

COMMON P.G. ENTRANCE TEST-2022 (CPET-2022)

Subject Code : **32**

Test Booklet No.:

Entrance Subject : **Law (LLM)**

Hall Ticket No.:

TEST BOOKLET

Time Allowed : **90 Minutes**

Full Marks : **70**

INSTRUCTIONS TO CANDIDATES

1. **Please do not open this Question Booklet until asked to do so.**
2. Check the completeness of the Question Booklet immediately after opening.
3. Enter your **Hall Ticket No.** on the Test Booklet in the box provided alongside. **Do not** write anything else on the Test Booklet.
4. Fill up & darken Hall Ticket No. & Test Booklet No. in the OMR Answer Sheet as well as fill up Test Booklet Serial No. & OMR Answer Sheet Serial No. in the Attendance Sheet carefully. Wrongly filled up OMR Answer Sheets are liable for rejection.
5. Each question has four answer options marked ((A) , ((B) , ((C) & ((D) .
6. Answers are to be marked on the Answer Sheet, which is provided separately.
7. Choose the most appropriate answer option and darken the oval completely, corresponding to ((A) , ((B) , ((C) or ((D) against the relevant question number.
8. Use only **Blue/Black Ball Point Pen** to darken the oval for answering.
9. Please do not darken more than one oval against any question, as scanner will read such markings as wrong answer.
10. **Each question carries equal marks. There will be no negative marking for wrong answer.**
11. **Electronic items such as calculator, mobile, etc., are not permitted inside the examination hall.**
12. Don't leave the examination hall until the test is over and permitted by the invigilator.
13. **The candidate is required to handover the original OMR sheet to the invigilator and take the question booklet along with the candidate's copy of OMR sheet after completion of the test.**
14. Sheet for rough work is appended in the Test Booklet at the end.

1. In which of the following cases the Supreme Court held that “imparting education cannot be treated as a Trade or Business” ?
 - (A) Mohini Jain vs. State of Karnataka.
 - (B) P.A. Inamdar vs. State of Maharashtra.
 - (C) Dinesh Kumar vs. State of Orissa.
 - (D) Uni Krishnan vs. State of A.P.
2. The Sociological School of Jurisprudence is chiefly concerned with the relations of law to –
 - (A) Contemporary Legal Position.
 - (B) Contemporary Social Institutions.
 - (C) Contemporary Political Situation.
 - (D) Contemporary Social Ideas.
3. In case of inconsistency between the laws made by the Parliament and the laws made by the State Legislature, which one of the following shall prevail?
 - (A) The Law made by the Parliament either before or after the law made by the Legislature of the State.
 - (B) The Law made by Parliament before the Law made by the State Legislature.
 - (C) The Law made by the Legislature of the State.
 - (D) The Law made by the Parliament after the Law made by the State Legislature.
4. In A. K. Kraipak vs. Union of India which of the following principles was laid down by the Supreme Court?
 - (A) Post decisional hearing would be sufficient for the observance of principles of natural justice.
 - (B) Principles of natural justice are applicable to administrative proceedings.
 - (C) Rule of Law is embedded in Article 14 of the Constitution of India.
 - (D) Judicial Review is a part of basic structure of the Constitution.
5. The Preamble to the Constitution of India proclaims that, “We the people of India” have established –
 - (A) A Sovereign, Socialist, Secular, Democratic, Republic.
 - (B) A Sovereign, Socialist, Democratic, Republic, Secular.
 - (C) A Secular, Socialist, Democratic, Republic.
 - (D) A Sovereign, Secular, Socialist, Republic.

