horse's unsound state of mind. Give the correct answer.

(a) X can be held liable for fraud.

(b) X can be held liable for misrepresentation

(c) X cannot be held liable, because he did not say anything positive about the mental state of the horse.

(d) X cannot be held liable because it is the buyer who must be aware of the things.

Ans: [d]

**Q245. Legal Principle:** Any direct physical interference with goods in somebody's possession without lawful justification is called trespass of goods. Facts: Z purchased a car from a person who had no title to it and sent it to a garage for repair. X believing wrongly that the car was his, removed it from the garage.

(a) X can be held responsible for trespass of goods.

(b) X cannot be held responsible for trespass of goods as he was under a wrong belief.

(c) X has not committed any wrong.

(d) None of the above.

Ans: [a]

**Q246. Directions:** Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.

**Principle:** When an offer is accepted by a person to whom it is made, it becomes a promise. But this promise will

become loyally binding only when the acceptance of the offer is unconditional.

**Facts:** Ram makes an offer to sell his house to Shyam for Rs. 50,00, Shyam accepts this offer but wants to pay the price of the house in five quarterly instalments. Ram does not agree to it. Thereafter Shyam agrees to pay the price of the house in the way as originally desired by Ram. But Ram does not reply to it. Can Shyam compel Ram to sell his house to him?

(a) Shyam can compel Ram to sell his house because Shyam ultimately agrees to pay the price as originally desired by Ram.

(b) Shyam can compel Ram to sell his house because Shyam in the first instance substantially complied with the desire of Ram.

(c) Shyam can compel Ram to sell his house because Ram's offer does not exclude the payment of price in instalments.

(d) Shyam cannot compel Ram to sell his house because Shyam imposes a new condition about payment of price of the house while accepting the offer which is not ultimately accepted by Ram.

Ans: [d]

**Q247. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Generally an agreement without consideration is not valid. Therefore, in order to make a valid agreement, some consideration which may have some value in the eyes of law, is essentially required.

**Facts:** William has an old car of which he makes seldom use. He voluntarily enters into an agreement with Smith to sell this car for rupees ten thousand. Thereafter one Anson approaches William and offers to buy that car for rupees one lac as the car was one which Anson has been searching for long. Now William wants to cancel his agreement with Smith and refuses to deliver the car to him saying that consideration (price) for the car promised by Smith is negligible and, therefore, agreement with him cannot be said to be valid one.

(a) William can cancel his agreement with Smith as the consideration involved in that is really inadequate.

(b) William cannot cancel his agreement with Smith as the sale of car for rupees ten thousand was voluntary and this price has some value in the eyes of law.

(c) William can cancel his agreement with Smith as he was ignorant about the value price of the car for which it could be sold.

(d) William can cancel his agreement with Smith as he is entitled to get full market value price of his car.

Ans: [b]

**Q248. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** In order to be eligible to appear in the semester examination, student is required to attend, under all circumstances, at least 70% of the total classes held in that semester as per University rules.

**Facts:** Anand, an economically poor but a very brilliant student of LL.B., final semester, while going to his University by cycle received some leg injuries in road

accident. Consequently, Anand could not attend his classes for one week as he was advised rest by his doctor for that period. Due to his absence from the University, Anand failed to have 70% attendance essential to appear in the examination and, therefore, he was debarred from appearing in the examination by the University authorities. Anand challenges this decision in the court of law.

(a) Anand will succeed in the court of law as the accident was beyond his control.

(b) Anand will definitely get favour of the court on humanitarian ground as he comes from an economically poor family and may not afford to take readmission.

(c) Anand will not succeed as he could very easily fulfil eligibility criteria for appearing in the examination by being reasonably regular in the class throughout the semester.

(d) Anand will succeed as requirement of 70% attendance may be declared arbitrary and, therefore, unreasonable by the court of law.

Ans: [a]

**Q249. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** A seller of goods cannot transfer better rights than he himself possesses in the goods sold to the buyer.

**Facts:** Komat leaves his watch by mistake on a seat in the park. Sonal finds that watch and immediately sells the same for good price to Monal who without inquiring whether Sonal is its owner or not. Komal later on claims that watch from Monal. Decide whether Komal can succeed.

(a) Komal cannot succeed as Monal has paid good price of the watch.

(b) Komal cannot succeed as Monal is unaware of the fact that Sonal is not its owner.

(c) Komal cannot succeed as it was his carelessness and nothing else which enabled Sonal to sell the watch to Monal.

(d) Komal cannot succeed as Sonal is merely finder of the watch and, therefore, cannot transfer ownership rights thereon to Monal.

Ans: [b]

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**Q250. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** All citizens shall have the Fundamental Right to carry on any occupation, trade or business. But reasonable restrictions on the exercise of such rights can be imposed by law in the interest of the general public.

**Facts:** A large number of persons had been carrying on the business of dyeing and printing in Rajkot area for the last 25 years providing employment to about 30,000 families. From these business places untreated dirty water was being discharged on the roads thereby causing damage to the public health. A notice, therefore, was given to close this business till necessary measures to protect public health as

provided under the environmental statutes were taken by those business men.

(a) Notice cannot be justified as it will cause loss of employment to 30,000 families.

(b) Notice cannot be justified as it amounts to violation of the Fundamental Right of the persons who have been carrying on the business for the last 25 years.

(c) The notice cannot be justified on the ground of damage to public health as the persons in that area have been voluntarily residing for long and have become used to that environment.

(d) The notice can be justified as the right to business is not absolute and reasonable restriction can be imposed by law in the interest of the public.

Ans: [d]

**Q251. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** A contract cannot be enforced by or against a person who is not a party to it. However, where some benefit is conferred on third party by the contract itself, there third party can be allowed to enforce that contract to get such benefit.

**Facts:** Dinesh is liable to pay Rs. 50,000 to Suresh. In order to discharge this liability Dinesh enters into a contract with Ramesh by which Dinesh sells his car to Ramesh for Rs. 1,00,000. Ramesh takes the delivery of the car and promises/assures to pay its price at the earliest. Dinesh separately informs Suresh about this contract for his satisfaction. Ramesh fails to pay the car's price. Suresh wants to join Dinesh in filing suit against Ramesh for the recovery of price of the car, whether Suresh is entitled to do so?

(a) Suresh is entitled to do so because the contract was made for his benefit.

(b) Suresh is entitled to do so because Dinesh is liable to him and discharge of this liability depends upon the payment of the price of the car by Ramesh.

(c) Suresh is not entitled to do so because liability of Dinesh does not depend upon any assurance of Ramesh.

(d) Suresh is not entitled to do so because he is not a party to the contract between Dinesh and Ramesh.

Ans: [d]

**Q252. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** If a contract is made by post between two persons living in two different cities, then the contract is said to be complete as soon as the letter of acceptance is properly posted, and the place of completion of the contract is that city where acceptance is posted. It is worth mentioning here that in every contract there is always an offer from one party and the acceptance of the offer from the other party.

**Facts:** Sani, a resident of Patna, gives an offer by post to sell his house for Rs. 25,00,000 to Hani, a resident of Allahabad. This offer letter is posted on 1st January 2013 from Patna and reaches Allahabad on 7th January 2013. Hani accepts this offer and posts the letter of acceptance on 8th January 2013 from Allahabad which reaches Patna

on 16th January 2013. But Sani presuming that Hani is not interested in accepting his offer, sells his house to Gani at same price on 15th January 2013. Hani files a suit against Sani for the breach of contract in the competent court of Allahabad. Whether Hani will succeed?

(a) Hani cannot succeed as Sani cannot be compelled by law to wait for the answer from Hani for an indefinite period of time.

(b) Hani cannot succeed as he could use some other effective and speedy mode for communicating his acceptance in minimum possible time.

(c) Hani can succeed as he properly posted the letter of acceptance and the delay was beyond his control.

(d) Hani can succeed as contract became complete in the eyes of law on the date of posting the letter of acceptance.

Ans: [d]

**Q253. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** He, who goes to the court of law to seek justice, must come with clean hands.

**Facts:** P enters into a contract with S under which S has to construct a house for P and has to complete the same within one year from the date of the contract. This contract includes two very important terms. According to first term if there is price hike of the materials to be used in the construction, then the escalation charges at a particular rate shall be payable by P to S. According to second term if the construction of the house is not completed within the period prescribed for it, then S will have to pay penalty at a particular rate to P. Before the completion of the construction work the workers of S go on strike and strike continues up to three months even after the expiry of one year. After that period workers return and the construction work again starts. During the last three months period of strike there was a considerable rise in the price of the building material. S claimed escalation cost from P. P did not agree to it. S filed a suit in the court of law either to order the payment of the price of the building material on the basis of escalated price or to allow him to stop the work without incurring any penal liability towards P.

(a) S will succeed as strike by his workers was unexpected and beyond his control.

(b) S can succeed as there is an escalation clause in the contract.

(c) S can not succeed as he has failed to complete the construction work in time and strike cannot be treated as a valid excuse for delay in work.

(d) S can succeed if he pays penalty to P for delay.

Ans: [c]

**Q254. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** If the object of an agreement is or becomes unlawful or immoral or opposed to public policy in the eyes of law, then the courts will not enforce such agreements. Law generally prohibits child labour.

**Facts:** P enters into an agreement with T by which P has to let his house to T for two years and T has to pay Rs. 20,000 per month to P as rent. T starts a child care centre in that

house. But after some time in order to earn some money for the maintenance of the centre, T starts sending the children of the centre on the rotation basis to work for four hour a day in some nearby chemical and hazardous factories. When P comes to know about this new development, he asks T either to stop the children from working in factories or to leave his house immediately. T neither agrees to leave the house nor to stop the children from working in the factories. P files a suit in the court of law for appropriate relief/action.

- (a) P cannot succeed as the agreement was for the two years and it cannot be terminated before the expiry of that period.  
 (b) P cannot succeed as the object at the time of making of the agreement was not clear.  
 (c) P will succeed as the object of the agreement has become unlawful.  
 (d) P will not succeed if T agrees to share the wages of the children with P.

Ans: [c]

**Q255. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Whosoever by his act or omission causes environmental pollution shall be held liable for any loss caused by such pollution, it shall be no defence in such cases that all due diligence or reasonable care was taken while carrying out the act or omission in question.

**Facts:** Hari is carrying on a chemical and fertilizer industry near a bank of a river. In order to prevent and control any kind of harm to the environment, suitable waste treatment and disposal plants were installed in the factory. Due to some sudden mechanical/technical problem, these plants ceased to work properly and, therefore, caused environmental pollution, which ultimately caused substantial harm to the environment and to the people living around the factory. Victims of such pollution file a suit for suitable remedy.

- (a) Victims cannot succeed as necessary precautions to prevent any harm were taken by Hari.  
 (b) Victims cannot succeed as the mechanical/technical problem was sudden and therefore, beyond the control of Hari.  
 (c) Victims can succeed as it is the duty of Hari so that no harm is caused to the environment/people due to his activity under any circumstances.  
 (d) Victims could succeed if treatment/ disposal plant were not installed in the factory.

Ans: [c]

**Q256. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** If a person transfers movable or immovable property with its full ownership and without any consideration to some other person, then it is called a gift.

**Facts:** S, who has no child of his own, makes a gift of his house worth Rs. 25,00,000 to his nephew R. After completing all the legal formalities required for a valid gift, S says to R that in case of need R will provide that house to S for use without any questions. R does not react to it. After

one year of this gift, S really needs that house and request R to make the house available to him, but R refuses to do so.

- (a) R cannot refuse as he got the house without paying any consideration for that.  
 (b) R cannot refuse as S is without children.  
 (c) R can refuse as he has become full owner of the house.  
 (d) R can refuse as he himself may be in need of that house.

Ans: [a]

**Q257. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** An agreement to do an act impossible in itself cannot be enforced by a court of law.

**Facts:** Ramesh agrees with his girl friend Shilpa to pluck stars from the sky through his extraordinary will power, and bring them down on earth for her within a week. After the expiry of one week, Shilpa filed a suit for damages against Ramesh for the breach of contract as Ramesh failed to perform his promise.

- (a) Shilpa can succeed in getting damages as Ramesh has deceived her.  
 (b) Ramesh cannot be held liable as he honestly believes that his love for Shilpa is true and, therefore, he will succeed in his endeavour.  
 (c) The court cannot entertain such suits as the act promised under the agreement is impossible in itself.  
 (d) Ramesh can be held liable for making an absurd promise.

