

# Entrance Test-2020

## School of Law

### LL.M.

12108

Total Questions : 60

Question Booklet Series

A

Time Allowed : 70 Minutes

Roll No:

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#### Instructions for Candidates

1. Write your Roll Number in the space provided at the top of this page of Question Booklet and fill up the necessary information in the spaces provided on the OMR Answer Sheet.
2. OMR Answer Sheet has an Original Copy and a Candidate's Copy glued beneath it at the top. While making entries in the Original Copy, candidate should ensure that the two copies are aligned properly so that the entries made in the Original Copy against each item are exactly copied in the Candidate's Copy.
3. All entries in the OMR Answer Sheet, including answers to questions, are to be recorded in the Original Copy only.
4. Choose the correct / most appropriate response for each question among the options A, B, C and D and darken the circle of the appropriate response completely. The incomplete darkened circle is not correct read by the OMR Scanner and no complaint to this effect shall be entertained.
5. Use only blue/black ball point pen to darken the circle of correct/most appropriate response. In no case gel/ink pen or pencil should be used.
6. Do not darken more than one circle of options for any question. A question with more than one darkened response shall be considered wrong.
7. There will be 'Negative Marking' for wrong answers. Each wrong answer will lead to the deduction of 0.25 marks from the total score of the candidate.
8. Only those candidates who would obtain positive score in Entrance Test Examination shall be eligible for admission.
9. Do not make any stray mark on the OMR sheet.
10. Calculators and mobiles shall not be permitted inside the examination hall.
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12. Ensure that your OMR Answer Sheet has been signed by the Invigilator and the candidate himself/herself.
13. OMR Answer sheet must be handled carefully and it should not be folded or mutilated in which case it will not be evaluated.
14. At the end of the examination, hand over the OMR Answer Sheet to the invigilator who will first tear off the original OMR sheet in presence of the Candidate and hand over the Candidate's Copy to the candidate.

- 1) Transferability of property is based on the maxim:
  - a) *Nemo est heres viventis*.
  - b) *Alienation rei praefertur juri accrescendi*.
  - c) *Res essorisequiter rui principaleur*.
  - d) None of the above.
- 2) 'A' transfers to 'B' an estate to which 'C' is entitled, and as a part of same transaction gives 'C' a coal mine. 'C' takes the possession of the mine and exhausts it.
  - a) 'C' has thereby confirmed the transfer of the estate to 'B'.
  - b) 'C' has not confirmed the transfer of the estate to 'B'.
  - c) 'B' is not entitled to any property.
  - d) None of the above.
- 3) Which section of the TP Act, 1882 deals with a transfer of property, where an interest is created for the benefit of a person not then living, he acquires upon his birth, unless a contrary intention appears from the terms of the transfer, a vested interest although he may not be entitled to the enjoyment thereof immediately on his birth?
  - a) Section 17
  - b) Section 18
  - c) Section 19
  - d) Section 20
- 4) Where the mortgagor binds himself to the repay the mortgage money on a certain date and transfers the mortgaged property absolutely to the mortgagee, but subjects to the proviso the he will re-transfer it to the mortgagor upon payment of the mortgage-money as agreed, the transaction is called:
  - a) Usufractory mortgage.
  - b) Simple mortgage.
  - c) Anomalous mortgage.
  - d) None of the above.
- 5) Heir apparent:
  - a) Is a person who is a legal heir.
  - b) Is a person who would be the heir if he survived the propositus and if the propositus dies intestate.
  - c) Is a person who would be the heir if he survived the propositus and the propositus dies after making awill.
  - d) None of the above.
- 6) The maxim *ex turpicausa non orituractio* means:
  - a) A conduct which is not straight.
- b) A civil wrong is redressible by an action for unliquidated damages.
- c) Violation of a legal right without causing any harm.
- d) From an immoral cause no action lies.
- 7) The liability of joint tortfeasors is
  - a) Joint only
  - b) Several only
  - c) Joint and several
  - d) None of the about.
- 8) The act of an agent is the act of principal, is based upon the principle
  - a) *Dammum may be absequeinjuria*.
  - b) *Qui facit per aliumfacit per se*.
  - c) *Damnumseniinjuria*.
  - d) *Injuriasenidamno*.
- 9) In which case the Supreme Court laid down that the actionable negligence consists in the neglect of the use of ordinary care or skill towards a person to whom the defendant owes the duty of observing ordinary care and skill, by which neglect the plaintiff has suffered injury to his person or property.
  - a) Jacob Mathives v. State of Punjab AIR 2005 SC.
  - b) Syed Akbar v. State of Karnataka (1980) 1SCC.
  - c) Smt. Kumari v. State of Tamil Nadu AIR 1992 SC.
  - d) None of the above.
- 10) Public nuisance is:
  - a) A civil wrong.
  - b) Punishable as an offence.
  - c) Neither a civil wrong nor a crime.
  - d) None of the above.
- 11) In Latin *mensreadenotes*:
  - a) Mental state.
  - b) Blame worthy mental condition.
  - c) Guilty mind.
  - d) None of the above.
- 12) In which case the Supreme Court laid down four criteria as to the nature of possession, which may entitle a trespasser to exercise the right to private defense of property and person?
  - a) Puran Singh v. State of Punjab AIR 1975 SC
  - b) Munshi Ram v. Delhi Administration AIR 1968 SC

