

Part A - I: Legal Reasoning and Comprehension Skills

Read the following passage mostly extracted from LL Fuller's 'The Case of the Speluncean Explorers'.

The four defendants along with Roger Whetmore, went to explore a cave in the Central Plateau of this Commonwealth. While they were in a position remote from the entrance to the cave, a landslide occurred. Heavy boulders fell in such a manner as to block completely the only known opening to the cave. When the men discovered their predicament, they settled themselves near the obstructed entrance to wait until a rescue party should remove the rocks that prevented them from leaving their underground prison. A rescue party was promptly dispatched to the spot.

Since it was known that the explorers had carried with them only little food, and since it was also known that there was no food inside the cave, people became worried that they will die of starvation before access to them could be obtained. Through radio the explorers asked how long a time would be required to release them. The engineers in charge of the project answered that at least ten days would be required. The explorers then asked whether they would be likely to live without food for ten days longer. The doctors present told them that there was little possibility of this. The explorers asked whether they would survive for ten days if they killed one explorer and ate his flesh. The doctors reluctantly said yes.

When the imprisoned men were finally released, it was learned that on the twenty-third day after their entrance into the cave, Whetmore suggested a lottery to determine who will be killed and eaten. All the others agreed. Just before the lottery was to be held, Whetmore refused to participate. The others told him that he was going to die anyway, and rejecting the lottery agreement would not better his chances of survival. Whetmore still disagreed. The lottery was organised, and Whetmore lost. He was killed and eaten by his companions.

(Q) Was the arrangement to kill one person for the sake of the others' survival a fair arrangement?

- No, because Whetmore had withdrawn consent
- Yes, because necessity knows no bounds
- Yes, because all had consented to it
- There can be no single right answer

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(Q) Which of the following most accurately describes the situation, if someone asks whether the men committed a fault?

- No, because Whetmore had given his consent
- No, because they should have carried enough provisions
- Yes, because they were not justified in killing Whetmore
- Yes because killing cannot be justified, but they were also compelled by necessity

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(Q) Which among the following is an appropriate reason for contending the killing was justified?

- They had no choice
- Doctors had said they had a good chance of surviving if they killed and ate one of them
- Otherwise they wouldn't have been rescued in time
- All of the above

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(Q) Had the men undertaken an unjustifiable risk in exploring those caves?

- Yes, because they did not take enough precautions
- Yes, because they went to an area where landslides can and do happen
- No, because they did not know the landslide would happen
- None of the above

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(Q) When Whetmore initially agreed to the lottery, did he bind himself to the agreement between the explorers?

- Yes, because he consented to the lottery
- No, because at that time there was no threat to the lives of the explorers
- Yes, because his life was also under threat
- No, because the agreement was illegal and hence void

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(Q) Can the arrangement of determining by lottery whom to be killed, be considered fair?

- All these answers may be considered valid depending on one's point of view
- No, because Whetmore had withdrawn his consent
- Yes, because it was not a biased arrangement
- Yes, because the consent of all were taken beforehand

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(Q) Did Whetmore constitute a threat to the lives of the others?

- No, because he did not display any violence towards them
- Yes, because Whetmore asked them to explore the cave
- No, because they consented to explore the cave of their own free will

- Yes, because they could survive only by killing and eating him

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Part A - II: Research Aptitude

What is a null hypothesis?

- A hypothesis that contends that the factors under consideration are not related
- A hypothesis devised expressly to be proven false
- A hypothesis that influences the research process negatively
- All of the above

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Part A - II: Research Aptitude

Which of the following best describes doctrinaire research?

- Research that deals exclusively with statistical data
- Research which is concerned with examining the relationship between rules inter se, and between rules and facts
- Research that ascertains through observation the validity of certain observable phenomena
- Research that is philosophical in its implication

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Part A - II: Research Aptitude

What is secondary research?

