

ZIA JUDICIALS

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CODE OF CIVIL PROCEDURE

MM : 200

TIME: 3 HRS.

1. Judgment – debtor means?
 - a. Borrower of a bank
 - b. Defendant
 - c. Person against whom a decree is passed
 - d. None of the above
2. Under Section 2(5) of CPC, two conditions must be satisfied to bring a court within the definition of a foreign court:
 - a. Court must be situated outside India
 - b. Court must not have been established by Central Government
 - c. Court must not continued by the Central Government
 - d. All the above
3. As per Section 2(12) of CPC, ‘mense profits’ of property are profits received by a person in;
 - a. Unlawful possession of the property
 - b. Wrongful possession of the property
 - c. Lawful possession of the property
 - d. Effective possession of the property
4. Consider the following statements(s):

A ‘decree’ means and includes

 - (i) Formal expression of an adjudication which, so far as regards the court expressing it, conclusively determines the rights of the parties with regard to all or any of the matters in controversy in the suit.
 - (ii) Any adjudication from which an appeal lies as an appeal from an order.
 - (iii) Any order of dismissal of suit for default.
 - (iv) Rejection of plaint.

Which of the statements given above are correct?

- a. (i) and (ii)
 - b. (ii) and (iii)
 - c. (i) and (iv)
 - d. All these
5. A dies leaving behind a son X and a married daughter Y. A suit filed by A, after his death can be continued by

- a. X alone as legal representative
 - b. Y alone as legal representative
 - c. X,Y and the husband of Y as legal representative
 - d. X and Y both as legal representative
6. Which of the following determinations does not come under the definition of “decree”?
- a. An adjudication which conclusively determines the rights of the parties with regard to some of the matters in issue before the court
 - b. Rejection of the plaint
 - c. Determination of any question under Section 144 of the Code of the Civil Procedure
 - d. Dismissal of a suit for default
7. According to Section 2(11) C.P.C., ‘legal representative’ means
- a. A person who in law represents the estates of a deceased person
 - b. Any person who intermeddles with the estate of the deceased
 - c. Any person elected under the representation of the People Act, 1951
 - d. Any person who can represent the party to the suit
8. The principle of Res Judicata is also applicable between co-defendants. Which one of the following is not an essential condition to bind the co-defendants?
- a. The Co-defendants must have failed joint written statement
 - b. There must be conflict of interest between the defendants concerned
 - c. It must be necessary to decide this conflict in order to give the plaintiff the relief he claims
 - d. The question between the defendants must have been finally decided
 - e. None of these
9. In which of the following case Sir Laurence Jenkins has observed that “the rule of res judicata, while founded an account of precedent, is directed by a wisdom which is for all times”?
- a. Lal Chand v. Radha Kishan
 - b. Sheoperson v. Ramanand Singh
 - c. Sulochana Amma v. Narayanan Nair
 - d. Pandurang Ramachandra v. Shantibal
10. The expression ‘former suit’ in the context of rule of res judicata means a suit has been
- a. Instituted prior to the suit in question
 - b. Decided prior to the suit in question.
 - c. Both (a) and (b)
 - d. Neither (a) nor (b)
11. The code of Civil Procedure (Amendment)Act, 2002 came into force on-
- a. 1st April,2002
 - b. 1st June,2002
 - c. 6th June,2002
 - d. 1st July, 2002

12. Which of the following is not a decree?
- Rejection of a plaint
 - Dismissal in default
 - Both (a) and (b)
 - Neither (a) nor (b)
13. All civil courts have jurisdiction to try-
- All suits of a civil nature
 - All suits civil nature except suits of which their cognizance is expressly not barred
 - All suits civil nature except suits of which their cognizance is impliedly not barred
 - All suits civil nature except suits of which their cognizance is expressly and impliedly not barred
14. Existence of two suits, by parties litigating under same title, one previously instituted which is pending at present and the other filed later, wherein a matter in issue in the subsequently filed suit is directly and substantially in issue in the other and the relief claimed in the subsequent suit can effectively, be passed by the court of previous instance. Which section of CPC decide the fate of the subsequently filed suit and its proceeding?
- Section 9
 - Section 10
 - Section 11
 - Section 12
15. 'Former Suit' denotes that
- A suit which has been decided prior to the suit in the question
 - Whether or not it was instituted prior thereto
 - Is a true statement
 - (i) is correct only
 - (ii) is correct only
 - (i) is correct but (ii) is not
16. Res Judicata does not operate
- Between co-defendants
 - Between co-plaintiffs
 - Against a pro forma defendant
 - None of these
17. Decision on question of limitation
- Operates as res judicata
 - Does not operate as res judicata
 - Operates as res judicata, if not erroneous
 - None of above
18. The doctrine of constructive res judicata is explained in:
- Section 11, explanation III of Code of Civil Procedure

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- b. Section 11, explanation IV of Code of Civil Procedure
 - c. Section 11, explanation V of Code of Civil Procedure
 - d. Section 11, explanation VI of Code of Civil Procedure
19. Which of the following is not essential condition for application Res Judicata?
- a. Previous suit was finally heard and decided by the court of competent jurisdiction
 - b. Previous suit must be pending before a court
 - c. Parties in previous and the subsequent suits must be the same
 - d. Subject matter of previous and the subsequent suits must be the same
20. Suit for partition of properties situated in different cities:
- a. Cannot be instituted and separate suits have to be filed in each of the cities where the properties are situated
 - b. Can be instituted in a city where any of the properties is situated
 - c. Can be instituted in a city where majority of the properties or properties/property of maximum value is situated
 - d. Can be instituted where the defendants or any of them reside(s)
21. The doctrine of res judicata is based on maxims:
- a. Nemo debet bis vexari pro una et eadem causa (Non man should be vexed twice for the same cause)
 - b. Interest reipublicae ut sit finis litium (It is in the interest of state that there should be an end to a litigation)
 - c. Res judicata pro veritate occipitur (A judicial decision must be accepted as correct)
 - d. All of the above
22. 'A' sues for possession of Math property as an heir of Mahant. The suit is dismissed on his failure to produce the succession certificate. 'A' files subsequent suit as manager of the Math. Is the suit barred?
- a. The second suit will be barred by res judicata
 - b. The second suit will not be barred by res judicata
 - c. The second suit is barred by res subjudice
 - d. None of the above
23. Doctrine of res judicata as contained in Section 11 of the Civil Procedure Code is based on the Maxim
- a. Interest reipublicae ut sit finis litium
 - b. Qui facit per alium facit per se
 - c. Ex turpi causa non oritur action
 - d. Ubi jus ibi remedium
24. An order passed without jurisdiction, attains finality in favour of some parties. Whether principle of res judicata, under C.P.C., would apply to such an order, between same parties?
- a. Yes
 - b. No