- c) Lakshmi Tiwari v. State of Bihar AIR 1971 SC  
d) Khuddu v. State of UP AIR 1993 SC
- 13) 'A' offers a bribe to 'B', a public servant, as a reward for showing 'A' some favour in exercise of 'B's' official functions. 'B' refuses to accept the bribe.
- 'A' is punishable under Section 115, IPC.
  - 'A' is punishable under Section 116, IPC.
  - 'A' is punishable under Section 117, IPC.
  - 'A' is punishable under Section 118, IPC.
- 14) 'A' shakes his fist at 'Z' intending or knowing it to be likely that he may thereby cause 'Z' to believe that 'A' is about to strike 'Z'.
- 'A' has used force to 'Z'.
  - 'A' has committed an assault.
  - 'A' has committed battery.
  - None of the above.
- 15) Section 121 of IPC deals with:
- Conspiracy to wage war against central government.
  - Conspiracy to wage war against state government.
  - Conspiracy to wage war against government of India.
  - None of the above.
- 16) The company as a legal entity is separate and distinct from its:
- Shareholders.
  - Directors.
  - Employees.
  - All of the above.
- 17) In which case the Supreme Court observed that the veil of corporate personality even though not lifted sometimes, is becoming more and more transparent in modern company jurisprudence.
- State of UP v. Renusagar Power Company.
  - Salomon v. Salomon and Company Ltd.
  - C. I. Water Treatment Corp. Ltd. v. BrojoNathGanguly.
  - Peoples Pleasure Park Co. v. Rohledes.
- 18) Which section of the Companies Act, 2013 defines Article of Association.
- Sec. 2(3).
  - Sec. 2(4).
  - Sec. 2(5).
  - Sec. 2(6).
- 19) Every company shall have the board of directors consisting of individuals as directors and shall have-
- A minimum number of 3 directors in case of Public Company.
  - A minimum number of 4 directors in case of Public Company.
  - A minimum number of 5 directors in case of Public Company.
  - A minimum number of 6 directors in case of Public Company.
- 20) Equity shares are known as:
- Preference Shares.
  - Fair Shares.
  - Ordinary Shares.
  - Just Shares.
- 21) Section 22 (1), ID Act, 1947 Provides that no person employed in public utility service shall go on strike in breach of contract.
- Without giving to the employer notice of strike within 5 weeks before striking
  - Without giving to the employer notice of strike within 6 weeks before striking
  - Without giving to the employer notice of strike within 7 weeks before striking
  - Without giving to the employer notice of strike within 8 weeks before striking
- 22) A Trade union may be a :
- Registered Trade Union.
  - Unregistered Trade Union.
  - Recognized Trade Union.
  - All of the above.
- 23) In which case the Supreme Court held that the word 'premises' is a generic term meaning open land or land with buildings or buildings alone.
- Ardeshi v. Bombay State AIR 1962 SC
  - Workmen Delhi Electric Supply Undertaking v. Management AIR 1973 SC
  - V. P. GopalaRao v. Public Prosecutor, AP AIR 1970 SC
  - Donald Mackenzi v. Chief Inspector of factories AIR 1962 SC
- 24) Sec. 25-C of the IDA, 1947 entitles a workman to get compensation for :
- Accident.
  - The period he is laid off.
  - Both 'a' and 'b'.
  - Neither 'a' nor 'b'.

- 25) The principle of "last come first go" applies in matters of:
- Retrenchment.
  - Lay off.
  - Suspension.
  - None of the above.
- 26) The conditions of enforceability of agreement as contract are stated in:
- Section 9
  - Section 10
  - Section 11
  - Section 12
- 27) In which case the controversy between the High Courts as to whether money paid under mistake of law could be recovered was resolved by the PC in:
- HarBajanlal v. HarCharanlal
  - Firm daultat ram v. Firm Chawan Chand
  - Sri SriShiba Prasad Singh v. Maharaja Srishchandra
  - None of the above
- 28) The difference between an 'agent' and 'servant' has been underlined by Supreme Court in :
- PannalalJanhidas v. Mohanlal AIR 1951 SC
  - Lakshiminarayana Ram Gopal Son's v. Hyderabad Government AIR 1954 SC
  - Hari Chand MadanGopal v. State of Punjab (1973) 1SCC
  - Viraj Traders v. Bajaj auto ltd. (1995) 6SCC
- 29) A partnership :
- Can arise only by agreement.
  - Is a collection or an aggregate of the partners.
  - Both 'a' and 'b'.
  - Neither 'a' nor 'b'.
- 30) *In pari delicto* means:
- Defendant is guilty.
  - Plaintiff is guilty.
  - Defendant and plaintiff are equally guilty.
  - None of the above.
- 31) The rules made by the Central Government to carry out the purpose of The Air (prevention and control of pollution) Act, 1981 have:
- Retrospective effect.
  - Prospective effect.
  - Both prospective and retrospective effect.
  - Either prospective or retrospective effect.
- 32) Which Article was added to the Constitution by 42 Constitution Amendment Act, 1976 to protect and improve the environment including wild life?
- 48-A
  - 48-B
  - 49-C
  - 50-A
- 33) Which case is known as Doon Valley case?
- Tarun Bharat Sang v. Union of India 1992 SC.
  - A.R.C Cement Ltd. v. State of UP 1993 SCC.
  - R.L. & E. Kendra, Dehradun v. State of UP AIR 1985 SC.
  - State of Bihar v. Bandri Ram AIR 1985 SC.
- 34) Hazardous substance means any substance or preparation which, by reason of its chemical or physico-chemical properties or handling is liable to cause harm to:
- Plants.
  - Property.
  - Both 'a' and 'b'.
  - Neither 'a' nor 'b'.
- 35) Who can make a complaint under The Environment (protection) Act, 1986?
- The central government only.
  - The central government or any authority by that government.
  - The central government or any authority or any person who has given notice of not less than 60 days of the alleged offence and his intention to make complaint to the central government or the authorized officer.
  - None of the above.
- 36) According to whom "*Equality before the law means that among equals the law should be equal and should be equally administered, that like should be treated alike. The right to sue and be sued, to prosecute and be prosecuted for the same kind of action should be same for all citizens of full age and understating without any distinction of race, religion, wealth, social status or political influence*".
- Jennings.
  - Dicey.
  - Felix Frankfurter.
  - None of the above.