6. In which case the principle '*ubi jus ibi remedium*' was recognized?
- (A) Asbhy vs. White.
 - (B) Rylands vs. Fletcher.
 - (C) Pemma Chibber vs. Union of India.
 - (D) Ashdown vs. Samuel Williams.
7. Which one of the following does not fall in the meaning of 'fraud' under the Indian Contract Act, 1872?
- (A) A promise made without any intention of performing it.
 - (B) Positive assertion of unwarranted statements.
 - (C) Active concealment of a fact.
 - (D) Suggestion, as a fact, of that which is not true, by one who does not believe it to be true.
8. An agreement without consideration is valid, unless –
- (A) It is made by two minors.
 - (B) Is a promise to pay a debt barred by limitation law.
 - (C) It is in writing and registered.
 - (D) Is a promise to compensate for something done.
9. "Every person is competent to contract who is of the age of majority according to the law to which he is subject, and who is of sound mind and is not disqualified from contracting by any law to which he is subject", which section of the Indian Contract Act, 1872 deals with this statement?
- (A) Section 10
 - (B) Section 11
 - (C) Section 15
 - (D) Section 19
10. Contractual liability arises, where –
- (A) There is loss to one party.
 - (B) There is offer and acceptance only.
 - (C) There is intention to create legal relation.
 - (D) The loss of one party is the gain of other party.

11. In contributory negligence –
- (A) One party is negligent resulting in injury while the other has taken due care.
 - (B) Lack of care is equal on both sides.
 - (C) Both parties have contributed to negligence equally.
 - (D) Only one party is negligent and the other has not taken due care.
12. Which of the following is true in relation to nuisance?
- (A) An action for nuisance is actionable per se and no special damage need to be proved.
 - (B) It can be committed through the medium of intangible objects.
 - (C) There is no interference with plaintiffs use or enjoyment of land.
 - (D) It is direct interference with the possession of plaintiff.
13. Which of the following pair is correctly matched?
- (A) Libel is recognized as offence – England.
 - (B) Action lies for defamatory statement – Absolute privilege.
 - (C) Truth of defamatory matter is no defence – Civil Law.
 - (D) Defamation published in permanent form – Slander.
14. In which of the following cases the Supreme Court of India gave the ruling that Sovereign Immunity of the State is subject to Fundamental Rights?
- (A) Shyam Sundar vs. State of Rajasthan.
 - (B) State of Rajasthan vs. Vidyawati.
 - (C) Kasturilal Ralia Ram Jain vs. State of U.P.
 - (D) Peoples Union for Democratic Rights vs. State of Bihar.
15. Which of the following maxim can be attributed to “sometimes it happens that the legal right of a person is violated but he does not suffer only harm”?
- (A) *Damnum sine injuria.*
 - (B) *Injuria sine damno*
 - (C) *Volenti non-fit inuria*
 - (D) *Res ipsa loquitar.*

16. Who defined “Jurisprudence as the formal science of positive law”?
- (A) Holland.
 - (B) Ulpanian.
 - (C) Bentham.
 - (D) Blackstone.
17. The physical element of possession is also called as –
- (A) *Ratio decidendi*.
 - (B) *Corpus decidendi*.
 - (C) *Corpus possessionis*
 - (D) *Animum possidendi*.
18. Who said that “the task of social engineering is to build as efficient structure of the society as possible with minimum friction and waste”?
- (A) Rescoe Pound
 - (B) Jeremy Bentham.
 - (C) H.L.A. Hart.
 - (D) John Austin.
19. Which of the following pairs is correctly matched?
- (A) Theory of Precedent : Legal Right
 - (B) Retributive Theory : Punishment
 - (C) Sociological Theory : Source of Law
 - (D) Theory of Property : Roscoe Pound.
20. Which of the following statements is not true?
- (A) Possession once lost cannot be regained.
 - (B) Possession is protected till someone else provided a better title in himself.
 - (C) Possession is a nine point of Law.
 - (D) Possession is evidence of ownership.

