

Out of the three alternatives, choose and tick the correct option:

1. In which of the following cases the Supreme Court laid down the test for determining whether a body is instrumentality of the State or not?
  - a) R. D. Shetty vs. International Airport Authority [ ]
  - b) Ajay Hasia vs. Khalid Mujit [ ]
  - c) Electricity Board Rajasthan vs. Mohan Lal [ ]
2. Which of the following is not true vis-à-vis Article 13 of the Constitution of India?
  - a) A constitutional amendment Act passed under Article 368 is law within the meaning of the Article 13 [ ]
  - b) All laws in force in the territory of India immediately before the commencement of the Constitution, in so far as they are inconsistent with the provisions of Part III of the Constitution, shall, to the extent of such inconsistency, be void [ ]
  - c) The State shall not make any law which takes away or abridges the rights conferred by Part III of the Constitution and any law made in contravention of this clause shall, to the extent of the contravention, be void [ ]
3. Under Article 356 of the Constitution of India, for meeting a situation arising from the failure of the constitutional machinery in a State, the President may assume to himself:
  - a) Powers of any body or authority in the State including State Legislature [ ]
  - b) Powers of the High Court [ ]
  - c) All or any of the functions of the State government or powers of the Governor [ ]
4. The Swarn Singh Committee recommended:
  - a) The constitution of state level election commissions [ ]
  - b) Inclusion of fundamental duties in the Constitution of India [ ]
  - c) Panchayati Raj reforms [ ]

5. Article 20(2) of the Constitution of India adopts the principle of:
- a) Prohibition of making *ex post facto* criminal law [ ]
  - b) *Autrefois acquit* [ ]
  - c) *Autrefois convict* [ ]
6. Which of the following appointments is not made by the President of India:
- a) Speaker of the Lok Sabha [ ]
  - b) Attorney General [ ]
  - c) Comptroller & Auditor General [ ]
7. When was the Preamble of the Constitution of India adopted by the Constituent Assembly:
- a) 26 Jan 1950 [ ]
  - b) 26 Nov 1947 [ ]
  - c) 26 Nov 1949 [ ]
8. The rules for regulating the practice and procedure of Supreme Court under Article 145 of the Constitution of India are made by:
- a) President of India [ ]
  - b) Supreme Court with the approval of the President [ ]
  - c) Supreme Court in consultation with the Bar Council of India [ ]
9. Which of the following is mentioned in Article 22(2) of the Constitution of India:
- a) Right to be defended by a legal practitioner [ ]
  - b) Right to be produced before nearest Magistrate within 24 hours [ ]
  - c) Both (a) and (b) [ ]
10. "A law which violates fundamental rights is not nullity or void *ab initio* but only becomes unenforceable." This doctrine is:
- a) Doctrine of eclipse [ ]
  - b) Doctrine of severability [ ]
  - c) Doctrine of colourable legislation [ ]

11. On which date did the Constitution (Application to Jammu and Kashmir) Order 1954 come into force:
- a) 26 Nov, 1954 [ ]
  - b) 15 Jun, 1954 [ ]
  - c) 14 May, 1954 [ ]
12. Which provision of the Constitution of Jammu and Kashmir permits a member to address the House in his mother tongue:
- a) Section 86 [ ]
  - b) Section 87(1) [ ]
  - c) Section 89(1) [ ]
13. The provision of the Constitution of Jammu and Kashmir which empowers the Governor to promulgate ordinances during recess of legislature is:
- a) Section 91 [ ]
  - b) Section 92 [ ]
  - c) Section 93 [ ]
14. Which of the following statements is not false:
- a) Article 227 of the Constitution of India does not apply to State of Jammu and Kashmir [ ]
  - b) Article 227 of the Constitution of India corresponds to Section 104 of the Constitution of Jammu and Kashmir [ ]
  - c) Both (a) and (b) [ ]
15. Section of 42 of the Constitution of Jammu and Kashmir deals with:
- a) Salaries and allowances of Ministers and Deputy Ministers [ ]
  - b) Appointment of the Advocate General for the State [ ]
  - c) Duties of Chief Minister of the State [ ]

