

MPJS Prelims Examination 2022

SET - 1



Detailed Analysis with Explanations

Q. 1 to 109 Part 1/2

Powered By



@Edzorblaw

www.edzorblaw.com



Edzorb
TRUE LEARNING



MPJS Prelims Analysis

2022

Strike Rate - 96%

**Our Strike Rate
says it all!**



www.edzorblaw.com

MADHYA PRADESH

Sub-tropical coniferous



RANGES

• Satpura Plateau (Hills)

■ STATE ANIMAL

Swamp Deer



■ STATE TREE

Banyan Tree



■ STATE BIRD

Indian Paradise Flycatcher



■ STATE FLOWER

Parrot Tree



■ STATE FRUIT

Mango



■ STATE FISH

Masheer



FESTIVALS

- Aalami Tableegi Ijtima



- Fair of Hira Bhumia



- Fair of Nagaji



- Kumbha
(Simhastha)



- Fair of Ramlila



- Fair of Pir Budhan



- Fair of Tejaji



MADHYA PRADESH



TRIBES

- Baiga
- Bhil
- Gond
- Korku
- Saharia

SANCTUARY & NATIONAL PARK

- Bhoj Wetlands
- Panna Biosphere Reserve
- Pench (Priyadarshini) NP



HIGHEST PEAK

- Dhupgarh Peak
4,429 feet
[1,350 metres]

Gwalior Fort



Sahastra Bahu Temples



Great Stupa of Sanchi



Khajuraho Group of Monuments



Kundalpur Jain temples



Brahma statue at Amarkantak



Ancient city of Mandu



Marble Rocks



Bhimbetka rock shelters





Edzorb
TRUE LEARNING

FESTIVALS OF INDIA

MADHYA PRADESH



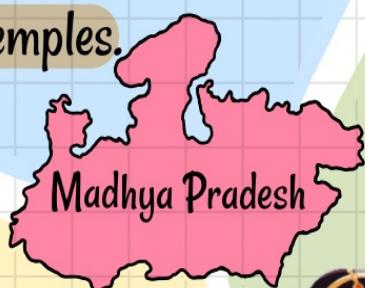
KHAJURaho DANCE FESTIVAL



- 1 week festival of classical dances

held annually beside the

Khajuraho temples.



LOKRANG FESTIVAL

- Most iconic dance festival of MP.
- It signifies the existing legacy of its dance.



- Marks the beginning of the New Year

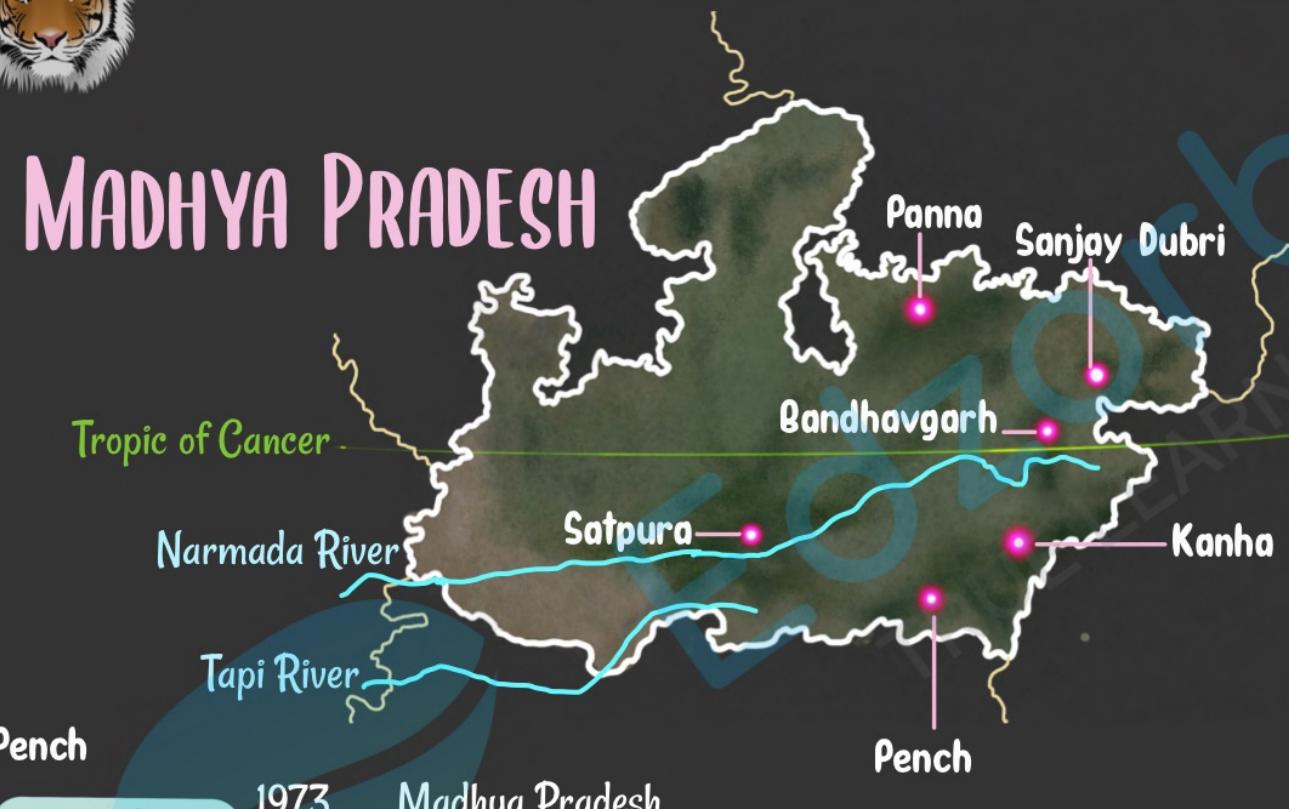


- Festival of Lights.



TIGER RESERVES

MADHYA PRADESH



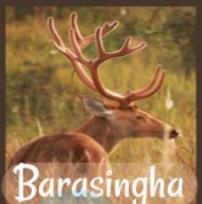
Pench

Kanha

1973 Madhya Pradesh



- The Park is respected globally for saving the Barasingha from near extinction.
- It is also the first tiger reserve in India to officially introduce a mascot, "Bhoorsingh the Barasingha".



Leopard



Royal Bengal Tiger



Sloth Bear



Wild Dog



Indian Ghost Tree



Bamboo

Pench

1992 Madhya Pradesh



River Pench



Satpura Range



Tiger



Golden Jackal



Hanuman Langur



Bamboo



Teak plantation

Bandhavgarh

1993 Madhya Pradesh



Tiger



Nilgai



Striped hyena



Gaur



Charan Ganga river



Vindhya hills



Sal, Saja, Salai



Dhobin, Bamboo

Panna

1994 Madhya Pradesh

Tiger, Leopard, Chital, Chinkara, Nilgai, Sambhar, Sloth bear, Honey buzzard



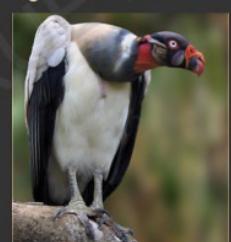
Blossom-headed
Parakeet



Changeable Hawk-Eagle



Bar-headed Goose



King Vulture



Ken River



Vindhyan Hills



Sal



Crocodile bark



Arjun



Kamun

Satpura

1999 Madhya Pradesh



Denwa River



Dhoopgarh peak, Satpura hills



Indian muntjac



Porcupine



Blackbuck



Mouse deer



Hornbills



Peafowl



Four-horned
antelope

Tiger, Leopard, Sambar, Nilgai, Chinkara, Wild Boar, Bear, Fox, Flying Squirrel, Giant squirrel,

Sal, Teak, Tendu, Phyllanthus emblica, Mahua, Bel, Bamboo, and grasses

Sanjay Dubri

2008 Madhya Pradesh

No tiger was sighted

Tiger, Indian Leopard, Sambar Deer, Wild Boar, Nilgai, Chinkara, Porcupine, Vulture



Racket-tailed Drongo



Monitor lizard



Indian pitta



Spotted deer



Civet



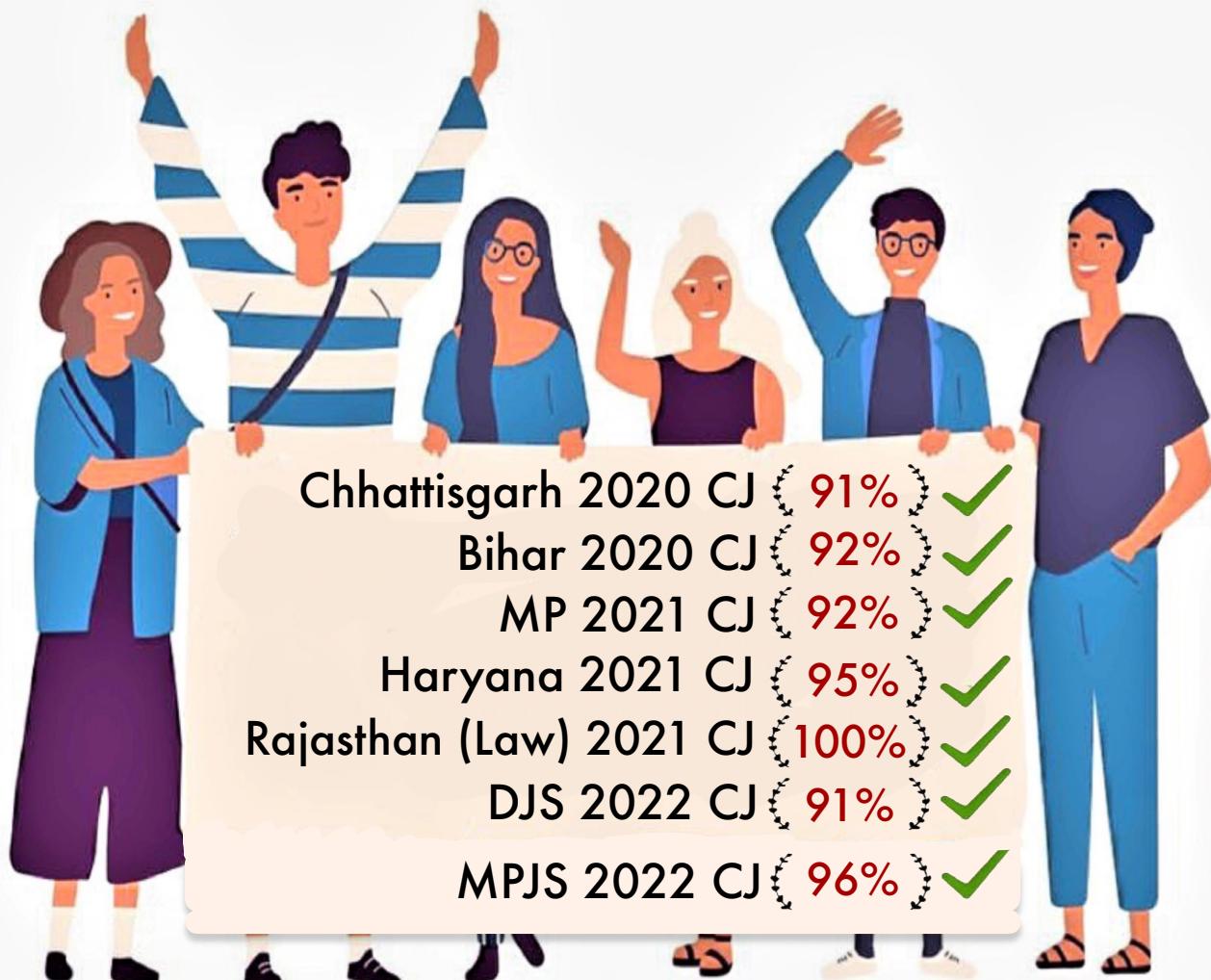
Golden Hooded
Oriole



Sakhua/Sal, Bamboo and mixed forests

Edzorbians At Advantage

High Strike Rate in all PCSJ Exams



Predict the STRIKE RATE for RJS, UPJS & BJS

Score an Exam winning Strike with Edzorb Law



Edzorb Law
True Learning

Telegram: @edzorblaw
www.edzorblaw.com

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 1 Constitution



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q.1 Constitution of India – case related to "protection against handcuffing"

1) Sunil Batra Vs Delhi

2) Beena Seth Vs State of Bihar

3) Prem Shanker Vs Delhi Administration

4) Sher Singh Vs State of Punjab

Ans: 3

Source: Case Law Flash Cards – Part II – Constitution – 70





**Prem Shankar
Shukla v.
Delhi Administration
AIR 1980 SC 1535**

Handcuffing is *prima facie* inhuman and, therefore, unreasonable, is over harsh and at the first blush, arbitrary. Absent fair procedure and objective monitoring to inflict "irons" is to resort to zoological strategies repugnant to Article 21.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.2 According to which Article of Constitution of India, the State shall endeavour to protect and improve the environment and to safeguard the forests and Wildlife of the country-

- 1) Article 43**
- 2) Article 43-A**
- 3) Article 48**
- 4) Article 48-A**

Ans: 4

Source: Edzorb Law Premium + 2.0 – Simplified Notes – Constitution - Directive Principles– A. 48A

Liberal Principles

Article 44

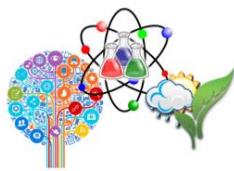
Uniform civil code

Article 45

To promote early **childhood** care & education till 6 years



Article 48



Agriculture, Husbandry
on scientific lines

Article 48A



To protect and improve
environment

Article 49

To protect monuments, places objects
of artistic or historic interest which are
declared to be of national importance



Article 50



To separate the judiciary
from the executive in the public
services of the State

Article 51



- To promote international peace & security
- Settlement of international disputes by arbitration
- Respect for international law and treaty obligations



Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.3 The words "Socialist" and "Secular" are Inserted in the Preamble of the Constitution of India-

- 1) 15th Amendment of the Constitution**
- 2) 39th Amendment of the Constitution**
- 3) 42nd Amendment of the Constitution**
- 4) 44th Amendment of the Constitution**

Ans: 3

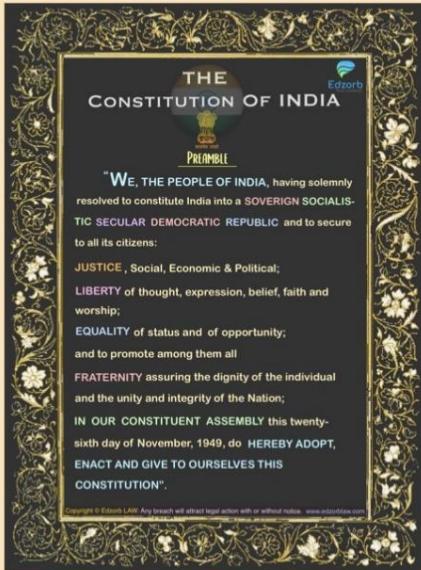
Source: Edzorb Law Premium + 2.0 – Simplified Notes – Constitution - Preamble



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

PREAMBLE OF THE CONSTITUTION



Term

'PREAMBLE'— Introduction or preface to the Constitution.