21. The Solidarity rights more commonly known as “Third Generation Human Rights” are based on-
- (A) Independent needs of people.
 - (B) Concept of Universalism
 - (C) Right to self-determination.
 - (D) Common heritage of mankind.
22. Which Article of the Universal Declaration of Human Rights provides for ‘right to be recognized as a person before law’?
- (A) Article 6
 - (B) Article 7
 - (C) Article 8
 - (D) Article 12
23. The United Nations Convention on Elimination of all forms of Discrimination Against Women (CEDAW), 1979 was ratified by India in-
- (A) June 1979
 - (B) June 1981
 - (C) June 1993
 - (D) December 1997
24. Under Section 3(2) of the Protection of Human Rights Act, 1993, the Chairperson of the National Human Rights Commission shall be-
- (A) One who has been a Judge of the Supreme Court of not less than five years
 - (B) An Eminent Jurist in the field of Human Rights.
 - (C) One who has been a Chief Justice of the Supreme Court.
 - (D) One who has been a Chairperson of a National Tribunal or Commission.
25. In which of the following cases, the Supreme Court applied the ‘doctrine of public trust’?
- (A) M.C. Mehta vs. Union of India
 - (B) M.C. Mehta vs Kamal Nath and others
 - (C) S.Jagannath vs. Union of India.
 - (D) Vellor Citizen’s Welfare Forum vs. Union of India.

26. Under which Article of the Constitution, Environment (Protection) Act, 1986 was enacted?
- (A) Article 21
 - (B) Article 48A
 - (C) Article 253
 - (D) Article 254
27. Which of the following pairs is correctly matched?
- (A) Intergenerational Equity : Stockholm Declaration,1972.
 - (B) Sustainable Development : Johannessburg Declaration, 2002
 - (C) Precautionary Principle : Millenium Development Goals
 - (D) Polluter Pay Principle : M.C. Meheta vs Kamal Nath.
28. Protection and Improvement of Environment and safeguarding Forest and Wild Life is-
- (A) Fundamental Right
 - (B) Directive Principles of State Policy
 - (C) Fundamental Duties
 - (D) Both Directive Principles of State Policy and Fundamental Duty.
29. In which year National Green Tribunal Act was enacted?
- (A) 1999
 - (B) 2005
 - (C) 2007
 - (D) 2010
30. *Non-Compos mentis* denotes-
- (A) Every person is considered to be same unless contrary is proved
 - (B) When a criminal act is performed during derangement
 - (C) When the cognitive facilities are such that he does not know what he has done.
 - (D) Non-Serene memory not from birth.

31. Which section of the Indian Penal Code says that “when a criminal act is done by several persons in furtherance of the common intention of all, each of such persons is liable for that act in the same manner as if it were done by him alone”?
- (A) Section 34
 - (B) Section 52
 - (C) Section 86
 - (D) Section 141
32. In which of the circumstances an inchoate instigation to commit a crime is said to be incomplete?
- (A) Withdrew from the act after instigation.
 - (B) When the purported crime is different from that of instigation
 - (C) When the crime results through the conspiracy of another person
 - (D) None of the above.
33. The right to private defence against an act done by a public servant is not available-
- (A) When it is discharged in good faith
 - (B) When it is attempted to be done by him
 - (C) When it was done while he was not in his office
 - (D) When it is strictly to be justifiable by law.
34. The provisions of Consumer Protection Act shall be-
- (A) Only in derogation of other laws
 - (B) No addition to other laws
 - (C) Not in addition and in derogation of other laws
 - (D) In addition to and not in derogation of other laws.
35. Under the Consumer Protection Act, the State Government may notify that the State Commission may perform its functions at other places other than the state capital and for that purpose the State Government need to consult-
- (A) The Central Government
 - (B) The National Commission
 - (C) The State Commission
 - (D) The Chief Justice of the High Court.