- Research that involves analysis and interpretation of primary research
- Research that is second-hand in character
- Research that verifies primary research through further empirical surveys
- None of the above

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Directions in relation to arrest and detention in police custody were given by the Supreme Court in:-

- Maneka Gandhi v Union of India*
- Vishaka v State of Rajasthan*
- D K Basu V. State of West Bengal*
- S R Bommai v Union of India*

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The Council of Ministers are collectively responsible to:-

- the Vice President of India
- the Chief Justice of India
- the President of India
- the Parliament

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Article 356 deals with:-

- Failure of constitutional machinery in State
- National emergency
- Financial Emergency
- Emergency declared due to external disturbance

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The Council of States is

- Dissolved every five years
- Dissolved every three years
- A permanent body
- Dissolved every seven years

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The Constitution (Ninety-ninth Amendment) Act, 2014 has:-

- abolished the Planning Commission
- established the National Judicial Appointments Commission
- established the High Court for the state of Telangana
- established the National Lokpal

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Tenth schedule of the Constitution relates to:-

- Disqualification on the ground of defection
- Disqualification on the ground of moral turpitude
- Disqualification on the ground of being an offender
- Disqualification on the ground of corruption

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Who is the chairperson of the Council of States?

- The Prime Minister of India
- The Chief Justice of India
- The President of India
- The Vice President of India

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Right to equality in relation to government contracts means that:-

- the state shall provide opportunity to everyone while it is free to apply reasonable classification
- the parties are free to enter into or not to enter into a contract
- the state shall execute the contract through Public Works Department only
- the state can award the contract to any one of its choice

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Article 21 can be invoked:-

- against private individuals, state & Corporations
- against corporations only
- against state only
- against private individuals only

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Article 243Q deals with the constitution or establishment of:-

- Supreme Court
- Local bodies
- Special tribunals
- High Courts

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The Speaker is appointed for:-

- Corporation
- Council of States
- Legislative Council
- House of People

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The phrase "give to ourselves this Constitution" refers to the fact that India is:-

- Vassal
- Dominion
- Sovereign
- Colony

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Which of the following have the power to punish for contempt?

- The High Court
- The Supreme Court
- The Parliament
- The Supreme Court, The High Courts and The Parliament

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The Writ jurisdiction under Article 32 can be exercised by:-

- the Supreme Court and High Courts only
- the High Court only
- the Supreme Court and any other court which is empowered by the Parliament by law to exercise such jurisdiction
- the Supreme Court only

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Substantive law making power of the Parliament and State Legislatures emanate from:-

- Article 246
- Article 245
- Articles 245 & 246
- Neither Article 245 nor Article 246

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Consider the following statements and choose the correct option below:-

- i. Article 16 (4) is a fundamental right.
- ii. Article 16 (4A) is a fundamental right.
- iii. Both are enabling provision only.

- Both i and ii are correct.
- Only ii is correct.
- Only i is correct.

- Only iii is correct.

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The Supreme Court in *L. Chandra Kumar v. Union of India* (1997) 3 SCC 261 has held:-

- that amendment power is a basic structure of the Constitution
- that the Preamble is a basic structure of the Constitution
- that the judicial review is a basic structure of the Constitution
- that eminent domain is a basic structure of Constitution

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Statement S: The holders of office of profit under the government are debarred from being members of Parliament. Reason R: Holders of office of profit cannot exercise independent judgment.

- Both Statement S and Reason R are false.
- Statement is false but Reason R is true.
- Both Statement S and Reason R are true.
- Statement is true but Reason R is false.

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The ingredients of valid contract is to be found in:-

- Sec. 3 of the Contract Act 1872
- Sec. 10 of the Contract Act 1872
- Sec. 4 of the Contract Act 1872
- Sec. 5 of the Contract Act 1872

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Who has the capacity to enter into a contract?

- Insolvent
- Minor
- Company
- Partnership

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Which of the following is a tripartite contract?

- Indemnity
- Guarantee

- Bailment
- Agency

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What is the age of majority in India?