- 37) At the time of the commencement of the Constitution, the Union of India consisted of
- 10 part A States, 8 part B States, 9 part C States and 1 part D States.
  - 11 part A States, 9 part B States, 1 part C States and 9 part D States.
  - 1 part A States, 10 part B States, 6 part C States and 7 part D States.
  - 9 part A States, 11 part B States, 9 part C States and 8 part D States.
- 38) Articles 38 & 39 of the Constitution permits and even directs the state to administer what may be termed as :
- Corrective Justice.
  - Distributive Justice.
  - Both 'a' and 'b'.
  - Neither 'a' and 'b'.
- 39) The Fundamental Right Guaranteed under Article 22 is available to:
- Citizen only.
  - Any person.
  - Both citizens and non citizens.
  - Government employees only.
- 40) According to Article 26 every religious denomination is entitled to:
- Manage its own affairs in matters of religion
  - Own and acquire movable and immovable property
  - Both 'a' and 'b'
  - Neither 'a' nor 'b'
- 41) In which case the Supreme Court held that the inter-cast marriages are in fact in the national interest as they will result in destroying the cast system?
- SarlaMudgal v. Union of India.
  - Lata Singh v. State of UP.
  - Seema v. Ashwani Kumar.
  - DarshnParshad v. Civil Judge, Gorakhpur.
- 42) Under the Dissolution of Muslim Marriage Act, 1939 the wife is entitled to a decree of dissolution if the husband fails to maintain his wife for a period of :
- 2 years
  - 3 years
  - 4 years
  - 5 years
- 43) A marriage may be solemnized between any two Hindus if:
- Neither party is incapable of giving a valid consent to it, in consequence of unsoundness of mind
  - Neither party is incapable of giving a valid consent.
  - Neither party has been subject to occasional attacks of insanity.
  - All of the above.
- 44) Under which personal law the relief of judicial separation does not exist?
- Hindu Law
  - Parsi Law
  - Christian Law
  - Muslim law
- 45) 'A' dies leaving behind widow, two brothers and two sisters.
- Widow is entitled to the entire property of 'A'
  - Widow is entitled to  $\frac{1}{2}$  of the property of 'A'
  - Widow is entitled to  $\frac{1}{4}$ <sup>th</sup> of the property of 'A'
  - Widow is entitled to  $\frac{1}{8}$ <sup>th</sup> of the property of 'A'
- 46) In which case the International Court of Justice stated that the general assembly resolutions, even if they are not binding can provide evidence for the emergence of an *opinio juris*?
- North Sea Continental Shelf Case - ICJ (1969)
  - The Asylum Case - ICJ (1969)
  - Legality of the threat or use of nuclear weapons - ICJ (1996)
  - South West Africa Case - ICJ (1950)
- 47) Which one amongst the following is correct?
- There are no limitations under international law on the exclusive jurisdiction of a state within its own territory.
  - Diplomatic agents enjoy privileges and immunities from the civil and criminal jurisdiction of the receiving states.
  - The property of foreign sovereigns is not immune from the jurisdiction of a state.
  - The armed forces of a state in a foreign territory remain immune from the jurisdiction under all circumstances.
- 48) *Terra nullies* means:
- The territory of the existing state as a subject of international law
  - The territory of an occupied state
  - The territory which is annexed by a state
  - The territory which does not belong to any state before occupation

- 49) The right of self-defense may be exercised by a state only when an armed attack occurs against it in accordance with :
- Article 2(4) of the charter of the United Nations.
  - Article 24 of the charter of the United Nations.
  - Article 51 of the charter of the United Nations.
  - Article 33 of the charter of the United Nations.
- 50) Which one amongst the following is the correct:
- There is no provision in the charter of the United Nations providing for the exercise of a "Double Veto".
  - Double Veto can be exercised by a non-permanent member.
  - Double Veto can be exercised by a permanent member like an ordinary exercise of veto.
  - Double Veto may be exercised by a permanent member of the Security Council while deciding whether the matter is procedural or a non-procedural.
- 51) According to whom the possession consists of two ingredients: *corpus possessionis* and *animusdomini*?
- Savigny.
  - Dias.
  - Austin.
  - Pollock.
- 52) Law may be defined as an assemblage of signs, declaration of a volition, conceived or adopted by the sovereign in a state, covering the conduct to be observed in a certain case by a certain person or class of persons, who in the case in question are or are supposed to be subject to his power
- Bentham
  - Salmond.
  - Savigny.
  - None of the above.
- 53) According to whom the confused state of English law was due to its preeminently judge-made character.
- Dias.
  - Maine.
  - Hart.
  - None of the above.
- 54) The claim or want or demand involved in social life in a civilized society that each individual be able to live a human life therein according to the standards of the society. It involves:
- Self assertion.
  - Opportunity.
  - Conditions of life.
  - All of the above.
- 55) Who has been the foremost in striving a new equity into the law:
- Lord Denning.
  - C.J. Marshall.
  - Felix Frankfurter.
  - Justice Krishna Iyer.
- 56) A declaratory Act
- Is retrospective in its operation
  - Doesn't reopen decided cases
  - Both 'a' & 'b'
  - Neither 'a' nor 'b'
- 57) In which case Lord Herschell laid down that no recourse to the previous state of the law should be taken while construing the provisions of the Code?
- Pioneer Aggregates (UK) Ltd. v. Secretary of State 1984
  - Bank of England v. Vagliano 1891
  - Board of Trustees Port of Bombay v. Sriyanesh Knitters 1977
  - None of the above.
- 58) In which context it was observed by the Lord Denning: A judge must not alter the material of which the Act is woven but, he can and should iron out the creases?
- Casus omissus*.
  - Egusdem generis*.
  - Noscitur a sociis*.
  - None of the above.
- 59) In which case it was laid down that the penal statute should be construed to suppress the mischief and advance the remedy.
- B. K. Agharwal v. State 1996
  - M. M. Loya v. State of Maharashtra 1976
  - SumanSethi v. Ajay K. Churiwal 2000
  - Iqbal Singh Marwah v. MeenakshiMarwah 2005
- 60) A statute is repealed by implication.
- When there is direct conflict between the two provisions
  - If the two standing together would lead to wholly absurd consequences
  - If the entire subject matter of the first is taken away by the second
  - All of the above.

# Entrance Test-2021

## School of Law

### LL.M.

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SEAL

LLM ENTRANCE PAPER 2022:

Marks: 60

Q1. Which rule of interpretation did the Supreme Court apply in A.K.Gopalan vs. State of Madras (AIR 1950 SC 27) to interpret the words "Personal Liberty" in Article 22?