16. Whose previous approval is required by the Chief Justice for the determination of the sitting of the High Court other than at Jammu and Srinagar:
- President of India [ ]
  - Chief Justice of India [ ]
  - Governor of the State of Jammu and Kashmir [ ]
17. Section 144 of the Constitution of Jammu and Kashmir deals with:
- Flag of the State [ ]
  - Land of the State [ ]
  - Official Language of the State [ ]
18. Which of the provisions of the Constitution of J&K identifies the classes of people who are permanent residents of the State:
- Section 5 [ ]
  - Section 6 [ ]
  - Section 7 [ ]
19. The State shall endeavour to secure to all women right to equal pay for equal work is provided in which of the following provisions of the Constitution of J&K:
- Section 20 [ ]
  - Section 21 [ ]
  - Section 22 [ ]

20. Match the following and choose the correct option:

<u>Part of the J&amp;K Constitution</u>		<u>Deals With</u>	
I	Part III	1. The Executive	
II	Part V	2. Permanent Residents	
III	Part VII	3. The High Court	
	I	II	III
a)	2	1	3 [ ]
b)	3	1	2 [ ]
c)	1	2	3 [ ]

21. Amendment of pleadings is provided under which provision of the CPC:
- a) Order VI Rule 16 [ ]
  - b) Order VI Rule 17 [ ]
  - c) Order VI Rule 18 [ ]
22. Under Section 82(2) of the CPC the execution shall not be issued on any decree unless it remains unsatisfied for the period of:
- a) 1 month [ ]
  - b) 2 months [ ]
  - c) 3 months [ ]
23. Provisions relating to compensatory costs in respect of false or vexatious claims or defences are contained in which provision of CPC:
- a) Section 35 [ ]
  - b) Section 35A [ ]
  - c) Section 35B [ ]
24. Under Section 91(1) of the CPC a suit for public nuisance or other wrongful act affecting or likely to affect the public, may be instituted by:
- a) Advocate General [ ]
  - b) With the leave of the Court by a person even though no special damage has been caused to such person [ ]
  - c) Both (a) and (b) [ ]
25. Under which provision of the CPC the general power of transfer and withdrawal has been conferred upon the High Court or District Courts:
- a) Section 15 [ ]    (b) Section 21 [ ]    (c) Section 24 [ ]
26. Where the defendant under Order VIII Rule 1 fails to file the written statement within the period of 30 days from the date of service of summons, he shall be allowed to file the same by the Court within a period not later than:
- a) 60 days [ ]
  - b) 90 days [ ]
  - c) 120 days [ ]

27. The provision relating to execution of decrees is contained in:
- a) Order XX [ ]
  - b) Order XXI [ ]
  - c) Order XIV [ ]
28. Clerical or arithmetical mistakes in judgments, decrees or orders may be corrected by the court under Section 152 of the CPC:
- a) On its own motion [ ]
  - b) On application of any of the parties [ ]
  - c) Both (a) and (b) [ ]
29. Under Section 100 of CPC, second appeal lies to:
- a) High Court [ ]
  - b) Additional District Judge [ ]
  - c) None of the above [ ]
30. Right to lodge a caveat is provided under:
- a) Section 144 [ ]
  - b) Section 148A [ ]
  - c) Section 153A [ ]
31. Section 60 Cr.PC mandates that a person arrested by a police officer without a warrant, shall, without unnecessary delay, be produced before:
- a) a Magistrate having jurisdiction [ ]
  - b) the officer in charge of a police station [ ]
  - c) both (a) and (b) [ ]
32. Which of the following is not a valid mode of service of summons:
- a) Service on any member of the family [ ]
  - b) Service to the head of the office in case of a government servant [ ]
  - c) Personal service [ ]

33. Under Section 99B of Cr. PC an application to set aside the order of forfeiture with respect to any newspaper, book or other document, can be made to:
- a) Chief Judicial Magistrate [ ]
  - b) High Court [ ]
  - c) Principal Sessions Judge [ ]
34. A Court may alter or add to any charge:
- a) At any time before judgment is pronounced [ ]
  - b) Before prosecution evidence starts [ ]
  - c) After the completion of the prosecution evidence but before the examination of the accused under Section 342 [ ]
35. Which of the following statements is false as regards statements made under Section 164 and 164A of the Cr.PC:
- a) It is not necessary that the Magistrate receiving and recording a confession should be a Magistrate having jurisdiction in the case [ ]
  - b) A Magistrate shall before recording any confession explain to the person making such confession that he is not bound to make a confession [ ]
  - c) Statements recorded under Section 164-A(3), if recorded before a Magistrate, need not be on oath [ ]
36. When the Sessions Judge or the High Court calls for the record to examine any proceeding before any inferior criminal court, it is known as:
- a) Reference [ ]      (b) Revision [ ]      c) Review [ ]
37. Who may order for maintenance of wife, children and parents:
- a) Judicial Magistrate Ist Class [ ]
  - b) Any Judicial Magistrate [ ]
  - c) Executive Magistrate [ ]
38. Section 561A of Cr. PC deals with:
- a) Criminal Acquittal Appeals [ ]
  - b) Criminal Conviction Appeals [ ]
  - c) Inherent powers of the High Court vis-à-vis criminal matters [ ]