Ans: [c]

**Q258. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** An agreement may be oral or written. However, if a law specifically requires that an agreement must be in writing then the agreement must be in writing. A law specifically requires that the agreements relating to transfer of the copyright in novel between an author of a novel and the producer of a motion picture must be in writing.

**Facts:** The author of a novel, Love at Lost Sight, had several rounds of discussion with a producer of motion picture regarding making of a motion picture based on Love at Lost Sight. During the last discussion, they decided to make a motion picture on Love at Lost Sight the producer made a payment of Rs. 10,00,000 in cash to the author who happily accepted this amount as full and final payment. Later on, on the advice of his lawyer, the author brought a case in a court of law against the producer on the ground that there is no written agreement between the producer and him.

- (a) The author is likely to succeed in the case as the agreement is not in accordance with the law.  
 (b) The author cannot succeed in the case as he has given his consent to the agreement.  
 (c) The author is not likely to succeed in the case because he has already accepted the amount of Rs. 10,00,000 as full and final payment.  
 (d) The author can succeed in the case as the consideration is not adequate.

Ans: [a]

**Q259. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** A person is said to be of sound mind for the purpose of making a contract if, at the time when he makes it, he is capable of understanding it and of forming a rational judgment as to its effect upon his interest.

**Facts:** X who is usually of sound mind, but occasionally of unsound mind enters into a contract with Y when he (X) is of unsound mind. Y came to know about this fact afterwards and now wants to file a suit against X.

- (a) X cannot enter into contract because he is of unsound mind when he entered into contract.  
 (b) X can enter into contract but the burden is on the other party to prove that he was of unsound mind at the time of contract.  
 (c) X can enter into contract but the burden is on X to prove that he was of sound mind at the time of contract.  
 (d) None of these.

*Ans: [a]*

**Q260. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Whosoever commits any act forbidden by the Indian Penal Code with a view to obtain the consent of any person to enter into an agreement, he cannot get the agreement enforced by law but the person whose consent has been so obtained may get the agreement enforced by law. The Indian Penal Code defines various offences and prescribes punishments therefor.

**Facts:** A obtains the consent of B to enter into an agreement by an act amounting to criminal intimidation under the Indian Penal Code. A brings a case against B for performance of agreement.

- (a) A will succeed in the case.  
 (b) A may succeed in the case.  
 (c) B will succeed in the case.  
 (d) B will not succeed in the case.

*Ans: [c]*

**Q261. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** A contract between the father and his son is a contract of utmost good faith. In such a type of contract law presumes that at the time of entering into the contract the father was in a position to dominate the will of his son. Where one of the parties was in position to dominate the will of the other party, the contract is enforceable only at the option of the party whose will was so dominated.

**Facts:** Ram had advanced a sum of Rs. 10,000 to his minor son Shyam. When Shyam became major, his father Ram misused his parental position and entered into an agreement with Shyam and obtained a bond from him for a sum of Rs. 30,000 in respect of the advance. Whether this agreement is enforceable?

- (a) The agreement is enforceable against Shyam only for Rs. 10,000, the actual amount of money advanced to him.

- (b) The agreement is enforceable against Shyam for Rs. 30,000 because he has signed the bond.  
 (c) The agreement is enforceable against Shyam because he was major at the time of agreement.  
 (d) The agreement is not enforceable against Shyam because Ram has misused his position as father to obtain an unfair advantage.

*Ans: [d]*

**Q262. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** When at the desire of one person, any other person has done or abstained from doing something, such act or abstinence or promise is called a consideration for the promise. Only a promise coupled with consideration is enforceable by law.

**Facts:** X, the uncle of Y, made a promise to pay him an amount of Rs. 10,000 as reward if Y quits smoking and drinking within one year. X also deposited the above mentioned amount in a bank and informed Y that the said amount will be paid to him if he quits smoking and drinking within one year. Within a period of six months of making the promise X died. After the expiry of one year of making the promise by X, Y made a request to the legal heirs of X demanding the promised money. The legal heirs of X declined the request of Y.

- (a) The promise of X to Y is enforceable by law because Y has quitted smoking and drinking.  
 (b) The promise of X to Y is not enforceable by law because Y has benefitted by quitting smoking and drinking.  
 (c) The promise of X to Y is enforceable by law because the amount of Rs. 10,000 has been deposited in a bank.  
 (d) The promise of X to Y is enforceable by law because X has died within a period of six months of making the promise.

*Ans: [a]*

**Q263. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** 'Work' means literary work, artistic work, dramatic work, musical work, cinematographic film and sound recording but does not include acting in a cinematographic film. Only the works, as enumerated above, can be protected under copyright law.

**Facts:** A very famous actor acted in a cinematographic film. The actor was also the producer and director of cinematographic film.

- (a) The acting of the actor can be protected under copyright law.  
 (b) The acting of the actor can be protected under copyright law only as an artistic work.  
 (c) The acting of the actor cannot be protected under copyright law.  
 (d) The acting of the actor cannot be protected under copyright law as a cinematographic film.

*Ans: [d]*

**Q264. Directions: Each question consists of legal propositions/principles and facts. These principles**

**have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** In case where the government is a party, the government shall be the first owner of the copyright in the work unless there is an agreement to the contrary.

**Facts:** The Government of the State of X entered into an agreement with a retired Professor of Botany. The Professor agreed to write a text book on Botany. The government agreed to pay a sum of Rs. 10,00,000 to the Professor for this work.

- (a) The Government of the State of X shall be first owner of copyright in the text book.  
 (b) The Professor shall be first owner of copyright in the text book.  
 (c) **Both** the Government of the State of X and the Professor shall be the joint owners of copyright in the text book.  
 (d) The Professor shall be first owner of copyright in the text book only if he refuses to accept the amount of Rs. 10,00,000 from the government.

*Ans: [a]*

**Q265. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Licence is an agreement whereby the owner of the copyright agrees to grant an interest in the copyright to the licensee. Assignment is an agreement whereby the owner of the copyright transfers all the property rights to the assignee. Property right is a bundle of rights consisting of right to possess, right to use, right to alienate and the right to exclude others.

**Facts:** A, an owner of copyright in a cinematographic film enters into an agreement with B, a film distributor. B agrees to distribute the film only in Mumbai. A also enters into many such agreements with other distributors for distribution of his film in other cities.

- (a) The agreement between A and B is more in the nature of assignment than in the nature of licence.  
 (b) The agreement between A and B is more in the nature of licence than in the nature of assignment.  
 (c) The agreement between A and B is both in the nature of assignment and licence.  
 (d) The agreement between A and B is **neither** in the nature of assignment nor in the nature of licence.

*Ans: [a]*

**Q266. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Qui facit per alium tacit per se, i.e. he who does things through others does it himself.

**Facts:** Nisha, the owner of a car, asked her friend Saurabh to take her car and drive the same to her office. As the car was near her office, it hit a pedestrian Srikant on account of Saurabh's negligent driving and injured him seriously. Now Srikant files a suit for damages against Nisha.

- (a) Nisha is not liable as it was the negligence of Saurabh.  
 (b) Saurabh is solely liable as Nisha was not driving the car.  
 (c) Nisha is liable as Saurabh was driving under her authority and for her purpose.  
 (d) Saurabh will be exempted from liability under the principle of inevitable accident.

*Ans: [c]*

**Q267. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Words describing quality of things cannot be registered as trade mark. However, such words may be registered as trade mark if they acquire a secondary meaning. Words acquire secondary meaning when people start associating the descriptive words with a person specific.

**Facts:** A hatchery located in Raipur is owned by X. X has been using the slogan 'new laid eggs sold here' since 1970 to describe the quality of eggs sold in his hatchery. Over a period of time because of continuous use of this slogan, people started associating this slogan with X. X filed an application for registration of the words 'new laid eggs' as trade mark in the year 1970.

- (a) The words will be registered as trade mark.  
 (b) The words will not be registered as trade mark.  
 (c) The words may be registered as trade mark.  
 (d) The words may not be registered as trade mark.

*Ans: [c]*

**Q268. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Whoever takes away anything from the land of any person without that person's consent is said to commit theft. A thing so long as it is attached to the earth is not the subject of theft; but it becomes capable of being the subject of theft as soon as it is severed from the earth.

**Facts:** Y cuts down a tree standing on the land of X with the intention of dishonestly taking the tree out of X's possession without the consent of X. But Y is yet to take away the tree out of X's possession.

- (a) Y has committed theft as soon as he came to the land of X.  
 (b) Y has committed theft as soon as the tree has been completely cut down by him.  
 (c) Y has committed theft as soon as he has started cutting down the tree.  
 (d) Y has not committed theft because he is yet to take away the tree out of X's possession.

*Ans: [c]*

**Q269. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** res ipsa loquitur i.e. The thing speaks for itself.

**Facts:** Seema got herself operated for the removal of her uterus in the defendant's hospital, as there was diagnosed to be a cyst in one of her ovaries. Due to the negligence of the surgeon, who performed the operation, abdominal pack was left in her abdomen. The same was removed by a second surgery.

- (a) Surgeon cannot be held responsible because it is merely a human error.  
 (b) Surgeon can be held responsible but Seema will have to prove in the court of law that the surgeon was grossly negligent.

(c) Surgeon will be responsible and Seema need not to prove surgeon's negligence because presence of abdominal pack in her abdomen is sufficient proof therefore.

(d) None of the above.

Ans: [c]

**Q270. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Whoever takes away with him any minor person less than sixteen years of age if a male, or less than eighteen years of age if a female out of the keeping of parents of such minor person without the consent of such parent, is said to kidnap such minor person. **Facts:** A female born on 1st January 1995 got admitted to an undergraduate program of a reputed University on 1st July 2012. She became friendly with one of the boys, born on 1st June 1994, of her class. The boy and the girl decided to marry. The parents of the boy agreed but the family of the girl did not agree. On 15th December 2012 the girl made a call from her Blackberry to the boy. The girl told the boy to come in his car at a particular place and time. The boy reached the stipulated place before the stipulated time. He waited there for about half an hour. The girl reached the stipulated place. She opened the door of the car and sat beside the boy who was on the driving seat. Without exchanging any pleasantries, the boy drove the car to an unknown place. The father of the girl lodged an FIR in the nearest police station on 20th January 2013.

- (a) The boy has committed the offence of kidnapping.
- (b) The boy has not committed the offence of kidnapping.
- (c) The boy has not committed the offence of kidnapping for there is a delay in filing the FIR.
- (d) The boy has not committed the offence of kidnapping because the girl was his classmate.

Ans: [b]

**Q271. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal shall be punished.

**Facts:** Two adult men were found engaged in carnal intercourse by the police. The police arrested the men and produced them before the Court.

- (a) Court will punish the police officer who arrested the men.
- (b) Court will not punish the men for they were adults.
- (c) Court will punish the men.
- (d) Court may be requested to declare the law unconstitutional.

Ans: [c]

**Q272. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Wherever the causing of a certain effect, or an attempt to cause that effect, by an act or by an omission, is an offence, it is to be understood that the causing of that effect

partly by an act and partly by an omission is the same offence.

**Facts:** A intentionally omitted to give food to his father. He also used to beat his father. Consequently A's father died.

- (a) A did not commit any offence.
- (b) A committed only the offence of omitting to give food to his father.
- (c) A committed only the offence of beating of his father.
- (d) A committed the offence of killing of his father.

Ans: [d]

**Q273. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Nothing is an offence which is done by a child under seven years of age.

**Facts:** A, a child born on 1st January 2005 killed another child 'B' on 30th December 2011.

- (a) A has committed no offence.
- (b) A has committed the offence as it is heinous crime.
- (c) Killing of one child by another child is not an offence.
- (d) A has not committed the offence for on the date of killing of B, A was a minor.

Ans: [d]

**Q274. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** A pact, other than a pact to commit suicide, to suffer any harm is not an offence, provided the age of the person who has given his consent to suffer harm is above eighteen years.

**Facts:** A enters into a pact with B, a boy of less than 18 years of age, to fence with each other for amusement. They agreed to suffer any harm which, in the course of such fencing, may be caused without foul play.

- (a) A, while playing fairly, hurts B, A commits no offence.
- (b) A, while playing only unfairly, hurts B, A commits an offence.
- (c) A, while playing fairly, hurts B, A commits an offence.
- (d) A, while playing unfairly, hurts B, A commits no offence.