- A. *The Literal rule*
- B. *The Golden rule*
- C. *The Mischief rule*
- D. *The Purposive rule*

Q 2. Which of the following Amendments inserted the words "Nothing in Article 13 shall apply to any amendment made under this Article" in Article 368?

- A. 42nd Amendment
- B. 44th Amendment
- C. 24th Amendment
- D. 22nd Amendment

Q 3. Which of the following Articles providing for fundamental rights cannot be suspended during the Proclamation of Emergency?

- A. Articles 14 and 15
- B. Articles 19 and 20
- C. Articles 20 and 21
- D. Articles 21 and 22

Q 4. Which Article empowers the Parliament to make grants to the States which are in need of financial assistance and not to every State?

- A. Article 273
- B. Article 374
- C. Article 275
- D. Article 375

Q 5. in which recent case the supreme court held ' consent of family is not needed once two adults decide to marry'?

- a. Devilal v. State of Madhya Pradesh AIR 2021 SC

SEAL



- b. Laxmibai Chandaragi v. the State of Karnataka AIR 2021 SC
- c. Satbir Singh V. State of Haryana AIR 2021 SC
- d. Jayamma v. State of Karnataka AIR 2021 SC

Q 6. Reservation is not a fundamental right was declared by the supreme court in the case of :

- A. Amit Sahni V. Commissioner of Police AIR 2020 Sc
- B. Mukesh Kumar & Anr V. State of Uttarakhand & Ors AIR 2020 Sc
- C. Amish Devgan V. Union of India AIR 2020 Sc
- D. None of The Above

Q 7. Who is called as "Darwinian before Darwin and Sociologist before sociologists":

- A. Savigny
- B. Darwin
- C. Montesquieu
- D. Maine

Q 8. Who said "The natural law being coexisting with mankind and emanating from God himself is superior to all other laws. It is binding over all the countries at all times and no man-made law will be valid if it is contrary to the law of nature."

- A. Salmon
- B. Blackstone
- C. Austin
- D. Lon Fuller

Q 9. Who distinguished expository jurisprudence (i.e. what the law is) from censorial jurisprudence i.e. what the law ought to be):

- A. Bentham
- B. Fuller
- C. Austin
- D. Hart

Q 10. The book Summa Theologica was written by:

- A. Plato
- B. St. Thomas Aquinas
- C. Hugo Grotius
- D. Keeton

Q 11. Systematic arrangement of rules in a single document concerning a particular subject in a way as to avoid inconsistency and overlapping. The process is known as:

- A. Legislation
- B. Codification
- C. Prescription
- D. Administration

Q 12. Injuria sine damna means:

- A. Injury To A Legal Right With An Actual Damage
- B. Injury To A Legal Right Without An Actual Damage
- C. No Injury To A Legal Right With An Actual Damage
- D. No injury to a legal right without an actual damage

Q 13. Section 82 of IPC enunciates:

- A. a presumption of fact
- B. a rebuttable presumption of law
- C. a conclusive or irrefutable presumption of law
- D. None of the above.

Q 14. The doctrine 'volenti nonfit injuria' is contained in:

- A. section 87 of IPC
- B. section 88 of IPC
- C. section 89 of IPC
- D. All the above.

Q 15. The right to private defence is:

- A. unrestricted
- B. subject to restriction contained in section 99 of IPC
- C. subject to restrictions contained in Chapter IV of IPC
- D. subject to restrictions contained in any other provision of IPC.

Q 16. Which one of the following brings out the distinction between Section 34 and 149 of the IPC?

- A. Section 34 creates a specific offence whereas Section 149 does not
- B. Section 34 as well as Section 149 creates specific offences.
- C. Section 149 creates a specific offence whereas Section 34 does not.
- D. Section 34 as well as Section 149 do not create specific offences.

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Q 17. Grave & sudden provocation is:

- (A) Question of Fact
- (B) Question of Law
- (C) Mixed Question of Fact & Law
- (D) A Presumption under the law.

Q 18. Causing of the death of child in the mother's womb is not homicide as provided under:

- A. Explanation I to Section 299
- B. Explanation II to Section 299
- C. Explanation III to Section 299
- D. Explanation V to Section 300.

Q 19. A forcibly carries or entices B away from his home in order that B may be murdered.

- A. A has committed an offence under Section 355, IPC
- B. A has committed an offence under Section 360, IPC
- C. A has committed an offence under Section 364, IPC
- D. A has committed an offence under Section 367, IPC

Q 20. Which of the following is not valid consideration for establishing a lease?

- A. Rent partly in money and partly in kind
- B. A stipulation to pay government assessment or taxes payable by the lessor
- C. a personal agreement by a tenant to pay a certain sum or a certain quantity in kind to the landlord
- D. None of these

Q 21. 10. Which of the following can be transferred under the provisions of the Transfer of Property Act, 1882?

- A. The right to mesne profits
- B. A decree for mesne profits
- C. A transfer of property to a woman for future immoral favours
- D. A sub-lease of a farm for the retail sale of opium

Q 22. Which of the following propositions for distinguishing between a lease and a licence were made by Justice J Subba Rao in Associated Hotels of India v. RN Kapoor?

- A. To ascertain whether a document creates a lease or a licence, the form of the document must be preferred to its substance
- B. The real test is the intention of the parties, whether they intended to create a lease or a licence
- C. If the document creates an interest in the property, it is a licence; but, if it only permits another to make use of the property, of which legal possession continues with the owner, it is a lease
- D. both A and B

Q 23. Which of the following statements is true regarding suit for redemption of mortgaged property under the Transfer of Property Act, 1882?

- A. Only mortgagor can bring the suit
- B. Any creditor of the mortgagor who has obtained a decree, can bring the suit
- C. Any creditor irrespective of decree for the same, can bring the suit
- D. Any surety for the payment of the mortgage debt, can bring the suit

Q 24. The foundation of doctrine of election under the Transfer of Property Act, 1882 is that a person taking the benefit of an instrument:

- A. must bear the burden
- B. must not bear the burden
- C. burden is not the subject of election
- D. none of the above.