- c. Depends upon the nature of suit
 - d. It is discretion of court
25. The principle of Private International Law is incorporated in
- a. Sections 13 and 14 of the Code of Civil Procedure
 - b. Sections 15 and 16 of the Code of Civil Procedure
 - c. Sections 17 and 18 of the Code of Civil Procedure
 - d. Sections 19 and 20 of the Code of Civil Procedure
26. Which Section of the CPC declares that the court shall presume, upon the production of any document purporting to be a certified copy of a foreign judgment was pronounced by a court of competent jurisdiction, unless the contrary appears on the record, or is proved
- a. Section 13
 - b. Section 14
 - c. Section 19
 - d. Section 20
27. Section 14 of CPC enacts that the court shall presume, upon the production of a certified copy of a foreign judgment, that such judgment was pronounced by a court of competent jurisdiction. This presumption is
- a. Rebuttable presumption of fact
 - b. Irrebuttable presumption of fact
 - c. Rebuttable presumption of fact of law
 - d. Irrebuttable presumption of law
28. A suit for compensation for wrong done to be person or to movable property, where the wrong was done within the local jurisdiction of one court and the defendant resides within the local limits of another court-
- a. Can be instituted in the court within whose local jurisdiction the wrong has been committed
 - b. Can be instituted in the court within whose local jurisdiction the defendant resides
 - c. Either (a) or (b) at the opinion of the plaintiff
 - d. Can be instituted anywhere in India
29. Subject to the pecuniary or other limitations prescribed by any law suits for recovery for possession of immovable property must be instituted in the court
- a. Within whose jurisdiction both the parties reside
 - b. Within whose jurisdiction the defendant reside
 - c. Within whose jurisdiction both the plaintiff resides
 - d. Within whose local limits of jurisdiction the property is situated
30. Which of the followings is a leading case on the exclusion of the jurisdiction of Civil Courts?
- a. Dhulabhai v. State of M.P
 - b. Gundaji v. Ramchandra.
 - c. Noor Mohd. Khan v. Fakirappa.

- d. All of the above
31. A suit for damages for breach of contract can be filed at a place:
- Where the contract was executed
 - Where the contract was to be performed
 - Where the plaintiff resides
 - Both (a) and (b)
32. The general principle of waiver that provides the failure to raise objection in the court of the first instance and at the earliest opportunity shall prevent the defendant from raising such objection at a subsequent state and the judgment would not be vitiated on the ground of absence of territorial or pecuniary jurisdiction is reflected in which provision of Civil Procedure Code
- Section 15
 - Section 16
 - Section 51
 - Section 21
33. Under which provision of the C.P.C., is a suit to set aside a decree on the ground of lack of territorial jurisdiction barred?
- Section 21
 - Section 21A
 - Section 22
 - Section 37
34. Under section 32 of CPC, the maximum fine which can be imposed by the court for compelling the attendance of any person to whom a summons has been issued under section 30;
- Two thousand rupees
 - Three thousand rupees
 - One thousand rupees
 - Five thousand rupees
35. In case of a decree for the payment of money, the court can order interest at the rate of
- 6% per annum
 - 12% per annum
 - 9% per annum
 - 15% per annum
36. Costs imposed under section of 35B of CPC:
- Shall be included in the costs awarded in the decree passed in the suit
 - Shall not be included in the costs awarded in the decree of passed in the suit
 - Shall, if not paid, be executable against the person whom the costs have been imposed
 - Only (b) and (c)

37. Any amount which a court will order to be paid as compensatory costs in respect of false or vexatious claims or defences, shall not exceed the amount of
- Two thousand rupees or the amount within its pecuniary jurisdiction whichever is less
 - Three thousand rupees or the amount within its pecuniary jurisdiction whichever is less
 - Four thousand rupees or the amount within its pecuniary jurisdiction whichever is less
 - Five thousand rupees or the amount within its pecuniary jurisdiction whichever is less
38. The principle of constructive res judicata was explained by the Hon'ble Supreme Court in the case of
- Daryao v. State of U.P.
 - State of U.P. v. Nawab Hussain
 - Both (a) and (b) above
 - None of the above
39. Which of the following is not a case on res-judicata?
- Duche's of kington case
 - Chhajju Ram v. Neki
 - Munni Bibi v. Trilok Nath
 - Byram Pestonji Kariwala v. Union of India
40. Which of the following suits is not triable by a Civil Court:-
- For declaration that A is widow of B
 - For possession of land
 - Petition for divorce
 - For consolidation of holdings
41. In which of the following cases, the doctrine of constructive res judicata is not applicable:
- A sues B on a contract and obtains a decree. B afterwards sues for rescission of the contract on the ground that it did not fully represent the agreement between the parties,
 - A sues B for possession of certain property alleging that it has come to his share on partition of joint Family Property. B's contention that the partition has not taken place is upheld and the suit is dismissed. A subsequent suit was filed by A against B for partition of Joint Family Property.
 - A files a suit against B to recover money on a pro-note. B contends that the promissory note was obtained from him by undue influence. The objection is overruled and the suit is decreed. B challenges the promissory note on the ground of coercion and fraud in a subsequent suit.
 - All of the above.
42. Where the person summoned cannot, by the exercise of due diligence, be found, the summons may be served
- By affixing the same on the notice board of the Municipal Council of Gram-Panchayat as the case may be

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- b. By leaving one of the duplicates of the same for him with some adult male member of his family residing with him, and the person with whom the summons is so left shall, if so required by the summoning officer, sign a receipt therefore on the back of the other duplicate
 - c. By affixing the same on the conspicuous place of his house
 - d. By serving the same on the servant of the person summoned and obtain from him the acknowledgement thereof on the back of the duplicate
43. That a petition dismissed under Article 226 would operate as res judicata so as to bar a similar petition in the Supreme Court under Article 32 of the Constitution was held in the case of ;
- a. Daryao v. State of U.P.
 - b. Arjun Singh v. State of M.P.
 - c. Sudhir Chandra v. State of W.B.
 - d. None of the above
44. Under C.P.C. find the incorrect match of the following:
- a. Revenue courts – Section 5
 - b. Provincial Small Causes Courts – Section 7
 - c. Pecuniary Jurisdiction of Courts – Section 9
 - d. Presidency Small Causes Courts - Section 8
45. Which one of the following under CPC is not correctly matched:
- a. Section 50 – Legal Representative
 - b. Section 77 – Letter of Request
 - c. Section 80 – Notice
 - d. Section 11 – Res-Sub-judice
46. In case of conflict of jurisdiction of the courts, the incidence of a contract shall be governed by the law of the place where the –
- a. Acceptor resides
 - b. Proposer resides
 - c. Contract is entered into
 - d. Contract is performed
47. The application for execution of decree ,may be transferred from one court to another court –
- a. If the party feels that there is a possibility of delay in justice on the part of court
 - b. If the defendant lives or does business in the jurisdiction of that court where the application for execution of decree have to transfer
 - c. If the plaintiff has gone from the jurisdiction of the court which has passed the decree
 - d. Not included in these
48. Which of the following statements is correct?
- The court which passed the decree may transfer it to another competent court if the
- a. Judgment debtor carries on business within the jurisdiction of the latter court