Ans: [a]

**Q275. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** When an act, which would otherwise be an offence, is not that offence by reason of the youth, the want of maturity of understanding, the unsoundness of mind or the intoxication of the person doing that act, every person has the same right of private defence against that act which he would have if the act were that offence. Nothing is an offence which is done in the exercise of the right of private defence.

**Facts:** A, under the influence of madness, attempts to kill B. B in order to save his life causes grievous hurt to A.

- (a) A has committed an offence.
- (b) A has not committed an offence.
- (c) B has committed an offence.
- (d) B has not committed any offence.

Ans: [d]

**Q276. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Mere silence as to facts likely to affect the decision of a person to enter into a contract does not amount to fraud, unless his silence is in itself equivalent to speech.

**Facts:** A sells to B a horse which A knows to be of unsound mind. B says to A that if A does not say anything about the state of mind of horse, then B shall presume that the horse is of sound mind. A says nothing to B about the mental condition of horse.

- (a) A has committed fraud.
- (b) A has committed misrepresentation.
- (c) There cannot be a fraud because A says nothing about the mental condition of the horse.
- (d) There cannot be a fraud because B did not ask A whether the horse is of sound mind.

Ans: [c]

**Q277. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Whoever by words, either spoken or written brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the government established by law in India shall be punished. However, comments expressing disapprobation of the administrative or other action of the government without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence.

**Facts:** A renowned Professor of Economics wrote a critical comment on the economic policies of the Government of India in a national daily. This piece of writing generated academic debate not only in the print media but also on television and internet. A student of law asked the fellow Indians on a social networking website to assemble at a particular place for peaceful and silent demonstration against the said economic policies on a stipulated date and time. The crowd assembled at that venue and started shouting anti-government slogans. Police arrested the professor.

- (a) The professor has committed the offence.
- (b) The professor has not committed any offence.
- (c) The student of law has committed the offence.
- (d) The crowd has committed an offence.

Ans: [b]

**Q278. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Where two or more persons have made a complaint for the grant of compulsory licence to the Copyright Board, the licence shall be granted to that complainant only who, in the opinion of the Copyright Board, would best serve the interests of the general public.

**Facts:** Four persons made a complaint for the grant of compulsory licence to the Copyright Board.

- (a) Licence shall be granted to only one complainant.

- (b) Licence may be granted to two complainants.
- (c) Licence may be granted to three complainants.
- (d) Licence must be granted to all the four complainants.

Ans: [a]

**Q279. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Any police officer, not below the rank of a sub-inspector, may, if he is satisfied that an offence in respect of the infringement of copyright in any work has been, is being, or is likely to be, committed, seize without warrant, all copies of the work, and all plates used for the purpose of making infringing copies of the work, wherever found, and all copies and plates so seized shall, as soon as practicable, be produced before a Magistrate.

**Facts:** A Superintendent of Police (SP) conducted a raid on a shop and found pirated copies of books. The SP formed an opinion that infringement of copyright is taking place. He arrested the shop owner without warrant in the light of above mentioned propositions.

- (a) The arrest of the shop owner was within the power of the SP.
- (b) The arrest of the shop owner was not within the power of the SP.
- (c) The shop owner can never be arrested.
- (d) SP was not competent to know whether infringement of copyright has taken place.

Ans: [a]

**Q280. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Whoever attempts to commit an offence punishable by the Indian Penal Code and in such attempt does any act towards the commission of the offence, shall be punished. Stealing is an offence punishable by the Indian Penal Code.

**Facts:** A makes an attempt to steal some jewels by breaking open a box, and after so opening the box, finds that there is no jewel in it.

- (a) A has committed no offence.
- (b) A has committed the offence of stealing.
- (c) A has attempted to commit the offence of stealing.
- (d) None of the above.

Ans: [c]

**Q281. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Whoever by words either spoken or intended to be read, or by signs or by visible representations, makes or publishes any imputation concerning any person intending to harm, or knowing or having reason to believe that such imputation will harm, the reputation of such person, is said to defame that person.

**Facts:** In a community there is a custom of stealing shoes of bridegroom during the marriage ceremony. The shoes of the bridegroom were stolen by Y. 'A' announced that Z has stolen the shoes. Everyone present in the marriage party started staring at Z with great surprise. Z felt very ashamed.

- (a) A defamed Z.
  - (b) A did not defame Z.
  - (c) A defamed Z for Z fell very ashamed.
  - (d) A defamed the whole marriage party.
- Ans: [b]

**Q282. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** An employer is liable for the negligence of his employee. But an employer is not liable for the negligence of his employee if the victim of such negligence is one of his other employees.

**Facts:** 'A' and 'B' were working in a factory as unskilled labourers. A was carrying a basket of stones on his head. B was sitting on the ground. When A crossed B, all of a sudden a stone fell down from the basket and hit B on his head. B died immediately.

- (a) The owner of the factory will be liable.
- (b) A and the owner of the factory shall be jointly.
- (c) The owner of the factory will not be liable.
- (d) None of the above.

Ans: [a]

**Q283. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Damages are the money recompense, as far as money can do, for the violation.

**Facts:** A, an Indian citizen, having a right to vote, was not allowed to cast his vote on the polling booth, by the returning officer. Name of A was mentioned in the voter's list. A has also reported at the polling booth in time. However, the candidate in whose favour A would have cast his vote won the election. A filed a suit claiming damages.

- (a) A will be entitled to damages.
- (b) A will not be entitled to damages.
- (c) A will be entitled to only nominal damages.
- (d) A will be entitled to exemplary damages.

Ans: [a]

**Q284. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** When a party to a contract has refused to perform, or disabled himself from performing, his promise in its entirety, the other party may put an end to the contract.

**Facts:** A engaged B on April 12 to enter his service on June 1, but on May 11, A wrote to B that his services would not be needed. On May 22, B joined C for employment.

- (a) B must wait till June 1.
- (b) B must have joined C on May 11
- (c) B is not bound to wait till June 1.
- (d) A must pay damages to B.

Ans: [c]

**Q285. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** When a person voluntarily agrees to suffer some harm, he is not allowed to complain for that.

**Facts:** 'A' was one of the spectators at a formula one car race, being held at Gurgaon, on a track owned by one 'M' company. During the race, there was a collision between two racing cars, one of which was thrown away amidst spectators, thereby causing an injury to 'A'. 'A' claims damages for the injuries caused to him.

- (a) M company will be liable for damages because the injury was caused during the race organized by it.
- (b) M company will not be liable for damages because A had come to see the race on his own will.
- (c) M company will not be liable for damages because the collision between the cars was beyond its control.
- (d) M company will be liable because it has earned huge revenue by way of sale of tickets for the event.

Ans: [b]

**Q286. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** An interest which is created on a transfer of property and depends upon the fulfillment of a condition will fail if the fulfillment of the condition is impossible or 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.

**Facts:** A gives Rs. 10,00,000 to B on condition that B shall marry A's daughter C. On the date on which A gave Rs. 10,00,000 to B, C was dead.

- (a) B's interest in Rs. 10,00,000 fails because of impossibility.
- (b) B's interest in Rs. 10,00,000 fails because of immorality.
- (c) B's interest in Rs. 10,00,000 fails because of prohibition by law.
- (d) B's interest in Rs. 10,00,000 does not fail.

Ans: [a]

**Q287. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** A condition precedent must be complied with before the happening of the event to which such a condition is attached. Fulfillment of such a condition after the happening of the event is no fulfillment of condition.

**Facts:** A transfers Rs. 5,000 to B on condition that he shall marry with the consent of C, D and E. As C, D and E had to go abroad for some business purposes and as the date of marriage was already fixed, therefore, B marries without the consent of C, D and E, but obtains their consent after the marriage when C, D and E return to their country.

- (a) B has fulfilled the condition.
- (b) B has not fulfilled the condition.
- (c) B was free to marry any one without the consent of any body.
- (d) B must divorce his wife as he married her without fulfilling the condition.

Ans: [b]

**Q288. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** In an agreement, a condition subsequent must be complied with, to claim the benefit of that agreement.

**Facts:** A agrees to transfer a farm to B, provided that, if B does not go to England within three years after the date of the agreement, his interest in the farm shall cease. B does not go to England within the term prescribed.

- (a) B's interest in the farm continues.
- (b) B's interest in the farm does not continue.
- (c) B has a fundamental right to go to England or not to go to England and hence the condition was illegal.
- (d) The agreement between A and B was void.

Ans: [b]

**Q289. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Existence of all the alleged facts is relevant whether they occurred at the same time and place or at different times and places.

**Facts:** A, a permanent resident in a foreign country who never visited India, is accused of waging war against the Government of India by taking part in an armed insurrection in which property is destroyed, troops are attacked and prisons are broken open.

- (a) The existence of all the above mentioned alleged facts is relevant.
- (b) Only the alleged fact that A is accused of waging war against the Government of India is relevant.
- (c) The fact that A was a permanent resident in a foreign country who never visited India is not relevant.
- (d) Only the alleged fact of taking part by A in armed insurrection is relevant.

Ans: [d]

**Q290. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Whoever desires any court to give judgement about any legal right or liability which depends on the existence of those facts which he asserts, must prove that those facts exist.

**Facts:** A asserts that B, C and D have committed an offence of criminal conspiracy and therefore A desires a Court to give judgment that B, C and D shall be punished for that crime which A says B, C and D have committed.

- (a) A must prove that B, C and D have committed the crime.
- (b) B, C and D must prove that they have not committed the crime.
- (c) A must prove that B, C and D were present at the place of crime.
- (d) Police must prove that B, C and D have committed the crime.

Ans: [a]

**Q291. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** 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.

**Facts:** X and Y married on 15th January 1995. Y, the wife of X, never left her parental home and never went to her husband's home. A boy was born to Y on 15th July 1995. For the court:

- (a) There shall be a conclusive proof that the boy is the legitimate son of X.
- (b) There shall be no conclusive proof that the boy is the legitimate son of X.
- (c) There shall be a conclusive proof that the boy is the illegitimate son of X.
- (d) There shall be no evidence at all.

Ans: [b]

**Q292. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** An unlawful interference with a person's use or enjoyment of land, or same right over, or in connection with it, is a nuisance in law of tort. **Facts:** During the scarcity of onions, long queues were made outside the defendant's shop who having a license to sell fruits and vegetables used to sell only 1 kg of onion per ration card. The queues extended on to the highway and also caused some obstruction to the neighbouring shops. The neighbouring shopkeepers filed a suit for nuisance against the defendant. Which one of the following decisions will be correct in this suit?

- (a) The defendant is liable for nuisance.
- (b) The defendant is not liable for nuisance.
- (c) The defendant is liable under the principle of strict liability.
- (d) The plaintiff's suit should be decreed in favour of the neighbouring shopkeeper.

Ans: [a]

**Q293. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Every agreement in restraint of the marriage of any person, other than a minor, is void.

**Facts:** Qadir Khan died in a road accident. Two co-widows, Sultana and Marjina enter into an agreement that if any of them will remarry, would forfeit her right to her share in the deceased husband's property.

- (a) The agreement is void because it was restraint of marriage.
- (b) The agreement is not void because no restraint was imposed upon either of two widows for remarriage.
- (c) The restraint was partial so agreement is valid.
- (d) None of the above.

Ans: [a]

**Q294. Directions: Each question consists of legal propositions/principles and facts. These principles**

**have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Nothing is an offence merely by reason of its being done with the knowledge that it is likely to cause harm, if it be done without any criminal intention to cause harm, and in good faith for the purpose of preventing or avoiding other harm to a person or property.

**Facts:** Mr Sharman, the Italian captain of a steam vessel, suddenly and without any fault or negligence on his part, finds himself near the Kochi coast in such a position that before he can stop his vessel, he must inevitably run down a boat B with twenty or thirty passengers on board, unless he changes the course of his vessel, and that by changing his course, he must incur risk of running down a boat C with only two passengers on board, which he may possibly clear. Whether Sharman has committed an offence?

- (a) Sharman has committed no offence because this was done out of necessity.  
 (b) Sharman can be held responsible for the act of criminal negligence.  
 (c) Sharman can be held responsible for culpable homicide.  
 (d) This is a clear case of accident so Sharman cannot be held responsible.

*Ans: [d]*

**Q295. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion.**

**Principle:** Only the Parliament or the State Legislatures have the authority to enact laws on their own. No law made by State can take away a person's fundamental right.