Q 25. The principle 'facts speak for themselves' is expressed by the maxim

- A. Ubi Jus Ibi Remedium.
- B. Res Ipsa Loquitor.
- C. Novus Actus Interveniens.
- D. Causa Causams.

Q 26. Kasturilal vs State of UP is related to

- A. Contractual Liability Of The State.
- B. Vicarious Liability Of The State
- C. Fraud Of The State.

SEAL

D. None Of These.

Q 27. Defamation by spoken words or gestures is known as

- A. Innuendo.
- B. Slander.
- C. Libel.
- D. None Of These.

Q 28. Which of the following legal maxim is not related to the law of tort?

- A. Ubi jus ibi remedium
- B. Ex turpi causa non oritur action
- C. Res ipsa Loquitur
- D. Consensus ad idem

Q 29. In the case of the trespass to the person, which of the following defences will not apply?

- A. Private Defence
- B. Lawful authority
- C. Contributory Negligence
- D. None of the above

Q 30. Which of the following maxims is not related to the law of Contract?

- A. Consensus ad idem
- B. Assentio mentum
- C. Ex nudo pacto non oritur action
- D. Actus Non Facit Reum Nisi Mens Sit Rea

Q 31. A contract will still be a valid contract if it is

- A. Opposed to public policy
- B. In restraint of marriage
- C. In restraint of Trade

d. Without adequate consideration

Q 32. Which of the following Section of the Sale of Goods Act, 1930 defines the term "Goods"?

- A. Section 2(7)
- B. Section 2(4)
- C. Section 2(5)
- D. Section 2(9)

Q 33. A breach of condition may be treated as breach of warranty and not vice versa. This statement is:

- A. False
- B. True
- C. depends
- D. none of the above

Q 34.

A has bought a house for 50,000. Which of the following right is available to A after the purchase?

- A. He has a right against the seller to have a quiet possession of the house and enjoy in it.
- B. He has a right against the whole world to have a quiet possession of the house and enjoy in it.
- C. He has a moral right over the house.
- D. He has a right to live in the house but cannot sell.

Q 35. As per section 52 of the companies Act 2013, the balance in the security premium account cannot be utilized for:

- A. payment of dividend
- B. writing of discount on issue of shares
- C. issue of fully paid-up bonus shares
- D. capital losses

Q 36. Which of the following section in the Companies Act, 2013 mentions about Red Herring Prospectus?

- A. Section 30

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- B. Section 31
- C. Section 32
- D. Section 33

Q 37. Global depository receipt is mentioned in which of the following sections of Companies Act, 2013?

- A. Section 38
- B. Section 39
- C. Section 40
- D. Section 41

Q 38. Which of the following cases will be acted upon based on Section 38, Companies Act, 2013?

- A. A person fraudulently inducing persons to invest money in securities.
- B. A person making an application in a fictitious name.
- C. Mis-Statements in the prospectus.
- D. All of the above

Q 39. Sweat Equity Shares can be issued to which of the following employees?

- A. A permanent employee of the company who is working in India.
- B. A permanent employee of the company who is working outside India.
- C. A director of the company working in the subsidiary of the holding company.
- D. All of the above

Q 40. Which one of the following is not a natural pollution?

- A. Earthquake
- B. Air pollution
- C. Flood
- D. cyclone

Q 41. "Nature exists not for human beings alone but for all species" this statement is related to:

- A. Environmental ethics
- B. Natural ethics
- C. Life ethics
- D. Both (A) and (C)

Q 42. Sustainable Development was defined for the first time in the:

- A. Brunt Land Report
- B. Johannesburg Declaration
- C. Rio-Declaration
- D. Kyoto Protocol

Q 43. Green House Conference is also known

- A. Kyoto Conference
- B. Stockholm Conference
- C. The Montreal Protocol
- D. All of the above

Q 44. The Conference convened in the 20th anniversary of Stockholm Conference is called:

- A. Hclenski Conference
- B. "Kyoto Conference
- C. Rio-de-Janeiro Conference
- D. None of the above

Q 45. Property over which the widow has exercised a right of retention, the widow has the right to alienate the property by way of :

- A. sale
- B. Gift
- C. Mortgage
- D. None of the above

Q 46. Dower ranks as:

- A. a preferential debt
- B. an ordinary unsecured debt along with other creditors
- C. an ordinary debt having priority over other contractual debts
- D. a secured debt

Q 47. Divorce by Zihar is a species of :

- A. actual divorce
- B. inchoate divorce
- C. constructive divorce
- D. khula

Q 48. section 16 of the Hindu Marriages Act 1955 confers legitimacy on the children of :

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- A. a void marriage
- B. a Voidable marriage
- C. a valid marriage
- D. both void and voidable marriage

Q 49. A suit for divorce can be filed by a spouse under section 13(l) (ia) on the ground of :

- A. desertion
- B. cruelty
- C. immoral conduct of husband
- D. All of the above

Q 50. The Minimum Wages Act doesn't violate Article 14 of the Indian Constitution was held in the case of :

- A. Bhikusa Yamasa Kshatriya v. Sangamner Akola Bidi Kamgar Union
- B. Mol chand v. Gulabo Roa
- C. Khem chand v. sundaram Gaiytri
- D. None of the above

Q 51. Supreme Court has held that non-payment of minimum wages is tantamount to 'forced labour' prohibited under Article 23 of the Constitution:

- A. Uppal Kumar Deshmukh v. Shiv Kumar Deshpandey
- B. Sanjit Roy v. State of Rajasthan
- C. N.M.Wadia Charitable Hospital v. State of Maharashtra
- D. None of the above

Q 52. How do fair wages differ from living wages?

- A. Fair wage, is the wage which is above the minimum wage but below the living wage
- B. The lower limit of the fair wage is obviously the minimum wage;
- C. The upper limit is set by the capacity of the industry to pay
- D. All of the above

Q 53. What are the deductions under Payment of Wages Act 1936?