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- b. Judgment debtor has no property within the jurisdiction of the former court sufficient to satisfy such decree but has property within the jurisdiction of the latter court.
 - c. Decree directs the sale of immovable property situated outside the local jurisdiction of the former court.
 - d. All these.
49. Which provisions deals with determination of questions relating to discharge, satisfaction etc. of the decree?
- a. Section 48 of the Civil Procedure Code
 - b. Section 46 of the Civil Procedure Code
 - c. Section 47 of the Civil Procedure Code
 - d. Section 21 of the Civil Procedure Code
50. Where a judgment –debtor dies before the decree has been fully satisfied:
- a. The same cannot be executed against the legal representatives
 - b. The same can be executed against anyone of the legal representatives of the judgment debtor in its entirety
 - c. The same can be executed against all the legal representatives
 - d. The same can be executed against any number of the legal representatives as the decree holder wants
51. Section 56 of Civil Procedure Code specifically prohibits the arrest or detention in civil prison, in execution of a decree, of:-
- a. A sick person
 - b. A minor person
 - c. A woman
 - d. All of these
52. Which of the following properties cannot be attached in execution of a decree:
- a. Penricus
 - b. Promissory Note
 - c. House or other building
 - d. Hundii
53. How much salary of a person can be attached in execution of a decree for maintenance?
- a. First one thousand rupees and $\frac{1}{3}$ of the remainder
 - b. First one thousand rupees and $\frac{2}{3}$ of the remainder
 - c. $\frac{2}{3}$ of the salary
 - d. $\frac{1}{3}$ of the salary
54. Private alienation of property after attachment of the same is –
- a. Voidable at the option of decree holder
 - b. Voidable at the option of the judgment debtor
 - c. Void ab initio
 - d. Void as against all claims enforceable under the attachment

55. Where immovable property is sold in execution of a decree and such sale has become absolute, the property shall be deemed to have vested in the purchaser from the time:
- When the sale becomes absolute
 - When the property is sold
 - When the purchaser acquires possession
 - Depends on the court
56. An order or direction given by the court which passed the decree to a court which would be competent to execute the decree, to attach any property belonging to the judgment debtor, is called:
- Precept
 - Garnishee order
 - Interlocutory order
 - Simultaneous execution
57. Where a certified copy of a decree of any of the superior courts of any reciprocating territory has been filed in a District Court, the decree may be executed in India as if it has been passed by the District Court.
- True
 - False
 - None of the above
58. The principles governing execution of decree and orders in CPC are dealt within:
- Section 36 to 74 (substantive law) and Order 21 (procedural provisions)
 - Section 36 to 74 (procedural provisions) and Order 21 (substantive law)
 - Section 148 A
 - Section 148 to 153 B
59. In which of the following cases the Supreme Court has upheld the validity of Section 51 of Code of Civil Procedure?
- Xavier v. Bank of Canara
 - The Visaka case
 - Indian Gramophone Co. v. Birendra Bahadur Pandey
 - Jolly George Verghese v. Bank of Cochin
60. Who can be arrested in execution of a decree:
- A man
 - A woman
 - A minor
 - All of these
61. The Order 38 of the Code of Civil Procedure deals with:
- Inter-pleader
 - Summary procedure
 - Arrest & attachment before judgment
 - Temporary injunctions

62. When a commission has been issued under section 75, Code of Civil Procedure, 1908, the commission, if not a Judge of Civil Court?
- Can call any witness relating to the matter
 - Can determine the legality of questions asked during the conduct of proceedings by the commission
 - Can extend time and grant exemption from personal appearance
 - Cannot impose penalties of the fine and initiate contempt of court proceedings
63. Section 75 of C.P.C. deals with
- Power to issue summons
 - Power to issue commission
 - Right to appeal
 - Res Judicata
64. Under Section 80 of Civil Procedure Code-
- Ninety days
 - Sixty days
 - Three months
 - Two months
65. Under which section of C.P.C. a notice is required to be given at least two months before filing a suit against a Central or State Government?
- Section 50 C.P.C.
 - Section 51 C.P.C.
 - Section 80 C.P.C.
 - Section 81 C.P.C.
66. A suit to obtain an urgent or immediate relief against the government or any Public Officer may be instituted in respect of an act purporting to be done by public officer in his official capacity:
- Without serving any notice under Section 80(1) of the Code of Civil Procedure
 - After due service under Section 80(1) of the of Code Civil Procedure
 - With the leave of the court without serving any notice under Section 80(1)of the Code of Civil Procedure
 - None of the above
67. A decree against Government of Indian or State Government shall not be executed unless it remains unsatisfied for the period of
- One month
 - Two month
 - Three month
 - Six month
68. Provisions relating to inter-pleader suit are contained in-
- Order XXXIV of CPC
 - Section 88 of CPC

- c. Order XXXV of CPC
 - d. Both (b) and (c)
69. 'Inter-pleader suit' has been defined under which of the following Sections of the Civil Procedure Code?
- a. Section 88
 - b. Section 89
 - c. Section 90
 - d. Section 91
70. If the court refers parties to the suit for settlement of dispute under Section 89 of the Civil Procedure Code, the plaintiff is:
- a. Entitled to refund of Court fee
 - b. Entitled to refund of Court fee and interest there on
 - c. Not entitled to refund
 - d. Entitled to partial refund of court fee
71. Section 89 of the Civil Procedure Code was incorporated through the Civil Procedure Code Amendment Act of..... which is the prominent provision the discusses about the jurisdiction of civil courts in applying. Alternate Dispute Resolution mechanisms.
- a. 1989
 - b. 1999
 - c. 1988
 - d. 2009
72. In the case of a public nuisance a suit under Section 91 of the Code of Civil Procedure for a declaration and injunction may be instituted by
- a. A person aggrieved
 - b. A person to whom special damage has been caused by reason of such public nuisance
 - c. With the leave of the court of two or more damage has been caused to such persons
 - d. Two or more persons to whom special damage has been caused by reason of such public nuisance
73. Which one of the following does not find a place under the provision on Sec.94, C.P.C. relating to supplemental proceedings?
- a. Arrest before judgment
 - b. Attachment before judgment
 - c. Temporary injunction
 - d. Appointment of executors
74. Point out the wrong statement:
- a. Where the defendant appears and the plaintiff does not appear, when the suit is called for hearing, the court shall dismiss the suit and the plaintiff shall be barred from filing a fresh suit on the same cause of action.
 - b. No appeal may lie from an original decree passed ex parte.

- c. The plaintiff may apply to the court which passed an ex parte decree against him, for an order to set it aside.
 - d. No court shall set aside a decree passed ex parte merely on the ground that there has been an irregularity in the service of summon upon the defendant.
75. Where does the second appeal shall lie under Section 100 of C.P.C?
- a. High Court
 - b. Supreme Court
 - c. Distt. Court
 - d. High Court and Supreme Court both
76. Which one of the following cases is on second appeal?
- a. Madan Lal v. Bai Krishna
 - b. Sudhir G. Angur v. M. Sanjeev
 - c. Sheodam Singh v. Daryao Kunwar
 - d. Harshad Chimam Lal Modi v. D.L.F. Universal Ltd.
77. Second appeal before the High Court is entertained on –
- a. Question of fact
 - b. Mixed question of law and feet
 - c. Substantial question of law
 - d. Question of law
78. Under the provisions of Code of Civil Procedure, no second appeal lies in a suit for recovery of money not exceeding
- a. Rs. 25,000
 - b. Rs. 50,000
 - c. Rs. 1,00,000
 - d. Rs. 2,00,000
79. Which of the following orders cannot be appealed against under Code of Civil Procedure?
- a. An order to set aside the dismissal of a suit
 - b. An order to set aside the decree passed ex parte.
 - c. An order for grant of temporary injunction
 - d. None of these
80. Which one of the following is not included in the powers of the appellate court?
- a. To determine the case finally
 - b. To try the case de novo
 - c. To remand the case
 - d. To take additional evidence
81. Aggrieved person may not apply for a review of an order or judgement of a Civil Court, on one of the following grounds:
- a. A decree or order from which an appeal is allowed but from which no appeal has been preferred