**Facts:** Parliament enacted a law, which according to a group of lawyers is violating the fundamental rights of traders. The group of lawyers filed a writ petition against the Parliament for enacting such law and requests the court to quash the law and to direct the Parliament to make a new law.

- (a) No writ would lie against the Parliament, as the Court has no authority to direct the Parliament to enact or re-enact a law.  
 (b) The Court can quash the existing law if it violates fundamental right and can direct to make a new law.  
 (c) The Court can quash the existing law if it violates fundamental right but cannot direct the Parliament to make a new law.  
 (d) None of these.

*Ans: [c]*

**Q296. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** When one person signifies to another his willingness to do or to abstain from doing anything, with a view to obtaining the assent of that other to such act or abstinence, he is said to make a proposal. The expression of willingness/desire results in a valid proposal only when it is made/ addressed to some person(s).

**Facts:** 'X' makes the following statement in an uninhabited hall: 'I wish to sell my mobile phone for Rs. 1,000.' Which of the following derivations is CORRECT?

- (a) 'X' made a statement that resulted in a promise

- (b) 'X' made a statement that resulted in a proposal  
 (c) 'X' made a statement that did not result in any proposal  
 (d) 'X' made a statement that resulted in an agreement

*Ans: [c]*

**Q297. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** A proposal (offer) should be made with an intention that after its valid acceptance, a legally binding promise or agreement will be created. The test for the determination of such intention is not subjective, rather it is objective. The intention of the parties is to be ascertained from the terms of the agreement and the surrounding circumstances under which such an agreement is entered into. As a general rule, in the case of arrangements regulating social relations, it follows as a matter of course that the parties do not intend legal consequences to follow. On the contrary, as a general rule, in the case of arrangements regulating business affairs, it follows as a matter of course that the parties intend legal consequences to follow. However, the above rules are just presumptive in nature, and hence, can be rebutted.

**Facts:** One morning while having breakfast, 'X', the father, says to 'Y' (X's son), in a casual manner, 'I shall buy a motorbike for you if you get through the CLAT.' Which of the following derivations is CORRECT?

- (a) 'X' made a statement that resulted in an enforceable promise  
 (b) 'X' made a statement that resulted in a valid proposal  
 (c) 'X' made a statement that resulted in an enforceable agreement  
 (d) 'X' made a statement that did not result in any enforceable agreement

*Ans: [d]*

**Q298. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Acceptance (of offer) must be communicated by the offeree to the offeror so as to give rise to a binding obligation. The expression 'by the offeree to the offeror' includes communication between their authorised agents.

**Facts:** 'X' made an offer to buy Y's property for a stipulated price. 'Y' accepted it and communicated his acceptance to 'Z', a stranger. Which of the following derivations is CORRECT?

- (a) Y's acceptance resulted in an agreement  
 (b) Y's acceptance did not result in any agreement  
 (c) Y's acceptance resulted in a contract  
 (d) Y's acceptance resulted in a promise

*Ans: [b]*

**Q299. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Acceptance should be made while the offer is still subsisting. The offeror is free to retract his offer at any

time before his offer gets accepted by the offeree. Once the offer is withdrawn or is lapsed, it is not open to be accepted so as to give rise to a contract. Similarly, if a time is prescribed within which the offer is to be accepted, then, the offer must be accepted within the prescribed time. And, if no time is prescribed, then, the acceptance must be made within a reasonable time. 'What is a reasonable time', is a question of fact which is to be determined by taking into account all the relevant facts and surrounding circumstances.

**Facts:** 'X' makes an offer to 'Y' to sell his equipment for Rs. 1,000.00. No time is specified for the acceptance. 'Y' sends his reply two years after receiving the offer. Which of the following derivations is CORRECT?

- (a) There arises a contract between 'X' and 'Y' to sell/buy the equipment in question for Rs. 1,000.00
- (b) There does not arise any contract between 'X' and 'Y' to sell/buy the equipment in question for Rs. 1,000.00
- (c) 'X' is bound by his offer, and hence, cannot reject the acceptance made by 'Y'
- (d) There arises a promise by 'Y' to buy the equipment

Ans: [b]

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**Q300. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Minor's agreement is void from the very beginning. It can never be validated. It cannot be enforced in the court of law.

**Facts:** 'A', a boy of 16 years of age, agrees to buy a camera from 'B', who is a girl of 21 years of age. Which of the following derivations is CORRECT?

- (a) There arises a contract between 'A' and 'B' to sell/buy the camera in question
- (b) There arises an enforceable agreement between 'A' and 'B' to sell/buy the camera in question
- (c) There does not arise any contract between 'A' and 'B' to sell/buy the camera in question
- (d) There arises a voidable contract between 'A' and 'B' to sell/buy the camera in question

Ans: [c]

**Q301. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** A contract which is duly supported by real and lawful consideration is valid notwithstanding the fact that the consideration is inadequate. The quantum of consideration is for the parties to decide at the time of making a contract, and not for the courts (to decide) when the contract is sought to be enforced. An agreement to which the consent of the promisor is freely given is not void merely because the consideration is inadequate; but the inadequacy of the consideration may be taken into account

by the Court in determining the question whether the consent of the promisor was freely given.

**Facts:** 'A' agrees to sell his mobile phone of Rs. 20,000/- for Rs. 100/- only to 'B'. A's consent is freely given. Which of the following derivations is CORRECT?

- (a) There is a contract between 'A' and 'B'
- (b) There is no contract between 'A' and 'B' because consideration is not adequate
- (c) There is no contract between 'A' and 'B' because a mobile phone worth Rs. 20,000/- cannot be sold for just Rs. 100/-
- (d) None of the above.

Ans: [a]

**Q302. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** The consideration or object of an agreement is unlawful if it is forbidden by law. Every agreement of which the object or consideration is unlawful is void.

**Facts:** 'X' promises to pay 'Y' Rs. 50,000, if he ('Y') commits a crime. 'X' further promises to indemnify him ('Y') against any liability arising thereof. 'Y' agrees to act as per X's promise. Which of the following derivations is CORRECT?

- (a) There is a contract between 'X' and 'Y'
- (b) There is an agreement between 'X' and 'Y' which can be enforced by the court of law
- (c) There is an agreement between 'X' and 'Y' which cannot be enforced by the court of law
- (d) There is a voidable contract between 'X' and 'Y'

Ans: [c]

**Q303. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** The consideration or object of an agreement is unlawful if the Court regards it as opposed to public policy. Every agreement of which the object or consideration is unlawful is void.

**Facts:** 'X' promises to obtain for 'Y' an employment in the public service; and 'Y' promises to pay Rs. 5,00,000/- to 'X'. Which of the following derivations is CORRECT?

- (a) There is a contract between 'X' and 'Y'
- (b) There is a voidable contract between 'X' and 'Y'
- (c) There is an agreement between 'X' and 'Y' which can be enforced by the court of law
- (d) There is an agreement between 'X' and 'Y' which cannot be enforced by the court of law

Ans: [d]

**Q304. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Two or more persons are said to consent if they agree upon the same thing in the same sense. Consent is said to be free when it is not caused by coercion, or undue influence, or fraud, or misrepresentation, or mistake. When consent to an agreement is caused by coercion, undue

influence, fraud or misrepresentation, the agreement is a contract voidable (rescindable or terminable) at the option of the party whose consent was so caused. However, when consent to an agreement is caused by mistake as to a matter of fact essential to the agreement, the agreement is void.

**Facts:** 'X' threatens to gun down 'Y', if he ('Y') does not sell his property worth Rs. 20,00,000/- for Rs. 1,00,000/- only. As a consequence, 'Y' agrees to sell it as demanded by 'X'.

Which of the following derivations is CORRECT?

- (a) There is a contract between 'X' and 'Y'
- (b) There is an agreement between 'X' and 'Y' which can be enforced by the court of law
- (c) There is an agreement between 'X' and 'Y' which cannot be enforced by the court of law
- (d) There is a contract between 'X' and 'Y' which voidable at the option of 'Y'

Ans: [d]

**Q305. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Agreements in restraint of marriage are void.

**Facts:** 'X' enters into an agreement with 'Y' whereunder he agrees not to marry anybody else other than a person whose name starts with the letter 'A', and promises to pay Rs. 1,00,000/- to 'Y' if he ('X') breaks this agreement. Which of the following derivations is CORRECT?

- (a) There is a contract between 'X' and 'Y'
- (b) There is an agreement between 'X' and 'Y' which can be enforced by the court of law
- (c) There is an agreement between 'X' and 'Y' which cannot be enforced by the court of law
- (d) There is a voidable contract between 'X' and 'Y'

Ans: [c]

**Q306. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Vicarious liability is the liability of the Master or Principle for the tort committed by his servant or agent, provided the tort is committed in the course of employment. The Master or Principle is not liable for private wrongs of the servant/agent.

**Facts:** 'X' hands over some cash money at his house to 'Y', who is his (X's) neighbour and is also cashier in a bank, to be deposited in A's account in the bank. Instead of depositing the money, 'Y' misappropriates it. Which of the following statements depicts correct legal position in this given situation?

- (a) The bank would not be liable because 'Y' did not do any wrong in the course of his employment
- (b) The bank would be vicariously liable because 'Y' was the employee of the bank
- (c) The bank would not be liable because 'Y' did not do any wrong
- (d) The bank would be liable because 'Y' acted as bank's agent

Ans: [a]

**Q307. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** A person has no legal remedy for an injury caused by an act to which he has consented.

**Facts:** 'R', a cricket enthusiast, purchases a ticket to watch a T20 match organised by the Indian Premier League (IPL). During the match, a ball struck for six hits 'R' on his body and injures him. He sues IPL for compensation for the medical expenses. Which of the following derivations is CORRECT?

- (a) 'R' should be compensated as he purchased the ticket to get entertainment and not to get injured
- (b) 'R' would fail in his action, as he voluntarily exposed himself to the risk
- (c) IPL would be liable as it did not ensure that the spectators were protected from the risk of such injuries
- (d) None of the above

Ans: [b]

**Q308. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Ignorance of law excuses no one.

**Facts:** 'X' fails to file his income tax returns for a considerable number of years. The Income Tax department serves upon him a 'show-cause notice' as to why proceedings should not be initiated against him for the recovery of the income tax due from him with interest and penalty. Which of the following derivations is CORRECT?

- (a) 'X' may defend himself by taking the plea that his legal advisor had not advised him to file the return
- (b) 'X' would have to pay the due, as ignorance of law and failure to comply with law is no legal ground of defence
- (c) 'X' may defend himself successfully by taking the plea that he was unaware of any such law being in force
- (d) None of the above

Ans: [b]

**Q309. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Damage without the violation of a legal right is not actionable in a court of law. If the interference with the rights of another person is not unlawful or unauthorised, but a necessary consequence of the exercise of defendant's own lawful rights, no action should lie.

**Facts:** There was an established school ('ES') in a particular locality. Subsequently, a new school ('NS') was set up in the same locality, which charged lower fees, on account of which people started patronising the new school. Because of the competition, 'ES' had to reduce its fees. 'ES' filed a case against 'NS' saying that 'NS' had caused it ('ES') financial loss and, thus, claimed compensation. Which of the following derivations is CORRECT?

- (a) Since no legal right of 'ES' had been violated, therefore, as such, no compensation could be granted

- (b) Since damage is caused to 'ES', therefore, it should be awarded compensation  
 (c) 'ES' should be awarded compensation, as opening of school in competition is not good  
 (d) No compensation could be granted, as reduction in fees is good for the public  
 Ans: [a]

**Q310. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Whenever there is an invasion of a legal right, the person in whom the right is vested, is entitled to bring an action though he has suffered no actual loss or harm, and may recover damages (compensation).

**Facts:** 'A' was a qualified voter for the Lok Sabha election. However, a returning officer wrongfully refused to take A's vote. In spite of such wrongful refusal, the candidate, for whom 'A' wanted to vote, won the election. But, 'A' brought an action for damages: Which of the following derivations is CORRECT?

- (a) Since no legal right of 'A' had been violated, therefore, as such, no compensation could be granted  
 (b) Since legal right of 'A' had been violated, therefore, compensation should be granted  
 (c) No compensation could be granted, as 'A' had suffered no loss as his candidate won the election  
 (d) Since no fundamental right of 'A' had been violated, therefore, as such, no compensation could be granted  
 Ans: [b]

**Q311. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** In a civil action for defamation, truth of the defamatory matter is an absolute defence. However, the burden of proving truth is on the defendant; and he is liable if he does not successfully discharge this burden.