American Constitution : first to begin with a Preamble.

N A Palkhivala — called Preamble as the Eminent jurist & Constitutional expert

IDENTITY CARD
of the Constitution.'



Preamble to the Indian Constitution

Based on the '**Objectives Resolution**', drafted & moved by **PANDIT NEHRU**,



adopted by the Constituent Assembly].

4 Ingredients

INGREDIENTS OF THE PREAMBLE

Source of authority Authority from the people of India.

Nature of State Sovereign, socialist, secular democratic and republican polity.

Objectives Justice, liberty, equality and fraternity



Date of adoption November 26, 1949

42nd Constitutional Amendment Act (1976)

Added three new words— **SOCIALIST, SECULAR AND INTEGRITY**.

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

KEY WORDS IN THE PREAMBLE

1. SOVEREIGN



INDIA is neither a dependency nor a dominion of any other nation.
but an independent state

2. SOCIALIST



Added by 42nd Amendment, 1976.

- ✓ Indian brand of socialism is a '**DEMOCRATIC SOCIALISM**'
- ✗ Not a 'communistic socialism' (also known as 'state socialism')

3. SECULAR



- Added by 42nd Amendment, 1976.
- Positive concept of secularism



All religions in our country have the same status & support from the state.

4. DEMOCRATIC



- Based on the doctrine of **popular sovereignty**
- Possession of **SUPREME** power by the **PEOPLE**.

5. REPUBLIC



- Representative **PARLIAMENTARY DEMOCRACY**
- 'Republic' in our Preamble indicates that India has an **elected head**

6. JUSTICE



- **SOCIAL, ECONOMIC** and **POLITICAL**, secured through **Fundamental Rights** and **Directive Principles**.

7. LIBERTY



- **ABSENCE OF RESTRAINTS** on the activities of individuals
- **PROVIDING OPPORTUNITIES** for the development of individual personalities.

8. EQUALITY



- **OPPORTUNITIES FOR ALL** individuals without any discrimination.

9. FRATERNITY



- **SENSE OF BROTHERHOOD**.
- System of single citizenship.

AMENDABILITY OF THE PREAMBLE

KESAVANANDA BHARATI (1973)

Preamble can be amended, subject to the condition that no amendment is done to the '**basic features**'.

BASIC ELEMENTS

FUNDAMENTAL FEATURES

 cannot be altered by an amendment under **ARTICLE 368**.

Preamble has been amended only once so far, in 1976

 **42ND CONSTITUTIONAL AMENDMENT ACT**

Added 3 new words

- **SOCIALIST**
- **SECULAR**
- **INTEGRITY**



 This amendment was held to be valid.

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q. 4 By which amendment in the Constitution of India, Article 21-A that the state shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law determine, was

Inserted –

- 1) 84th Amendment 2001**
- 2) 85th Amendment 2002**
- 3) 86th Amendment 2002**
- 4) 87th Amendment 2003**

Ans: 3

**Source: Question Bank Concepts – Constitution - Unit IV
- Q.21**

21.



MCQ, Single Correct Question

The case of Unnikrishnan v. State of Andhra Pradesh deals with which of the following rights?

- a Right to go Abroad
- b Right to Education
- c Right to Privacy
- d Right of an environment free from pollution



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

(B)

History of **Right to Education** as fundamental right:

Originally, Part IV Article 45 and Article 39 (f) had a provision for state funded as well as equitable and accessible education.

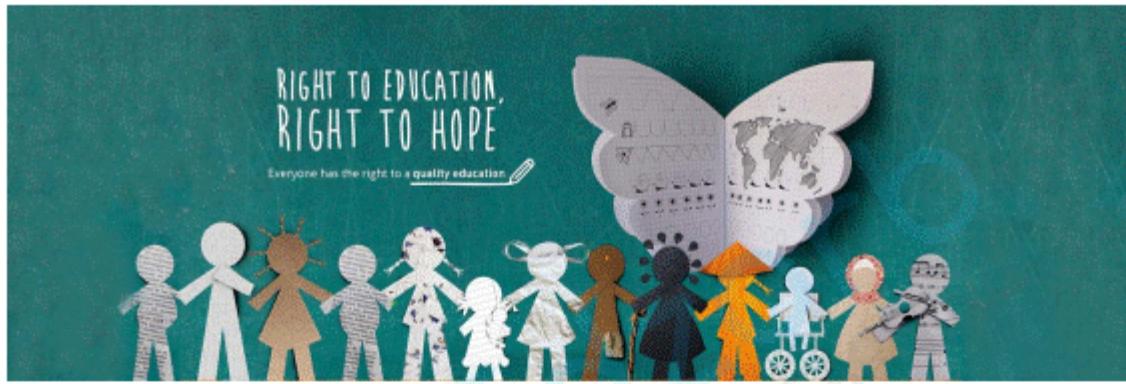
In 1993, the Supreme Court's landmark judgment in the **Unni Krishnan Vs State of AP** held that **Education is a Fundamental right flowing from Article 21**.

Tapas Majumdar Committee (1999) was set up, which encompassed insertion of Article 21A.

The 86th amendment act in 2002, provided Right to Education as a fundamental right in Article 21A Part-III.

The 86th amendment followed by legislation for Right to Education Bill 2008 and finally Right to Education Act 2009.





Article 21A of the Indian Constitution:

"The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine."

Article 45 of Indian Constitution:

The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years."

Food for Thought!

Do you think the Right to Education for every child has achieved its goal? What improvements can be made in our education system? Does our traditional education system is failure or success in



Reference: The Constitutional Law of India by M.P. Jain; 6th Ed, 2012; Page No: 1178.

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.5 Constitution of India - The number of categories of freedoms guaranteed by Article 19 is?

1) 6

2) 7

3) 8

4) 9

Ans: 1

**Source: Edzorb Law Premium + 2.0 – Simplified Notes –
Constitution – Fundamental Rights - A. 19**

Magna Carta of India

FUNDAMENTAL RIGHTS

Part III Articles 12 to 35

Justiciable

RIGHTS	ARTICLES
1. Right to Equality	14-18
2. Right to Freedom	19-22
3. Right against Exploitation	23-24
4. Right to freedom of Religion	25-28
5. Cultural and educational rights	29-30
6. Right to property	31
7. Right to Constitutional remedies	32

Property Legal right
Article 300-A (Part XII)

44th A. A 1978 Deleted

Originally 7 X
Now 6 ✓



2. RIGHT TO FREEDOM (ARTICLES 19-22)



Article 19 Protection of six rights regarding freedom of:

1. Speech & expression



2. Assembly

3. Association



4. Movement



5. Residence



6. Profession



Article 20

Protection in respect of conviction
for offences



Article 21

Protection of life and personal liberty

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



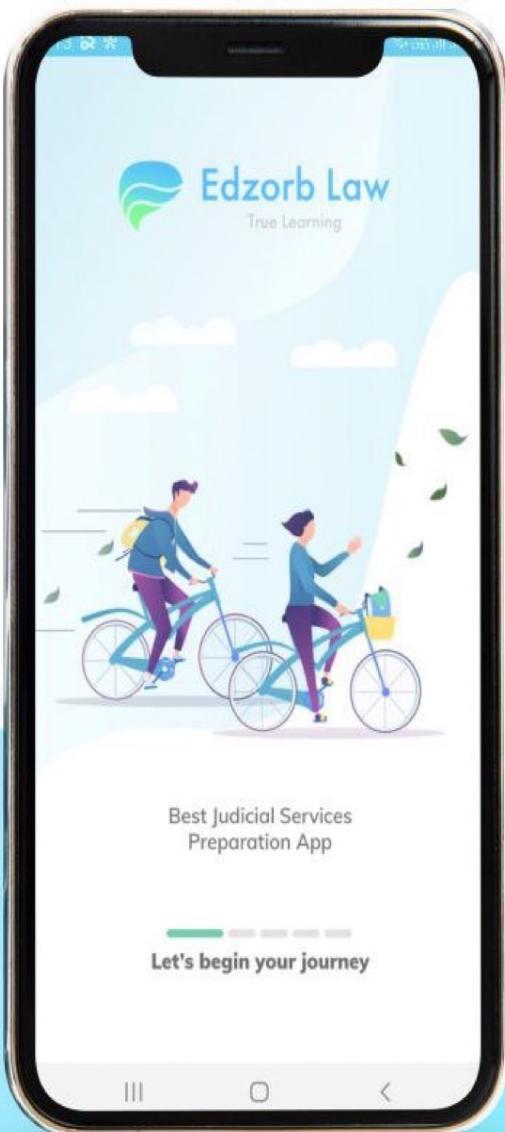
Edzorb Law
True Learning



Best Judiciary Exam Preparation App

- Offline App
- Visual Learning
- Free Daily Quiz

DOWNLOAD THE APP NOW



Learn More www.edzorblaw.com

Q.6 Writ under Article 32 Of the Indian Constitution is

- 1) Subject to the Limitation Act
- 2) Not subject to any of the Acts in India
- 3) Time limit is fixed as per the direction of the Court
- 4) None Of these

Ans: 2

Source: Bare Act Revolution – Constitution – Fundamental Rights – A. 32

Magna Carta of India

FUNDAMENTAL RIGHTS

Part III Articles 12 to 35

Justiciable

RIGHTS	ARTICLES
1. Right to Equality	14-18
2. Right to Freedom	19-22
3. Right against Exploitation	23-24
4. Right to freedom of Religion	25-28
5. Cultural and educational rights	29-30
6. Right to property	31
7. Right to Constitutional remedies	32

Property Legal right Article 300-A (Part XII)
44th A. A 1978 Deleted

Originally 7 ✗ Now 6 ✓

6. RIGHT TO CONSTITUTIONAL REMEDIES (ARTICLE 32)

Article 32

Right to move the S.C. for the enforcement of fundamental rights including the writs of:

Writs	Meaning	Issued to
1. Habeas corpus	'To have the body of'	Person who has detained another person
2. Mandamus	'we command'	Public official /public body/corporation/ Inferior court/ Tribunal/ Government
3. Prohibition	'To forbid'	Lower court or tribunal
4. Certiorari	'To be certified'	Lower court or tribunal
5. Quo war-rento	'by what authority or warrant'	Public office



21.

MCQ, Single Correct Question

Which one of the following correctly describes the provision of Article 32 of the Constitution of India?

- a The technicalities of the principle of res judicata are irrelevant while dealing with fundamental rights under Article 32
- b A person aggrieved by the decision of High Court in a writ petition under Article 226 may approach the Supreme Court under Article 32 on the same facts
- c The right to approach the Supreme Court under Article 32 is a fundamental right
- d A writ petition under Article 32 is a curative petition

(C)

Writ petition can be filed before:

- Supreme Court (**Article 32**)
- High Court (**Article 226**)

However, **Article 32** is the right to constitutional remedies enshrined under **Part III** of the constitution, which deals with Fundamental right.

Hence, approaching supreme court is a fundamental right whereas approaching High Court is only Constitutional Right.

Category	Article 32	Article 226
Which court	Article 32 gives power to <u>Supreme Court</u>	Article 226 gives power to the <u>High court</u>
Enforcement of rights	Article 32 is invoked for the <u>enforcement of fundamental Rights</u>	Article 226 is invoked for <u>enforcement of fundamental right as well as other legal rights too.</u>
Nature	Power to issue writs under Article 32 is <u>mandatory</u> for the Supreme court	High court has <u>discretionary power</u> to issue writs under Article 226

Suspension	Article 32 <u>is suspended during the period of the emergency</u>	Article 226 <u>cannot be suspended during emergency</u>
Territorial Jurisdiction	Territorial Jurisdiction is <u>wide</u>	Territorial Jurisdiction is <u>narrower</u>
Fundamental Right	Article 32 <u>is itself a fundamental right</u> (Right to constitutional Remedies)	Article 226 <u>is not a fundamental Right.</u>

Reference: The Constitutional Law of India by M.P. Jain; 6th Ed, 2012; Page No: 1428.

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.

Q.7 Constitution of India - "Hicklin Test' under Article 19(2) is related to –

1) Decency and morality

2) Defamation

3) Integrity of India

4) None Of these

Ans: 1

Source: Case Law Flash Cards– PYP Pointers – String 1



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



Article19(2)

**Hicklin Test for establishment of obscenity is
Unconstitutional**



Best App for
Judicial Services

JUDICIAL SERVICES PREPARATION



www.edzorblaw.com



Edzorb Law

True Learning



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.8 Constitution of India - Which one of the following pairs is correctly matched

- 1) Writ of Mandamus Issued to the public servants***
- 2) Writ Of Habeas Corpus - Issued only to the State***
- 3) Writ of Quo-Warranto Issued to the Subordinate Courts***
- 4) Writ of Prohibition issued to the private individuals***

Ans: 1

**Source: Edzorb Law Premium + 2.0 – Simplified Notes –
Constitution – Fundamental Rights - A. 32**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



FUNDAMENTAL RIGHTS



Magna Carta of India

Part III Articles 12 to 35

Justiciable



Property Legal right

Article 300-A (Part XII)

44th A. A
1978 Deleted

RIGHTS

- | ARTICLES | RIGHTS |
|----------|-------------------------------------|
| 14-18 | 1. Right to Equality |
| 19-22 | 2. Right to Freedom |
| 23-24 | 3. Right against Exploitation |
| 25-28 | 4. Right to freedom of Religion |
| 29-30 | 5. Cultural and educational rights |
| 31 | 6. Right to property |
| 32 | 7. Right to Constitutional remedies |



6. RIGHT TO CONSTITUTIONAL REMEDIES (ARTICLE 32)

Article 32

Right to move the S.C. for the enforcement of fundamental rights including the writs of:

Writs	Meaning	Issued to
1. Habeas corpus	'To have the body of'	Person who has detained another person
2. Mandamus	'we command'	Public official /public body/corporation/ Inferior court/ Tribunal/ Government
3. Prohibition	'To forbid'	Lower court or tribunal
4. Certiorari	'To be certified'	Lower court or tribunal
5. Quo war-rento	'by what authority or warrant'	Public office



Q.9 Constitution of India - The subject of 'Preventive Detention" is mentioned in which list?