- b. A decree or order is passed in the absence of aggrieved person
 - c. A decree or order from which no appeal is allowed
 - d. A decision on a reference from a court of small cause
82. The nature of Revision under Code of Civil Procedure is that
- a. It operates as a stay of the proceedings
 - b. It operates as a suit of a suit
 - c. It operates as a stay of the proceedings and suit both
 - d. It shall not operate as a stay of the suit or proceedings except where such suit or proceedings is stayed by the High Court
83. The 'doctrine of restitution' is based upon the maxim:
- a. Actus incumbit onus probandi
 - b. Actus curiae neminem gravavit
 - c. Actus dei nemini facit injuriam
 - d. Actus non-facit reum nisi mens sit rea
84. Exemption from personal appearance before court is provided under
- a. Section 133 of CPC
 - b. Section 132 of CPC
 - c. Section 143 of CPC
 - d. Section 142 of CPC
85. Affidavits to be filed in a Court can be
- a. Authenticated by a Minister of State
 - b. Cannot be authenticated except by the judge presiding
 - c. Authenticated by a judge, a Magistrate or a Notary
 - d. Authenticated by an advocate
86. A caveat shall not remain in force after the expiry of
- a. 45 days
 - b. 15 days
 - c. 90 days
 - d. 60 days
87. A person claiming a right to appear before the court may lodge a caveat under which provision of the Civil procedure Code, 1908.....
- a. Section 148
 - b. Section 148A
 - c. Section 151
 - d. None of the above
88. Time for instituting a suit can be enlarged by invoking which of the following provisions?
- a. Section 151C.P.C.
 - b. Section 5 of the Limitation Act, 1963
 - c. Section 148 C.P.C

- d. None of the above
89. The defendant wants to file an application under Section 152CPC to correct an accidental slip in a judgment. It should be filed
- Within 30 days
 - Within 30 days
 - Within 30 days
 - Any time
90. Which one of the following sections of the Code of Civil Procedure provides for the trial in open courts where public may have access?
- Section 153A
 - Section 153B
 - Section 153C
 - Section 153D
91. In which of the following cases it was held that “inherent power has not been conferred on a court, it is a power inherent in the court.....”?
- Manoharlal v. Seth Hiralal
 - Cotton Corporation India v. United industrial Bank
 - Satyabrat Biswas v. Kalyan Kumar Kishku
 - Rajani Bai v. Kamla Deci
92. In which case it was held that the order passed under S. 151 restoring execution case dismissed by the Court while rejecting Decree-holder’s prayer for adjournment to take necessary steps, is neither appealable nor revisable –
- Keshardeo Chamaria v. Radha Kissen Chamaria
 - M.P. Shrivastava v. Mrs.Beena
 - Goverdham Das v. Lachhmiram
 - Premraj v. D.L.F. Housing and Construction Company
93. A suit filed in representative capacity can be withdrawn, compromise and abandoned etc. by the plaintiff:
- Without notice to all the persons interested
 - After notice to all the persons interested
 - Both (a) & (b)
 - Either (a) & (b)
94. Under which provision of the Code of Civil Procedure, the parties can be struck out , added or substituted?
- Order 1, Rule 1
 - Order 1, Rule 10
 - Order 1, Rule 3
 - Order 1, Rule 9
95. A necessary party is one in whose
- Absence no order can be made effectively

- b. Absence an order can be made but whose presence is necessary for the complete decision of the case
 - c. Only (b) is correct
 - d. None of above
96. Order II, Rule 2 of CPC does not apply to
- a. Application for execution
 - b. Write petitions
 - c. Both (a) and (b)
 - d. None of the above
97. A lets a house to B at a yearly rent of Rs. 10,000. The rent for the whole of the years 2006 to 2008 is due and unpaid. A sues B in 2009 only for the rent due for 2007
- a. A can afterwards sue B for the rent due for 2006 only
 - b. A can afterwards sue B for the rent due for 2008 only
 - c. A can afterwards sue B for the rent due for 2006 and 2008
 - d. A cannot afterwards sue B for the rent due for 2006 or 2008 only
 - e. None of these
98. Which of the following is not a ground for the court to separate trials under Order 2 Rule 6 C.P.C.
- a. Delay in the trial
 - b. Embarrassment of the trial
 - c. Inconvenience
 - d. None of the above
99. Under Order IV Rule 1, sub rule (1) of CPC, a suit is instituted when:
- a. A copy of plaint is presented to he court
 - b. A plaint in duplicate is presented to the court
 - c. A plaint in triplicate is presented to the court
 - d. The Court takes the plaint in consideration
100. A defendant under Order V, Rule 1(1) of C.P.C. is required to appear, answer the claim and to file the written statement
- a. Within 90 days from the date of service of summons
 - b. Within 60 days from the date of service of summons
 - c. Within 30 days from the date of service of summons
 - d. Within 15 days from the date of service of summons
101. Dasti summons for service on the defendant can be given to the plaintiff under
- a. Order V Rule 9A, C.P.C.
 - b. Order V Rule 9, C.P.C.
 - c. Order IV Rule 7, C.P.C.
 - d. Order VI Rule 6, C.P.C.
102. Where the person summoned cannot, by the exercise of due diligence, be found, the summons may be served

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- a. By affixing the same on the notice board of the Municipal Council of Gram-Panchayat as the case may be
 - b. By leaving one of the duplicates of the same for him with some adult member of his family residing with him, and the person with whom the summons is so left shall, if so required by the summoning officer, sign a receipt therefore on the back of the other duplicate
 - c. By affixing the same on the conspicuous place of his house
 - d. By serving the same on the servant of the person summoned and obtain from him the acknowledgement thereof on the back of the duplicate
103. Pleading has been defined in
- a. Order VI, Rule 1 of the Code of Civil Procedure
 - b. Order VI, Rule 2 of the Code of Civil Procedure
 - c. Order VIII, Rule 1 of the Code of Civil Procedure
 - d. Order VIII, Rule 2 of the Code of Civil Procedure
104. Under Order VI Rule 17 of the Code of Civil Procedure, the court can allow to alter or amend the proceedings to
- a. Either party
 - b. To plaintiff only
 - c. To defendant only
 - d. To only one defendant, if there are more than one defendant
105. 'Pleading' can be altered or amended
- a. Under Order VI, Rule 9 of CPC
 - b. Under Order VI, Rule 10 of CPC
 - c. Under Order VI, Rule 16 of CPC
 - d. Under Order VI, Rule 9 of CPC
106. If a party who has obtained an order for leave to amend pleading does not amend the same within how many days, he shall not be permitted to do without leave of court?
- a. Fifteen days
 - b. Fourteen days
 - c. Twenty days
 - d. Thirty days
107. Which of the following must be stated in the pleadings
- a. Facta probantia
 - b. Facta Probanda
 - c. Both (a) and (b)
 - d. Neither (a) nor (b)
108. "It is a statement of claim, a document by presentation of which the suit is instituted". It is called as
- a. Affidavit
 - b. Written-statement