**Facts:** 'D', who was the editor of a local weekly, published a series of articles mentioning that 'P', who was a government servant, issued false certificates, accepted bribe, adopted corrupt and illegal means to mint money and was a 'mischief monger'. 'P' brought a civil action against 'D', who could not prove the facts published by him. Under the circumstances, which of the following derivations is CORRECT?

- (a) 'D' would be liable, since he could not prove the facts published by him  
 (b) 'D' would not be liable, as such an action could curtail the right of expression and speech of press  
 (c) 'D' would not be liable, as media could publish anything  
 (d) None of the above  
 Ans: [a]

**Q312. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** A gift comprising both existing and future property is void as to the latter.

**Facts:** 'X' has a house which is owned by him. He contracted to purchase a plot of land adjacent to the said house, but the sale (of the plot of land) in his favour is yet to be completed. He makes a gift of both the properties (house and land) to 'Y'. Under the afore-mentioned circumstances, which of the following derivations is CORRECT?

- (a) Gift of both the properties is valid  
 (b) Gift of both the properties is void  
 (c) Gift of house is void, but the gift of the plot of land is valid  
 (d) Gift of house is valid, but the gift of the plot of land is void  
 Ans: [d]

**Q313. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Caveat emptor, i.e. 'let the buyer beware' stands for the practical skill and judgment of the buyer in his choice of goods for purchase. It is the business of the buyer to judge for himself that what he buys has its use and worth for him. Once bought, and if the buy is not up to his expectations, then he alone is to blame and no one else.

**Facts:** For the purpose of making uniform for the employees, 'A' bought dark blue coloured cloth from 'B', but did not disclose to the seller ('B') the specific purpose of the said purchase. When uniforms were prepared and used by the employees, the cloth was found unfit. However, the cloth was fit for a variety of other purposes (such as, making caps, boots and carriage lining, etc). Applying the afore-stated principle, which of the following derivations is CORRECT as regards remedy available to 'A' in the given situation?

- (a) 'A' (the buyer) would succeed in getting some remedy from 'B' (the seller)  
 (b) 'A' (the buyer) would not succeed in getting any remedy from 'B' (the seller)  
 (c) 'A' (the buyer) would succeed in getting refund from 'B' (the seller)  
 (d) 'A' (the buyer) would succeed in getting a different variety of cloth from 'B' (the seller), but not the refund  
 Ans: [b]

**Q314. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** The transferor of goods cannot pass a better title than what he himself possesses.

**Facts:** 'X' sells a stolen bike to 'Y'. 'Y' buys it in good faith. As regards the title to bike, which of the following derivations is CORRECT?

- (a) The real owner cannot get back the bike from 'Y'  
 (b) 'Y' will get no title, as transferor's ('X's) title was defective  
 (c) 'Y' will get good title, as he is a bona fide buyer  
 (d) 'Y' will get good title, as not committed any wrong (stolen the bike)

Ans: [b]

**Q315. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Negligence is a breach of duty or a failure of one party to exercise the standard of care required by law, resulting in damage to the party to whom the duty was owed. A plaintiff can take civil action against the respondent, if the respondent's negligence causes the plaintiff injury or loss of property.

**Facts:** 'D' went to a café and ordered and paid for a tin/can of soft drink. The tin was opaque, and, therefore, the contents could not be seen from outside. She ('D') consumed some of the contents and then lifted the tin to pour the remainder of the content into a tumbler. The remains of a snail in decomposed state dropped out of the tin into the tumbler. 'D' later complained of a stomach pain and her doctor diagnosed her as having gastroenteritis and being in a state of severe shock. She sued the manufacturer of the drink for negligence. Applying the afore-stated principle, which of the following derivations is CORRECT as regards liability of the manufacturer in the given situation?

- (a) The manufacture is liable for negligence, as it owed a duty (to consumers) to take reasonable care to ensure that its products are safe for consumption
- (b) The manufacturer is not liable for negligence, as there is no direct contract between 'D' and the manufacturer. No duty is owed by the manufacturer towards a particular consumer ('D').
- (c) The manufacturer is not liable for negligence because it would otherwise become very difficult for the manufacturers to do business
- (d) The manufacturer could be made liable under criminal law, but not for tort of negligence

Ans: [a]

**Q316. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Master is liable for the wrongful acts committed by his servant; provided the acts are committed during the course of employment. However, the master is not liable if the wrongful act committed by his servant has no connection, whatsoever, with the servant's contract of employment.

**Facts:** 'D' is a driver employed by 'M', who is the owner of a company. During the lunch time, 'D' goes to a closeby tea shop to have a cup of tea. There he ('D') picks up fight with the tea shop owner ('T'), which resulted in some damage to his shop. 'T' wants to sue 'M' for claiming compensation for the damage caused by the fight. Which of the following derivations is CORRECT?

- (a) 'M' will be liable because 'D' is his servant
- (b) **Both** 'M' and 'D' will be liable
- (c) 'M' will not be liable because the wrongful act (picking up fight) was not committed in the course of D's employment
- (d) 'M' will be liable albeit the wrongful act (picking up fight) was not committed in the course of D's employment

Ans: [c]

**Q317. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** The Constitution of India guarantees the 'right to life', which means 'right to live with human dignity'. The right to life under the Constitution, however, does not include the right to die.

**Facts:** 'M', who is 90, lives all alone as he has no family or children or grandchildren. He suffers from physical and mental distress, as there is no one to look after him. He has little means to foot his medical expenses. Under these circumstances, he approaches the court with a prayer that he should be granted the right to die with dignity because he does not want to be a burden on the society. Further, as it is his life, he has a right to put an end to it. Which of the following derivations is CORRECT?

- (a) The prayer can be granted, as suicide is not an offense in India
- (b) The prayer can be granted, as the right to life under the Constitution includes the right to die
- (c) The prayer can be granted, as a person cannot be forced to enjoy right to life to his detriment, disadvantage and disliking
- (d) The prayer cannot be granted, as the right to life under the Constitution does not include the right to die

Ans: [d]

**Q318. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Trespass to land means direct interference with the possession of land without lawful justification. Trespass could be committed either by a person himself entering the land of another person or doing the same through some tangible object(s).

**Facts:** 'A' throws some stones upon his neighbour's (B's) premises. Which of the following derivations is CORRECT?

- (a) 'A' has committed trespass
- (b) 'A' has not committed trespass, as he has not entered B's premises
- (c) 'A' has committed nuisance
- (d) None of the above

Ans: [a]

**Q319. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Nuisance is an unlawful interference with a person's use or enjoyment of land or some right over or in connection with it. If the interference is 'direct', the wrong is trespass; whereas, if the interference is 'consequential', it amounts to nuisance.

**Facts:** 'A' plants a tree on his land. However, he allows its branches to project over the land of 'B'. Which of the following derivations is CORRECT?

- (a) 'A' has committed trespass

- (b) 'A' has committed nuisance
- (c) 'A' has not committed nuisance
- (d) None of the above

Ans: [b]

**Q320. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Interference with another's goods in such a way as to deny the latter's title to the goods amounts to conversion, and thus it is a civil wrong. It is an act intentionally done inconsistent with the owner's right, though the doer may not know of, or intend to challenge, the property or possession of the true owner.

**Facts:** 'R' went to a cycle-stand to park his bicycle. Seeing the stand fully occupied, he removed a few bicycles in order to rearrange a portion of the stand and make some space for his bicycle. He parked his bicycle properly, and put back all the bicycles except the one belonging to 'S'. In fact, 'R' was in a hurry, and therefore, he could not put back S's bicycle. Somebody came on the way and took away S's bicycle. The watchman of the stand did not take care of it assuming that the bicycle was not parked inside the stand. 'S' filed a suit against 'R' for conversion. Which of the following derivations is CORRECT?

- (a) 'R' could not be held liable for the negligence of the watchman
- (b) 'S' would succeed because R's act led to the stealing of his bicycle
- (c) 'S' would not succeed because 'R' did not take away the bicycle himself
- (d) 'S' would not succeed because R's intention was not bad

Ans: [b]

**Q321. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Nothing is an offence which is done by a person who is bound by law to do it.

**Facts:** 'A', a police officer, without warrant, apprehends 'Z', who has committed murder.

- (a) 'A' is guilty of the offence of wrongful confinement
- (b) 'A' is not guilty of the offence of wrongful confinement
- (c) 'A' may be guilty of the offence of wrongful restraint
- (d) 'A' cannot apprehend 'Z' without a warrant issued by a court of law

Ans: [b]

**Q322. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** When a criminal act is done by several persons in furtherance of the common intention of all, each of such persons is liable for that act in the same manner as if it were done by him alone.

**Facts:** Roshan along with two of his friends, Tushar and Tarang proceeded to the house of Darshan in order to avenge an insult made by the brother of Darshan. They

opened fire on the members of Darshan's family. It was found that the shots of Roshan did not hit anyone, but the shots of Tushar and Tarang succeeded in killing Darshan.

- (a) Roshan was not liable for the offence of murder of Darshan, as Roshan's shots did not hit Darshan
- (b) Only Tushar and Tarang were liable for the offence of murder of Darshan, as their shots hit Darshan
- (c) Roshan along with Tushar and Tarang was liable for the offence of murder of Darshan
- (d) Roshan was liable to a lesser extent comparing to his friends for the offence of murder of Darshan, as Roshan's shots did not hit Darshan

Ans: [c]

**Q323. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** No communication made in good faith is an offence by reason of any harm to the person to whom it is made, if it is made for the benefit of that person.

**Facts:** 'A', a surgeon, in good faith, communicates to a patient his opinion that he cannot live. The patient dies in consequence of the shock.

- (a) 'A' has committed the offence of causing death of his patient
- (b) 'A' has not committed the offence of causing death of his patient
- (c) 'A' has only partially committed the offence of causing death of his patient
- (d) None of the above

Ans: [b]

**Q324. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Whoever, being legally bound to furnish information on any subject to any public servant, as such, furnishes, as true, information on the subject which he knows or has reason to believe to be false, has committed a punishable offence of furnishing false information.

**Facts:** Sawant, a landholder, knowing of the commission of a murder within the limits of his estate, willfully misinforms the Magistrate of the district that the death has occurred by accident in consequence of the bite of a snake.

- (a) Sawant is not guilty of the offence of furnishing false information to the Magistrate
- (b) Sawant is guilty of the offence of furnishing false information to the Magistrate
- (c) Sawant is not legally bound to furnish true information to the Magistrate
- (d) Sawant has the discretion to furnish true information to the Magistrate, as the murder was committed within the limits of his estate

Ans: [b]

**Q325. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Whoever unlawfully or negligently does any act which is, and which he knows or has reason to believe to be, likely to spread the infection of any disease dangerous to life, shall be guilty of a negligent act likely to spread infection of disease dangerous to life.

**Facts:** 'K', a person, knowing that he is suffering from Cholera, travels by a train without informing the railway officers of his condition.

(a) 'K' has committed an unlawful and negligent act, which is likely to spread the infection of Cholera disease dangerous to the life of fellow-passengers

(b) Railway officers are guilty of an unlawful and negligent act, as 'K' who is suffering from Cholera disease has travelled by the train

(c) 'K' has not committed an unlawful and negligent act, which is likely to spread the infection of Cholera disease dangerous to the life of fellow-passengers

(d) **Both** 'K' and Railway officers are guilty of an unlawful and negligent act, which is likely to spread the infection of Cholera disease dangerous to the life of fellow-passengers

Ans: [a]

**Q326. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Whoever drives any vehicle, or rides, on any public way in a manner so rash or negligent as to endanger human life, or to be likely to cause hurt or injury to any other person, has committed an offence, which shall be punished in accordance with the law.

**Facts:** 'X', a truck driver, driving his vehicle rashly and negligently at a high speed climbed the footpath and hit 'Y', a pedestrian, from behind causing his death.

(a) 'X' is not guilty of rash and negligent driving

(b) 'Y' should have taken sufficient care on the footpath

(c) 'X' is guilty of rash and negligent driving

(d) 'X' is only in part guilty of rash and negligent driving

Ans: [c]

**Q327. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Whoever causes death by doing an act with the intention of causing death, or with the intention of causing such bodily injury as is likely to cause death, or with the knowledge that he is likely by such act to cause death, commits the offence of culpable homicide.