1) The Union List

2) The Concurrent List

3) The State List

4) None of these

Ans: 2

Source: Free Initiatives – Free Mock Exams – MPCJ

Simulator Mock Exam 1– Q. 61

61.

MCQ, Single Correct Question

Which of the following are the entries of Concurrent List ?

- a Criminal Procedure
- b Preventive Detention
- c Both A and B
- d None of the above

SUBJECTS OF UNION, STATE AND CONCURRENT LISTS

Union List [List-I]	State List [list-II]	Concurrent List [List-III]
<ul style="list-style-type: none">1. Defence of India2. Naval, military & air forces; (others)3. Cantonment areas & self-government4. Naval, military & air force works5. Arms, firearms, explosives6. Atomic energy & mineral resources7. Defence industries8. CBI & investigation9. Preventive detention10. Foreign affairs11. Diplomatic, consular & trade12. UNO13. International conferences, associations14. Treaties, agreements & conventions (with foreign countries)	<ul style="list-style-type: none">1. Public order2. Police3. Officers & servants- high court4. Prisons, reformatories, borstal institutions & other such institutions5. Local government6. Public health and sanitation7. Pilgrimages8. Intoxicating liquors9. Relief of disabled & unemployable10. Burials and burial grounds11. (Omitted)12. Libraries, museums (similar institutions); historical monuments	<ul style="list-style-type: none">1. Criminal Law (Indian Penal Code)2. Criminal procedure3. Preventive detention (state)4. Removal from one state to another state of prisoners & accused persons5. Marriage and divorce; infants and minors; adoption; wills, intestacy and succession; joint family and partition6. Transfer of property7. Contracts8. Actionable wrongs9. Bankruptcy and insolvency10. Trust and Trustees

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

7th Schedule of Indian Constitution

The 7th schedule deals with the division of power between the Central and State government

It consists of three lists :

The Union List - It contains subjects which are of national importance and only parliament of India can legislate it.

The State List - It contains issues of local importance and state legislature can make laws on it, until they specifically ask the parliament to do so.

The Concurrent List - It contains items which both Parliament and the state legislature can legislate.



3. DIVISION OF POWERS

Seventh Schedule



UNION LIST

100 subjects
(originally 97)

STATE LIST

61 subjects
(originally 66)

CONCURRENT LIST

52 subjects
(originally 47)

In case of a conflict, Central law prevails

Did you Know?

Criminal law, Criminal Procedure, Marriage, Divorce, Preventive detention are entries of the concurrent list.



Reference: The Constitutional Law of India by M.P. Jain; 6th Ed, 2012; Page No: 1485.
Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.10 Constitution of India - The dissenting judgment in the case pertaining to the scope of application of the Aadhar Bill was given by-

- 1) Justice Deepak Mishra***
- 2) Justice Rohinton Nariman***
- 3) Justice A. M. Khanwilkar***
- 4) Justice D.Y. Chandrachud***

Ans: 4



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com



With Model Answers &
Qualitative Evaluation

Answer Writing - 8

Structuring, Packaging, Quality
Enrichment

~~Rs 10000~~



Judgement Writing - 4

Legal Principles, Precision,
Non-ambiguity

~~Rs 5000~~



Essay Writing - 4

Structure, Engagement, Flow,
Substantiality

~~Rs 5000~~



Translation - 4

Accuracy, Flexibility, Versatility

~~Rs 5000~~



M.P. JUDICIAL SERVICE (CIVIL JUDGE) MAIN EXAMINATION

ARTICLE & SUMMARY WRITING

Second Question Paper

3. Translate the following 10 Sentences into English: - 10

- a) उच्च न्यायालयों का अपीलीय अधिकार क्षेत्र भी दीवानी और फौजदारी दोनों प्रकार के मुकदमों तक विस्तृत है।
- b) किसी संस्था या व्यक्ति या कंप्यूटर नेटवर्क में अनधिकृत व्यक्ति द्वारा बिना अनुमति लिये उसके कंप्यूटर के डाटा की कॉपी करना या उसे साझा करना डाटा चोरी अपराध के तहत माना जाता है।
- c) दरअसल कोर्ट की अवमानना की समूची व्यवस्था न सिर्फ जनतंत्र, बल्कि न्यायिक प्रणाली के भी प्राकृतिक नियमों को सम्पेंड किये जाने की मांग करती दिखती है।
- d) जिन दीवानी मुकदमों में कम-से-कम 5,000 रु. की मालियत का प्रश्न अंतर्गत हो, उनकी अपील उच्च न्यायालय में की जा सकती है।

EPIC Mains Test Series Question & Evaluation

SAMPLE

- e) यद्यपि भारत एक संघ है, परन्तु अन्य संघों के विपरीत भारत में संविधान द्वारा एकतापूर्ण न्यायपालिका और एक ही मौलिक विषयों के समूह की व्यवस्था की गई है।
- f) पहले उच्च न्यायालयों को केवल बंदी-प्रत्यक्षीकरण के लेख जारी करने का अधिकार था, परन्तु अब उच्च न्यायालयों को बंदी-प्रत्यक्षीकरण, परमादेश, प्रतिषेध, अधिकार-पूँछ, उत्प्रेषण इत्यादि लेख जारी करने का अधिकार दिया गया है।
- g) सर्वोच्च न्यायालय के मतानुसार उद्देशिका का प्रयोग संविधान निर्माताओं के मस्तिष्क में झांकने और उनके उद्देश्य को जानने में प्रयोग की जा सकती है।
- h) लेकिन कानून में प्रावधानित कारावासों और वास्तविक कारावासों में अत्यधिक अन्तर है।
- i) जमानत, किसी आरोपी को प्राप्त एक ऐसी कानूनी व्यवस्था है जिसके तहत अदालत में प्रतिभूति या गारंटी के रूप में पैसे या संपत्ति या कुछ संपार्श्विक बांड जमा कर रिहाई प्राप्त की जाती है।

- Incorrectly
Marked (Q. 3) 4/10
- (a) The appellate jurisdiction of high courts also covers both civil and criminal cases. STOPPED
- (b) Without seeking the permission of an appointed person of an institution or computer network, the act of making a copy of his computer's data or sharing it is an offence. When an unauthorised person, without the permission of an institution or an individual or a computer network, makes copy of data of such computer.
- (c) Actually the proper system of contempt of court not only seeks to suspend democracy, rather but also envisages to suspend the principles of natural justice of judicial system.
- (d) Those civil cases in which the pecuniary dispute is related to a sum of at least Rs 5000/- can be appealed before the High Court.

(e) Although India is an union, but unlike other unions, an united judicial system and a group of fundamental subjects have been guaranteed by the Constitution of India. provided by (C2D2ZT)

(f) Initially, the High Courts only had the right to issue the writ of habeas corpus, but now they have been restored the right to issue the writs of habeas corpus, mandamus, prohibition, quo warranto and certiorari. et cetera (SC21F) Make sure that every word is covered.

(g) According to Supreme Court, the preamble can be used to look into the minds of framers of the Constitution and to find out their intention and objective.

The sentence is silent on 'intention'

(h) But there is a lot of difference between the prisons laid down by the law and the statutory prisons.

~~of real prisons.~~

~~huge~~

- (ii) Bail is such a ~~restored~~ right for & any accused
- (i) Bail is such a legal system available to any accused, in pursuance of which he can be released by depositing any security, money in the form of guarantee, property or a collateral bond.

Q.5

The question was about summary writing, and not translation.

This ~~Siavati~~, while judicial ~~the~~ decisions had talked about ~~restriction~~ ~~carefully~~ ~~crackers~~ and also ~~these~~ government ~~questions~~ ~~answering~~ declared to put a ban ~~on~~ them; the public mocked all ~~these~~ factors and went crackers ~~before~~ the whole night. This is the lowestmost step of decency and, the man standing on this step, environment, his own health or the convenience or

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 2 Code of Civil Procedure



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q.11 Civil Procedure Code - Which of the following order of CPC is related to "Written statement" "Set-off" and "counter-claims"-

- 1) Order VI**
- 2) Order VIII**
- 3) Order VII**
- 4) Order IX**

Ans: 2

Source: Edzorb Law Premium + 2.0 – Simplified Notes – CPC Mind Maps - O. 8



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

O. VIII- WRITTEN STATEMENT, SET OFF & COUNTER CLAIM

On which def. based his defence

Deliver the docs. & a copy with it

R.1 On service of summons on defendant

R.10 Fails to present W.S. within permitted

R.1A Produce a list of docs. On which def. relies

Doc. In his possession on which he relies

Present a W.S. within 30 days

Fails to file W.S. within 30 days

Court shall pronounce judgment against him

State in whose possession or power the doc. is, if not with him

Record reasons for the same

Allowed to file on any other day, within 90days from

Make an order as Court thinks fit

EXCEPTION: Such doc. Shall not be produced which are:

Handed to witness for refreshing

Produced for cross examination of plaintiff's witness

Draw a decree on it

When doc. not produced, which ought to be produced

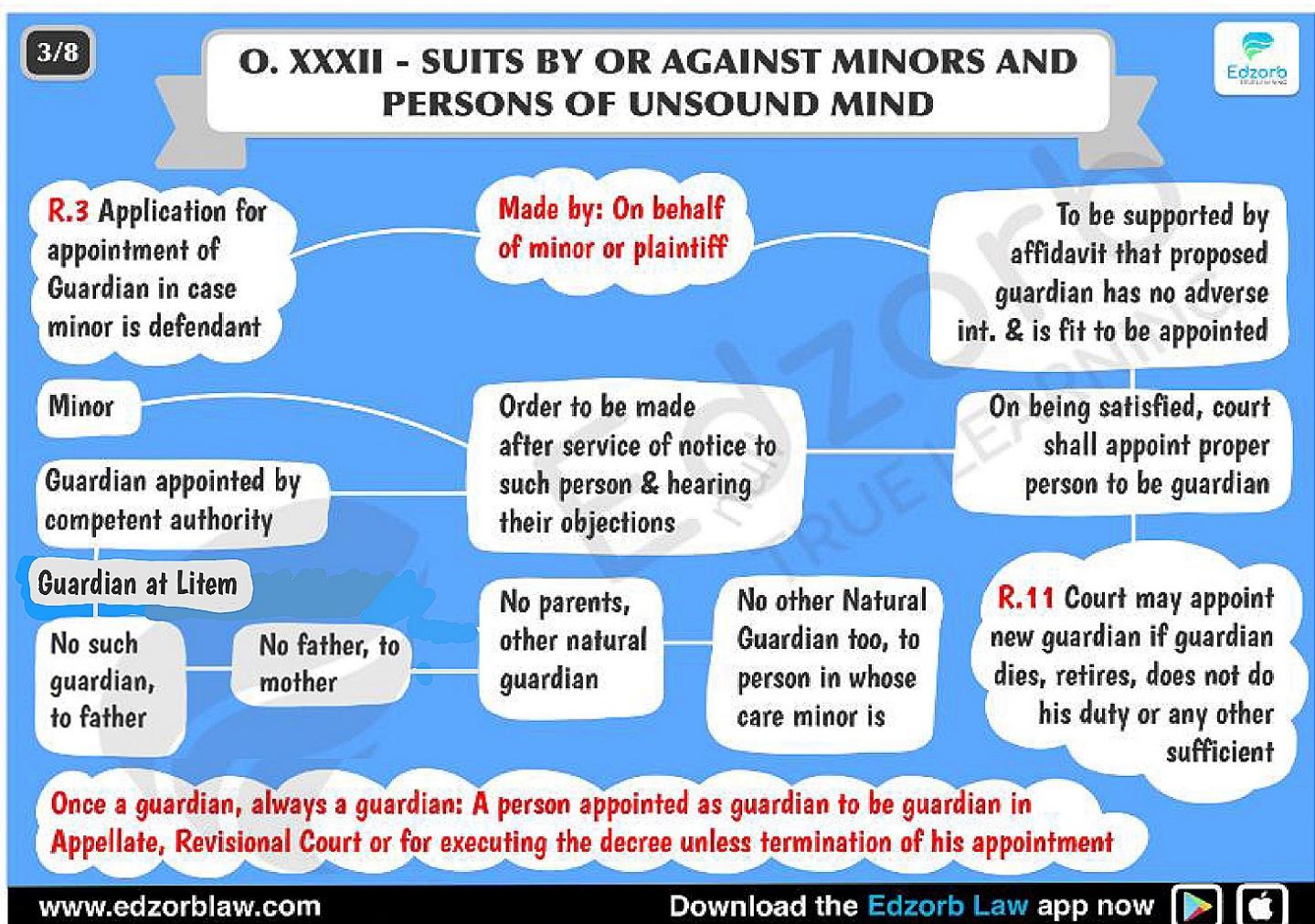
It shall not be received as defendant's evidence, without leave of the Court

Q.12 Civil Procedure Code - 'Guardian at Litem' used under Civil Procedure Code 1908 means