39. Direction for grant of bail to person apprehending arrest can be granted by:
- a) Court of Sessions only [ ]
  - b) High Court or Court of Sessions [ ]
  - c) Court of Sessions after approval from the High Court [ ]
40. Section 491 of the Cr.PC deals with:
- a) The power of the Magistrate to enforce the order of maintenance [ ]
  - b) The power of the Government to appoint Public Prosecutors [ ]
  - c) The power of the High Court to issue directions of the nature of habeas corpus [ ]
41. Under Section 6 of the Limitation Act, 1995, which of the following has been identified as a Legal disability:
- a) Minority [ ]
  - (b) Insolvency [ ]
  - c) Poverty [ ]
42. What is the limitation period prescribed for filing an application on behalf of the defendant for setting aside an ex parte decree:
- a) 3 months from the date of decree [ ]
  - b) 30 days from the date of decree [ ]
  - c) 60 days from the date of decree [ ]
43. Section 12 of the Limitation Act, 1995 deals with:
- a) Exclusion of time of proceedings taken *bona fide* in Court without Jurisdiction [ ]
  - b) Exclusion of time during which proceedings are suspended [ ]
  - c) Exclusion of time in legal proceedings [ ]
44. Limitation period for any suit by or on behalf of the Government of India, the Government of any other state in India or the Government of any Union Territory prescribed by the Limitation Act, 1995 is:
- a) 60 years [ ]
  - b) 30 years [ ]
  - c) 12 years [ ]



45. Suits instituted in the State on contracts entered into in a foreign country:
- a) Are subject to the rules of limitation contained in the Limitation Act, 1995 [ ]
  - b) Are not subject to the rules of limitation contained in the Limitation Act, 1995 [ ]
  - c) Depend upon the terms of contract [ ]
46. Section 17 of the Limitation Act, 1995 deals with:
- a) Exclusion of fraud [ ]
  - b) Limitation in matters of continuing breaches and wrongs [ ]
  - c) Effect of death before right to sue accrues [ ]
47. Where after the institution of a suit a plaintiff or defendant is substituted or added, the suit shall, as regards him:
- a) Be deemed to have been instituted when the suit was initially instituted [ ]
  - b) Be deemed to have been instituted when he was so made a party [ ]
  - c) Be deemed to have been instituted on the date the application for impleadment has been made [ ]
48. Under Section 14 of the Limitation Act, 1995, in excluding the time during which a former suit or application was pending, the day on which the suit or application was instituted or made and the day on which the proceedings therein ended shall, for the purpose of computing the period of limitation:
- a) Both be counted [ ]
  - b) Only the day on which the suit or application was instituted be counted [ ]
  - c) Only the day on which the proceedings therein ended be counted [ ]
49. Under Section 5 of the Limitation Act, 1995 the fact that the applicant was misled by any order in computing the period of limitation:
- a) May be a sufficient cause within the meaning of Section 5 [ ]
  - b) Is not a sufficient cause within the meaning of Section 5 [ ]
  - c) None of the above [ ]

50. The period of limitation prescribed under Limitation Act, 1995 for instituting a suit for possession of a hereditary office is:  
a) 12 years [ ] (b) 6 years [ ] (c) 3 years [ ]
51. Who was the first Chief Justice of Supreme Court of independent India:  
a) Justice Mehar Chand Mahajan [ ]  
b) Justice M. Patanjali Sastri [ ]  
c) Justice H. J. Kania [ ]
52. Where is the headquarter of Organisation of Arab Petroleum Exporting Countries (OAPEC):  
a) Libya [ ] (b) Kuwait [ ] (c) Saudi Arabia [ ]
53. Which country hosted the 2018 FIFA Football World Cup:  
a) Russia [ ] (b) Brazil [ ] (c) Qatar [ ]
54. Name the first Chairperson of Jammu and Kashmir Law Commission:  
a) Justice A. S. Anand [ ]  
b) Justice M. K. Hanjura [ ]  
c) Justice S. N. Jha [ ]
55. What is the capital of Sweden:  
a) Reykjavik [ ] (b) Helsinki [ ] (c) Stockholm [ ]
56. Who is the CEO of Google:  
a) Warren Buffet [ ] (b) Rudolf Nureyev [ ] (c) Sundar Pichai [ ]
57. The currency of China is:  
a) Yen [ ] (b) Renminbi [ ] (c) Euro [ ]
58. Albert Einstein received Nobel Prize for his paper on:  
a) Photoelectric Effect [ ]  
b) Theory of General Relativity [ ]  
c) Theory of Special Relativity [ ]