**Facts:** 'A' knows 'Z' to be behind a bush. 'B' does not know it. 'A', intending to cause, or knowing it to be likely to cause Z's death, induces 'B' to fire at the bush. 'B' fires and kills 'Z'.

(a) 'B' has committed the offence of culpable homicide

(b) 'A' has committed the offence of culpable homicide

(c) **Both** 'A' and 'B' have committed the offence of culpable homicide

(d) None of them has committed the offence of culpable homicide

Ans: [b]

**Q328. Directions: Each question consists of legal propositions/principles and facts. These principles**

**have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Whoever, intending to take dishonestly any movable property out of the possession of any person without that person's consent, moves that property in order to such taking, is said to commit theft.

**Facts:** 'Z', going on a journey, entrusts his plate to the possession of 'A', the keeper of a warehouse, till 'Z' shall return. Then, 'A' carries the plate to a goldsmith and sells it.

(a) 'A' has committed theft

(b) 'A' has not committed theft

(c) 'A' lawfully sold the plate to the goldsmith

(d) None of the above is true

Ans: [b]

**Q329. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Whoever makes any false document or part of a document with intent to cause damage or injury, to the public or to any person, or to support any claim or title, or to cause any person to part with property, or to enter into any express or implied contract, or with intent to commit fraud or that fraud may be committed, commits forgery.

**Facts:** 'A' without Z's authority, affixes Z's seal to a document purporting to be a conveyance of an estate from 'Z' to 'A', with the intention of selling the estate to 'B' and thereby of obtaining from 'B' the purchase-money.

(a) 'B' has committed forgery

(b) 'Z' has committed forgery

(c) 'A' has committed forgery

(d) 'A' and 'B' have committed forgery

Ans: [c]

**Q330. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Whoever intentionally uses force to any person, without that person's consent, in order to the committing of any offence, or intending by the use of such force to cause, or knowing it to be likely that by the use of such force he will cause injury, fear or annoyance to the person to whom the force is used, is said to use criminal force to that other.

**Facts:** 'Z' is riding in a palanquin. 'A', intending to rob 'Z', seizes the pole and stops the palanquin. Here 'A' has caused cessation of motion to 'Z', and 'A' has done this by his own bodily power.

(a) 'A' has used criminal force to 'Z'

(b) 'A' has no intention to use criminal force to 'Z'

(c) 'A' has used force with the consent of 'Z'

(d) None of the above is correct

Ans: [a]

**Q331. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** One of the essential conditions for a marriage between any two persons to be solemnized under the Special Marriage Act, 1954 is that at the time of marriage the male has completed the age of twenty-one years and the female the age of eighteen years. If the said condition is not fulfilled such a marriage is null and void.

**Facts:** 'A', a male aged twenty-two years, proposes to marry 'B', a female aged sixteen years, at Delhi in the month of June 2014 under the Special Marriage Act, 1954.

(a) Marriage between 'A' and 'B' can be legally solemnized under the Special Marriage Act, 1954

(b) Marriage between 'A' and 'B' cannot be legally solemnized under the Special Marriage Act, 1954

(c) Marriage between 'A' and 'B' can remain valid for A under the Special Marriage Act, 1954

(d) None of the above is correct

Ans: [b]

**Q332. Directions:** Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.

**Principle:** Under the Hindu Marriage Act, 1955 either the husband or the wife can move a petition for a decree of divorce on the ground of desertion. The term 'desertion' means desertion of the petitioner by the other party to the marriage for a continuous period of not less than two years immediately preceding the presentation of the petition, without reasonable cause and without the consent or against the wish of such party and includes the willful neglect of the petitioner by the other party to the marriage, and its grammatical variations and cognate expressions shall be construed accordingly. It is also said that desertion is withdrawal not from a place but from a state of things.

**Facts:** Rohan, a technocrat, went to the US in January 2011 for pursuing his higher studies for a period of three years. In fact, Rohan went to US with the consent of his wife Basanti, who stayed at her parents' home, and with a promise of his return to India upon the completion of his studies. From US he has quite often been in touch with his wife. Subsequently, Rohan has got a job there in US and he wishes to take his wife. She refuses to go to US and, in the meanwhile, she files a petition for a decree of divorce on the ground of desertion by her husband.

(a) Rohan's three year stay in US in the above context can amount to a ground of desertion for divorce.

(b) Rohan's three year stay in US in the above context cannot amount to a ground of desertion for divorce.

(c) Rohan's continued stay after three years can amount to a ground of desertion for divorce.

(d) Basanti's refusal can amount to a ground of desertion for divorce.

Ans: [b]

**Q333. Directions:** Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.

**Principle:** Under the Hindu Adoptions and Maintenance Act, 1956, no person shall be capable of being taken in adoption unless he or she is a Hindu, he or she not already been adopted, he or she has not been married, unless there

is a custom or usage applicable to the parties which permits persons who are married being taken in adoption, and he or she has not completed the age of fifteen years, unless there is a custom or usage applicable to the parties which permits persons who have completed the age of fifteen years being taken in adoption.

**Facts:** Vijay, being natural father had given Tarun, a boy aged 10 years, in adoption to Manoj in March 2010 in accordance with the Hindu Adoption and Maintenance Act, 1956. In May 2012 Manoj gave Tarun in adoption to Sanjay. Subsequently in December 2013, Sanjay gave Tarun in adoption to Vijay.

(a) Adoption of Tarun by Sanjay is valid

(b) Adoption of Tarun by Vijay is valid

(c) Adoption of Tarun by Manoj is valid

(d) None of the above adoptions is valid

Ans: [c]

**Q334. Directions:** Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.

**Principle:** Under Copyright law Copyright subsists in original literary works also. A literary work need not be of literary quality. Even so prosaic a work as an index of railway stations or a railway guide or a stock exchange quotation qualifies as a literary work if sufficient work has been expended in compiling it to give it a new and original character.

**Facts:** Michael works hard enough, walking down the streets, taking down the names of people who live at houses and makes a street directory as a result of that labour.

(a) Michael's exercise in making a street directory is sufficient to justify in making claim to copyright in that work which is ultimately produced

(b) Michael's exercise in making a street directory is not enough to justify in making claim to copyright in that work

(c) A street directory cannot be enough to be considered as a literary work

(d) None of the above statements is correct

Ans: [a]

**Q335. Directions:** Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.

**Principle:** Every person shall be liable to punishment under the Indian Penal Code and not otherwise for every act or omission contrary to the provisions of the Code of which he shall be guilty within the territory of India. In other words, the exercise of criminal jurisdiction depends upon the locality of the offence committed, and not upon the nationality or locality of the offender.

**Facts:** 'X', a Pakistani citizen, while staying at Karachi, made false representations to 'Y', the complainant, in Bombay through letters, telephone calls and telegrams and induced the complainant to part with money amounting to over rupees five lakh to the agents of 'X' at Bombay, so that rice could be shipped from Karachi to India as per agreement. But the rice was never supplied to the complainant.

(a) The offence of cheating under section 420 of the Code was committed by 'X' within India, even though he was not physically present at the time and place of the crime

(b) The offence of cheating as per section 420 of the Code was not committed by 'X' within India, as he was not physically present at the time and place the crime

(c) Only the agents of 'X' had committed the offence of cheating under section 420 of the Code within India, as they were physically present at the time and place of the crime

(d) 'Y' was also liable for the offence of cheating under section 420 of the Code within India, as he was physically present at the time and place of the crime

Ans: [a]

**Q336. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** When two or more persons agree to do, or cause to be done, (1) an illegal act, or (2) an act which is not illegal by illegal means, through such an agreement such persons are said to have been engaged in a criminal conspiracy to commit an offence. It is said that no consummation of the crime need be achieved or even attempted.

**Facts:** 'X', 'Y' and 'Z' plan to kill 'D'. They agree that only one among them, that is 'Z', will execute the plan. In pursuance of it 'Z' buys a gun and loads it.

(a) Only 'Z' can be charged with criminal conspiracy to kill 'D'

(b) All of them, i.e., 'X', 'Y' and 'Z', can be charged with criminal conspiracy to kill 'D'

(c) 'X' and 'Y' cannot be charged with criminal conspiracy to kill 'D'

(d) None of them can be charged with criminal conspiracy to kill 'D'

Ans: [b]

**Q337. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** 'Wrongful gain' is gain by unlawful means of property to which the person gaining is not legally entitled. 'Wrongful loss' is the loss by unlawful means of property to which the person losing it is legally entitled.

**Facts:** 'X' takes away 'Y's watch out of 'Y's possession, without 'Y's consent and with the intention of keeping it.

(a) 'X' causes 'Wrongful gain' to 'Y'

(b) 'Y' causes 'Wrongful gain' to 'X'

(c) 'X' causes 'Wrongful loss' to 'Y'

(d) 'Y' causes 'Wrongful loss' to 'X'

Ans: [c]

**Q338. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Nothing is an offence by reason that it causes, or that it is intended to cause, or that it is known to be likely

to cause, any harm, if that harm is so slight that no person of ordinary sense and temper would complain of such harm.

**Facts:** 'X' takes a plain sheet of paper from 'Y's drawer without 'Y's consent to write a letter to his friend.

(a) 'X' has committed an offence in the above context

(b) 'X' has committed no offence in the above context

(c) 'Y' can sue 'X' for no an offence in the above context

(d) None of the above is correct in the above context

Ans: [b]

**Q339. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** When an act which would otherwise be a certain offence, is not that offence, by reason of the youth, the want of maturity of understanding, the unsoundness of mind or the intoxication of the person doing that act, or by reason of any misconception on the part of that person, every person has the same right of private defence against that act which he would have if the act were that offence.

**Facts:** 'X', under the influence of madness, attempts to kill 'Y'.

(a) 'Y' has the right of private defence against 'X'

(b) 'Y' does not have the right of private defence against 'X'

(c) 'Y' has the right of private defence against 'X', only if 'X' is not under the influence of madness

(d) 'X' has the right of private defence against 'Y'

Ans: [a]

**Q340. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Where a person fraudulently or erroneously represents that he is authorized to transfer certain immovable property and professes to transfer such property for consideration, such transfer shall, at the option of the transferee, operate on any interest which the transferor may acquire in such property at any time during which the contract of transfer subsists.

**Facts:** 'A', a Hindu who has separated from his father 'B', sells to 'C', three fields, X, Y and Z, representing that 'A' is authorized to transfer the same. Of these fields Z does not belong to 'A', it having been retained by 'B' on the partition; but on 'B's dying 'A' as successor obtains Z, and at that time 'C' had not cancelled the contract of sale.

(a) 'A' can sell Z to a third party

(b) 'A' is not required to deliver Z to 'C'

(c) 'A' is required to deliver Z to 'C'

(d) None of the above statements is correct

Ans: [c]

**Q341. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Under the Transfer of Property Act, 1882 a property must be transferred by one living person to

another living person. The Act deals only with transfer of property between living persons.

**Facts:** 'X' wants to transfer his property to the presiding deity in a temple situated within the estate of 'A'.

- (a) Transfer of property by 'X' will be valid
- (b) Transfer of property by 'X' will be invalid
- (c) Transfer of property by 'X' to the presiding deity will become a valid transfer to 'A'
- (d) None of the above is correct

Ans: [b]

**Q342. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Where there is transfer of ownership of one thing for the ownership of some other thing it is called exchange; while transfer of ownership for consideration of money is called sale, whereas, without consideration it becomes gift.

**Facts:** 'A' transfers his house worth Rs. 50 Lakhs to 'B' for a shopping building worth the same amount, as consideration, from 'B'.

- (a) The transaction is a gift
- (b) The transaction is a sale
- (c) The transaction is an exchange
- (d) The transaction is a mortgage

Ans: [c]

**Q343. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** One of the principles of natural justice is Nemo iudex in causa sua, which means that no one should be a judge in his own cause. In other words, no person can judge a case in which he has an interest.

**Facts:** 'X', a member of the selection board for government service, was also a candidate for selection for the same service. 'X' did not take part in the deliberations of the board when his name was considered and approved.

- (a) Selection of 'X' is against the principle of natural justice.
- (b) Selection of 'X' is not against the principle of natural justice.
- (c) Non-selection of 'X' will be against the principles of natural justice.
- (d) Non-participation of 'X' in the board deliberations will render his selection valid.

Ans: [a]

**Q344. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Strike is a collective stoppage of work by workmen undertaken in order to bring pressure upon those who depend on the sale or use of the products of work; whereas, lock-out is a weapon in the hands of the employer, similar to that of strike in the armoury of workmen, used for compelling persons employed by him to accept his terms or conditions of or affecting employment.

