RK JUDICIAL ACADEMY

Institute for Judicial Services Exam

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GRAND TEST-01

MAINS EXAMINATION

TIME: 10:00AM-1:00PM **MARKS:100**

Instructions:

1) Attempt all the questions compulsorily
2) All questions carry Equal Marks
3) Write the answers as orders of the questions
4) Strict your answer to the Question only
5) Write your Answers in 300 words only

QUESTION PAPER

1 A." All agreements are not contracts but all contracts are agreements". Examine this statement.

B. Define offer and distinguish between offer and invitation to offer.

C. Distinguish between void, voidable and illegal agreements bringing out clearly the rights of the parties under such agreement collateral to them.

D. What is novation? State its essential requirements.

2 A. Under the modem Hindu law marriage is neither a sacrament nor contract. Elaborate

B. What are the powers of a natural guardian under the Hindu Minority and Guardianship Act, 1956? Can a minor challenge actions of a guardian, if so, when and how?

C. Enumerate the essential conditions for a valid adoption under the Act

D. The rules of succession in the case of a Hindu female dying intestate under the Hindu Succession Act, 1956.

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3. A. What is the 'cause of action'? Discuss its relevance in determining the limitation period along with case studies

B. Explain the provisions related to the 'legal disability' under the Limitation Act, 1963

4 A. What do you understand by lease? What is difference between lease & licence?

B. Explain in brief the various modes of the transfer of immovable property.

C. What do you understand by mortgage? How many kinds of mortgage has been prescribed under the Transfer of Property Act, 1882?

5. A. What is the difference between preliminary and final decree?

B. What is set off? Distinguish between set off and counter claim?

C. What are the consequences of plaintiff's failure to appear when the defendant is present? What remedy is available to plaintiff?

D. Who is an indigent person? What is the mode of instituting suits by such person?

6. A. Explain the concept of Lok Adalats and their role in the resolution of disputes under the Act

B. What are the criteria that determine eligibility for free legal services under this Act

C. What powers do Lok Adalats and Permanent Lok Adalats possess while determining disputes

7 A. Define "commercial dispute" as per the Commercial Courts Act.

B. Explain the concept of pre-institution mediation and its role in the Commercial Courts Act

C. Briefly describe the composition of the Commercial Division of a High Court

8 A. Enumerate the documents that have to be compulsorily registered. What is the effect of non-registration?

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B. There are some documents of which registration is optional. Which are those documents? Explain the effects of registration

C. Who can present a document for registration?

D. Discuss the grounds of refusal to register a document and the remedy thereof

9 A owns an ancestral property that he wishes to sell. However, his co-sharer, B, who is a joint owner of the property, refuses to consent to the sale. Analyze the legal remedies available to A under the Transfer of Property Act to overcome B's objection and sell the property.

10 A. What is substituted performance of a contract, and under what circumstances can it be sought?

B. What defenses can a defendant raise in a suit for the recovery of specific immovable property?

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