- c. Counter-claim
 - d. Plaint
109. The defendant is required within thirty days from the date of service of summons on him to present a written statement. However, if he fails to do so within the said period of thirty days, he shall be allowed to file the same on such other day as may be specified by the Court but not exceeding a period of:
- a. 45 days
 - b. 60 days
 - c. 90 days
 - d. 120 days
110. A sues B on a bill of exchange for Rs. 500. B holds a judgment against A for Rs. 1000. The two claims being both definite pecuniary demands may be set off. The illustration is given in:
- a. Order VIII, Rule 5 of Code of Civil Procedure
 - b. Order VIII, Rule 5 of Code of Civil Procedure
 - c. Order VIII, Rule 5 of Code of Civil Procedure
 - d. Order VIII, Rule 5 of Code of Civil Procedure
 - e. None of these
111. Which of the following order of CPC is related to “set-off” and “counter claims”
- a. Order VI
 - b. Order VIII
 - c. Order VII
 - d. Order IX
112. Under which one of the following “rejection of plaint” has been mentioned in C.P.C
- a. Order VII Rule 11
 - b. Order VI Rule 13
 - c. Order VII Rule 12
 - d. Order VIII Rule 4
113. A fresh suit on the same cause of action is not barred when
- a. Rejected under Order VII, Rule 11 of CPC
 - b. Dismissed under Order IX, Rule 2 of CPC
 - c. Dismissed under Order IX, Rule 3 of CPC
 - d. Either (a) or (b) or (c)
114. Under Civil Procedure Code, in which of the following cases the court cannot reject the plaint?
- a. Where the relief claimed is undervalued, and the plaintiff, on being required by the court to correct the valuation within a time to be fixed by the court, fails to do so.
 - b. Where the suit appears from the statement in the plaint to be barred by any law.

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- c. When the plaint is insufficiently stamped and the plaintiff on being required by the court to supply the requisite stamp-paper within a time to be fixed by the court, fails to do so.
- d. Where the plaint discloses a cause of action.
115. If a document, which ought to be produced in the court along with the pleadings, is not produced, under Order VII, Rule 14(3) of C.P.C. at the hearing of the suit
- The same shall not be received in evidence on behalf of the plaintiff
 - The same shall not be received in evidence on behalf of the defendant
 - The same shall not be received in evidence on behalf of third party
 - None of the above
116. The defendant shall present his written statement.....days from the service of summons upon him.
- 90
 - 120
 - 30
 - 60
117. Consider the following statement(s).
- A defendant may set up, by way of a counter-claim against the claim of the plaintiff any right or claim in respect of the cause of action accruing to him.
 - The counter –claim may be submitted by the defendant even after he has delivered his defence .
 - The counter-claim shall not exceed the pecuniary jurisdiction of the court.
- Which of the statements given above are correct?
- (i) and (ii)
 - (i) and (iii)
 - (ii) and (iii)
 - All these
118. In which of the following cases can C set off the claim?
- A sues C on a Bill of Exchange C alleges that A has wrongfully neglected to insure C's goods and is liable to pay in compensation
 - A sues B and C for Rs.1000 the debt is due to C by A alone
 - A sues B and C for Rs.1000 the debt is due to C by A alone
 - A sues C on a bill of exchange of Rs.500.C holds a judgement against A for recovery of debt of Rs,1,000
119. A fresh suit in respect of the same cause of action is permissible
- Where a suit is dismissed under Order 9, Rule 8.
 - Where a suit is dismissed under Order 9, Rule 3.
 - Where the suit abates under Order 22, Rule 3(2).
 - Where the plaintiff abandons the suit under Order 23, Rule 1(1)
120. An ex parte decree can be set aside

- a. Under Order IX Rule 7 of CPC
 - b. Under Order IX Rule 11 of CPC
 - c. Under Order IX Rule 12 of CPC
 - d. Under Order IX Rule 13 of CPC
121. An ex parte decree can be set aside on the ground that
- a. Summons were not duly served
 - b. Non-appearance of defendant as copies of documents filed with plaint were not provided to defendant
 - c. Defendant refused to receive the summons and thereafter no fresh summons were issued to him
 - d. An ex parte decree cannot be set aside under any circumstances
122. A suit may be dismissed under Order 9 of Code of Civil Procedure, 1908
- I. Where the summons is not served upon the defendant in consequence of the plaintiff's failure to pay costs for service of summons.
 - II. Where neither the plaintiff nor the defendant appears
 - III. Where plaintiff, after summons returned unserved, fails for 7 days to apply for fresh summons.
 - IV. Where on the date fixed for hearing in a suit only defendant appears and he does not admit the plaintiff's claim.
- Codes :**
- a. I, II and III
 - b. I, III and IV
 - c. II, III and IV
 - d. All of the above
123. Which of the propositions is incorrect with regard to oral examination of a party by the Court under Order 10 rule 2 CPC?
- a. The examination need to be restricted to allegations in the pleadings of the other party but can relate to elucidating any matter in controversy in the suit
 - b. The court can examine not only the parties but any person accompanying either party to the suit.
 - c. The statement made during the course of examination is not on oath.
 - d. The court can cross-examine any of the parties with reference to a document
124. A party under CPC may object to answer in interrogatory if it is:
- a. Scandalous and irrelevant
 - b. Mala fide and immaterial
 - c. Privileged
 - d. All of these
125. The leave may be granted by the civil court to deliver interrogatories
- a. Only to be defendant since the plaintiff is the master of the suit
 - b. Even if they relate to matters not in question in the suit

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- c. Notwithstanding the objection taken by the opposite party
 - d. If it considers the same necessary for disposing of the case fairly
126. Rule 6 of Order 12 of the Code of Civil Procedure provides
- a. Notice to admit documents
 - b. Judgment on admissions
 - c. Production of documents
 - d. Admission of documents
127. Which Provision (Order of Civil Procedure Code deals with production, impounding and return of documents?)
- a. Order 13 CPC
 - b. Order 5 CPC
 - c. Order 17 CPC
 - d. Order 24 CPC
128. Which of the following “Orders and Rules” of the CPC provide for “Framing of issues”
- a. Order XII Rule 1
 - b. Order XIV Rule 1
 - c. Order XIV Rule 1
 - d. Order XIV Rule 1
129. Order XV of CPC talks about:
- a. Disposal of the suit at the first hearing
 - b. Settlement of issues
 - c. Attendance of witness
 - d. Notices
130. Date appointed by any court for presenting list of witnesses by the parties to obtain summons to them for their attendance in court, shall not be later than-
- a. Ten days
 - b. Fifteen days
 - c. Eighteen days
 - d. Thirty days
131. ‘Prison is defined in Order 16A of the Code of Civil Procedure, 1908 includes
- a. Any place which has been declared by the government, by General or Special Order, to be subsidiary jail
 - b. Any reformatory, borstal institution or other institution of a like nature.
 - c. Both (a) and (b)
 - d. Only (a) is correct
132. Which of the following is not a sufficient cause for granting adjournment?
- a. Sickness of a party, his witness or his counsel
 - b. Non-examination of a witness present in the court
 - c. Non-service of summons