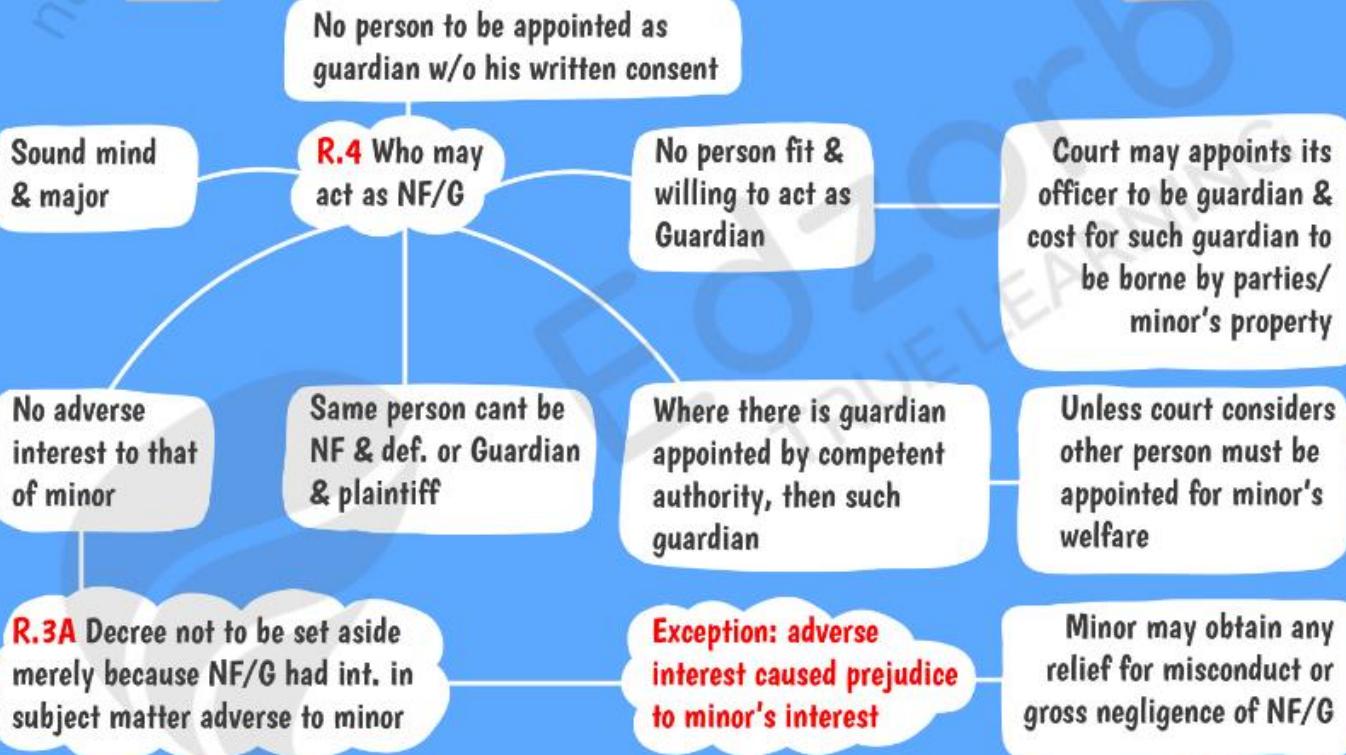
- 1) A local commissioner**
- 2) A court**
- 3) A person defending a suit on behalf of an Insane person**
- 4) A person appointed by court to defend a suit on behalf of a minor**

Ans: 4

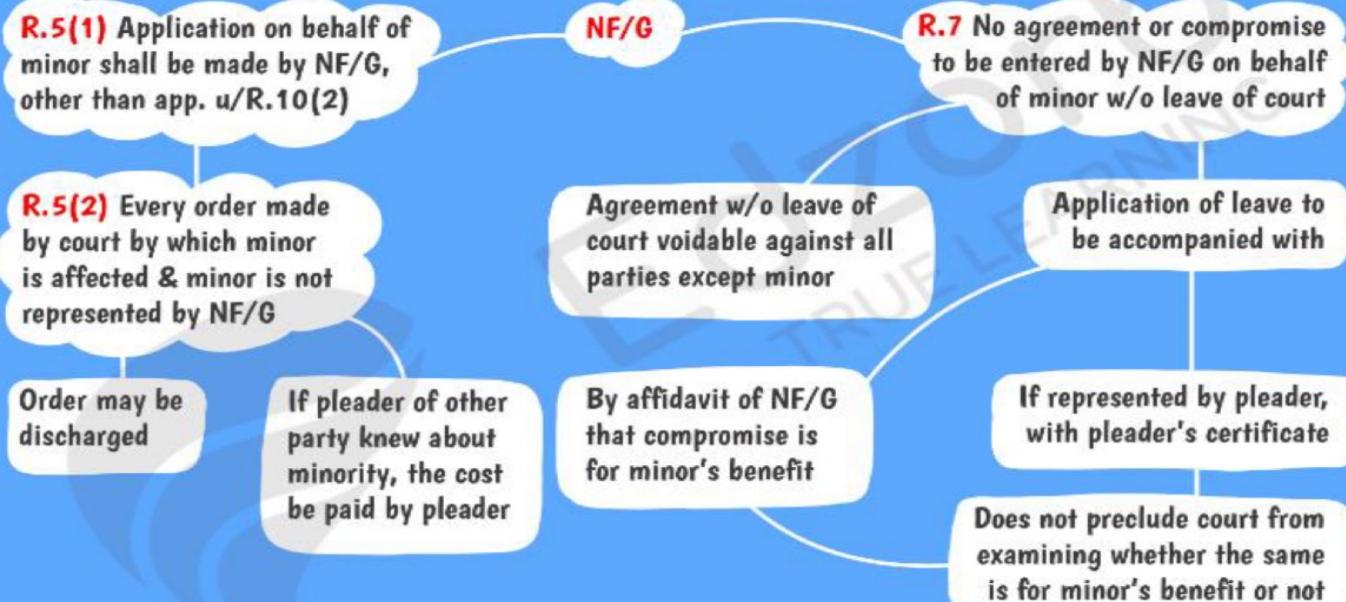
Source: Edzorb Law Premium + 2.0 - Simplified Notes – CPC Mind Maps - O. 32



O. XXXII - SUITS BY OR AGAINST MINORS AND PERSONS OF UNSOUND MIND



O. XXXII - SUITS BY OR AGAINST MINORS AND PERSONS OF UNSOUND MIND



Q.13 "Decree" under Civil Procedure Code, 1908 has been defined in–

1) Section 2 (b)

2) Section 2(a)

3) Section 2(2)

4) Section 2(1)

Ans: 3

Source: Edzorb Law Premium + 2.0 – Simplified Notes – Civil Procedure Code - S. 2(2)



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 2(2)

- Decree means
- **Formal expression** of an adjudication
- As regard the court expressing,



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



- Which Conclusively determines the rights of the parties
- With regard to all or any of the matters in controversy in the suit,

- May be either Preliminary or Final.



Or



- It shall include
 - The rejection of plaint under O.VII R.11 and
 - The determination of any question regarding order of restitution under Section 144
 - They are also called as Deemed Decree.



- But it shall not include –

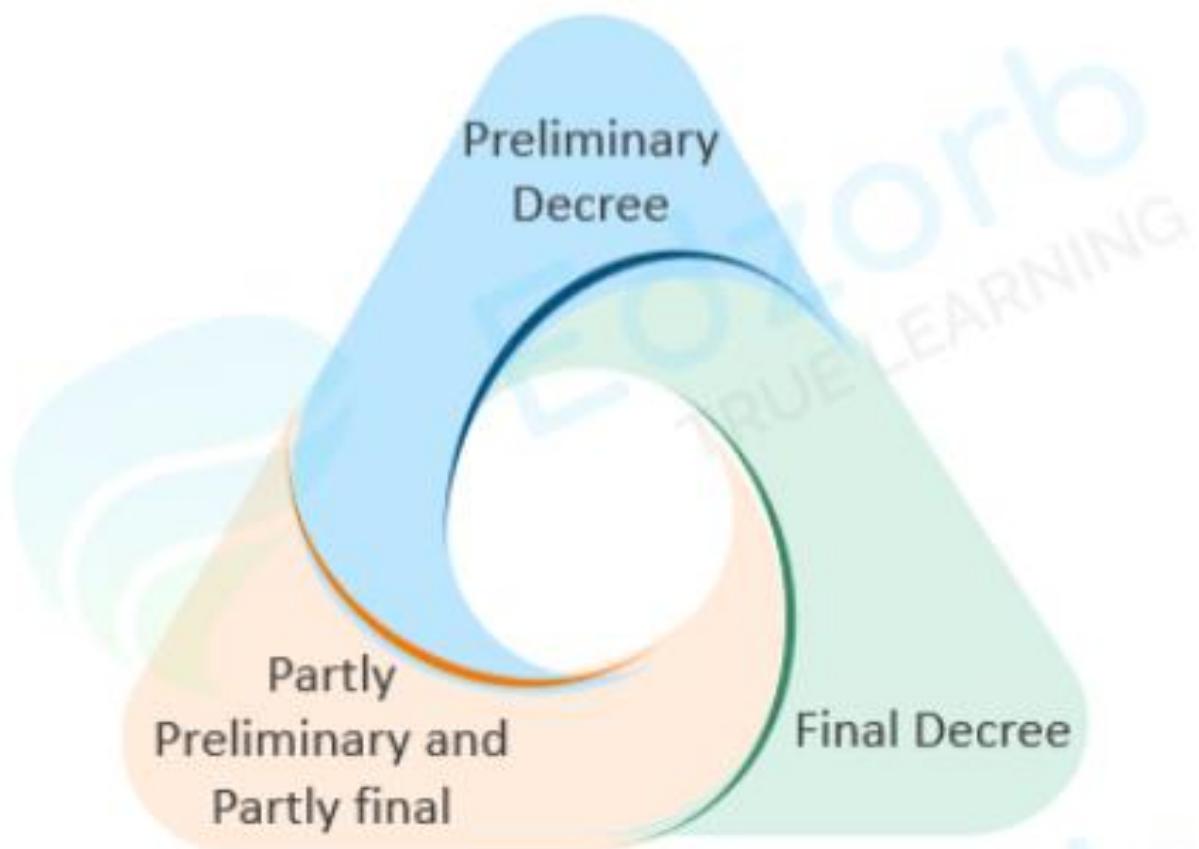
Any adjudication from which an appeal lies as an appeal from an order

1

Any order of dismissal for default

2

Three types of Decree



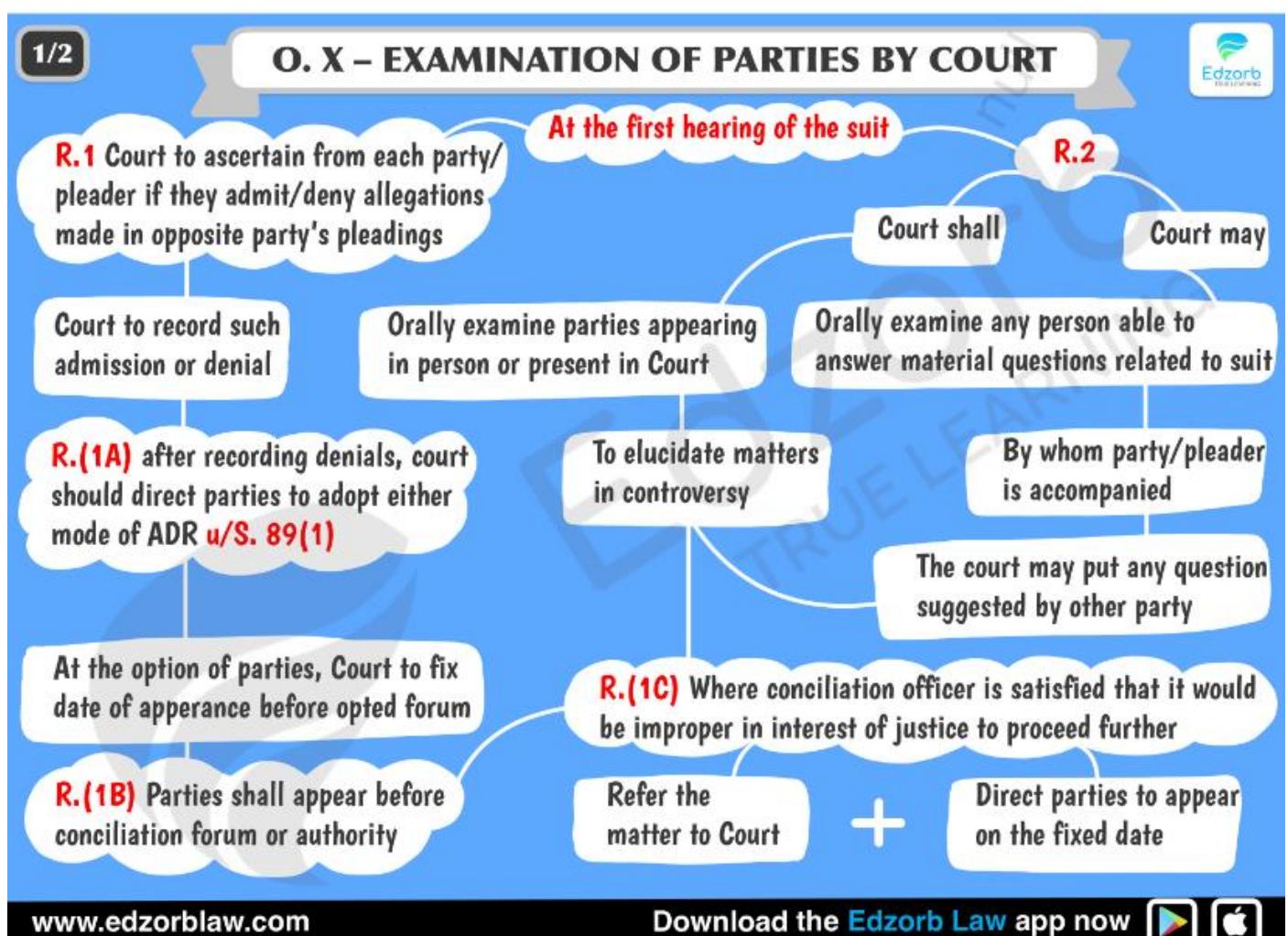
- 01** An Adjudication decides the right of parties with matter in dispute
- 02** Completely disposes of the suit and finally settles all question in dispute
- 03** Court decrees possession of property (Final) and directs an enquiry into mesne profit (Preliminary)

Q.14 Direction of the Court to opt for any one mode of alternative dispute resolution is provided in –

- 1) Order 10 rule I-A CPC**
- 2) Order 10 rule I-B CPC**
- 3) Order 10 rule I-C CPC**
- 4) Order 10 rule I-D CPC**

Ans: 1

**Source: Edzorb Law Premium + 2.0 – Simplified Notes –
CPC Mind Maps - O. 10**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.15 Under which section of CPC- Clerical or Arithmetical mistakes In Judgments. decrees or orders or errors arising therein from any accidental slip or omission may at any time be corrected by the Court either of Its own motion or on the application of any of the parties

1) Section 151

2) Section 152

3) Section 153

4) Section 144

Ans: 2

Source: Edzorb Law Premium + 2.0 – Simplified Notes – Civil Procedure Code - S. 152

Section 152: Amendment of judgments, decrees or orders.

