

GOVERNMENT OF PONDICHERRY

JUDICIAL TEST - 1996

Time: Three hours Part - I (with Books) Maximum Marks

The Code of Criminal Procedure and the Criminal Rules of Practice

(General Principles and Detailed application)

- Note:
1. Answer any eight questions
  2. All questions carry equal marks.

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1. In what cases a Police Officer can arrest a person with a warrant?
2. What are the courts empowered to try the offences arising under I.P.C.?
3. Who can record statement and confession? What is the procedure to be adopted?
4. When can a reference be made to the High Court?
5. a) State the contents of charge.  
b) What is the procedure to be adopted in case of lunatic accused?
6. Are there exceptions to the rule that a complaint for an offence against marriage can be filed only by the person aggrieved? If so, what are they?
7. When and by whom security for good behaviour from habitual offender can be ordered?
8. What is the reciprocal arrangement regarding processes?
9. Write short notes on:
  - a) Commencement of the period of limitation
  - b) First offender
  - c) Tender of pardon
10. Define a cognizable case and a non-cognizable case.
11. What are the powers of High Court to transfer cases and appeals?

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Time: 3 Hours

Maximum Marks: 100

The Code of Civil Procedure and the Civil Rules of Practice  
(General Principles and Detailed Application)

Note:

1. Answer any Eight questions.
2. All questions carry equal marks.

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1. What are the rules regarding a Caveat?
2. What is meant by substituted service?
3. What are the rules regarding representative suit?
4. a) When can a Court issue a Precept?  
b) What are the rules regarding the precept?  
c) What are the powers of a District Court to transfer a suit from one court to another?
5. When can a court reject an application for permission to sue an indigent person?
6. a) How attachment of Negotiable Instrument is effected?  
b) What are the duties of a receiver?
7. a) What is the effect of attachment on private alienation?  
b) When title to immovable property vests in the court auction purchases?
8. When court can grant temporary injunction?
9. a) What are the powers of an Appellate Court?  
b) Under what circumstances a fact can be proved by an affidavit?
10. a) A right to an office depends entirely on the question of religious ceremonies. Can that right be contested in a Civil Court?  
b) Which is the court having jurisdiction to institute a suit for compensation for wrong to immovable property?  
c) A sues B for principal alone on a Promissory Note. Can 'A' later on sue 'B' for interest?

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The Pondicherry Court Fees and Suits Valuation Act, 1972.  
and the Limitation Act, 1963.

(General Principles and detailed application)

- Note: (1) Answer any Eight questions  
(2) All questions carry equal marks.

1. a) How the court fee has to be calculated in a suit for maintenance?  
Explain with reference to relevant section.  
b) How the court fee has to be calculated in a suit for enhancement or reduction of maintenance?
2. When the time begins to run for the purpose of limitation in the following matters?—
  - a) To set aside the sale in execution of decree.
  - b) Appeal against the acquittal in a criminal case.
  - c) Against a carrier for compensation for non-delivery of goods.
  - d) To declare forgery of an instrument registered.Mention the period of limitation in the above cases.
3. State whether the following statements are correct.
  - a) It is open to the plaintiff to abandon the part of a claim so as to avoid payment of court fee.
  - b) In a suit for money the defendant pleaded that the plaintiff is liable to pay some amount to him which was adjusted within the suit claim and such a plea amounts to set off and hence court fee is payable by defendant.
4. What is the effect of acknowledgement in writing in computing the period of limitation?
5. (a) Mention the relevant section. ~~5(a)~~ How the court fee has to be calculated on Memorandum of Appeal?
  - (b) How the suit for possession of documents of title has to be calculated? State the relevant section.
6. (a) What is the distinction between suit for account and suit on account?
  - (b) How the court fee has to be calculated in a suit for account and suit on account?
7. Comment briefly on the following ~~x~~ with reference to fees.
  - (a) Multifarious suits
  - (b) Interpleader suits
  - (c) Partition suits

8. (a) Where an issue is framed regarding plain title to the property in a suit for inju how the fee is computed?
- (b) What is the fee payable in Memorandum o Cross objection or other proceeding in S Appeal?
9. What are the principles to be followed in co the period of limitation in suits claiming e rights - Elucidate with reference to relevan in the Limitation Act.
10. Write short notes on the following:
- a) Bar of limitation
  - b) Continuing breach of contract

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