

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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01. Describe the provisions contained in the Code of Criminal Procedure, 1973 relating to arrest made by a Magistrate, a Private Person and a Police Officer and also the procedure to be followed in making such arrest.
  02. When a search warrant may be issued by a Court and what are the powers of Magistrates to order for search of place suspected to contain stolen property, forged documents etc.
  03. A person is obliged to maintain his wife, children and parents, who are unable to maintain themselves, failing which, a Magistrate may order such person to make a monthly allowance for their maintenance. Quote the relevant provision in this regard as contained in the Code of Criminal Procedure.
  04. Give in detail the provisions of the Code in cases of disputes concerning right of use of land or water.
  05. The Code of Criminal Procedure mandates a Police Officer to inquire and report on cases of suicides, murders, etc. Narrate the relevant provisions of the Code.
  06. What are all the offences which could be tried summarily under the Code.
  07. A Criminal Court is empowered to require attendance of prisoners for answering the charge or for giving evidence. State the provisions of the Code in this regard. Under what circumstances, an Officer-in-Charge of a prison may abstain from carrying out such orders.
  08. Narrate the provisions of the Code as to the powers of the appropriate Government to suspend or remit sentences.
  09. Bring out the provisions of the Code as to the powers of the District Magistrate and the State Government to order for filing of appeal by the prosecution.
  10. Quote the rules contained in the Criminal Rules of Practice as to the Material Objects and when such Material Objects are to be destroyed.
  11. Write short notes on any **THREE** of the following:-
    - (a) Withdrawal from prosecution
    - (b) Victim Compensation Scheme
    - (c) Appeal from conviction
    - (d) Powers of the Supreme Court to transfer cases and appeals.
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GOVERNMENT OF PUDUCHERRY  
JUDICIAL TEST - 2016

dt. 05-11-2016  
(AN)

Time : 3 Hours

Maximum Marks : 100

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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01. (a) Define a 'decree' and a 'decree holder'.  
(b) By which court a decree may be executed and under what circumstances, a decree may be transferred to another Court for execution.
  02. Narrate the provisions relating to 'Reference, Review and Revision' as contained in the Code of Civil Procedure.
  03. (a) Who are all the persons exempted from personal appearance in Court.  
(b) Who are all the persons exempted from arrest and detention in prison under Civil Process.
  04. Elaborate the provisions of the Code in the matter of suits by or against the Government or Public Officers in their Official capacity.
  05. Indicate the rule provisions under the Code relating to appointment of receivers and their duties and also state when a Collector may be appointed as a receiver.
  06. Who is an indigent person and under what circumstances, a Court shall reject an application for permission to sue as an indigent person and also may order for withdrawal of permission already granted to him.
  07. (a) Who is defined as a Public Officer under the Code.  
(b) The Code provides for settlement of disputes outside the Court – Discuss with reference to relevant provision of the Code.
  08. What are all the properties liable to attachment and sale in execution of decree and also state the exemptions provided therefor under the Code.
  09. Narrate the provisions relating to 'affidavit' as contained in the Civil Rules of Practice.
  10. Discuss with reference to relevant provisions of the Code relating to Place of Suing.
  11. Write short notes on any **THREE** of the following:-
    - (a) Legal Representative
    - (b) Interpleader Suits.
    - (c) Supplemental Proceedings
    - (d) Appeal to Supreme Court.
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GOVERNMENT OF PUDUCHERRY  
JUDICIAL TEST - 2016

DL-06-11-2016  
(FN)

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
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01. State how the Court fee is computed in the following cases:-
- (a) Suits for movable property
  - (b) Partition Suits
  - (c) Suits for specific performance
02. State the powers of the High Court and the Government to make rules under the Pondicherry Court-Fees and Suits Valuation Act, ,1972.
03. Certain documents are exempted from charge of any fee under the Act. Enumerate the documents.
04. How fees are charged under the Act in respect of documents inadvertently received and also in cases of Multifarious Suits.
05. Discuss the provisions relating to legal disability and the special exceptions provided therefor under the Limitation Act, 1963.
06. How the period of limitation is computed in respect of cases involved in Court proceedings.
07. Define 'Period of limitation' and how it shall be computed in cases of death on or before the accrual of right to sue.
08. Indicate the proper fee payable in respect of the following transactions:
- (a) Complaint or Written Statement pleading a set-off or counter claim or memorandum of appeal, presented to any Court.
  - (b) Copy of translation of a judgment or order of a Criminal Court.
  - (c) Application for leave to sue as a pauper.
  - (d) Vakalatnama signed by an advocate.
  - (e) Memorandum of appeal under section 39 of the Arbitration Act,1940.

09. State whether the following acts are in conformity with the period of limitation or not:-
- (a) A suit filed by a Ward within two years of his attaining majority to set aside a transfer of property made by the Guardian of the Ward.
  - (b) A suit filed a mortgagee for possession of immovable property mortgaged, on the tenth year of his becoming entitled to possession
  - (c) A suit filed for compensation for wrongful seizure of movable property under legal process after two years from the date of such seizure.
  - (d) A suit filed by a Hindu for arrears of maintenance within one Year from the date on which the arrears are payable.
10. Under the Limitation Act, 1963 when a suit is required to be instituted in the following cases:
- (a) For money paid upon an existing consideration which afterwards fail.
  - (b) To declare the forgery of an instrument issued or registered
  - (c) To recover movable property deposited or pawned from a Depository or pawnee.
  - (d) For compensation for trespass upon immovable property.
11. Write short notes on any THREE of the following:-
- (a) Court fee Examiners.
  - (b) Refund of fee in cases of delay in presentation of plaint.
  - (c) Determination of market value for payment of Court fee.
  - (d) Levy of fee in Third Party Proceedings.
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