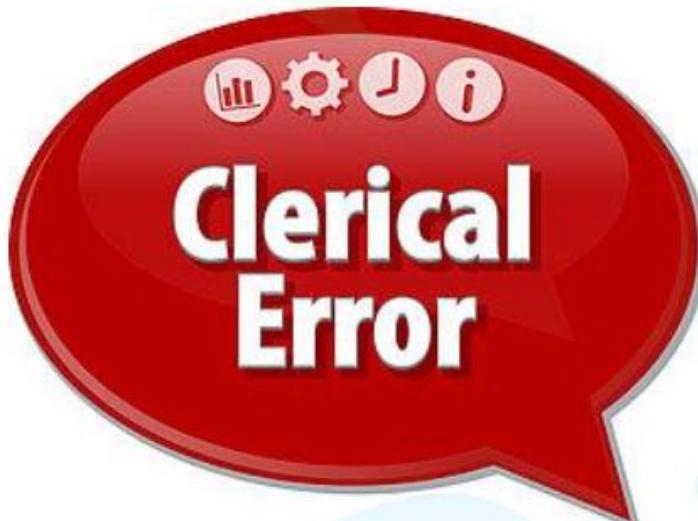
- **Section 152** enables a Court to vary its judgment so as to give **effect to its meaning and intention.**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

This court can vary its judgment to give effect to its intention



STARTING
TO DERIVE AN
ELEGANT EQUATION



MAKING AN
ARITHMETICAL
MISTAKE HALF-WAY

- But **only clerical or arithmetical mistake or an error** arising from accidental slip **can be cured** under this section.

You cannot claim relief by such amendment

- Therefore, the **party cannot claim substantive relief** by any such amendment.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

- This may be invoked by the Court either **suo moto** or on the application of any of the parties.

This court can invoke the errors either by **Suo moto** or on application by parties



Master Construction Co. (P) Ltd. vs. State of Orrisa AIR 1966 SC 1047

Held:

- An **arithmetical mistake** is a **mistake of calculation**, a clerical mistake is a **mistake in writing or typing**.
- An error arising out of or occurring from an accidental slip or omission is an error **due to a careless mistake or omission unintentionally made** and,
- That such mistake should be apparent on the face of the record.
- It should **not depend for its discovery** on elaborate arguments on question of law and fact.

Reference: The Code of Civil Procedure, 1908, 2019 Edition

Copyright© Edzorb Law: Any breach will attract legal action with or without notice



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



Clear Judicial Services Exams with Flying Colours

Personalised Mentorship by Judicial Officers +
Integrated Prelims & Mains Concepts Building QBank +
Mains Test Series & Smart Revision Modules

Let's Do it in 2022



Telegram: @edzorblaw | www.edzorblaw.com | 9685513769



Q.16 Civil Procedure Code- In which one of the following cases It is held that 'inherent power has not been conferred on a court, it is a power inherent in a court'?

- 1) *Manohar Lal Chopra vs Rai Bahadur Rao Raja Seth Hiralal***
- 2) *Cotton Corporation of India v United Industrial Bank***
- 3) *Satyabrath Viswas v Kalyan Kumar Kisku***
- 4) *Rajani Bai v Kamla Devi***

Ans: 1

Source: Case Law Flashcards – Part I - Civil Procedure Code - Card 24



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



Manohar Lal Chopra

v.

**Rai Bahadur Rao
Raja Seth Hiralal**

Inherent power has not been conferred on a court, it is a power inherent in court. The power u/s. 151, should not be applied only in certain exceptional circumstances/ the plaintiff of the suit could only be restrained from proceeding with his suit if the suit was vexatious & useless.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.17 Civil Procedure Code - The doctrine of "res judicata" as contained in S 11. is based on which maxim?

- 1) None of these**
- 2) Interest reprobate Sit finis litium**
- 3) Lex non cogit ad impossibilia**
- 4) Executio juris non habet injuriam**

Ans: 2

Source: Edzorb Law Premium + 2.0 – Simplified Notes – Civil Procedure Code - S. 11



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 11: Res Judicata

- No Court shall try any suit or issue
- In which the matter **directly and substantially** in issue has been directly and substantially in issue **in a former suit** between the **same parties**, or between parties
- Under whom they or any of them claim, litigating under the same title, in a **Court competent to try** such subsequent suit or
- The suit in which such issue has been subsequently raised, and has been **heard and finally decided** by such Court.



- Ancient reference of Res Judicata came from '**Brihaspati Samriti**' known as "**Prangnayaya**" which means **Previous Judgment**.

Conditions for Application of Sec.11

Subject matter directly and substantially in issue are same

Decided court by of competent jurisdiction

Litigating parties are same

Matter finally decided between parties

Litigated under same title in former suit



The principle of Res judicata is based on three
Maxims

It is in the interest of state that there should be an end to litigation. (**Interest reipublicae ut sit finis litium**)

No man should be vexed twice over for the same cause. (
Nemo Debet bis vexari pro una et eadem causa)

A judicial decision must be accepted as correct. (
Res judicata pro veritate accipitur)

Reference: The Code of Civil Procedure, 1908, 2019 Edition

Copyright© Edzorb Law: Any breach will attract legal action with or without notice



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

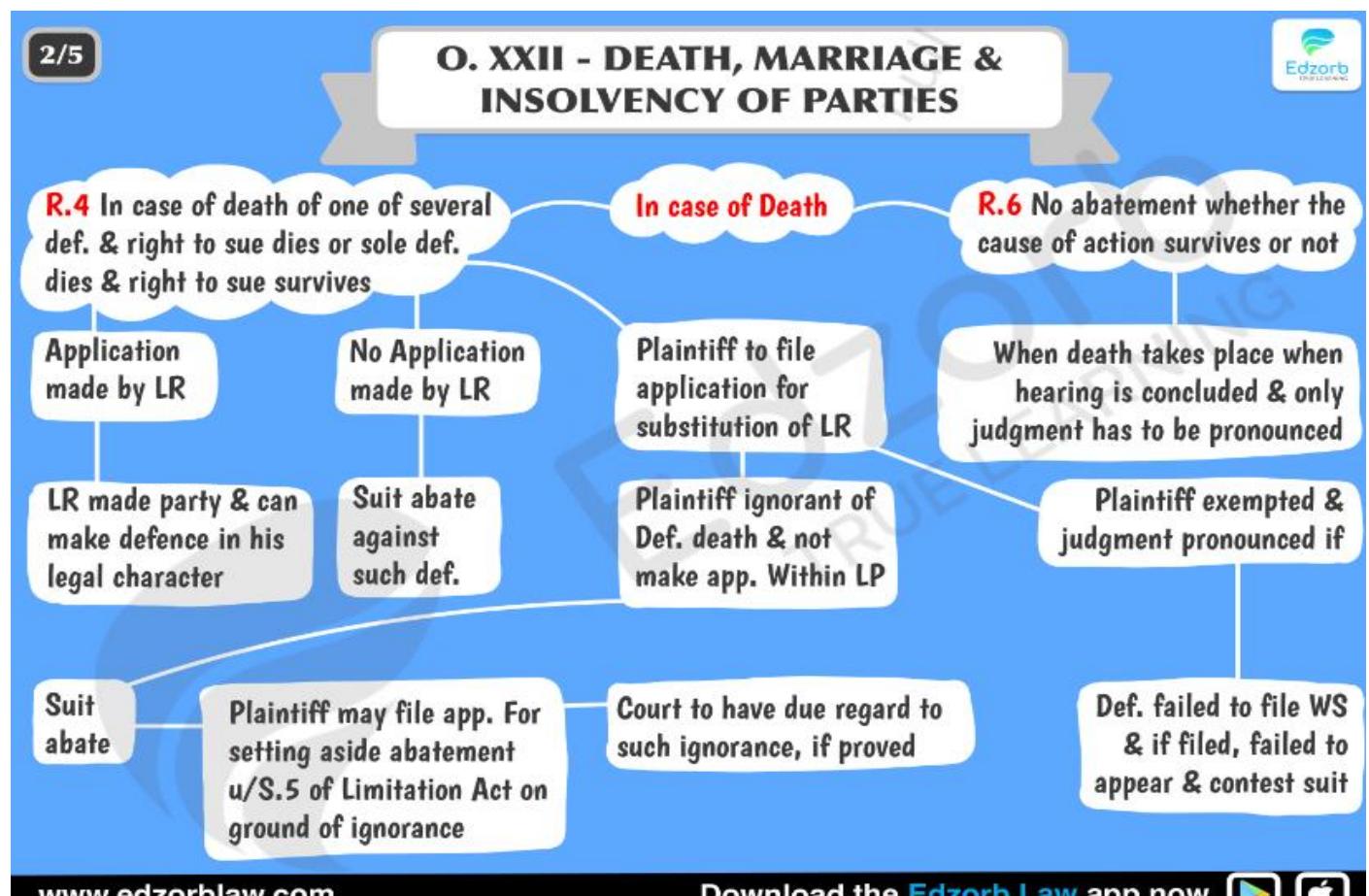
www.edzorblaw.com

Q.18 Civil Procedure Code -Where any party dies after the conclusion of the hearing and before pronouncing judgment?

- 1) The suit shall abate**
- 2) The suit shall not abate**
- 3) None of these**
- 4) It depends on the discretion of the court whether it shall abate or not**

Ans: 2

Source: Edzorb Law Premium + 2.0 – Simplified Notes – CPC Mind Maps - O. 22



Q.19 Civil Procedure Code - The Judgment debtor in execution proceedings raised objection that the trial court had no jurisdiction over the subject matter

- 1) He cannot raise such objection unless he raised the same objection before the trial**
- 2) He has to challenge the same objection only by way of filing the appeal**
- 3) He can raise the said objection for the first time in executing court**
- 4) None of these**

Ans: 1

Source: Edzorb Law Premium + 2.0 – Simplified Notes – Civil Procedure Code - S. 21

Source: Q Bank Concepts – Civil Procedure Code – Unit IV – Q.9

Source: Q Bank Concepts – Civil Procedure Code – Unit IV – Q.10



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 21: Objections to Jurisdiction

- This section contemplates **rule of convenience** and
- Based on the **maxim vigilantibus non dormientibus jura subveniunt** meaning,
- That the **law supports only those who are vigilant and not those who are dormant.**
- As per this section there are **three kinds of objections.**

01

As to place of suing
[Section 21(1)]

02

As to pecuniary limit
[Section 21 (2)]

03

As to territorial limit of
executing court [Section
21(3)]



Objection can be allowed
only if it was raised at the
earliest possible opportunity
in the court of first instance

And at the **time of settlement of issues or before it** and unless there has been a **consequent failure of justice.**

This means any suit decided by court having no pecuniary or territorial jurisdiction is not per se nullity

And has to be tested through alleged irregularity in revisional and appellate courts as per Section 21

01

02

Reference: The Code of Civil Procedure, 1908, 2019 Edition

Copyright© Edzorb Law: Any breach will attract legal action with or without notice



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

9.

MCQ, Single Correct Question

Objection as to place of suing shall be allowed in the court of first instance under which one of the following sections of Civil Procedure Code?

- a Section 21-A
- b Section 22
- c Section 21
- d Section 20



Section 21 makes it clear that non-compliance with the provisions of Sections 15 to 21 does not render the decree a nullity if objection as to the place of suing has not been taken at the proper time.

<https://www.scconline.com/blog/post/2016/01/18/section-21-of-cpc-must-be-interpreted-in-consistent-with-the-objective-of-providing-remedies-to-the-accident-victims/>

Reference: Civil Procedure by C. K. Takwani; 8th Ed., 2013, Page No. 140, 144, 146

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.

(C)

Section 21 of CPC - Objections to jurisdiction

Objection as to the place of suing is allowed by any Appellate or Revisional Court only when such objection was taken in the Court of first instance at the earliest possible opportunity and unless there has been a consequent failure of justice.

Mmm..

Did you raise this objection at the District court?



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

10.

MCQ_Single Correct Question

Under the Code of Civil Procedure, 1908, objection to jurisdiction as to the place of suing shall not be allowed by any Appellate or Revisional Court. Unless such objection was taken

- a In the court of first instance.
- b At the earliest possible opportunity.
- c And there has been a consequent failure of justice.
- d When all the conditions of (a), (b) and (c) are fulfilled.

Explanation**(D)****Section 21 of CPC - Objections to jurisdiction**

Objection as to the place of suing is allowed by any Appellate or Revisional Court only when such objection was taken in the Court of first instance at the earliest possible opportunity and unless there has been a consequent failure of justice.

**Sneh Lata Goel Vs Pushplata
(2019) 3 SCC 594**

- Objection of place of suing has to be raised before the court of first instance at the earliest opportunity, and in all cases where issues are settled, on or before such settlement.
- This provision which the legislature has designedly adopted would make it abundantly clear that an objection to the want of territorial jurisdiction does not travel to the root of or to the inherent lack of jurisdiction of a civil court to entertain the suit.

