

**GOVERNMENT OF PONDICHERRY**

**JUDICIAL TEST -1999**

**Time : 3 Hours**

**Part-I (With Books)**

**Maximum Marks: 100**

**The Code of Criminal Procedure and the Criminal Rules of Practice**

**(General Principles and Detailed Application)**

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

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1. Under what circumstances and by whom maintenance can be claimed under the Code of Criminal Procedure?
2. Distinguish between:
  - (a) Summons case and Warrants Case.
  - (b) Compoundable offences and Non-compoundable offences.
  - (c) Remission of sentences and Commutation of sentences.
3. Explain briefly the provisions of the Code of Criminal Procedure regarding execution and suspension of death sentence and sentences of imprisonment.
4. Explain a charge-sheet? What are its contents? How can it be altered? If there are errors in a charge-sheet, what is the effect?
5. Enumerate the various criminal courts established under the Code of Criminal Procedure and briefly state the sentences which each court is competent to pass under the Code.
6. Under what circumstances, the Police, the Magistrate and a private party can make an arrest? How they are effected and what are the rights of an arrested person?
7. Briefly describe a summary trial.
8. Quote the rules regarding production, return, preservation and destruction of records as contained in the Criminal Rules of Practice and Circular Orders.
9. (a) State in what cases bail may be taken.  
(b) Under what circumstances bail is to be granted to a person accused of non-bailable offences?  
(c) State the special powers of the High Court in granting bail.
10. Explain the salient features of a trial before a Court of Session.
11. Write short notes on the following:
  - (a) Inquest
  - (b) Proclaimed offender
  - (c) Amicus Curie
  - (d) Autre Foix Convict

4/8/99

**GOVERNMENT OF PONDICHERRY**

**JUDICIAL TEST -1999**

**Time : 3 Hours**

**Part-I I (With Books)**

**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 question carry equal marks

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1. (a) Describe briefly the scheme of the Code of Civil Procedure regarding the place of suing?  
(b) 'A' residing in Pondicherry beats 'B' at Chennai. Discuss the place of institution of suit by 'B' for damages.
  2. (a) What is proclamation of sale? State the modes of making proclamation?  
(b) Under what grounds the sale of immovable property sold in execution of a decree can be set aside?
  3. What are the procedures to be followed in regard to suits by or against Government or Public Officers in their official capacity?
  4. Under what circumstances a defendant may be called upon to furnish security for appearance and also for production of property ?
  5. (a) What is 'transfer of decree'?  
(b) What are the powers of court in executing transferred decree?
  6. Define the following:
    - (a) Legal representative
    - (b) Mesne Profits
    - (c) Decree
    - (d) Caveat
  7. Describe the special procedure that are to be complied with in a suit filed by an indigent person?
  8. (a) What is meant by written statement?  
(b) Distinguish between set off and counter claim
  9. For what purposes a Commissioner may be appointed? What are his powers?
  10. (a) Enumerate the persons as laid down in the Civil Rules of Practice before whom an affidavit intended for use in Judicial proceedings may be sworn?  
(b) What is the procedure to be followed when an affidavit is sworn or affirmed by a blind or illiterate deponent ?
  11. Write short notes on the following:
    - (a) Inter-pleader suit
    - (b) Substituted service
    - (c) Misjoinder of parties
    - (d) Review

**JUDICIAL TEST – 1999****Time : 3 Hours****Part-I I I(With Books)****Maximum Marks: 100****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

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1. Under the Limitation Act 1963, when a suit is said to be instituted in the following cases:
    - (a) in the case of a pauper.
    - (b) in the case of a claim against a company which is being wound up by the Court.
    - (c) in the case of a set-off.
    - (d) in the case of a counter claim.
  2. Briefly indicate the provisions relating to acquisition of ownership by possession as contained in the Limitation Act 1963.
  3. What is the effect of fraud or mistake in computing the period of limitation?
  4. State the period of limitation and the time from which it begins to run in the following cases:
    - (a) against a carrier for compensation for losing or injuring goods.
    - (b) on a single bond where no day is specified for payments.
    - (c) to cancel or set aside an instrument or decree or for the rescission of a contract.
    - (d) for compensation for slander.
    - (e) for the execution of any decree (other than a decree granting a mandatory injunction) or an order of any Civil court.
  5. Discuss the provisions relating to legal disability under the Limitation Act 1963
  6. State how the court fee is computed in the following cases:
    - (a) suits relating to trust property.
    - (b) partition suits.
    - (c) suits for mesne profits.
  7. What are the documents exempted from charge of any fee under the Pondicherry Court Fees and Suits Valuation Act 1972?
  8. (a) State the provisions relating to the power of court including a court of appeal in the matter of payment of proper fee in instruments presented before the courts.  
  
(b) How the court determines the court fee payable on a written statement and an appeal Under the Letters Patent?
  9. (a) Explain the provisions relating to charge of fee in the case of multifarious suits.  
  
(b) How the fee is charged in the case of a counter claim and in respect of documents falling under two or more descriptions?
  10. State the circumstances under which the court fee paid can be allowed to be refunded.
  11. (a) How the court fee is computed in a suit for administration of an estate?  
  
(b) State the provisions relating to computation of fee in respect of suits for accounts of dissolved partnership.