- A. the total amount of deductions cannot exceed 65%
- B. the total amount of deductions cannot exceed 70%
- C. the total amount of deductions cannot exceed 50 %
- D. none of the above

Q 54. Compensation to an employee becomes due when:

- A. If personal injury is prompted to an employee accidentally
- B. Arising out of employment

- C. In the middle of his employment  
D. All of the above
- Q 55. Which legal maxim means 'to stand by things decided'?
- A. ratio decidendi
  - B. obiter dicta
  - C. Stare decisis
  - D. In Bonem Partem
- Q 56. Rule of law means
- A. Supremacy of law
  - B. Supremacy of Parliament
  - C. Supremacy of judiciary
  - D. Equality before law
- Q 57. Ut Res Magis Valeat Quam Pareatis means:
- A. Rule of reasonable construction
  - B. Rule of Harmonious construction
  - C. Rule of ejusdem generis
  - D. All of the above
- Q 58. Heydon's rule deals with:
- A. Golden Rule
  - B. Mischief Rule
  - C. Literal Rule
  - D. None of the above
- Q 59. Which rule of interpretation means express mention of one thing is the exclusion of other?
- A. Ejusdem Generis
  - B. Harmonious Construction
  - C. expression Unis est exclusion alterius
  - D. Primary rule

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Sr. No. ....

# LLM ENTRANCE TEST-2022

## SCHOOL OF LAW

Total Questions: 60  
Time Allowed : 70 Minutes

Question Booklet Series

D

Roll No.

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### Instructions for Candidates

1. Write your roll number in the space provided at the top of this page of question booklet and fill up the necessary information in the spaces provided on OMR Answer sheet.
2. OMR Answer sheet has an original copy and a candidate's copy glued beneath it at the top. While making entries in the original copy, candidate should ensure that the two copies are aligned properly so that the entries made in the original copy against each item are exactly copied in the candidate's copy.
3. All entries in the OMR answers sheet including answers to questions are to be recorded in the original copy only.
4. Use only blue/ black ball point pen to darken the circle of correct / most appropriate response. In no case gel/ ink pen or pencil should be used.
5. Do not darken more the one circle of option for any question. A question with more than one darkened response shall be considered wrong.
6. There will be "Negative Marking" for wrong answers. Each wrong answer will lead to the deduction of 0.25 marks from the total score of the candidate.
7. Only those candidates who would obtain positive score in entrance test examination shall be eligible for admission
8. Do not make any stray mark on the OMR sheet
9. Calculators and mobiles shall not be permitted inside the examination hall
10. Rough work, if any, should be done on the blank sheets provided with the question booklet.
11. OMR answer sheet must be handled carefully and it should not be folded or mutilated in such case it will not be evaluated.
12. Ensure that your OMR Answer sheet has been signed by the invigilator and the candidate himself/herself.
13. At the end of the examination hand over the OMR answer sheet to the invigilator who will first tear off the original OMR sheet in presence of the candidate and hand over the candidate's copy to the candidate.
14. If any of the information in the response sheet/question paper has been found missing or not mentioned as stated above the candidate is solely responsible for that lapse.

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- 1) 'Legal insanity' under the Indian law means –
- impairment of will faculty
  - impairment of emotional faculty
  - impairment of cognitive faculty
  - none of the above
- 2) The Supreme Court's directive calling for compulsory registration of marriages was laid down in –
- Lily Thomas v. Union of India
  - Navin Kohli v. Neelu Kohli
  - Seema v. Ashwini Kumar
  - Savitri Pandey v. Prem Chand Pandey
- 3) The children of a void marriage under the Hindu Marriage Act, 1955 are –
- legitimate and entitled to inherit property of all relatives
  - legitimate but entitled to inherit the property of their parents only
  - illegitimate and entitled to inherit the property of their mother only
  - illegitimate and entitled to inherit the property of their father only
- 4) Who analysed law from the point of view of superiority of church over the state?
- Thomas Aquinas
  - David Hume
  - Blackstone
  - John Locke
- 5) Which school of jurisprudence believes that there are more important obligations, higher ideals, than obedience to the positive law of the State?
- Historical School
  - Functional School
  - Positivism
  - Natural Law
- 6) With whom would you associate primary rules of obligation?
- John Austin
  - John Salmond
  - H.L.A. Hart
  - Karl Renner
- 7) Who propounded an egalitarian theory of justice?
- Ronald Dworkin
  - Milton Friedmann
  - John Rawls
  - Robert Nozick
- 8) A married male Hindu gets a second marriage during the subsistence of the first marriage and a son is born of the second wedlock. The son is –
- legitimate, but can inherit only from his mother
  - illegitimate and can inherit only from his mother
  - legitimate and can inherit from all his relations
  - legitimate and can inherit from his parents only

- 9) D left his horse and van unattended in a crowded street and went to see his friend in the adjoining street. While D was away, a dog barked and pounced on the horse. The horse got frightened and started running furiously along the road with the van. P, a pedestrian, saw X in danger of being run over and in order to save him pushed him away, but in doing so, he himself was injured. P sues D for damages:
- (a) D is liable to pay damages to P.
  - (b) D can plead *volenti non fit injuria*.
  - (c) D can take the defence of an inevitable accident.
  - (d) D can plead *novus actus interveniens*.
- 10) Which of the following is the feature of a registered company?
- (a) transferability of assets
  - (b) perpetual succession
  - (c) limited liability
  - (d) all of the above
- 11) Where the words alleged to be defamatory do not appear to be such on their face, the plaintiff must prove the latent or secondary meaning which makes the statement defamatory. Such explanatory statements are called
- (a) *Innuendo*
  - (b) Slander
  - (c) Libel
  - (d) *Ubi jus ibi remedium*
- 12) Who said that "Law grows with the growth and strengthens with the strength of the people, and finally dies away as the nation loses its nationality" –
- (a) J. Stone
  - (b) H.L.A. Hart
  - (c) von Savigny
  - (d) Lon Fuller
- 13) The principle of absolute liability has been laid down in which one of the following legislations?
- (a) Public Liability Insurance Act, 1991
  - (b) Water (Prevention and Control of Pollution) Act, 1974
  - (c) Environment Protection Act, 1986
  - (d) National Environment Appellate Authority Act, 1997
- 14) At a joint sitting of Parliament, who presides?
- (a) President of India
  - (b) Chairman of Rajya Sabha
  - (c) Speaker of Lok Sabha
  - (d) Vice-President of India
- 15) Which provision of the Constitution of India confers exclusive power on the Parliament to make law for prescribing punishments for acts declared to be offences under Part III?
- (a) Article 13
  - (b) Article 14
  - (c) Article 33
  - (d) Article 35