Q.20 A next friend' or guardian, on behalf of minor under Order XXXII Rule 7 of CPC

- 1) can enter into an agreement without the leave of the court but can not compromise a suit**
- 2) can neither enter into an agreement nor compromise the suit without leave of the court**
- 3) cannot enter into an agreement without leave of the court but enter into a compromise**
- 4) can enter into an agreement and also compromise in a suit without leave of the court**

Ans: 2

Source: Edzorb Law Premium + 2.0 – Simplified Notes – CPC Mind Maps - O. 32



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

O. XXXII - SUITS BY OR AGAINST MINORS AND PERSONS OF UNSOUND MIND

R.5(1) Application on behalf of minor shall be made by NF/G, other than app. u/R.10(2)

NF/G

R.7 No agreement or compromise to be entered by NF/G on behalf of minor w/o leave of court

R.5(2) Every order made by court by which minor is affected & minor is not represented by NF/G

Agreement w/o leave of court voidable against all parties except minor

Application of leave to be accompanied with

Order may be discharged

If pleader of other party knew about minority, the cost be paid by pleader

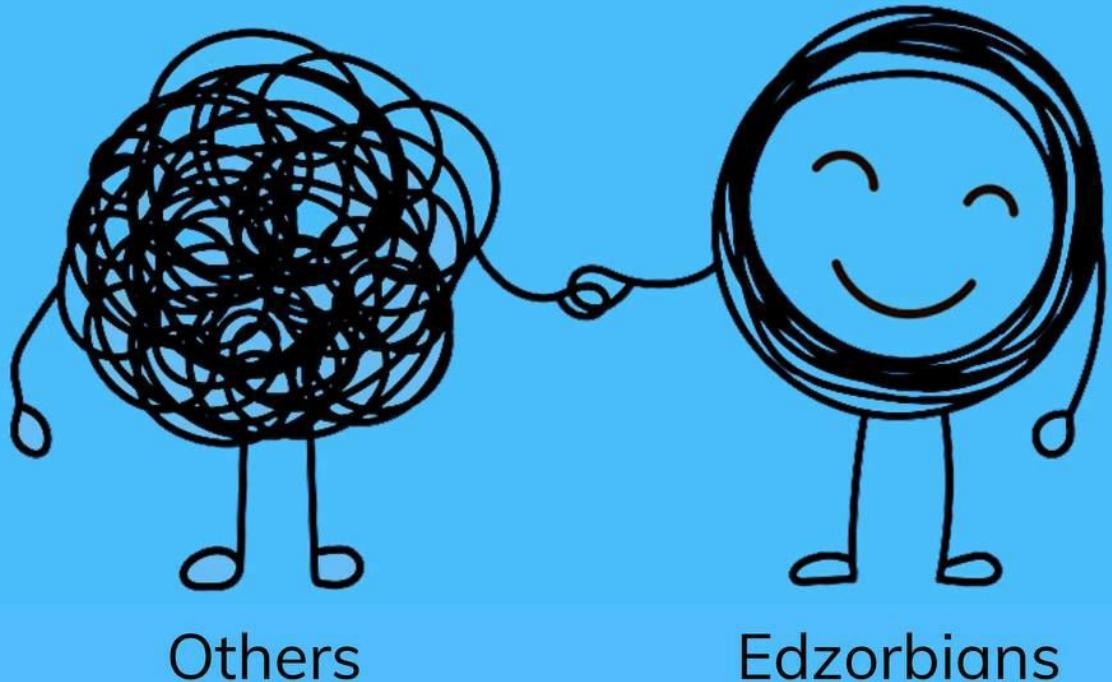
By affidavit of NF/G that compromise is for minor's benefit

If represented by pleader, with pleader's certificate
Does not preclude court from examining whether the same is for minor's benefit or not



Untangle

Your Judiciary Preparation With Edzorb Law



Others

Edzorbiants

Q.21 In which of the following section of the Civil Procedure Code the arrest or detention of women in execution of decree for money is prohibited.

1) Section 55

2) Section 56

3) Section 57

4) Section 58

Ans: 2

Source: Q Bank Concepts – CPC - Unit IV - S.41



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

41.

MCQ, Single Correct Question

Which Section of the Civil Procedure Code prohibits arrest and detention of women in execution of decree of money?

- a Section 55
- b Section 56
- c Section 57
- d Section 58

Explanation

(B)

Section 56 deals with **Prohibition of arrest or detention of women in execution of decree for money** which states that, the Court shall not order the arrest or detention in the civil prison of a woman in execution of a decree for the payment of money.



Reference: Civil Procedure by C. K. Takwani; 8th Ed., 2013, Page No. 646-47

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Cyril Britto Vs Union of India

AIR 2003 Kerala 259

The Case discusses the Constitutional Validity of Section 56

The Kerala HC rejected the contention that Section 56 of the Code was ultra vires the Constitution -

"It is undoubtedly true that discrimination on the basis of sex alone is not permissible.

However, in the present case, sex is not the sole basis. It is recognition of a reality. protection afforded by Section 56 is a special provision calculated to ensure that a woman judgment-debtor is not put to the ignominy of arrest and detention in civil prison in execution of a money decree. In our view, this limited protection is clearly referable to the provision contained in Article 15(3) of the Constitution"



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.22 Civil Procedure Code –In which case Supreme Court held that “ Possession follows title”

- 1) Nazir Mohamed Vs J Kamla and others**
- 2) Sudhir Kumar alias S Ballyan Vs Vinay Kumar G B**
- 3) Deepika Shukla Vs Ashish Shukla**
- 4) Radheshyam Vs Kamla Devi and others**

Ans: 1

Source: Case Law Flashcards – Part I – Transfer of Property Act - Card 6



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



**Nazir Mohamed
Vs
J Kamala & Ors.**

The presumption that possession must be deemed to follow title, arises only where there is no definite proof of possession by anyone else.



Q.23 Civil Procedure Code - 'A', 'B', 'C', 'D' and 'E' are Jointly and severally liable for Rs 1,000 under a decree obtained by 'F', 'A' obtains a decree for Rs 1000 against 'F' Singly and applies for execution to the Court in which the 'joint decree being executed Which is true under 021 R 18-

- 1) F` may treat his Joint decree as a cross decree**
- 2) F` cannot treat his joint decree as a cross decree**
- 3) F' may treat his joint decree as a cross decree with the permission of the Court**
- 4) F' may treat his Joint decree as a cross decree with the written consent of other judgment debtors**

Ans: 1

Source: Edzorb Law Premium + 2.0 – Simplified Notes – CPC Mind Maps - O. 21



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

O. XXI - EXECUTION OF DECREES & ORDERS

R.18 Where applications are made for the execution of cross-decrees in separate suits

For the payment of two sums of money passed between same parties & capable of execution at the same time by such Court

If the two sums are unequal

If the two sums are equal

Execution may be taken out only for the larger sum

For so much as remains after deducting the smaller sum

Satisfaction shall be entered upon both decrees

Satisfaction for smaller sum shall be entered on the decree for the larger sum and on smaller sum

Sums due under the decrees are definite

This rule shall be deemed

To apply, UNLESS

Decree holder against several persons jointly & severally may treat

Where either party is an assignee of one of decree & in respect of judgment-debts due by the original assignor in respect of judgment-debts due by the assignee

Decree-holder in one of the suits is the judgment debtor in the other

It as a cross decree in relation to a decree against him singly in favour of one/more persons

Each party files the same character in both suits

Q.24 Civil Procedure Code- Which of the following order is not appealable-

- 1) an order u/s 35A**
- 2) an order under Section 95**
- 3) an order under Section 91 or 92**
- 4) an order under Rule 9 of Order 26**

Ans: 4

Source: Edzorb Law Premium + 2.0 – Simplified Notes – CPC Mind Maps - O. 43

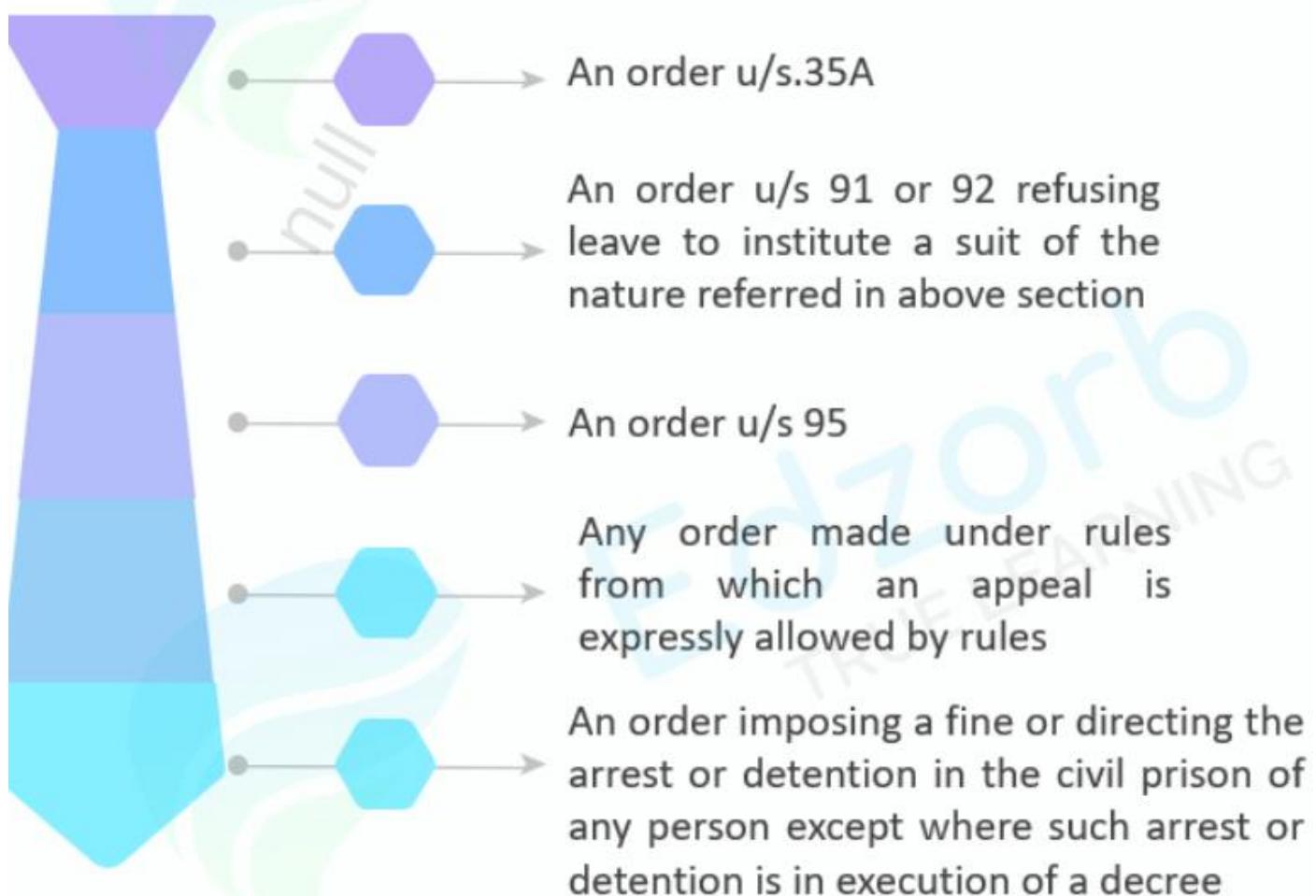


JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 104: Orders from which appeal lies.

- An appeal shall lie from the following orders,
- Expressly provided in the body of this Code or by any **law for the time being in force, from no other orders.**



Provided...

- That no order, or an order for the payment of a less amount, ought to have been made.
- No appeal shall lie from any order passed in appeal under this section.



O. XLIII - APPEALS FROM ORDERS

EXCEPT, where procedure u/R. 10A has been followed

Return of plaint u/0.7 R.10

Order u/0.22 R.9 refusing to set aside abatement /dismissal of suit

Order u/0.22 R.10 giving/refusing to give leave

Order u/0.9R.9 of rejection of an application to set aside a dismissal of suit

Order u/0.9 R.13 for rejecting an application to set aside an ex parte decree

An order u/0.11 R.21

Order u/0.21 R.34 on an objection to draft a doc./an endorsement

Order under 0.21 R.72/R. 92 to set aside or refusing to set aside a sale

R.1 An appeal u/s 104 shall lie from these orders

PROVISO Order on the original application i.e. u/0.21 R. 105(1) is appealable

O. XLIII - APPEALS FROM ORDERS

Order u/0.47 R.4 granting an application for review

Order u/0.41 R.23 or 23A remanding a case, where an appeal would lie from decree of an Appellate Court

Order u/0.33 R.5 or R.7 rejecting an application to sue as an indigent

Order of refusal u/0.41 R.19 to admit or u/0.41 R.21 to re hear, an appeal

Order u/0.25 R.2 in a case open to appeal for an order to set aside dismissal of suit

Order u/0.40 R.1 or 4

R.1 An appeal u/s 104 shall lie from these orders

Order in interpleader suit u/0.35 R. 3,4 or 6

Order u/0.39 R.1, 2, 2A, 4 or 10

Order u/0.38 R.2,3 or 6



Q.25 Under section 37 of Civil Procedure Code. 1908 in relation to the execution of decrees, the expression "Court which passed a decree" be deemed to Include

1- the Court which passed decree

2- the Court of first instance where decree has been passed in the exercise of Appellate jurisdiction

3- Appellate Court, where decree has been passed in the exercise of Appellate jurisdiction

1) 1 and 2 both

2) 1 and 3 both

3) all 1, 2 and 3

4) Only 1

Ans: 1

Source: Edzorb Law Premium + 2.0 – Simplified Notes – Civil Procedure Code - S. 37



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 37: Definition of Court which passed a decree

- The expression - Court which **passed a decree** (as defined under Section 37) or words to that effect **shall be deemed to include-**



Court of first instance
which actually passed the
decree

Court of first instance in
case of appellate decrees

Court which would have
jurisdiction to try the suit at time
of execution

Court which at the time of execution
would have jurisdiction to try the suit



If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com



With Model Answers &
Qualitative Evaluation

Answer Writing - 8

Structuring, Packaging, Quality
Enrichment

~~Rs 10000~~



Judgement Writing - 4

Legal Principles, Precision,
Non-ambiguity

~~Rs 5000~~



Essay Writing - 4

Structure, Engagement, Flow,
Substantiality

~~Rs 5000~~



Translation - 4

Accuracy, Flexibility, Versatility

~~Rs 5000~~



CONSTITUTION

1. Discuss the rights granted to convicted person under the Constitution. Elaborate the findings of the court in Selvi vs Union of India and the development of the issue in the later cases.

