

**GOVERNMENT OF PUDUCHERRY**  
**JUDICIAL TEST – 2007**

**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. How an arrest is made ? when arrest can be made by a Police Officer without an order from a Magistrate and without a warrant.
2. Enumerate the provisions as contained in the Code of Criminal Procedure, 1973 relating to attendance of persons confined or detained in prison.
3. What is an unlawful assembly? An unlawful assembly may be dispersed by way of Civil force as well as by armed forces. Explain with reference to provisions of the Code of Criminal Procedure, 1973.
4. Distinguish between:
  - (a) Judicial Magistrate and Executive Magistrate
  - (b) Remission of sentence and Commutation of sentence
  - (c) Discharge and Acquittal
5. The Code of Criminal Procedure empowers a Magistrate of the First Class to make an order for maintenance of wives, children and parents – Elucidate the provisions.
6.
  - (a) What are the Contents of a Charge
  - (b) When a charge may be altered and what is the procedure to be followed.
  - (c) Who may be charged jointly
7. Outline the procedures to be followed in cases of disputes concerning land or water likely to cause breach of peace.
8. Explain briefly the provisions of the Code of Criminal Procedure regarding execution and suspension of death sentence.
9. Narrate the provisions contained in Code of Criminal Procedure relating to judgment and its contents.
10. Write short notes on
  - (a) Court of Session
  - (b) Bond of accused and sureties
  - (c) Anticipatory Bail
  - (d) Directorate of Prosecution

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**Part-II (With Books)**

**The Code of Civil Procedure and 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 procedures to be followed in regard to suits by or against Government or Public officers in their official capacity.
2. Narrate the provisions relating to place of suing as contained in the Code of Civil Procedure, 1908.
3. Who are all the persons exempted from personal appearance in Courts and from arrest by Civil process.
4. Define the following:
  - (a) Decree and decree holder
  - (b) Public Office
  - (c) Revenue Court
  - (d) Mesme profits
5. (a) What are the orders from which an appeal shall lie and what are the general powers of the appellate court.  
(b) What are the grounds on which a second appeal shall lie.  
(c) When appeals shall lie to the Supreme Court.
6. What is a temporary injunction and explain its provisions.
7. Appearance before the Court may be made in person, by recognized agents or by pleader. Explain the provisions as contained in the Code of Civil Procedure.
8. (a) When a Court may issue Commission to examine witness  
(b) What are all the persons for whose examination, Commission may be issued.  
(c) What are the powers of Commissioners and the procedure to be followed by him in cases of making partitions.
9. Bring out the rule provisions contained in the Civil Rules of Practice relating to production of records in the custody of a Court as well as in the custody of a Public Officer other than a Court.
10. Write short notes on:
  - (a) Res judicata
  - (b) Receiver
  - (c) Inter-pleader suit
  - (d) Public nuisance

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**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.
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1. Briefly indicate the provisions relating to acquisition of ownership by possession as contained in the Limitation Act, 1963.
2. What is the effect of fraud or mistake in computing the period of limitation?
3. Discuss the provisions relating to legal disability under the Limitation Act, 1963.
4. What are the documents exempted from charge of any fee under the Pondicherry Court Fees and Suits Valuation Act, 1972?
5. (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?
6. State the circumstances under which the court fee paid can be allowed to be refunded.
7. State the period of Limitation and the time from which it begins to run in the following:-
  - (a) On a Bill of Exchange or Promissory Note payable at a fixed time after date.
  - (b) By a surety against a co-surety.
  - (c) For specific performance of a contract.
  - (d) To recover movable property deposited or pawned from a depository or Pawnee.
  - (e) By a Landlord to recover possession from a tenant.
8. State how the Court fee is computed in the following cases:-
  - (a) Suits for dissolution of partnership.
  - (b) Administration Suits.
  - (c) Suits for specific performance.
9. (a) How the court fee is computed in a suit for partition.  
(b) State the provisions relating to computation of fee in respect of suits relating to Trust property.
10. Write short notes on:
  - (a) Court Fee Examiners
  - (b) Inquiry & Commission
  - (c) Easement
  - (d) Continuous running of Time
  - (e) Promissory Note

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