36. Which of the following pairs is properly matched?
- (A) Murli S Deora vs. Union of India: Ban on smoking in public places
 - (B) Sunil Batra vs. Delhi Administration: Protection of Ecology and Environmental pollution.
 - (C) Rural Litigation and Entitlement Kendra vs. State of U.P: Right to speedy trial
 - (D) Hussainara Khatoon vs State of Bihar: Protection against inhuman treatment in jail.
37. Who among the following said that “the Law of Nations or International Law may be defined as the body of rules and principles of actions which are binding upon civilized states in their relations with one-another”?
- (A) J. L. Brierly
 - (B) Oppenheim
 - (C) Jethro Brown
 - (D) Torsten Vitel
38. Which organ of the United Nations has been given responsibility of promoting international cooperation in the realization of human rights?
- (A) General Assembly
 - (B) Security Council
 - (C) The Economic and Social Council
 - (D) Both (A) & (B)
39. Who said that “Law is without doubt a remedy for greater evil, yet it brings with it evils of its own”?
- (A) Salmond
 - (B) Hobbes
 - (C) Blackstone
 - (D) Friedman
40. In which of the following cases, the Supreme Court held that even the wife of a void marriage is entitled to maintenance?
- (A) Nirmala Devi vs. Veena Kaushal
 - (B) Chand Dhawan vs. Jawaharlal Dhawan
 - (C) Ramesh Chandra vs. Veena Kaushal
 - (D) Amarjeet Kaur vs. Harbhajan Singh

41. Who was of the opinion that “the most glaring instance of violations of Human Rights is the continuing poverty among masses in the country?
- (A) Justice P. N. Bhagawati
 - (B) Justice V.R. Krishna Iyer
 - (C) Justice R. N. Mishra
 - (D) Justice A. S. Anand
42. Estrada doctrine relates to –
- (A) Form of Recognition
 - (B) Recognition is superficial
 - (C) No necessity of recognition
 - (D) Necessity of recognition
43. Which one of the following is not a basic source of Administrative Law?
- (A) Custom
 - (B) Delegated Legislation
 - (C) Ordinance promulgated by Governor
 - (D) Reports of the committees and commissions.
44. Which is of the following is not essential for divorce by mutual consent?
- (A) They have mutually agreed that the marriage should be dissolved.
 - (B) The wife has not received any maintenance
 - (C) They have been living separately for one year
 - (D) They have not been able to live together.
45. Rules relating to ‘sapinda’ relationship are based on the principle of –
- (A) Polyandry
 - (B) Exogamy
 - (C) Endogamy
 - (D) Polygyny

46. An Independent Industrial Relation Commission to provide labour welfare in India was recommended by –
- (A) Santhanam Committee
 - (B) Madhavan Committee
 - (C) Ramanujam Committee
 - (D) Vasudevan Committee.
47. The expression “transit remand” denotes –
- (A) It is a transfer of prisoner from one jail to another.
 - (B) It is a transfer of criminal case from one court to another.
 - (C) It is taking out an accused by police from one state to another state.
 - (D) It is taking out of the accused from court to prison.
48. The power to grant anticipatory bail under section 438 Cr. P.C. vests with –
- (A) The Court of Magistrate.
 - (B) Only in the Court of Sessions.
 - (C) Only in the High Court
 - (D) Both the Court of Sessions and High Court.
49. High Court’s power of revision is dealt under which of the following sections of Cr.P.C.?
- (A) Section 395.
 - (B) Section 396.
 - (C) Section 399.
 - (D) Section 401.
50. Which section of the Indian Evidence Act deals with reliability of date of birth for the purpose of the Act?
- (A) Section 33
 - (B) Section 34
 - (C) Section 35
 - (D) Section 36