- 16) Which of the following is not a characteristic which may bring a body within the ambit of 'State' within the meaning of Article 12 of the Constitution of India –
- Deep and pervasive State control.
  - Functions of public importance.
  - Profit earning motive.
  - Monopoly
- 17) The power of the Union to legislate is derived from –
- Article 246 of the Constitution of India
  - List I of the Seventh Schedule to the Constitution of India
  - List III of the Seventh Schedule to the Constitution of India
  - Article 244 of the Constitution of India
- 18) The rights given under clauses (a) and (b) of Article 22 of the Constitution of India are not available to –
- a person arrested for the offence of rape
  - an alien enemy
  - a person detained under preventive detention law
  - both (b) and (c)
- 19) Which of the following correctly describes the nature of a writ petition under Article 32 of the Constitution of India?
- The technicalities of res judicata are irrelevant while dealing with fundamental rights under Article 32 of the Constitution
  - A person aggrieved by the decision of a High Court in a writ petition Article 226 may approach the Supreme Court on the same facts, under Article 32 of the Constitution in every case.
  - An original petition for writ under Article 32 cannot take the place of an appeal against the order passed by a High Court in a petition under Article 226.
  - All of the above are correct
- 20) Legal sovereignty in India resides in the constitution itself and not in 'we the people of india', was enunciated by the supreme court in the case of :
- Lucknow development authority v. A.K, Gupta
  - Shankari Prasad v. Union of India
  - Golak nath v. state of Punjab
  - Kesavananda Bharati v. state of Kerala
- 21) What is common to the criteria of the existence of a legal system propounded by Austin and Kelsen?
- Existence of a sovereign
  - Personal obedience to the sovereign
  - Obedience to the laws
  - Efficacy of a legal system
- 22) Which of the following objections have been raised against Savigny's idea of Volkgeist?
- It attempted to transplant nearly thousand years old Roman law in the alien climate of Europe
  - All laws would be directed only to officials and would be too complex to identify or handle
  - Classification of rights and duties do not indicate the existence of any internal structure
  - All of the above

- 23) Dias describes power, coupled with a duty to exercise it, as –  
(a) Discretionary power  
(b) Administrative power  
(c) Ministerial power  
(d) Rightful power
- 24) The effect of novation, rescission and alteration of contract is provided under-  
(a) Section 59 of the Indian Contract Act, 1872  
(b) Section 24 of the Specific Relief Act, 1963.  
(c) Section 62 of the Indian Contract Act, 1872  
(d) Section 73 of the Indian Contract Act, 1872
- 25) Who defined law as a 'species of will, other-regarding, self-authoritative, and inviolable?'  
(a) Stammler  
(b) Rawls  
(c) Hall  
(d) Bentham
- 26) Whoever causes death of a person by rash or negligent act not amounting to murder is liable to be punished with –  
(a) imprisonment extending up to three years  
(b) with fine  
(c) with imprisonment extending to two years and fine  
(d) with imprisonment extending to two years or fine or both
- 27) In Which of the Contingencies article 31 A(1) of Indian Constitution applies-  
(a) Acquisition of estate  
(b) Extinguishment of Rights in an estate  
(c) Modification of Rights in an estate  
(d) All of the above
- 28) Which Country first adopted the system of Ombudsman?  
(a) Britain  
(b) India  
(c) Sweden  
(d) America
- 29) After the judgment of the Supreme Court in the Mandal Case, it has been observed that "The poisonous weed of casteism has been replanted where it will trouble us for a thousand years. Each age will have to consider it. This was observed by:  
(a) Prof. Upendra Baxi  
(b) N.A. Palkhiwala  
(c) Ram Jethmalani  
(d) Justice P.N. Bhagwati
- 30) In which of the following decision the difference between culpable homicide and murder has been mentioned ?  
(a) R. vs Beard  
(b) R. vs Tolson  
(c) R. vs Govinda  
(d) R. vs Prince



- 31) Which of the following defenses is related to McNaughton's case?  
(a) Childhood  
(b) Insanity  
(c) Intoxication  
(d) Consent
- 32) "Custom is the expression of such principles, which have been accepted within the national consciousness as principles of justice and public utility." Whose statement is this?  
(a) Allen  
(b) Pollock  
(c) John Salmond  
(d) Halsbury
- 33) Which article provides for the Pardoning Power of the President?  
(a) Article 72  
(b) Article 75  
(c) Article 78  
(d) Article 82
- 34) By which amendment Article 21A has been added to the Constitution of India?  
(a) 84<sup>th</sup> Constitutional Amendment  
(b) 85<sup>th</sup> Constitutional Amendment  
(c) 86<sup>th</sup> Constitutional Amendment  
(d) 87<sup>th</sup> Constitutional Amendment
- 35) Which Article empowers the Parliament to make grants to the States which are in need of financial assistance and not to every State?  
(a) Article 273  
(b) Article 374  
(c) Article 275  
(d) Article 375
- 36) The principle behind the doctrine of '*pari delicto*' is that where each party to a contract is equally at fault, the law favours the party which is actually \_\_\_\_\_.  
(a) not in possession  
(b) in possession  
(c) injured and helpless  
(d) owner of the thing concerned
- 37) Mortgage by deposit of title deeds or an equitable mortgage is provided in:  
(a) Section 55 (f) of the Transfer of Property Act, 1882.  
(b) Section 58 (f) of the Transfer of Property Act, 1882.  
(c) Section 59 (d) of the Transfer of Property Act, 1882.  
(d) None of the above
- 38) Who said, "A judge must not alter the material of which the Act is woven but he can and should iron out the creases";  
(a) Lord Denning  
(b) Lord Marshal  
(c) Salmond  
(d) Austin