While in closure there is permanent closing down of a place of employment or part thereof, in lay-off an employer, who is willing to employ, fails or refuses or is unable to provide employment for reasons beyond his control.

**Facts:** Workmen of a textile factory went on strike as per law, demanding the payment of bonus. Employer of the factory refused to pay any extra allowances, including bonus, and besides he closed down the factory till the strike was stopped.

- (a) Act of closing down the factory by the employer amounted to strike
- (b) Act of closing down the factory by the employer amounted to lay-off
- (c) Act of closing down the factory by the employer amounted to lock-out
- (d) Act of closing down the factory by the employer amounted to closure

Ans: [b]

**Q345. Directions: Each question consists of legal propositions/principles and facts. These principles have to be applied to the given facts to arrive at the most reasonable conclusion. Assume principles to be true for the purposes of this section.**

**Principle:** Trade dispute means any dispute between employers and workmen or between workmen and workmen, or between employers and employees which is connected with the employment or non-employment, or the terms of employment or the conditions of labour, of any person. Disputes connected with the non-employment must be understood to include a dispute connected with a dismissal, discharge, removal or retrenchment of a workman.

**Facts:** 'X', an employee in a sugar factory, raised a dispute against 'Y', the employer, through trade union regarding certain matters connected with his suspension from the employment.

- (a) Matters connected with suspension can amount to a trade dispute
- (b) Matters connected with suspension cannot amount to a trade dispute
- (c) Only after dismissal, matters connected with suspension can amount to a trade dispute
- (d) None of the above is correct.

Ans: [a]

**Q346. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Whoever, intending to take dishonestly any movable property out of the possession of any person without that person's consent moves that property, such taking is said to commit theft. **Fact:** RAMU cuts down a tree on RINKU'S ground, with the intention of dishonestly taking the tree out of RINKU'S possession without RINKU'S consent. A could not take the tree away.

- (a) RAMU can be prosecuted for theft.
- (b) RAMU cannot be prosecuted for theft
- (c) RAMU can be prosecuted for attempt to theft
- (d) RAMU has **neither** committed theft nor attempt to commit theft.

Ans: [a]

**Q347. Directions:** The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.

**Principle:** injuria sine damnum, i.e., injury without damage. **Fact:** SONU, who was a returning officer at a polling booth, wrongly refused to register a duly tendered vote of MONU, though he was a qualified voter. The candidate, whom MONU sought to vote, was declared elected.

- (a) MONU can sue SONU on the ground that he was denied to cast vote, which is fundamental right.
- (b) MONU can sue SONU on the ground that he was denied to cast vote, which is a legal right.
- (c) MONU cannot sue SONU because there is no injury or damage cause to MONU.
- (d) MONU cannot sue SONU because to whom he sought to vote was declared elected.

Ans: [b]

**Q348. Directions:** The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.

**Principle:** A person is said to be of sound mind for the purpose of making a contract if, at the time when he makes it, he is capable of understanding it and of forming a rational judgment as to its effect upon his interests. **Fact:** X who is usually of sound mind, but occasionally of unsound mind enters into a contract with Y when he is of unsound mind. Y came to know about this fact afterwards and now wants to file a suit against X.

- (a) X cannot enter into contract because he is of unsound mind when he entered into contract.
- (b) X can enter into contract but the burden is on to other party to prove that he was of unsound mind at the time of contract.
- (c) X can enter into a contract but the burden is on X to prove that he was of unsound mind at the time of contract.
- (d) None of the above.

Ans: [c]

**Q349. Directions:** The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.

**Principle:** When one person signifies to another his willingness to do or to abstain from doing anything, with a view to obtaining the assent of that other to such act or abstinence, he said to make a proposal. **Fact:** 'Ramanuj telegrammed to the Shyamsunder, writing: 'will you sell me your Rolls Royce CAR? Telegram the lowest cash price.' Shyamsunder replied, too by telegram: 'Lowest price for CAR is Rs. 20 lacs,' Ramanuj immediately sends his consent through telegram stating: 'I agree to buy the CAR for Rs. 20 lacs asked by you'. Now Shyamsunder refused to sell the CAR.

- (a) He cannot refuse to sell the CAR because the contract has already been made.
- (b) He can refuse to sell the CAR because it was only invitation to offer and not the real offer.
- (c) It was not a valid offer because willingness to enter into a contract was absent.
- (d) None of the above.

Ans: [b]

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**Q350. Directions:** The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.

**Principle:** A master is liable for the acts committed by his servant in the course of employment. **Fact:** Sanjay is a driver working in Brookebond and Co. One day, the manager asked him to drop a customer at the airport and get back at the earliest. On his way back from the airport, he happened to see his fiance Ruhina, waiting for a bus to go home. He offered to drop her at home, which happened to be close to his office. She got into the car and soon thereafter; the car somersaulted due to the negligence of Sanjay. Ruhina was thrown out of the car and suffered multiple injuries. She seeks compensation from Brookebond and Co.

- (a) Brookebond and Co., shall be liable, because Sanjay was in the course of employment at the time of accident.
- (b) Brookebond and Co., shall not be liable, Sanjay was not in the course of employment when he took Ruhina inside the car.
- (c) Ruhina got into the car at her own risk, and therefore, she cannot sue anybody.
- (d) None of the above.

Ans: [a]

**Q351. Directions:** The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.

**Principle:** Nuisance as a tort (civil wrong) means an unlawful interference with a person's use or enjoyment of land, or some right over, or in connection with it. **Fact:** During the scarcity of onions, long queues were made outside the defendant's shop who, having a license to sell fruits and vegetables, used to sell only 1 kg. of onion per ration card. The queues extended on to the highway and also caused some obstruction to the neighboring shops. The neighboring shopkeepers brought an action for nuisance against the defendant.

- (a) The defendant is liable for nuisance
- (b) The defendant was not liable for nuisance.
- (c) The defendant was liable under the principle of strict liability
- (d) The plaintiff's suit should be decreed in his favour

Ans: [a]

**Q352. Directions:** The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.

**Principle:** Nothing is an offence which is done by a person who, at the time of doing it, by reason of unsoundness of mind, is incapable of knowing the nature of the act, or that he is doing what is either wrong or contrary to law. **Fact:** A takes his son B who is three years old, for a bath to the well.

He throws his son inside the well so that he could have a good bath. After 10 minutes he also jumped in the well to take a bath and take his son out of the well. Both were rescued by the villagers but his son was found dead.

- (a) A has committed culpable homicide not amounting to murder.  
 (b) A has committed murder.  
 (c) A has done no offence as he can plead the defence of unsoundness of mind.  
 (d) A's family should be responsible for this incident to let him to take child to the well

Ans: [c]

**Q353. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** ignorantia juris non excusat and ignorantia facit excusat. **Fact:** George was a passenger from Zurich to Manila in a Swiss Plane. When the plane landed at the airport at Bombay on 28th Nov. 1962, it was found on search that George carried 34 kgs of gold bars in person and that he had not declared it in the 'Manifest for transit'. On 26th Nov. 1962 Government issued a notification and modifies its earlier exemption and now it is necessary that the gold must be declared in the 'Manifest' of the aircraft.

- (a) George cannot be prosecuted because he had actually no knowledge about the new notification issued only two days ago.  
 (b) George cannot be prosecuted because it is mistake of fact which is excusable.  
 (c) George's will be prosecuted because mistake of laws is not excusable.  
 (d) George liability would depend on the discretion of the court.

Ans: [c]

**Q354. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Everybody is under a legal obligation to take reasonable care to avoid an act or omission which he can foresee would injure his neighbor. The neighbor for this purpose, is any person whom he should have in his mind as likely to be affected by his act. **Fact:** Krishnan, while driving a car at high speed in crowded road, knocked down a cyclist. The cyclist died on the spot with a lot of blood spilling around, Lakshmi, a pregnant woman passing by, suffered from a nervous shock, leading to abortion.

- Lakshmi filed a suit against Krishnan claiming damages.  
 (a) Krishna will be liable, because he owed a duty of reasonable care to everybody on the road including Lakshmi  
 (b) Krishna will not be liable, because he could not have foreseen Lakshmi suffering from nervous shock as a result of his act.  
 (c) Krishna will be liable to Lakshmi because he failed to drive carefully  
 (d) None of the above

Ans: [b]

**Q355. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as**

**FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Preparation is not an offence except the preparation of some special offences. **Fact:** Ramesh keeps poisoned halua in his house, wishing to kill Binoy whom he invited to a party and to whom he wishes to give it. Unknown to Ramesh, his only son takes the halua and dies. In this case

- (a) Ramesh is liable for the murder.  
 (b) He is not liable for murder since it is a preparation alone.  
 (c) He is liable for culpable homicide  
 (d) None of the above

Ans: [b]

**Q356. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Agreements, the meaning of which is not certain, or capable of being made certain, are void. **Fact:** A horse was bought for a certain price couple with a promise to give Rs. 500 more if the horse proved lucky.

- (a) This is a valid agreement.  
 (b) This agreement is void for uncertainty because it is very difficult to determine what luck, bad or good, the horse had brought to the buyer.  
 (c) The agreement is partially valid and partially void.  
 (d) None of the above.

Ans: [b]

**Q357. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Mere silence as to facts likely to affect the willingness of a person to enter into a contract is not fraud, unless the circumstances of the case are such that, regard being had to them, it is the duty of the person keeping silence to speak, or unless his silence is, in itself, equivalent to speech. **Fact:** A sells, by auction, to B, a horse which A knows to be unsound. A says nothing to B about the horse's unsoundness.

- (a) A can be held liable for fraud  
 (b) A can be held liable for misrepresentation  
 (c) A cannot be held liable, because he did not say anything positive about the soundness of horse.  
 (d) A cannot be held liable because it is the buyer who must be aware of the things.

Ans: [c]

**Q358. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Any direct physical interference with the goods in somebody's possession without lawful justification is called trespass to goods. **Fact:** A purchased a car from a person who had no title to it and had sent it to a garage for repair, X, believing wrongly, that the car was his, removed it from the garage.

- (a) X can be held responsible for trespass to goods.  
 (b) X cannot be held responsible for trespass to good as he was under a wrong belief.

- (c) X has not committed any wrong.  
 (d) None of the above.

Ans: [a]

**Q359. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** 'Nobody shall unlawfully interfere with a person's use or enjoyment of land, or some right over, or in connection with it. The use or enjoyment, envisaged herein, should be normal and reasonable taking into account surrounding situation. **Fact:** Jeevan and Pavan were neighbours in a residential locality. Pavan started a typing class in a part of his house and his typing sound disturbed Jeevan who could not put up with any kind of continuous noise. He filed a suit against Pavan.

- (a) Pavan is liable, because he should not have started typing class in his house.  
 (b) Pavan is liable, because as a neighbour, he should have realised Jeevan's delicate nature  
 (c) Pavan is not liable, because typing sound did not disturb anyone else other than Jeevan  
 (d) None of the above.

Ans: [d]

**Q360. Directions: The question consists of two statements, one labelled as PRINCIPLE and other as FACT. You are to examine the principle and apply it to the given facts carefully and select the best option.**

**Principle:** Doctrine of Double Jeopardy: No person shall be prosecuted and punished for the same offence twice. **Fact:** Maqbool brought some gold into India without making any declaration to Custom department on the airport. The custom authorities confiscated the gold under the Sea Custom Act. Maqbool was later charged for having committed an offence under Foreign Exchange Regulation Act.

- (a) He cannot be prosecuted because it would amount to double jeopardy.  
 (b) He can be prosecuted because confiscation of good by custom authorities does not amount to prosecution by the Court.  
 (c) Maqbool ought to have known that he can be stopped by the custom authorities.  
 (d) None of the above.

Ans: [b]

**Q361. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** Custom per se is law, independent of prior recognition by the sovereign or the judge. **Reason:** Custom is source of law but by itself is not law.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation to A  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [d]

**Q362. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** Idol is a person who can hold property. **Reason:** Only human being can be called person not the lifeless things.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [c]

**Q363. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** Laws are means of achieving an end namely social control. **Reason:** The ultimate end of law is to secure greatest happiness to greater number.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [b]

**Q364. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** Every person should have the freedom of speech and expression. **Reason:** If a person is stopped from speaking then mankind will lose the truth.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false.  
 (d) A is false but R is true.