51. Which of the following facts becomes relevant as per Section 14 of the Indian Evidence Act?
- (A) Facts showing state of mind.
 - (B) Facts showing state of body
 - (C) Facts showing state of bodily feelings
 - (D) All of these.
52. Use of violence by a member of an assembly of five or more persons in furtherance of common object will constitute –
- (A) Affray
 - (B) Assault
 - (C) Rioting
 - (D) Unlawful Assembly.
53. Which of the following statements is not correct so far as law of Limitation is concerned?
- (A) The law of limitation is part of lex fori
 - (B) The Limitation Act, 1963 does not make any racial or class distinction.
 - (C) For filling a writ petition under Article 32 of the Constitution, limitation of 120 days is prescribed in the Act.
 - (D) Provisions of the Act are not applicable for an application under the Religious Endowment Act.
54. A contract of Life Insurance, the performance of which depends upon a future event, falls under the category of –
- (A) Contract of Indemnity
 - (B) Contract of Guarantee
 - (C) Contingent Contract
 - (D) Uncertain Contract
55. Which of the following is not a suit of civil nature?
- (A) Suit for dissolution of marriage
 - (B) Suit for rights to hereditary office
 - (C) Suit for upholding mere dignity or honour
 - (D) Suit for specific relief.

56. Which of the following provides for filing of suits by indigent person –
- (A) Order XXXIII CPC
 - (B) Order XXXII CPC
 - (C) Order XXXIIA
 - (D) None of these.
57. In which of the following cases, the Supreme Court opined that “right to speech and expression is an undeniable human right and it is basic human nature to give vent to one’s inner feelings through speech and expression?”
- (A) Romesh Thapper vs. State of Madras
 - (B) Manaka Gandhi vs. Union of India
 - (C) Life Insurance Corporation vs. Manubhai Shah
 - (D) Ramlila Maidan Incident, in re
58. Which section of the Information Technology Act deals with composition of “Cyber Appellate Tribunal”?
- (A) Section 44
 - (B) Section 45
 - (C) Section 49
 - (D) Section 50
59. In which case Section 66-A of the Information Technology Act was struck down by the Supreme Court?
- (A) Shreya Singhal vs. Union of India
 - (B) S. Khusboo vs. Kanniammal
 - (C) Navtej Singh Johar vs. Union of India
 - (D) K.S. Puttaswami vs. Union of India.
60. Every patent will be valid for how many years from the date of filing of application-
- (A) 10
 - (B) 20
 - (C) 60
 - (D) 25.

61. Copyright is _____?
- (A) Negative right.
 - (B) Positive right.
 - (C) Exclusive right
 - (D) Both (B) & (C)
62. Associated trademarks means –
- (A) Trademarks deemed to be, or required to be, registered as associated trademarks under the Trademark Act.
 - (B) Any marks or arrangement or combination.
 - (C) Either (A) or (B)
 - (D) None of the above.
63. _____ means a company having the liability of its members limited by the memorandum to the amount, if any, unpaid on the shares respectively held by them.
- (A) Company limited by guarantee.
 - (B) Company limited by shares.
 - (C) Both (A) & (B).
 - (D) None of these.
64. Company Liquidator, in so far as it relates to the winding up of a company, means a person appointed by –
- (A) The Tribunal in case of winding up by the Tribunal.
 - (B) The company or creditors in case of voluntary winding up.
 - (C) Both (A) & (B).
 - (D) None of these.
65. The minimum number of members that required while you are registering a public company is _____
- (A) 2
 - (B) 6
 - (C) 5
 - (D) 7

66. Where the company to be formed is to be One Person Company that is to say, a ____
- (A) Public Company
 - (B) Private Company
 - (C) Both (A) & (B)
 - (D) None of the above.
67. In which year the Banking Regulation Act was passed?
- (A) 1949.
 - (B) 1955
 - (C) 1959
 - (D) 1969.
68. Banking Company means any company which transacts the business of _____
- (A) Banking only.
 - (B) Banking & Insurance.
 - (C) Banking & Foreign Exchange.
 - (D) Banking & Manufacturing.
69. Which one of the following is an unincorporated organization?
- (A) General Partnership.
 - (B) Limited Liability Partnership
 - (C) Public Limited Company.
 - (D) Private Limited Company.
70. A partner who is entitled to a share of the profits from a partnership is known as –
- (A) A salaried partner
 - (B) A managing partner
 - (C) An equity partner
 - (D) A limited liability partner.

ROUGH WORK