- 18
- 21
- 20
- 16

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Indemnity deals with:-

- Compensating of loss and repayment of loan
- Neither compensating of loss nor repayment of loan
- Repayment of loan
- Compensating of loss

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The final appeal under the Consumer Protection Act, 1986 lies before:-

- The High Court
- The National Consumer Dispute Redressal Commission
- The State Consumer Dispute Redressal Commission
- The Supreme Court

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Who may enforce a contract:-

- Third party in certain circumstances
- Offeror, Offeree and Third party in certain circumstances
- Offeror
- Offeree

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Benefits received by a party to a void agreement or to a contract that became void shall be returned under:-

- Sec. 63 of the Contract Act, 1872

- Sec. 65 of the Contract Act, 1872
- Sec. 60 of the Contract Act, 1872
- Sec. 61 of the Contract Act, 1872

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Agency involves:-

- Offering services on hire
- Sale of goods
- Offering goods on hire
- Acting on behalf of someone else

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Doctrine of Ratification means:-

- Approval of authorised acts of an agent
- Approval of authorised acts of principal
- Approval of unauthorised acts of an agent
- Approval of unauthorised acts of principal

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Which of the following is mandatory under Indian law?

- Privity of consideration
- Privity of contract
- Neither Privity nor consideration
- Privity of contract & consideration

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Which of the following Act specifies time limit for filing suits?

- The Sale of goods Act, 1930
- The Contract Act, 1872
- The Limitation Act, 1963
- The Code of Civil Procedure, 1908

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Nudum Pactum means:-

- Contract without consent

- Contract without consideration
- Contract without lawful object
- None of the options are correct

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The mode of communication of acceptance shall be:-

- As decided by the offeree or as prescribed by the offeror
- As decided by the offeree
- As prescribed by the offeror
- None of the options are correct

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A contract influenced by undue influence is:-

- Fully Valid
- Voidable
- Void
- None of the options are correct

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Doctrine of subrogation means:-

- Surety acquires the rights of creditor against the principle debtor when he repays the loan
- Creditor has the right against the principle debtor when the principal debtor defaults
- Creditor has no right against the principle debtor when the principal debtor defaults
- Surety has no right when he repays the loan

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When the liability in case of indemnity contract does commence?

- When indemnity holder had paid off the claim and thereby suffered actual loss
- When the liability of indemnity holder had become absolute
- When indemnity holder had paid off the claim and thereby suffered actual loss or when the liability of indemnity holder had become absolute
- None of the options are correct

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Which of the following statement(s) is/are true?

- I. Each party to a contract shall perform their part without fail
II. Breach of contract can be remedied

- Neither statements are true
- Both statements I and II are true
- Statement II is true
- Statement I is true

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For any person to get appointed as a Director DIN is mandatory. DIN Means:-

- Director Inquiry Number
- Director Identification Number
- Director Index Number
- Director Identity Number

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The nature of relationship between a company and a director is that of:-

- Employer and employee
- Principal and agent
- Employee and employer
- Agent and principal

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A company limited by guarantee does not have:-

- Members
- Shares
- Creditors
- Capital

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Doctrine of Constructive Notice means that the:-

- Members are not presumed to know the articles and memorandum of the company
- Members are presumed to know the memorandum of the company
- Members are presumed to know the articles of the company
- Members are presumed to know the articles and memorandum of the company

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Pending the registration of transfer of shares delivered to company the transferee is a:-

- Real owner
- Beneficial owner
- Nominee
- Real and beneficial owner

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The powers of the Security and Exchange Board of India in relation to the provisions of Companies Act, 1956 on non-payment of dividend is found in section:-

- 58A
- 55A
- 68A
- 58AA

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Who does the preliminary work for starting a company?

- Creditors
- Promoters
- Members
- Directors

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For calculating maximum number of members in a Private Company and for determining the number of members required for filing an application under section 241 of the Companies Act, 2013, the joint shareholders are:-

- Counted as one member
- Excluded from counting if the value of the shares are less than 5,000 rupees.
- Counted as two member
- Excluded from counting

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Who is/are liable to contribute in case of winding up?

- Past members(s)
- Neither Present nor past members(s)
- Present member(s)

- Present and past members(s)

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In Blank Transfer:-

- Distinctive share numbers are not entered on Form B
- Only shareholder signs
- Both shareholder and transferee sign
- Neither the shareholder nor the transferee sign

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Which of the following is true in case of misstatement in prospectus?

1. It attracts tortuous liability
2. It attracts civil liability
3. It attracts criminal liability

- Only 1 is true
- Only 1 and 2 are true
- Only 3 and 2 are true
- Only 3 is true

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The meeting of Board of Directors may be held at:-

- Any place which is convenient for the Directors
- The corporate office only
- The administrative office only
- The registered office only

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Which of the following words are mandatory to be part of a company which restricts the transfer of shares in articles of association?

