

**Odisha Judicial Service Exam paper**

1. Which one of the following doctrines is not related to Article 13 of the Constitution ?

- (a) Doctrine of Eclipse
- (b) Doctrine-of colourable legislation
- (c) Doctrine of waiver
- (d) Doctrine of severability

2. Which one of the following is not a state under Article 12 of the Constitution ?

- (a) Berhampur University Student Union
- (b) C. S. I. R.
- (c) Municipal Corporation, Bhubaneswar
- (d) Union Public Service Commission

3. Which Fundamental Right is available to citizens only ?

- (a) Right to equality
- (b) Protection against arrest and detention
- (c) Freedom of speech and expression
- (d) Protection of life and personal liberty

4. Which Fundamental Right is available to all persons ?

- (a) Right to form Union
- (b) Protection of life and personal liberty
- (c) Right to assemble peaceably.
- (d) Right to move freely throughout the territory of India

5. Which Article of the Indian Constitution is related to Doctrine of self incrimination ?

- (a) Article 20(1)
- (b) Article 22
- (c) Article 20(3)
- (d) Article 20(2)

6. Which one of the following is a Directive Principle of State Policy ?

- (a) Right to Education
- (b) Right to Die
- (c) Right to move Supreme Court
- (d) To organise Village Panchayats

7. Which one of the following is not a Directive Principle of State Policy ?

- (a) Uniform Civil Code
- (b) Organisation of Village Panchayats
- (c) Right to Education
- (d) Free Legal Aid

8. Which one of the following is not a fundamental duty ?

- (a) To protect Sovereignty
- (b) To defend the Country
- (c) To respect National Anthem

(d) To promote Indian Culture

9. In which case the doctrine of prospective overruling was evolved by the Supreme Court ?

- (a) Shankari Prasad vs. Union of India
- (b) I. C. Golak Nath vs. State of Punjab
- (c) Sajjan Singh vs. State of Rajasthan
- (d) Keshava Nand Bharti vs. State of Kerala

10. Which case is related to constitutionality of 'right to die' ?

- (a) Maneka Gandhi vs. Union of India
- (b) Gian Kaur vs. State of Punjab
- (c) A. K. Gopalan vs. Union of India
- (d) Kharak Singh vs. State of U. P.

11. Preliminary decree can be passed in a suit:

- (a) For partition
- (b) Of partnership
- (c) For possession and Mesne profit
- (d) All of the above

12. Pecuniary jurisdiction of the court has been dealt with in:

- (a) Section 2 of CPC
- (b) Section 6 of CPC
- (c) Section 9 of CPC
- (d) Section 15 of CPC

13. Set-off can be :

- (a) Legal set-off
- (b) Equitable set-off
- (c) Both (a) and (b)
- (d) Either (a) or (b)

14. Remedies available against an ex-parte decree include:

- (a) Appeal
- (b) Review
- (c) Application for setting aside ex-parte decree
- (d) Application

15. Nemo debet bis vexari pro una et eadem causa means:

- (a) It is in the interest of state that there should be an end to litigation
- (b) A judicial decision must be accepted as correct
- (c) No one shall be vexed twice for one and the same cause of action.
- (d) Where there is a right there is a remedy

16. In execution -of decree for the maintenance, salary of a person can be attached to the extent of :

- (a) One fourth
- (b) One third
- (c) Two third

(d) One half

17. Under section 100 CPC, a second appeal lies to the :

- (a) Supreme Court
- (b) High Court
- (c) Tribunal
- (d) Court of District Judge

18. Section 89 CPC provides for :

- (a) Settlement of dispute by High Court only
- (b) Settlement of dispute by Supreme Court or High Court
- (c) Settlement of dispute through Village Panchayat
- (d) Settlement of dispute outside the Court

19. Section 115 CPC applies only when :

- (a) There is error of law
- (b) There is error of fact
- (c) There is jurisdictional error
- (d) There is erroneous decision

20. If an indigent person's suit abates on the death of the plaintiff, under Order XXXI II ; Rule 11A of CPC, the fee payable on plaint shall be recoverable from :

- (a) The estate of deceased plaintiff
- (b) The defendant
- (c) The State Government
- (d) Either (a) or (b) or (c)

21. Warrant case means a case:

- (a) In which a police officer cannot arrest without warrant
- (b) In which the court in first instance, shall issue a warrant of arrest against the accused
- (c) Relating to an offence punishable with imprisonment for a term not exceeding 2 years
- (d) Relating to an offence punishable with death, for life or for a term exceeding two years

22. The Court of Magistrate First Class may pass a sentence for maximum term of imprisonment awardable in a summary trial is:

- (a) Three months
- (b) One year
- (c) Two years
- (d) Six years

23. The Section under Cr. P. C. for 'Order for maintenance of wives, children and parents' is :

- (a) Section 135
- (b) Section 125
- (c) Section 145
- (d) Section 124

24. Section 304 of Cr. P. C. deals with :

- (a) Protection 'to accused against double prosecution for the same offence

- (b) Withdrawal from prosecution
- (c) Legal aid to the accused at State expenses
- (d) Order to release on probation of good conduct

25. Which Section of the Cr. P. C. provides that a person once convicted or acquitted cannot be tried again for the same offence ?

- (a) Section 304
- (b) Section 300
- (c) Section 321
- (d) Section 302

26. Under Section 39 of Cr. P. C. every person has to give information to Magistrate or Police Officer about the commission of an offence punishable under:

- (a) Sections 121 to 126 of IPC
- (b) Sections 489A to 489E of IPC
- (c) Sections 302 and 304 of IPC
- (d) All of the above

27. Who is given protection from arrest under Section 45 of Cr. P. C. ?

- (a) Members of Armed Forces
- (b) Judicial Officers
- (c) President of India
- (d) Members of Parliament

28. Under Section 416 of Cr. P. C., the High Court can postpone capital sentence on:

- (a) Unsound person
- (b) Old person
- (c) Pregnant woman
- (d) Politician

29. Under Section 366 of Cr. P. C., the sentence of death to be submitted by Court of Session for confirmation by :

- (a) High Court
- (b) Governor
- (c) Supreme Court
- (d) President

30. Under Section 354 of Cr. P. C., the language and content of the judgement :

- (a) Shall be written in the language of the Court
- (b) Shall contain the point or points for determination, the decision thereon and the reasons for the decision
- (c) Shall specify the offence of which and the Section of the IPC or other law under which the accused is convicted
- (d) All of the above