- 8 Marks

**EPIC MAINS TEST SERIES EVALUATION
SAMPLE**

Telegram:

@Edzorblaw

Shall not be compelled to witness against

www.edzorblaw.com

→ What does
'compel' mean
be or here?

"Person accused of" means that a formal accusation has been made against such person which might result in his conviction.

The case of Kathi Kalu v. state of Bihar SC

"No person can be compelled or forced to give evidence against himself."

Selvi v. stat UOI, 2010 SC

In this case the petitioner has challenged a lie, the narco analysis, brain finger mapping and polygraph test which are being conducted against the consent of the person accused of an offence. The Supreme Court held the following guidelines-

Facts?
Issue?

Mention

them at
least in

→ discuss the facts properly.
→ what is Narco analysis and the other tests etc.

- (1) NO person shall be examined or compelled to give evidence against his consent.
- (2) If an accused person consents to give evidence he shall be explained to the consequences of such test and his lawyer shall be present.
- (3) The consent of person shall be recorded by the judicial magistrate
- (4) On the hearing before the judicial magistrate Lawyer of accused shall be present.

Thus, even if the accused has consented to such tests, he shall be heard properly by the judicial magistrate to ensure that he has not been forced to give evidence.

→ Article 20(3)(b)

• "any S. 300 CrPC here." (4)

→ Confession under the Evidence Act

(2) Art 20(2) - The protection against double jeopardy-

It reads as -

"No person shall be ~~convicted~~ or
prosecuted and
for the same offence twice." Punished

It is based on the maxim - "Nemo debet vis
vexari". → What does it mean?

The Code of Criminal Procedure 1973 s 300
also deals with this principle of double
jeopardy.

essentials - ① Accused must be convicted
on the same offence for which he has
been prosecuted before.

② Proceeding was conducted before the
judicial magistrate or court in judicial
proceeding.

→ Pinpoint the difference b/w S. 300 CrPC
& Art. 20(2)

→ S. 300 CrPC is for the convicts & the acquits as ex-post facto laws — well.

(3)

The protection against

ex-post facto

so-called terrorist laws — well.

Art. 20(1) reads as —

convicted

"No person shall be arrested except for the violation of law in force at the time of commission of act or omission nor shall be subjected to greater punishment than at the time of commission of act of omission."

The Indian constitution protects only from two types of ex post facto laws —

(1) The law which was not in force at the time of commission of offence.

(2) The punishment which was enhanced after the punishment of offence.

→ What if the punishment is reduced?

There is one more ex post facto law which is not covered under Art 20(1). that is "A procedure which has been changed after the commission of offence".

'offence' has the same meaning as defined in Sec. 26 of General Clauses Act?

What is that meaning? This is not self-explanatory.

Provide a well-rounded conclusion.



Edzorb Law

True Learning



Premium+

- QBank Concepts
- EPIC Mains Test Series
- Concept Treasures for GK, GS
- Case Law Cards
- PYP Cards
- Prelims Grand Test Series
- MCQ Factory
- Local Law PDF
- Study Materials (English, IT, Translation, Summary)
- Legal Updates Flashcards
- Personalised Mentorship & Strategic Guidance

Premium+ 2.0 (Added Features)

- Mains QBank
- QBanks Concepts 2.0 (Illustrations, Blueprint)
- Simplified Visual Notes of All Subjects
- Mains Factory
- Active Voice Guidance
- Video Seminars
- Bareact Revolution

9685513769 | 8884499902 |

Telegram: @edzorblaw |

www.edzorblaw.com



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

~?~

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 3 Transfer of Property Act



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q.26 Under Section 19 of the Transfer of Property Act, "vested interest" is-----

- 1) defeated by the death of the transferee before he obtains possession**
- 2) not defeated by the death of the transferee before he obtains possession**
- 3) always defeated by the death of the transferee**
- 4) None of these**

Ans: 2

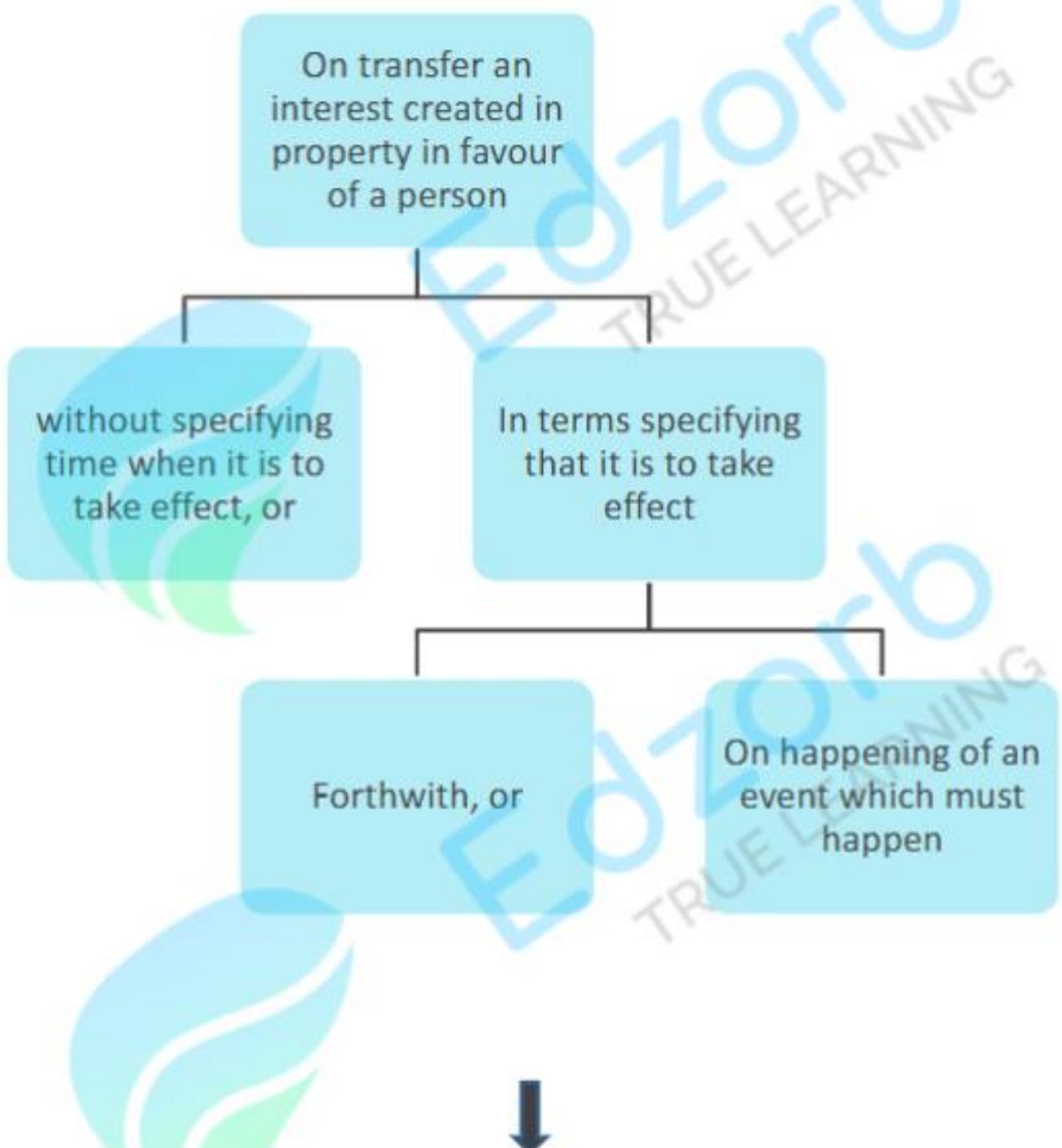
**Source: Edzorb Premium +2.0 – Simplified Notes -
Transfer of Property Act – Part I – S.19**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section: 19



- Such an interest is vested unless a contrary intention appears from the terms of the transfer.

- Vested interest is not defeated by the death of the transferee before he obtains possession.
- An intention that interest shall not be vested is not to be inferred merely from a provision whereby:

Enjoyment of the property is postponed, or



Prior interest in the same property is given or reserved to some other person, or



Income arising from the property is directed to be accumulated until the time of enjoyment arrives, or



If a particular event shall happen the interest shall pass to another person



Q.27 Transfer of Property Act - 'A' transfers Rs 500 to 'B' on the condition that he shall execute a certain lease within three months after 'A's' death, and, if he should neglect to do so, to 'C', 'B' dies in 'A's life-time-

- 1) the disposition in favour of 'C' takes effect**
- 2) the disposition shall not take effect in favor of 'C'**
- 3) the disposition requires further agreement**
- 4) None of these**

Ans: 1

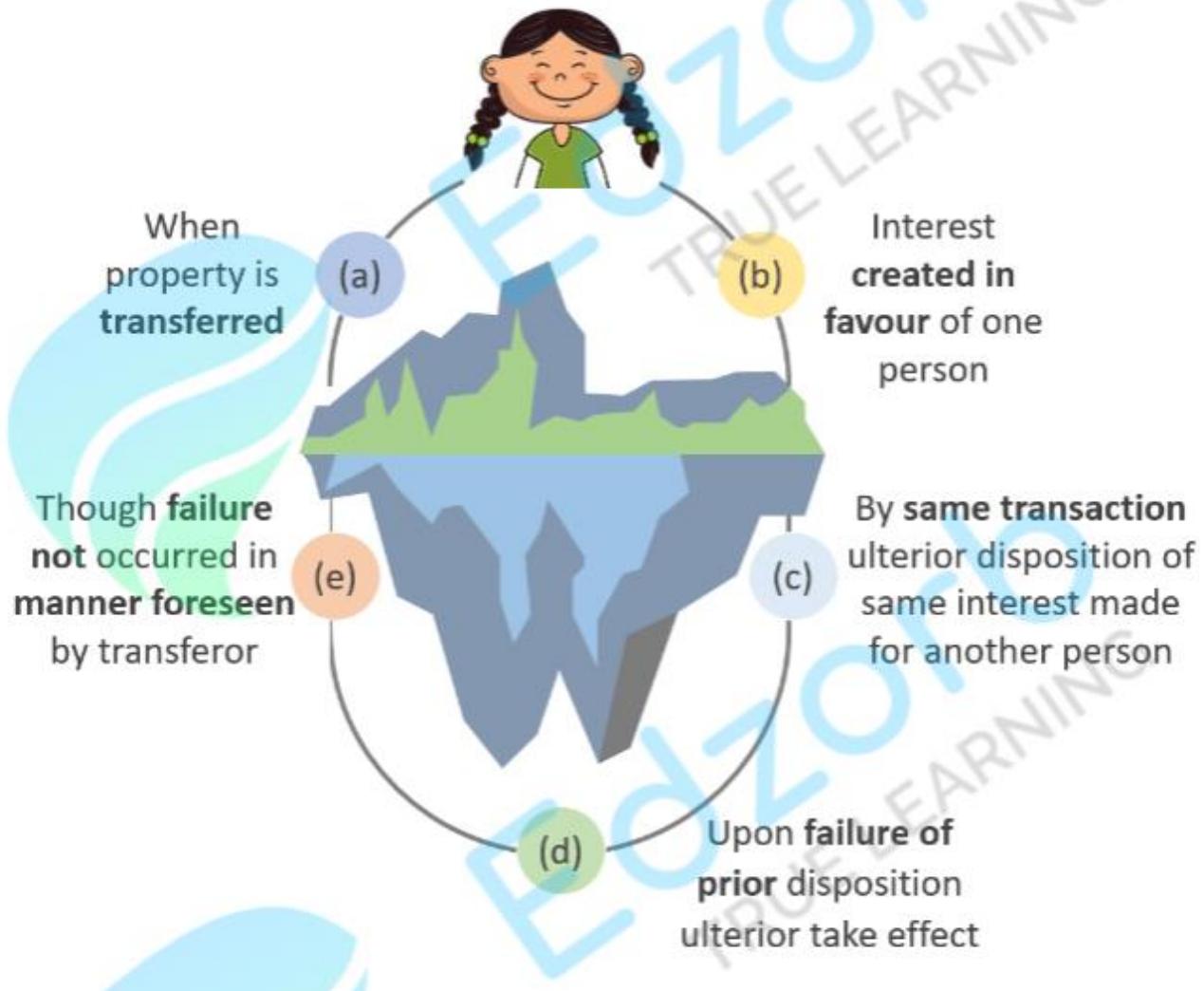
**Source: Edzorb Premium +2.0 – Simplified Notes -
Transfer of Property Act – Part I – S.27**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 27



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Exception

The intention of parties is specific: Ulterior disposition doesn't take effect unless prior failed in a **particular manner**.

Doctrine Of Acceleration



- Acceleration means a **shortening of time** until some event takes place.
- Doctrine of Acceleration talks about a **conditional transfer**.
- One property should be passed on to some other person if the first condition fails.





Indian Succession Act, 1925 (Section 129)

Section 129 of the Indian Succession Act, 1925, provides for the **rule of acceleration** in case of **bequests**.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Ben, Rs.500 has been transferred to you on the condition that you will execute the lease for my flat in Dwarka within 3 months of my death



If you fail possession
will be transferred to
Vrinda



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



- Prior disposition: Aman transfers property to his wife
- Specific intention- wife must die in the lifetime of Aman
- Ulterior disposition: Else property goes to Nina
- Failure of prior disposition: Aman and his wife die together in an accident making it impossible to prove that she died before him
- Therefore, disposition in favour of Nina does not take effect.