- Neither Private/Pvt. nor Limited/Ltd.
- Limited/Ltd.
- Private/Pvt. and Limited/Ltd.
- Private/Pvt.

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Subscribers of the Memorandum of Association are:-

- Not the Members
- Deemed Members
- Elected Members
- None of the options are correct

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Which of the following is/are NOT the power(s) of the board of a company?

- (i) issue of debentures
- (ii) Making of debentures
- (iii) Appointment of statutory auditor

- 3 only
- 2 and 1 only
- 2 and 3 only
- 1 only

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A company at its general meeting disallowed a member from voting in respect of paid but uncalled share capital.

- Member is entitled for injunction against the company.
- Member is not entitled for injunction against or compensation from the company.
- Member is entitled for injunction against and compensation from the company.
- Member is entitled to get compensation.

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Which of the following statement(s) is/are true in case of public offer?

1. Issuer has to comply with Clause 49 of the listing agreement.
2. Clause 49 relates to corporate governance.
3. Non compliance of Clause 49 will lead to the forfeiture of entire issued capital by SEBI.

- 1, 2 and 3 are true
- 1 and 3 are true
- 2 and 3 are true
- 2 and 1 are true

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"Business Judgement Rule" means that:-

- The court shall judge the business prospects of a managerial decision

- The management is the best judge as regards the wealth maximisation of company
- The shareholders shall take business prospects of the company while voting on any resolution
- None of the options are correct

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Who among the following is associated with the concept of deconstruction?

- Alain Delon
- Michel Foucault
- Jacques Derrida
- None of them

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According to Roscoe Pound, law should protect:-

- Social interests
- Individual interests
- Public interests
- Individual interests, public interests and social interests

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Who said that worldly law should strive to fulfil eternal law, and any law contrary to this eternal law is of no force?

- St. Anslem
- St. Bernard
- St. Augustine
- St. Benedict

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In whom or what, according to Aristotle, should final sovereign authority lie?

- Rightly constituted committees
- Rightly trained judges
- Rightly constituted laws
- None of the options are correct

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The preservation of which does Locke place great emphasis on?

- Property
- Equality
- Liberty
- Life

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Kelsen denotes the fundamental norm of a legal system by the term:-

- Volksgeist
- Grundnorm
- Lebensraum
- Wienerschnitzel

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Karl Llewellyn claims that law can be best determined by:-

- Observing the behaviour of judges
- Observing the political affiliations of legislators
- Observing the *volksgeist* of a society
- None of the options are correct

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Which among the following cannot be classified as a natural law theorist?

- Thomas Hobbes
- Immanuel Kant
- Karl Marx
- Jeremy Bentham

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With which historical event is the Hart-Fuller debate associated?

- Nazi atrocities during World War II
- Independence of India
- The Vietnam War
- The assassination of Kennedy

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How according to Savigny does law develop?

- Law evolves as the nation's armed forces evolve
- Law evolves as the sovereign evolves
- Law evolves as democracy evolves
- Law evolves as the nation evolves

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Marx defines law as:-

- A tool used by lawmakers to define the means of production
- A tool used by the masses to take control of means of production
- A tool used by ruling classes to maintain power over the masses
- The opiate of the masses

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Austin characterised law as:-

- The means of evolving from status to contract
- The opiate of the masses
- The command of the sovereign
- The greatest good of the greatest number

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Herbert Spencer claims justice is of two kinds, namely:-

- Egotistic and altruistic
- Corrective and distributive
- Formal and informal
- Moral and amoral

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Rawls's social contract reflects the following consideration:-

- The greatest avoidance of harm
- The greatest magnitude of social development
- The greatest benefit of the least advantaged
- The greatest good of the greatest number

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Which of these principles is associated with HLA Hart?

- Sovereignty
- Primary and secondary rules
- Law as integrity
- Law from status to contract

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Dworkin used a particular term to denote the misconception that legal discourse is meaningful only if all participants share a common understanding of what law is. Which of these is that term?