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- d. Reasonable time for preparation of a case
133. What is not correct about the recording of evidence under order 18 rule 4 of C.P.C.
- The examination in chief of a witness shall be on Affidavit
 - For cross examination the commissioner shall be appointed
 - The district judge shall prepare a panel of commissioner to record the evidence
 - The admissibility of document which are filed along with affidavit shall be determined by the commissioner
134. Which of the following is true
- Affidavits can be confined only to statements of knowledge .
 - Affidavits can be confined only to statements of beliefs.
 - Affidavits cannot be confined only to statements of beliefs only on interlocutory applications.
 - None of the above
135. Order 20, Rule 12 of Code of Civil Procedure provides for passing of preliminary decree in a suit for
- Dissolution of partnership
 - Pre-emption
 - Possession and mesne profits
 - Accounts between principal and agent
136. Judgment and decree have been dealt in CPC
- Under Order XX
 - Under Order XXI
 - Under Order XX-A
 - Under Order XIX
137. A “Garneshee Order” under Civil Procedure Code, 1980 is issued to
- Judgment debtor
 - Judgment debtor’s creditor
 - Decree holder
 - Judgment debtor’s debtor
138. The present Section 5 of the Limitation Act applies to all applications other than those under any of the provisions of XXI of Civil Procedure Code, 1908, if the applicant satisfies the court that he had sufficient cause for not preferring the appeal or making the application within such period.
- Order XXI
 - Order XI
 - Order XXII
 - Order XVIII
139. The principles governing execution of decree and orders in CPC are dealt within:
- Section 36 to 74 (substantive law) and Order 21 (procedural provisions)

- b. Section 36 to 74 (procedural provisions) and Order 21 (substantive law)
 - c. Section 148 A
 - d. Section 148 to 153B
140. 'X' dies leaving behind a son 'Y' and a married daughter 'Z', a suit filed by 'X' after his death, can be continued by:
- a. 'Y' alone as legal representative
 - b. 'Z' alone as legal representative
 - c. 'Y', 'Z' and the husband of 'Z' as legal representatives
 - d. 'Y' and 'Z' both, as legal representatives
141. On abatement of suit, under Order 22, Rule of 9 of CPC:
- a. A fresh suit on the same cause of action can be brought as a matter of right
 - b. A fresh suit on the same cause of action can be brought only with the permission of the court
 - c. A fresh suit on the same cause of action is barred
 - d. None of the above
142. Abatement means
- a. Suspension or termination of proceedings in an action for want of proper parties
 - b. The process of bringing on record legal representatives of the deceased party
 - c. Both (a) and (b)
 - d. None of the above
143. To which of the cases the provisions of Order 22 rule 3 and 4 C.P.C. do not apply?
- a. Suit
 - b. Execution proceedings
 - c. First Appeal
 - d. Second Appeal
144. 'Abatment' means
- a. Suspension or termination of proceedings in an action for want of proper parties
 - b. The process of bringing on record legal representatives of the deceased party
 - c. Both (a) and (b)
 - d. None of the above
145. Parties to the suit can compromise in a suit
- a. Under Order XXIII, Rule 3A of CPC
 - b. Under Order XXIII, Rule 3 of CPC
 - c. Under Order XXIII, Rule 1 of CPC
 - d. Under Order XXIII, Rule 4 of CPC
146. Under order 23, Rule 3 of CPC, on the basis of a compromise:
- a. A decree has to be drawn only in respect of the subject matter that relates to suit
 - b. A decree has to drawn for the entire compromise so long as it embraces part of the subject matter of the suit and part outside it

- c. A decree has to be drawn where the compromise does not embrace the subject matter of the suit at all
- d. None of the above
147. The commission to make local investigation can be issued for the purposes
1. Collecting evidence on a fact
 2. Elucidating any matter in dispute
 3. Ascertaining the amount of mesne profit
 4. Ascertaining the market value of the property
- Which of the above are correct?
- Code:**
- a. 1,2 and 3
 - b. 2,3 and 4
 - c. 1,2,3 and 4
 - d. 1 and 2
148. In a suit against the State Government, who may sign the plaint on behalf of the government?
- a. Government of the state
 - b. Chief Minister of the state
 - c. Chief Secretary of the State
 - d. A person who by a general or special order appointed in this behalf by the Government
149. Order 29 of Civil Procedure Code is related to
- a. Suits by Government
 - b. Suits by Pauper
 - c. Suits by or against corporation
 - d. None of the above
150. An agreement or compromise is entered into on behalf of a minor without the leave of the court. Such agreement or compromise, under Order 32, Rule 7 of Code of Civil Procedure is:
- a. Valid
 - b. Void
 - c. Voidable against all the parties other than the minor
 - d. Voidable against all the parties including the minor
 - e. None of these
151. A person can act as a 'next friend' if he is:
- a. Major
 - b. Sound mind
 - c. Not having any interest adverse to that of a minor or lunatic residing in India
 - d. Fulfilling all the above three requirements
152. "Guardian at litem" used under Civil Procedure Code, 1908 means

- a. A local commissioner
 - b. A court
 - c. A person defending a suit on behalf of an insane person
 - d. A person defending a suit on behalf of a minor
153. A person is an indigent person within the meaning of Order 33, Rule 1 of CPC, if he is not possessed of
- a. Sufficient means to pay the fee payable on he plaint
 - b. Any means to pay the fee payable on the plaint
 - c. Sufficient means for his livelihood
 - d. None of the above
154. Under which Section/Order of the Civil Procedure Code of a Provision is made to provide “free legal services to indigent persons”?
- a. Section 151
 - b. Section 115
 - c. Order XXXII, Rule 18
 - d. Order XXXIX, Rule 2
155. What does ‘Pauper Suit’ mean?
- a. Suit by third party
 - b. Suit by public servant
 - c. Suit by indigent person
 - d. Suit by legal representative
156. Awarding future interest is:
- a. Mandatory
 - b. Directory
 - c. Discretionary
 - d. None of the above
157. Provisions relating to Inter-pleader suit are contained in
- a. Order XXXVI of CPC
 - b. Order XXII of CPC
 - c. Order XXXIV of CPC
 - d. Order XXXV of CPC
158. For an ‘Inter-pleader suit’ which of the following conditions is not necessary
- a. There must be some debt or the property in dispute
 - b. Two or more persons claiming the debt or the property in dispute adversely to one another
 - c. There must be suit pending wherein the rights of rival claimants for the debt or the property in dispute can be properly adjudicated
 - d. All of the above
159. The provisions regarding ‘friendly suits’ are in:
- a. Section 90, Order 36 of the Code of Civil Procedure