Ans: [a]

**Q365. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** Attempt to commit an offence though does not result in any harm, should also be punished. **Reason:** A person who tries to cause a prohibited harm and fails, is, in terms of more culpability, not materially different from the person who tries and succeeds.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false  
 (d) A is false but R is true

Ans: [a]

**Q366. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements**

**carefully and select the best option. Assertion:** In India, every state has a High Court in its territory. **Reason:** The Constitution of India provides for a High Court in each state.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false  
 (d) A is false but R is true

Ans: [d]

**Q367. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** The Council of Ministers at the centre is collectively responsible both to the Lok Sabha and Rajya Sabha. **Reason:** The members of both Lok Sabha and Rajya Sabha are eligible to be ministers of the Union Government.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false  
 (d) A is false but R is true

Ans: [d]

**Q368. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** The reservation of thirty-three percent of seats for women in Parliament and State Legislature does not require Constitutional Amendment. **Reason:** Political parties contesting election can allocate thirty-three per cent of seats they contest to women candidates without any Constitutional Amendment.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false  
 (d) A is false but R is true

Ans: [d]

**Q369. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** We, the people of India, having solemnly resolved to constitute India into a Democratic Republic. **Reason:** A republic will ensure we have a head of state, that is, democratically elected and accountable to voters. As a result the head of state will be a more effective constitutional safeguard.

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false  
 (d) A is false but R is true

Ans: [a]

**Q370. Direction: The question consists of two statements, one labelled as Assertion (A) and other as Reason (R). You are to examine the two statements carefully and select the best option. Assertion:** Republic Day is celebrated on 26th January every year in the country. **Reason:** The Constitution of India came into force 26th January 1950

- (a) **Both** A and R are individually true and R is correct explanation to A  
 (b) **Both** A and R are individually true but R is not correct explanation of A  
 (c) A is true but R is false  
 (d) A is false but R is true

Ans: [a]

**Direction: Read the definition and elements of the attempt, apply them on the given fact situation and answer the question:** Definition of Attempt: Lord Blackburn has said that 'there is no doubt that there is difference between a preparation antecedent to an attempt and the actual attempt, but if the actual transaction has commenced which would have ended in the crime if not interrupted, there is clearly an attempt to commit the crime.' 1. Fault Element: Intention or knowledge requisite for committing an offence; and 2. Conduct Element: does any act towards its commission and has crossed the stage of preparation. This act is so closely connected with, and proximate to the commission that it fails in object because of facts not known to him or because of circumstances beyond his control.

**Q371.** 'RANI' ran to a well stating that she would jump into it, and she started running towards the well but she was caught before she could reach it.

- (a) She is not guilty of attempt to commit suicide because she might have changed her mind before jumping into the well.  
 (b) She is guilty of attempt to commit suicide.  
 (c) Right to life includes right to die hence a person should not be held responsible for attempt to commit suicide.  
 (d) None of the above.

Ans: [a]

**Q372.** SINY with an intention to pick-pocket puts his hand into MINU'S pocket. MINU had a loaded pistol in his pocket. The thief touches the pistol and trigger goes on, whereby MINU is shot dead.

- (a) SINY will be liable only for attempting to pick-pocket and not for killing because she cannot be treated differently from all other pick-pockets who steal under exactly similar circumstances and same intention, with no risk of causing death and with no greater care to avoid it.  
 (b) SINY will be liable for attempting to murder.  
 (c) SINY will be liable for culpable homicide not amounting to murder as his intention was definitely not to kill.  
 (d) None of the above.

Ans: [a]

**Q373.** JAM denied food to his wife JANE for several days by keeping her confined in a room with an intention to accelerate her death. JANE ultimately managed to escape.

- (a) JAM is guilty for attempt to murder his wife.  
 (b) JAM is not guilty for attempt to murder his wife and he was only doing preparation.

(c) JAM is not guilty for attempt to murder his wife as she always had option to escape.

(d) None of the above.

Ans: [a]

**Q374.** The NDA led government notice the ..... and the National Judicial Appointments Commission Act, thus ending the over two-decade-old ..... of appointing judges of supreme court and high courts. Under the new law, a six-member panel headed by ..... will select judges of the apex court and state high courts.

(a) 99th Constitutional (Amendment) Act 2015, collegium system, the Chief Justice of India.

(b) 121st Constitutional (Amendment) Act 2015, collegium system, the Union Law Minister

(c) 121st Constitutional (Amendment) Act 2015, collegium system, the Prime Minister.

(d) 99th Constitutional (Amendment) Act 2015, cabinet system, the Prime Minister

Ans: [a]

**Q375.** The ..... Legislative Assembly on 31st March 2015 passed a controversial Anti-Terrorism Law. Earlier, the passed bill was rejected two times by the then ..... in 2004 and 2008.

(a) Bihar, president.

(b) Madhya Pradesh, Governors

(c) Gujarat, Presidents

(d) Maharashtra, Governors

Ans: [c]

**Q376.** The Union Government on the recommendation of the ..... under the chairmanships of ..... has decided to decriminalize Section ..... of the Indian Penal Code.

(a) 20th Law Commission, Justice A.P. Shah, 309

(b) 20th Law Commission, Justice M.P. Shah, 307

(c) Supreme Court, Justice H.L. Dattu, 309

(d) Planning Commission, Law Minister, 309

Ans: [a]

**Q377.** A bench headed by ..... quashed allocation of 214 ..... as .....

(a) Justice H L Dattu, coal blocks, illegal and arbitrary

(b) Justice R. M. Lodha, coal blocks, illegal and arbitrary

(c) Justice T. S. Thakur, licenses, illegal and arbitrary

(d) None of the above.

Ans: [b]

**Q378.** Choose the best option for the following **statement:** No one can be compelled to sing the National Anthem since: 1. It will be violative of the right to freedom of speech and expression 2. It will be violative of the right to freedom of conscience and practice & propagation of religion. 3. There is no legal provision obliging anyone to sing the National Anthem.

(a) 1 and 2 are correct

(b) 2 and 3 are correct

(c) 1, 2 and 3 are correct

(d) None of the above.

Ans: [c]

**Q379.** Five years' experience is a must to be able to practice as an advocate in the Supreme Court of India. This rule was prescribed by the .....

(a) Bar Council of India

(b) Supreme Court of India

(c) High Court of Delhi

(d) Ministry of Law and Justice, Government of India

Ans: [a]

**Q380.** Union Government recently approved 33 per cent Reservation for Women in:

(a) Horizontally and each category (OBC, SC, ST, and others) in direct recruitment in all non-gazetted police posts in all union territories including Delhi.

(b) Horizontally and each category (OBC, SC, ST, and others) in direct recruitment in all gazetted police posts in all union territories including Delhi.

(c) Horizontally and each category (OBC, SC, ST, and others) in direct recruitment in all gazetted and non-gazetted posts in all union territories including Delhi.

(d) Horizontally and each category (OBC, SC, ST, and others) in direct recruitment in all gazetted and non-gazetted posts in all union territories including Delhi.

Ans: [a]

**Q381.** As per Indian Protocol, who among the following ranks is the highest in the order of precedence?

(a) Deputy Prime Minister

(b) Former President

(c) Governor of a State within his State

(d) Speaker of Lok Sabha.

Ans: [c]

**Q382. Consider the following statements and choose the best option:** 1. The Chairman of the National Legal Services Authority (NALSA) is the Chief Justice of India. 2. Chief Justice Justice H. L. Dattu is the present Chairman of NALSA. 3. The Chairman of the National Legal Services Authority (NALSA) is the senior most judge (after CJI) of the Supreme Court of India. 4. Hon'ble Justice T. S. Thakur is the present Chairman of NALSA.

(a) 1 and 2 are correct.

(b) 2 and 3 are correct

(c) 3 and 4 are correct

(d) None of correct.

Ans: [c]

**Q383.** India and Britain recently signed an 'extradition treaty'. Extradition means

(a) Exports without double taxation

(b) Order of Indian courts will apply to Indians living in the U.K.

(c) India and the U.K. will deport criminals on reciprocal basis to each other

(d) None of correct.

Ans: [c]

**Q384.** What is a 'moot'?

(a) A basic point of law

(b) A basic fact of case

(c) Mock court for practice by students in general

(d) Another name for magistrate's court

Ans: [c]

**Q385.** The temporary release of a convicted prisoner from jail for a fixed period is called -

- (a) Bail
- (b) Parole
- (c) Acquittal
- (d) Discharge

Ans: [b]

**Q386.** The railway authorities allowed a train to be over-crowded. In consequence, a legitimate passenger, X got his pocket picked. Choose appropriate answer -

- (a) X can sue the railway authorities for the loss suffered.
- (b) X cannot sue because he had given his consent to travel in a over-crowded train.
- (c) X cannot sue the railway authorities because there was no infringement of legal right, and mere fact the loss was caused, does not give rise to a cause of action.
- (d) None of the above

Ans: [c]

**Q387. Choose the best option for the following**

**statement:** The distinction between fraud and misrepresentation: 1. Fraud is more or less intentional wrong, whereas misrepresentation may be quite innocent. 2. In addition to rendering the contract voidable, is a cause of action in tort for damages. Simple misrepresentation is not a tort but a person who rightfully rescinds a contract is entitled to compensation for any damages which he has sustained through the non-fulfilment of the contract. 3. A person complaining of misrepresentation can be met with the defence that he had 'the means of discovering the truth with ordinary diligence'. But accepting fraud by silence in other cases of fraud, it is no defence that 'the plaintiff had the means of discovering the truth by ordinary diligence'. 4. None of the above.

- (a) 1 is correct.
- (b) 1 and 2 are correct.
- (c) 1, 2 and 3 are correct.
- (d) Only 4 is correct.

Ans: [c]

**Q388.** In a recent case, a Supreme Court bench comprising of Justice Dipak Mishra and Justice Prafulla C Pant held that the amount of maintenance to be awarded under Section 125 of CrPC cannot be restricted for the iddat period (three months) only as the inherent and fundamental principle behind Section 125. Also, it said that an order under Section 125 CrPC can be passed if a person, despite having sufficient means, neglects or refuses to maintain the wife.

- (a) Shamima Farooqui vs Shahid Khan
- (b) Mohd. Ahmad Khan vs Shah Bano Begum
- (c) Hamida Bano vs Abdul Rasheed
- (d) Abdul Kadir vs Salima

Ans: [a]

**Q389.** Select the correct statement on Social Justice Bench Constituted on social issue 1. Constituted by Supreme Court on 3 December 2014 2. Started operation on 12 December 2014 3. The brainchild of Chief Justice of India H L Dattu 4. Two-judge bench to be headed by Justice Madan B Lokur 5. The other member is Justice U U Lalit

- (a) 1, 2 and 5 are correct
- (b) 1, 2 and 3 are correct
- (c) 1, 3 and 4 are correct

(d) All are correct

Ans: [d]

**Q390.** Select the correct statement about 14th Finance Commission which submitted its report to President 1. It covers the period between 1 April 2015 and 31 March 2020. 2. The commission headed by former RBI Governor, Y V Reddy. 3. Provides for devolution of tax receipts from the centre to the states. 4. Article 280 of constitution provides for appointment of Finance Commission. 5. 1st and 13th Finance Commission was headed by K C Neogy and Vijay Kelkar respectively.

- (a) 1, 3 and 5 are correct
- (b) 1, 2 and 3 are correct
- (c) 1, 3 and 4 are correct
- (d) All are correct

Ans: [d]

**Q391.** Who administers oath of office to the Governor of a State?

- (a) President of India
- (b) Chief Justice of High Court of the respective state
- (c) Chief Justice of India
- (d) Speaker of State Assembly

Ans: [b]

**Q392.** Governor of a State can make laws during recess of State Legislative Assembly through .....

- (a) Act
- (b) Bills
- (c) Notification
- (d) Ordinance

Ans: [d]

**Q393.** Who called Indian Constitution as Quasi-Federal?

- (a) Austin
- (b) K. C. Wheare
- (c) H. M. Servai
- (d) Jennings

Ans: [b]

**Q394.** President of India exercises his powers .....

- (a) **Either** directly or through officers subordinate to him
- (b) Through ministers
- (c) Through prime minister
- (d) Through cabinet

Ans: [a]

**Q395.** Vote on account is meant for .....

- (a) Vote on the report of CAG
- (b) To meet unforeseen expenditure
- (c) Appropriating funds pending passing of budget.
- (d) Budget

Ans: [c]