59. Who has authored the book "Life of Pi":
- a) Henry Mayhew [ ]
  - b) Milan Kundera [ ]
  - c) Yann Martel [ ]
60. Who has been the first woman Chief Justice of the High Court of Jammu and Kashmir:
- a) Justice Vijaya Tahilramani [ ]
  - b) Justice Gitta Mittal [ ]
  - c) Justice Indu Malhotra [ ]
61. Which rule deals with the judicial and administrative powers of the Registrar under the High Court Rules, 1999:
- a) Rule 15 [ ]    (b) Rule 17 [ ]    c) Rule 20 [ ]
62. In terms of Rule 33 of the High Court Rules, 1999, wherever in any case a Division Bench differs from any other Division Bench of the Court on a point of law or usage having the force of law:
- a) such case or point shall be referred for decision by a larger bench [ ]
  - b) such case or point shall be referred for decision by the Supreme Court [ ]
  - c) such case or point shall be referred for decision by the Chief Justice of the State of Jammu and Kashmir [ ]
63. Under Rule 59(ii) of the High Court Rules, 1999 no civil revision petition shall be presented after:
- a) 30 days from the date of the impugned order [ ]
  - b) 60 days from the date of the impugned order [ ]
  - c) 90 days from the date of the impugned order [ ]
64. Under Rule 12 of the Writ Proceeding Rules, 1997 several persons can file a common or joint petition in case:
- a) They have a common relief to pray for, even if the cause is not common [ ]
  - b) They have a common cause but are likely to benefit individually [ ]
  - c) The petition is to be filed against the same department, irrespective of the cause [ ]

65. Under the Writ Proceeding Rules, 1997, in case of urgency, who amongst the following can direct early listing of the case:
- Chief Justice [ ]
  - Any Judge specially authorised in that behalf [ ]
  - Both (a) and (b) [ ]
66. Which rule of the Writ Proceeding Rules, 1997 deals with imposition of exemplary costs / damages in case of frivolous or vexatious litigation:
- Rule 5 [ ]
  - Rule 22 [ ]
  - Rule 18 [ ]
67. Part II of the Writ Proceeding Rules, 1997 deal with:
- Petitions seeking issue of a writ in the nature of habeas corpus [ ]
  - Petitions seeking issue of a writ in the nature of certiorari [ ]
  - Petitions seeking issue of a writ in the nature of quo warranto [ ]
68. Under which of the following was the Letters Patent issued to the High Court of Jammu and Kashmir:
- Jammu and Kashmir Constitution, 1956 AD [ ]
  - Government of India Act, 1919 AD [ ]
  - Jammu and Kashmir Constitution Act, 1996 Bk [ ]
69. Clause 12 of the Letters Patent deals with:
- Power of the High Court to approve, admit and enroll Advocates, Vakils and Attorneys [ ]
  - Letters Patent Appeals [ ]
  - Extraordinary Original Jurisdiction of the High Court [ ]
70. Letters Patent Appeal is not maintainable against:
- Order granting a writ of mandamus under Section 103 of the Constitution of Jammu and Kashmir [ ]
  - Order passed in a petition under Section 104 of the Constitution of Jammu and Kashmir [ ]
  - Order granting a writ of certiorari under Section 103 of the Constitution of Jammu and Kashmir [ ]