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- b. Section 88, Order 35 of the Code of Civil Procedure
 - c. Order 34 of the Code of Civil Procedure
 - d. Order 33 of the Code of Civil Procedure
160. A suit under Order XXXVII of the Code of Civil Procedure, 1908, can be filed on the basis of
- a. Hundi only
 - b. Bill of exchange only
 - c. Promissory note only
 - d. All of the above
161. In a summary suit presented under order 37 civil procedure code it is necessary for the defendant to appear before the court within how many days of the service of the summon of appearance
- a. 10 days
 - b. 15 days
 - c. 30 days
 - d. Two month
162. The provision in respect of summary procedure has been laid down under
- a. Order 37 of CPC
 - b. Order 36 of CPC
 - c. Order 38 of CPC
 - d. Order 40 of CPC
163. In the court of Civil Procedure, a Civil Court can direct attachment before judgment in respect of any property, in a proceeding pending before it, in accordance with the provisions which are contained in:
- a. Order XXXVII
 - b. Order XXXVIII
 - c. Order XXXIX
 - d. Order LX
164. Defendant can claim temporary injunction in a suit filed by the plaintiff
- a. To prevent the suit property being alienated or damaged
 - b. To prevent the plaintiff from dispossessing defendant from the suit properly
 - c. To prevent the plaintiff from causing any legal injury to the defendant
 - d. All of the above
165. Order XXXIX, Rule 2 of the Civil Procedure Code deals with
- a. Attachment before judgment
 - b. Temporary injunction
 - c. Execution of Decree
 - d. Appointment of Receiver
166. Rules 6 to 10 of order 39 of C.P.C. deal with
- a. Attachment of property

- b. Arrest of persons
 - c. Plaints
 - d. Interlocutory orders
167. Issue relating to jurisdiction can be tried as a preliminary issue only when it can be decided without recording any evidence. This principle was laid down by a Full Bench of the M.P. High Court in-
- a. Ramdayal v. M/s Pannalal
 - b. Subhash Chand v. Chairman
 - c. Nathu Prasad v. Singhai Kapur Chand
 - d. Budhulal v. Chhotelal
168. A temporary injunction can be granted to a party establishing
- a. A prima facie case in his favour
 - b. Balance of convenience in his favour
 - c. Irreparable injury to him in the event of non-grant of injunction
 - d. All of the above
169. Under which provisions of Civil Procedure Code temporary injunctions are granted?
- a. Under Section 116
 - b. Under Section 152
 - c. Under Order 39 Rule 1
 - d. Under Order 29 Rule 1
170. Under which one of the following provisions of Civil Procedure Code, a collector may be appointed 'receiver'?
- a. Order 40 Rule 1
 - b. Order 40 Rule 2
 - c. Order 40 Rule 3
 - d. Order 40 Rule 5
171. In how much time, respondent may file cross-objections from the date of service of the notice of the hearing of appeal?
- a. In 45 days
 - b. In one month
 - c. In 45 days
 - d. In 21 days
172. Order 42 of the Code of Civil Procedure deals with
- a. Appeal to Supreme Court
 - b. Appeal to indigent person
 - c. Appeal against orders
 - d. Appeal from appellate decrees
173. Pauper appeals have been provided under:
- a. Order XLII OF CPC

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- b. Order XLIII OF CPC
c. Order XLIV OF CPC
d. Order XLV OF CPC
174. If court satisfied that a case pending before it involves a question as to validity of any Act, the Court should
- Decide the validity of Act
 - Refer the matter to the High Court
 - High Court should exercise power to revision
 - Refer to supreme court for advice
175. Under Civil Procedure Code, when application for review is dismissed-
- Appeal can be filed against the order
 - No appeal lies
 - With the permission of Court, appeal can be filed against the order
 - None of them
176. Which one of the following combination are not correctly matched?
- Res Subjudice - Section 11
 - Res Judicata - Section 10
 - Judgment and decree - Section 33
 - Summon to witness - Section 80
- Select correct answer by using code given ahead-
- Code:**
- 1,2 and 3
 - 1,2 and 4
 - 1,3 and 4
 - 2,3 and 4
177. Which one of the following combinations are correctly matched?
- Temporary injunction - Order 39 C.P.C
 - Suit by Indigent person - Order 33 C.P.C
 - Powers of Appellate Court - Section 102 C.P.C
 - Right to file caveat - Section 148A C.P.C
- Select correct answer using the code given below –
- Code**
- 1,2 and 4
 - 1,2 and 3
 - 1,3 and 4
 - 2,3 and 4
178. Which one of the following combinations are correctly matched –
- Equity of judgment debtor - Section 49 C.P.C
 - Privileged documents - Section 29 C.P.C
 - Legal representative - Section 50 C.P.C

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4. Pauper suit - Order 33 C.P.C
Select correct answer using the code given below

Code:

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

179. Match the following lists and tick the correct code:

List-I

(Order of CPC)

- A. Order XVII
- B. Order XXI
- C. Order XXIX
- D. Order XXXIII

List-II

(Subjects)

- 1. Execution
- 2. Suit by or against Corporation
- 3. Suit by indigent
- 4. Adjournment

Code:

	A	B	C	D
(a)	1	2	3	4
(b)	4	3	2	1
(c)	4	1	2	3
(d)	3	2	4	1

180. Match the following lists and tick the correct code:

List-I

- A. Section 10
- B. Section 11
- C. Section 39
- D. Section 151

List-II

- 1. Inherent power of the court
- 2. Transfer of decree
- 3. Res-judicata
- 4. Res-subjudice

Code:

	A	B	C	D
(a)	4	3	2	1
(b)	1	2	3	4
(c)	2	3	4	1
(d)	3	4	1	2

181. Which of the following combinations are not correctly matched?

- 1. Execution of decree Sec.77, C.P.C
- 2. Letter of request Sec.82, C.P.C

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3. Legal representative Sec.50, C.P.C

4. Institution of suit Sec.28, C.P.C

Select the correct answer using the codes given below:

Codes:

(a) (1), (2) and (3)

(b) (1), (2) and (4)

(c) (1), (3) and (4)

(d) (2), (3) and (4)

182. Certain topics under the Code of Civil Procedure are described hereunder in List-I while their Section/Order numbers are mentioned in List-II. Match the entries of List-I and List-II and write the correct answer using the codes below:

List-I

- A. Affidavit
- B. Arrest before Judgment
- C. Commission to examine witnesses
- D. Suit by indigent persons

List-II

- 1. Order 26
- 2. Order 33
- 3. Order 19
- 4. Order 38

Codes:

	A	B	C	D
(a)	2	1	3	4
(b)	3	2	1	4
(c)	3	4	1	2
(d)	1	2	3	4

183. Match List-I with List-II and select the correct answer using the code given below the Lists:

List-I

A. Set – off

B. Mense Profit

C. Indigent

List-II

1. Amount paid by the decree holder for Detention of the judgment debtor in Civil prison.

2. Person allowed to file suit or appeal without court fee.

3. Adjustment of defendant's claim with the Plaintiffs claim.

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D. Subsistence allowance

4. Gains from property by a person having Wrongful possession.

Codes:

	A	B	C	D
(a)	4	3	2	1
(b)	3	4	2	1
(c)	2	1	4	3
(d)	3	1	2	4

184. Which of the following pairs is/are correctly matched?

- | | |
|------------------------------|----------------------|
| 1. Right to file caveat | Section 148-A, C.P.C |
| 2. Pauper suit | Section 33, C.P.C |
| 3. Privileged document | Section 29, C.P.C |
| 4. Powers of appellate court | Section 102, C.P.C |

Code:

- (a) 1 only
- (b) 4 only
- (c) 1 and 2
- (d) 2,3 and 4

185. Match List-I with List-II and select the correct answer using the code given below the Lists:

List-I

A. Restitution afresh

1. Representative of a minor or a plaintiff or unsound mind in a civil suit.

B. Next friend

2. Person representing the estate of the deceased.

C. Legal representative

3. Debtor of the representative judgment-debtor liable for payment or delivery

D. Garnishees

4. Setting aside ex parte decree and rehearing the case.

Code:

	A	B	C	D
(a)	2	3	1	4

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

186. Which of the following suits is not of civil nature?

- Suits involving principally caste questions
- Suits involving purely religious ceremonies
- Suits for recovery of voluntary payments/offerings
- All of the above

187. "Mere production of a Photostat copy of a decree of a foreign court is not sufficient. It is required to be certified by a representative of Central Government in America" was held by the Supreme Court in:

- Narasimha Rao v. Venkata Lakshmi
- Roshanlal v. R.B. Mohan Singh
- Venkata Lakshmi v. Narasimha Rao
- None of the above

188. By which judgment, the Hon'ble Apex Court upheld the constitutional validity of amendments made in the Code of Civil Procedure vide amendment Acts of 1999 and 2002:

- Salem Advocates Bar Association, Tamil Nadu v. Union of India
- Civil Court Bar Association v. Union of India
- Indian Courts Bar Association v. Union of India
- West Bengal High Court Bar Association v. Union of India

189. Match List-I and List-II and select the correct answer by using the code given below the lists:

List-I

- Inter-pleader Suit
- Letter of Request
- Precepts
- Power to order discovery

List-II (Sections of CPC)

- Section 46
- Section 88
- Section 30
- Section 77

	A	B	C	D
(a)	4	3	1	2
(b)	2	4	1	3
(c)	3	2	4	1
(d)	2	1	3	4

190. In which of the following cases, did the Supreme Court uphold the validity of the Code of Civil Procedure Amendment Acts of 1999 and 2002?
- Delhi High Court Bar Association v.UOI
 - Allahabad High Court Bar Association v. UOI
 - Salem Advocate Bar Association v.UOI
 - P&H High Court Bar Association v. UOI
191. The Code of Civil Procedure (Amendment) Acts,1999 and 2002 were enacted on the recommendations of
- Sanathanam Committee
 - Malimath Committee
 - Thakkar Committee
 - None of the above
192. Which of the following landmark judgements of the Supreme Court deals with the applicability of res judicata in writ petitions?
- Satyadhan Ghosal v. Deorajin Debi
 - Daryao v. State of UP
 - LIC v. India Automobiles & Co
 - Any of the above
193. Morgan Stanley Mutual Fund v. Kartik Das case related to which of the following?
- Issuance of Commission
 - Attachment before judgment
 - Interium Injunction
 - Affidavits
194. Remedies available against an ex parte decree include-
- Appeal
 - Review
 - Application for setting aside the decree
 - All of the above
195. A suit was instituted impleading the defendants in a representative capacity. Publication of the notice of the suit was made in a leading daily as directed by Court while granting permission under Order I, Rule 8. Later on the suit happened to be dismissed for default. Plaintiff filed application under Order IX, Rule 9 to restore the suit. Is it necessary to direct publication of the notice regarding the restoration application also in a leading daily to have effective service on all the persons interested?
- No

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- b. Yes, but only when such suit is either to be, withdrawn or compromised
 - c. Yes, but only when leave is to be obtained
 - d. In both the conditions mentioned in (b) & (c)
196. Who amongst the following is not a 'public officer' within the meaning of Section 2(17) of CPC?
- a. A judge
 - b. A person in service under the pay of government
 - c. Sarpanch of a Gram Panchayat
 - d. None of the above
197. Where the decree is for the partition of an undivided estate assessed to the payment of revenue to the government the partition of the estate in accordance with the law for the time being in force, shall be made by:
- a. The Naib Tahsildar
 - b. The Nazir
 - c. The Collector
 - d. The Commissioner appointed by the Court
198. Attachment before judgment in a suit dismissed for default/non-prosecution revives automatically on the restoration of a suit-
- a. True
 - b. Partly true
 - c. False
 - d. None of the above
199. The authority to annual, alter or add to the rules in the First Schedule of the Code of Civil Procedure rests with the;
- a. High Court
 - b. State Government
 - c. Supreme Court with the previous approval of rules by the Central Government
 - d. High Court with the previous approval of rules by the State Government
200. Under Civil Procedure Code find the incorrect match:
- a. Section 5..... Revenue Court
 - b. Section 7..... Provincial Small Causes Court
 - c. Section 9..... Pecuniary Jurisdiction of Courts
 - d. Section 8..... Presidency Small Causes Courts

ZIA JUDICIALS

CPC PAPER ANSWER KEY

1.	C	41.	B	81.	B	121.	A	161.	A
2.	D	42.	C	82.	D	122.	D	162.	A
3.	B	43.	A	83.	B	123.	D	163.	B
4.	C	44.	C	84.	A	124.	D	164.	A
5.	D	45.	D	85.	C	125.	D	165.	B
6.	D	46.	D	86.	C	126.	B	166.	D
7.	A	47.	B	87.	B	127.	A	167.	C
8.	A	48.	D	88.	C	128.	B	168.	D
9.	B	49.	C	89.	D	129.	A	169.	C
10.	B	50.	C	90.	B	130.	B	170.	D
11.	D	51.	C	91.	A	131.	C	171.	B
12.	B	52.	A	92.	C	132.	C	172.	D
13.	D	53.	D	93.	B	133.	D	173.	C
14.	B	54.	D	94.	B	134.	A	174.	B
15.	A	55.	B	95.	A	135.	C	175.	B
16.	C	56.	A	96.	C	136.	A	176.	B
17.	A	57.	A	97.	D	137.	D	177.	A
18.	B	58.	A	98.	D	138.	A	178.	D
19.	B	59.	D	99.	B	139.	A	179.	C
20.	B	60.	A	100.	C	140.	D	180.	A
21.	D	61.	C	101.	A	141.	C	181.	B
22.	B	62.	D	102.	C	142.	A	182.	C
23.	A	63.	B	103.	A	143.	B	183.	B
24.	B	64.	D	104.	A	144.	A	184.	A
25.	A	65.	C	105.	D	145.	B	185.	C
26.	B	66.	C	106.	B	146.	A	186.	D
27.	C	67.	C	107.	B	147.	B	187.	A
28.	C	68.	D	108.	D	148.	D	188.	A
29.	D	69.	A	109.	C	149.	C	189.	B
30.	A	70.	A	110.	B	150.	C	190.	C
31.	D	71.	B	111.	B	151.	D	191.	B
32.	D	72.	C	112.	A	152.	D	192.	B
33.	B	73.	D	113.	D	153.	A	193.	C
34.	D	74.	B	114.	D	154.	C	194.	D
35.	A	75.	A	115.	A	155.	C	195.	B
36.	D	76.	A	116.	C	156.	C	196.	C
37.	B	77.	C	117.	B	157.	D	197.	C
38.	B	78.	A	118.	D	158.	C	198.	C
39.	B	79.	D	119.	B	159.	A	199.	D
40.	D	80.	B	120.	D	160.	D	200.	C