

GOVERNMENT OF PONDICHERRY

JUDICIAL TEST - 2003

Time : 3 Hours

Maximum Marks : 100

Part - I (With Books)

The Code of Criminal Procedure and 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. (i) Name the Courts which may try an offence under the Indian Penal Code.
(ii) What are the sentences that may be passed by High Courts, Sessions Courts and Magisterial Courts ?
(iii) What is the procedure laid down in Criminal Procedure Code in sentencing a person convicted at one trial of two or more offences ?
2. How an arrest is made. When a private person may make an arrest and what is the procedure to be followed in such cases ? What is the procedure laid down in Criminal Procedure Code in regard to search of place entered by person sought to be arrested ?
3. Narrate the provisions contained in Criminal Procedure Code in relation to proclamation and attachment of person absconding.
4. (i) Explain with relevant provisions of Criminal Procedure Code.
(a) Statements to Police not to be signed.
(b) Use of Statements in evidence.
(ii) When a Judicial Magistrate may record any confession or statements and also state the procedure to be followed in such cases ?
5. What are the particulars that a charge should contain ? Who are all the persons who may be charged and tried together?
6. When a case may be withdrawn from prosecution and state the consequences that follow upon such withdrawal?
7. A sentence of death passed by the Court of Session is to be confirmed by the High Court – Explain with reference to provisions contained in Criminal Procedure Code.
8. Enumerate the cases against which an appeal shall not be allowed. When an appellate court may dismiss an appeal summarily and also state the procedure to be followed in such cases?
9. Write short notes on the following :-
 - (i) Public Prosecutor
 - (ii) Anticipatory Bail
 - (iii) Amicus curie
 - (iv) Discharge
10. What is the procedure to be followed in the case of trial of persons subject to Military, Naval or Air Force Law ?

Test held on: 29-11-2003 (A.N.)

GOVERNMENT OF PONDICHERRY

JUDICIAL TEST - 2003

Time : 3 Hours

Maximum Marks : 100

Part – II (With Books)

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.

1. State the provisions contained in the Civil Procedure Code in regard to the place of suing.
2. (i) Under what circumstances, a decree may be sent for execution to another Court of competent jurisdiction?
(ii) What is the procedure to be followed by the court in ordering execution of a decree?
3. What is the procedure to be followed in making arrest of a judgment debtor and under what circumstances can he be released before the expiration of the period of detention?
4. (i) What are Supplemental Proceedings?
(ii) What are the orders against which appeal may be preferred and what are powers of Appellate Court?
5. Who are all the persons exempted from personal appearance in Court and who are all exempted from civil arrest?
6. (i) What is meant by 'Caveat' and what are the consequences of lodging a Caveat?
(ii) Under what circumstances, the defendants may be called upon to furnish security for appearance?
7. Certain procedures are required to be followed in regard to suits by or against Government or Public Officer in their official capacity. Explain with reference to the provisions in the Civil Procedure Code.
8. (i) For what purposes, a summon may be served and how are summons served?
(ii) What is the procedure to be followed where witness fails to comply with summons?
9. Write Short notes on the following:
 - (i) *Res Judicata*
 - (ii) Amendment of Pleadings
 - (iii) Costs
 - (iv) Legal Representation
10. Explain the following with reference to provisions contained in Civil Rules of Practice:-
 - (i) Before whom the affidavits intended for use in judicial proceedings may be sworn?
 - (ii) What is the procedure to be followed in regard to production of records in the custody of a public officer other than a Court?

Test held on: 30-11-2003 (F.N.)

GOVERNMENT OF PONDICHERY

JUDICIAL TEST - 2003

Time : 3 Hours

Maximum Marks : 100

Part – III (With Books)

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. State how the fee is computed in the following cases :
 - (i) Suits for declaration.
 - (ii) Administrative suits.
 - (iii) Inter pleader suits.
2. What are the documents that are not required to be charged with any fee under the Pondicherry Court Fees and Suits Valuation Act, 1972.
3. How Court fee is determined in suits relating to mortgages .
4. State the provisions relating to refunds and remissions as contained in the Pondicherry Court Fees and Suits Valuation Act, 1972.
5. How the fee is computed in respect of suits for accounts and in suits between landlord and tenant.
6. Write short notes on the following :
 - (i) Multifarious suits
 - (ii) Court-fee Examiners
 - (iii) Third party Proceedings
 - (iv) Instruments of Partition
7. A party who has acted fraudulently should not gain the benefit of limitation running in his favour by virtue of such fraud – Explain with reference to the provisions in the Limitation Act, 1963.
8. A person pursuing his case in Court which has no jurisdiction is entitled to get exclusion of the period spent in such proceedings. Discuss.
9. What is the period of limitation for suits, appeal etc. for which the prescribed period is shorter than the period prescribed by the Indian Limitation Act, 1908.
10. State the period of limitation and the time from which it begins to run in the following cases.
 - (i) On a promissory note or bond payable by instalments.
 - (ii) On a Bill of Exchange accepted payable at a particular place.
 - (iii) Against a factor for an account.
 - (iv) For compensation for slander.
 - (v) To enforce a right of pre-emption whether the right is founded on law or general usage or on special contract.