- Semantic static
- Semantic struggle
- Semantic stumble
- Semantic sting

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B mortgages his house with A, then A forecloses the mortgage and B suffers some detriment. What kind of Hohfeldian relationship best characterises this fact situation?

- Liberty - no-right
- Power - liability
- Immunity - disability
- Claim - duty

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Mill's justice is located in two notions, namely:-

- Self-defence and sympathy
- Status and contract
- Security and free expression
- None of the options are correct

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Sec. 35 of the Transfer of Property Act, 1882 deals with:-

- Doctrine of Election
- Insolvency of transferor
- Doctrine of implied consent
- Insolvency of transferee

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Under Sec. 58(a) of the Transfer of Property Act, 1882, Mortgage Money means:-

- The interest on the Principal Money of any loan
- The principal money of any loan and the interest thereon
- Principal Money of any loan
- None of the options are correct

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The right of redemption of mortgage arises when:-

- The principal sum is lent
- The principal money secured by mortgage has become due
- The mortgagor has defaulted in repayment
- When the limitation expires

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The state of account between the mortgagor and the mortgagee is significant in case of:-

- Repayment of the mortgage loan and assignment of the mortgage
- Neither repayment of the mortgage loan nor assignment of the mortgage
- Repayment of the mortgage loan
- Assignment of the mortgage

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Under Sec. 13 of the Transfer of Property Act, 1882 property is transferred to:-

- Unborn person
- Juvenile
- Idols of gods and goddess
- Juvenile and unborn person

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The term 'Mortgagee' means:-

- the guarantor
- the owner of immovable property which is mortgaged
- the person who advances money to the owner of the immovable property which is mortgaged
- None of the options are correct

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In case of agreement for sale the title to the property agreed to be sold vests in the:-

- Vendor
- Trust
- Purchaser
- None of the options are correct

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103 PU_2015_312

Which of the following are ingredients of a valid attestation?

- Witnesses must sign in the presence of the executants and all the witnesses should be present at the same time
- Witnesses must sign in the presence of the executants
- All the witnesses should be present at the same time
- None of the options are correct

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For a valid attestation under the Transfer of Property Act, 1882, a minimum of:-

- 3 witnesses are required
- 1 witness is required
- 2 witnesses are required
- 0 witness is required

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The word perpetuity in Sec. 14 of the Transfer of Property Act, 1882 means:-

- 7 years
- Infinity
- 18 years
- 25 years

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110 PU_2015_312

In case of transfer of property by Ostensible Owner the transferee:-

- Must have taken reasonable care and should have acted in good faith
- Must have taken reasonable care
- Should have acted in good faith
- None of the options are correct

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Living person under Sec 5 of the Transfer of Property Act, 1882 includes:-

- Individuals, body of individuals/associations and company/corporations
- Body of individuals/Associations
- Individuals
- Company/corporations

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Cessation of Interest starts from:-

- neither the date of the tender of mortgage money to the mortgagee nor from the date on which the mortgagee money has been tendered in court
- the date on which the mortgagee money has been tendered in court
- the date of the tender of mortgage money to the mortgagee
- the date of the tender of mortgage money to the mortgagee or from the date on which the mortgagee money has been tendered in court

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Which of the following statements are correct?

I. Sec. 10 of the Transfer of Property Act, 1882 deals with absolute or partial transfer of transferable interest.

II. Sec. 11 of the Transfer of Property Act, 1882 deals with absolute transfer of transferable interest.

- Both I and II are correct
- I is correct
- II is correct
- None of the options are correct

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Which of the following is an immovable property?

- Water
- Both Water as well as sludge
- Neither water nor sludge
- Sludge

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Which of the following tests are relevant to ascertain whether a chattel has become fixture or not?

- Mode of attachment and consequences of detachment and object or intention of attachment

- Object or intention of attachment
- Consequences of detachment
- Mode of attachment

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Transfer of or creating a charge on *Spes Successionis* is:-

- Void ab initio
- Valid
- Voidable
- None of the options are correct

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133 PU_2015_312

Under Sec.38 of the Transfer of Property Act, 1882, the burden to prove the use of reasonable care is on:-

- Transferee and transferor
- Transferee
- Transferor
- None of the options are correct