- 39) Rule of Ejusdem Generis is also known as;
- (a) Lord Tenderen's rule
  - (b) Maxwell rule
  - (c) Associated rule
  - (d) None of the above
- 40) In case of alternative promise, one branch of which is legal and the other illegal –
- (a) the promise can be enforced
  - (b) breach of anyone of them cannot be enforced
  - (c) legal branch alone can be enforced
  - (d) with the permission of the court, both branches can be enforced
- 41) Section 41 of the T.P.A 1882 is the statutory application of the law of
- (a) Waiver
  - (b) Estoppel
  - (c) Res Judicata
  - (d) Res Subjudice
- 42) The principle behind the doctrine of 'pari delicto' is that where each party to a contract is equally at fault, the law favours the party which is actually \_\_\_\_\_.
- (a) not in possession
  - (b) in possession
  - (c) injured and helpless
  - (d) owner of the thing concerned
- 43) Which one of the following constitutes an offer in a self-service store?
- (a) display of goods at the shop window
  - (b) when the customer asks for some goods
  - (c) there is no offer in such a case
  - (d) picking up an article and approaching the cashier to make payment
- 44) The relief of restitution of conjugal rights is not available under the \_\_\_\_\_
- (a) Hindu Marriage Act, 1955
  - (b) Indian Christian Marriage Act, 1872
  - (c) Parsi Marriage and Divorce Act, 1939
  - (d) Special Marriage Act, 1954
- 45) "V" places an order with "S" for supply of 20 sewing machines. "S" could not supply them in time. "V" lost a profitable contract due to non-receipt of the machines in time and claimed his loss of profits from "S". "V" will fail in claim because the nature of loss is \_\_\_\_\_
- (a) remote
  - (b) ordinary
  - (c) foreseeable
  - (d) special
- 46) Which new type of company was introduced by company's Act 2013?
- (a) One person company
  - (b) associated company
  - (c) small company
  - (d) all of the above

- 47) Which one of the following is a correct statement?
- (a) The government is not bound by the promises made by its servants
  - (b) The government is bound by all promises made by its servants
  - (c) The government is bound by promises made by its servants which are beneficial to it
  - (d) The government is bound by the promises made by its servants which have been relied and acted upon by the other party
- 48) Which one of the following conditions must be satisfied for making claim under "necessaries" supplied to a person who is incapable of contracting?
- (a) the articles supplied must be necessaries
  - (b) the articles supplied should be necessaries at the time of sale and delivery
  - (c) necessaries must have been supplied gratuitously out of mere kindness
  - (d) necessaries should be supplied only to a person who is ill
- 49) The 'ratio-decidenti' of a decision contains;
- a) The principle of law formulated by a judge
  - b) The principle of law formulated by the executive
  - c) The principle of Admission
  - d) None of the above
- 50) In law of torts, when an act is done under the authority of a statute –
- (a) It is a complete defence
  - (b) It is a complete defence for obvious harms resulting from the act
  - (c) It is a complete defence for obvious harms as well as the incidental harms resulting from the act
  - (d) It is complete defence for obvious harms as well as incidental harms resulting from the act when it is not done negligently
- 51) Treaty, in principle, binds the State Parties to the treaty. A State becomes party to the treaty by –
- (a) signing the treaty
  - (b) by ratifying or acceding to the treaty
  - (c) by enacting domestic legislation implementing the treaty
  - (d) by enforcing the treaty by conduct
- 52) A bilateral agreement with another country to cede Indian territory in favour of a foreign country can be enforced –
- (a) by a Parliamentary legislation
  - (b) by amending the Constitution under Article 368 of the Constitution
  - (c) by an executive order
  - (d) on the basis of advice of the Supreme Court received under Article 143 of the Constitution
- 53) Under which of the following situations an individual can petition before the Human Rights Committee?
- (a) Universal Declaration of Human Rights
  - (b) International Covenant on Civil and Political Rights
  - (c) International Covenant on Economic, Social and Cultural Rights
  - (d) Optional Protocol to Covenant on Civil and Political Rights

- 54) Which of the following maxims means that treaty obligations must be performed by the parties in good faith?
- (a) pacta sunt servanda
  - (b) rebus sic stantibus
  - (c) pacta terries nec nocent nec prosunt
  - (d) jus cogens
- 55) Who amongst the following is not a positivist?
- (a) Vattel
  - (b) Bynkershoek
  - (c) Hegel
  - (d) Zorn
- 56) Which of the following sources does not find a place in Article 38(a) of the Statute of International Court of Justice?
- (a) General principles of law recognized by civilized nations
  - (b) Equity
  - (c) Judicial decisions
  - (d) Teachings of the most highly qualified publicists
- 57) A suit lies against the Government for death or injury caused to a person by police atrocities as held in \_\_\_\_\_.
- (a) *D.K. Basu v. State of West Bengal*
  - (b) *Saheli v. Commissioner of Police*
  - (c) *Bhim Singh v. State of J. & K.*
  - (d) *A.K. Gopalan v. State of Madras*
- 58) Ram is attacked by a mob which tries to kill him. He grabs a gun from a member of the mob and fires. One of the gun shots hits the head of a child in the mob killing him instantaneously. What offense, if any, has been committed by Ram?
- (a) Murder
  - (b) Culpable homicide
  - (c) Criminal negligence
  - (d) No offense has been committed
- 59) With a view to causing loss to his employer, an employee throws away a ring given to him by the employer for safe custody. The employee is guilty of –
- (a) Criminal negligence
  - (b) Criminal mischief
  - (c) Criminal breach of trust
  - (d) Criminal misappropriation of property
- 60) A swimmer, standing alongside a swimming pool, watches a child of five years drowning in the pool. He shouts for help but does not do anything to rescue the child. The swimmer is –
- (a) guilty of criminal neglect
  - (b) liable for non-performance of fundamental duty
  - (c) liable under civil law for payment of compensation
  - (d) not guilty at all.
- .....