71. Rules and orders for the guidance of the Courts subordinate to the High Court (Criminal) were issued in the year:  
a) 1983 Svt. [ ] (b) 1978 Svt. [ ] c) 1988 Svt. [ ]
72. In absence of a special order of a Magistrate under Section 167 of Cr.PC, no Police Officer shall under any circumstances detain in custody a person arrested without warrant for a period longer than:  
a) 24 hours [ ] (b) 48 hours [ ] c) 72 hours [ ]
73. Formal charges need not be framed in:  
a) Warrants cases [ ]  
b) Summons cases [ ]  
c) Both (a) and (b) [ ]
74. Rules and orders for the guidance of the Courts subordinate to the High Court (Civil) were framed in the year:  
a) 1983 Svt. [ ] (b) 1977 Svt. [ ] c) 1978 Svt. [ ]
75. Leading questions may be allowed in:  
a) Cross examination [ ]  
b) Examination in chief [ ]  
c) Re-examination [ ]
76. In terms of Section 7 of the J&K Arbitration and Conciliation Act, 1997, the arbitral agreement:  
a) Can be verbal [ ]  
b) Shall be in writing [ ]  
c) As agreed by the parties [ ]
77. Which Section of the J&K Arbitration and Conciliation Act, 1997 gives power to the Chief Justice of the High Court to appoint an arbitrator:  
a) Section 11 [ ] (b) Section 13 [ ] c) Section 9 [ ]
78. Section 17 of the J&K Arbitration and Conciliation Act, 1997 deals with:  
a) Competence of arbitral tribunal to rule on its jurisdiction [ ]  
b) Determination of rules of procedure [ ]  
c) Interim measures ordered by arbitral tribunal [ ]

79. An arbitral award:
- a) Can be pronounced orally if there are more than one arbitrators [ ]
  - b) Shall be made in writing [ ]
  - c) None of the above [ ]
80. Which Section of the J&K Arbitration and Conciliation Act, 1997 deals with power to set aside arbitral award:
- a) Section 21 [ ] (b) Section 41 [ ] c) Section 34 [ ]
81. Once the arbitral award becomes final, it can be enforced in which of the following manner:
- a) In the same manner as if it were a decree of the Court [ ]
  - b) As may be defined by the arbitral award [ ]
  - c) As may be agreed upon by the parties [ ]
82. Part II of the J&K Arbitration and Conciliation Act, 1997 deals with:
- a) Arbitration [ ] (b) Conciliation [ ] c) None of the above [ ]
83. If the other party rejects the invitation to conciliation, the conciliation proceedings shall:
- a) start in ex-parte [ ]
  - b) be referred to the High Court for appropriate orders [ ]
  - c) not commence at all [ ]
84. Which of the following is true about Section 37 of the J&K Arbitration and Conciliation Act, 1997:
- a) It takes away the right to appeal to the Supreme Court [ ]
  - b) It does not affect the right to appeal to the Supreme Court [ ]
  - c) It provides second appeal in all arbitral proceedings [ ]
85. If the Court is satisfied that a party was prevented by sufficient cause from making the application for setting aside arbitral award within the prescribed time of three months, within what further time may it entertain the said application:
- a) 30 days [ ] (b) 60 days [ ] c) 90 days [ ]

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**HIGH COURT OF JAMMU AND KASHMIR**

**ANSWER KEY OF**

**the Objective Type Question Paper-cum-Answer Script for the Written Examination  
for Reader's post, Year 2019**

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|---------|---------|---------|---------|---------|
| 1. [b]  | 2. [a]  | 3. [c]  | 4. [b]  | 5. [c]  |
| 6. [a]  | 7. [c]  | 8. [b]  | 9. [b]  | 10. [a] |
| 11. [c] | 12. [b] | 13. [a] | 14. [c] | 15. [b] |
| 16. [c] | 17. [a] | 18. [b] | 19. [c] | 20. [a] |
| 21. [b] | 22. [c] | 23. [b] | 24. [a] | 25. [c] |
| 26. [b] | 27. [b] | 28. [c] | 29. [a] | 30. [b] |
| 31. [c] | 32. [a] | 33. [b] | 34. [a] | 35. [c] |
| 36. [b] | 37. [a] | 38. [c] | 39. [b] | 40. [c] |
| 41. [a] | 42. [b] | 43. [c] | 44. [b] | 45. [a] |
| 46. [c] | 47. [b] | 48. [a] | 49. [a] | 50. [a] |
| 51. [c] | 52. [b] | 53. [a] | 54. [b] | 55. [c] |
| 56. [c] | 57. [b] | 58. [a] | 59. [c] | 60. [b] |
| 61. [a] | 62. [a] | 63. [c] | 64. [b] | 65. [c] |
| 66. [b] | 67. [a] | 68. [c] | 69. [b] | 70. [b] |
| 71. [c] | 72. [a] | 73. [b] | 74. [c] | 75. [a] |
| 76. [b] | 77. [a] | 78. [c] | 79. [b] | 80. [c] |
| 81. [a] | 82. [b] | 83. [c] | 84. [b] | 85. [a] |
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