Q.28 The foundation of the doctrine of election under the Transfer of Property Act, 1882 is that a person taking the benefit of an instrument:

- 1) must bear the burden**
- 2) must not bear the burden**
- 3) burden is not the subject matter of the election**
- 4) None of these**

Ans: 1

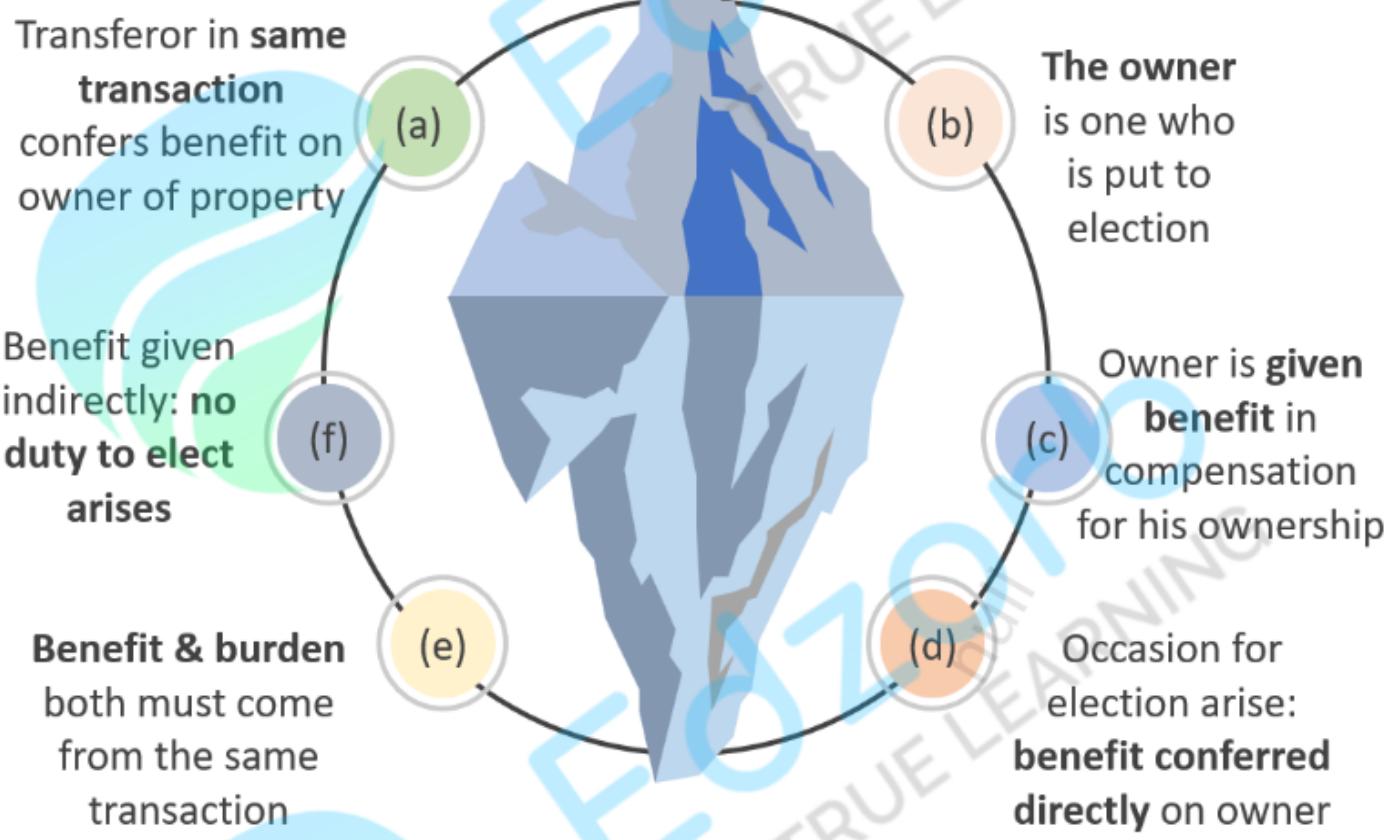
Source: Simplified Notes – Transfer of Property Act – Part I – S. 35



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Benefit Conferred on Owner of Property



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Part of the Same Transaction

- It's necessary for making the rule of election to operate that both the **transfer and benefit** form part of the same transaction.
- Benefit must be given **in lieu of transfer**.
- Benefit and transfer must be **inseparable** and **interdependent**.



Presumption: Knowingly accepted the benefit



Two years enjoyment: Owner has enjoyed benefit for **two years** without doing any act to express dissent

Impossibility: Owner of property by some act **renders it impossible** to place parties in same condition they would have been as act had not been done



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Time Limit for Election

- Owner has to signify his **confirmation or dissent** from transfer within **one year** after the date of transfer.



- Owner **doesn't signify** to the transferor or his representatives his intention to confirm or to dissent from the transfer



- Transferor/representatives may require him to **make an election** after the expiration of that period.



- But if he does not comply with such requisition within a **reasonable time** after he has received it



- He shall be deemed to have elected to **confirm** the transfer



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Doctrine of Election



- Election: choosing between **two alternative rights**
- Based on the principle of **equity**
- If two rights are endowed on a person under any instrument in a manner that **one right is more preferable** than other
- He is **bound to elect** or choose only one of them

Extra Information

The Election is based on legal **maxim qui approbat non-reprobate** i.e One cannot approbate and reprobate at the same time

Q.29 Transfer of Property Act- The mortgagor's right to redeem the mortgage property accrues

- 1) at any time after the mortgage**
- 2) at any time after the mortgage money has become due**
- 3) at any time when the mortgagor wants**
- 4) at any time mortgagee demands the money**

Ans: 2

Source: Simplified Notes – Transfer of Property Act – Part II – S. 60



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

SECTION 60 Right of mortgagor to redeem

Common Principles

Redemption- act of buying back the property after tendering the amount due to the creditor

Mortgagor has **right to redeem** his property after paying off the debt amount

Right of redemption is **statutory** and **inalienable** & cannot be taken away by provisions of contract

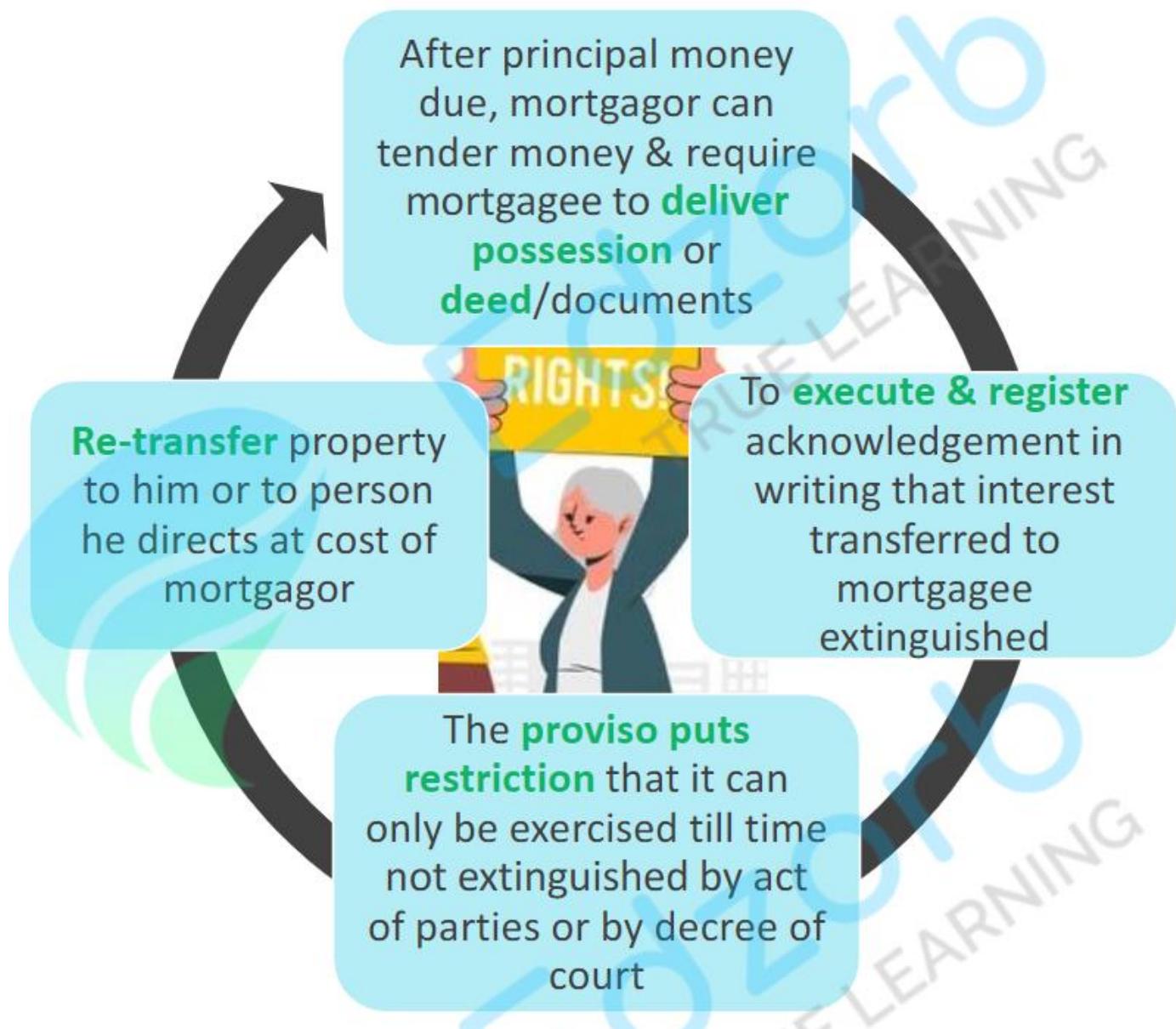
This section confers the right of redemption on the **mortgagee**



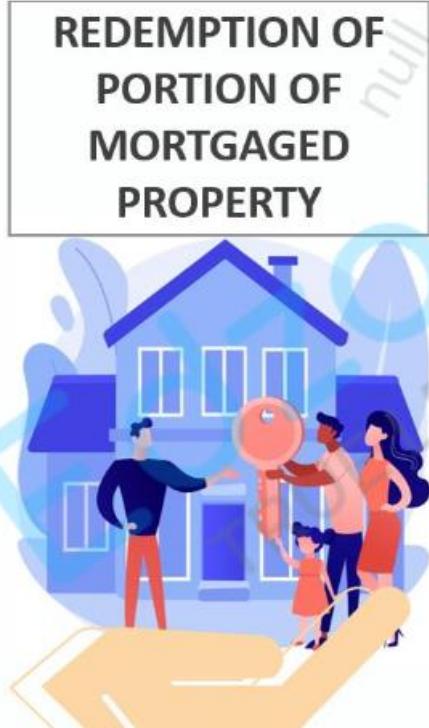
JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

This Act:



Nothing mentioned shall deemed to render any provision invalid if time fixed for payment of principal money has been passed or no such time has been fixed. Mortgagee entitled to reasonable notice before payment or tender.



REDEMPTION OF PORTION OF MORTGAGED PROPERTY

Nothing in this section

- Entitles person to redeem his own share of the mortgaged property on payment of a proportionate part of the amount remaining due on the mortgage

Except where

- A mortgagee, or mortgagees acquired the share of a mortgager in whole or in part

Reference: Transfer of Property Act, 1882, S.60

Copyright © Edzorb Law: Any breach will attract legal action with or without notice



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.30 Transfer of Property Act - 'A` transfers property of which he is the owner to 'B' in trust for 'A' and his intended wife successively for their lives, and after the death of the survivor for the eldest son of the Intended marriage for life and after his death for 'A's. second son. The interest so created for the benefit of the eldest son

- 1) takes effect on the death of 'A'.**
- 2) takes effect on the death of 'B'**
- 3) takes effect on the death of 'A' and 'B' both**
- 4) does not take effect**

Ans: 4

Source: Simplified Notes – Transfer of Property Act – Part I – S. 13



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

SECTION 13 Transfer for benefit of an unborn person

where on a transfer of property

an interest is created in favour of a person not in existence at the date of transfer

subject to a prior interest created in the same transfer

the interest shall only take effect if it extends to the whole of the remaining interest

Reference: Transfer of Property Act, 1882, S.13

Copyright © Edzorb Law: Any breach will attract legal action with or without notice



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



I want to transfer
this house to my
grandchild when
he is born



You can only do so
once you create a
prior life interest in
favour of another
person



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



With Model Answers &
Qualitative Evaluation

Answer Writing - 8

Structuring, Packaging, Quality
Enrichment

~~Rs 10000~~



Judgement Writing - 4

Legal Principles, Precision,
Non-ambiguity

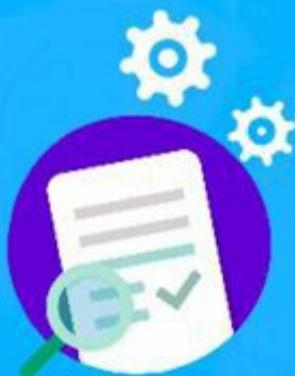
~~Rs 5000~~



Essay Writing - 4

Structure, Engagement, Flow,
Substantiality

~~Rs 5000~~



Translation - 4

Accuracy, Flexibility, Versatility

~~Rs 5000~~



M.P. JUDICIAL SERVICE (CIVIL JUDGE) MAIN EXAMINATION

ARTICLE & SUMMARY WRITING

Second Question Paper

3. Translate the following 10 Sentences into English: - 10

- a) उच्च न्यायालयों का अपीलीय अधिकार क्षेत्र भी दीवानी और फौजदारी दोनों प्रकार के मुकदमों तक विस्तृत है।
- b) किसी संस्था या व्यक्ति या कंप्यूटर नेटवर्क में अनधिकृत व्यक्ति द्वारा बिना अनुमति लिये उसके कंप्यूटर के डाटा की कॉपी करना या उसे साझा करना डाटा चोरी अपराध के तहत माना जाता है।
- c) दरअसल कोर्ट की अवमानना की समूची व्यवस्था न सिर्फ जनतंत्र, बल्कि न्यायिक प्रणाली के भी प्राकृतिक नियमों को सम्पेंड किये जाने की मांग करती दिखती है।
- d) जिन दीवानी मुकदमों में कम-से-कम 5,000 रु. की मालियत का प्रश्न अंतर्गत हो, उनकी अपील उच्च न्यायालय में की जा सकती है।

EPIC Mains Test Series Question & Evaluation

SAMPLE

- e) यद्यपि भारत एक संघ है, परन्तु अन्य संघों के विपरीत भारत में संविधान द्वारा एकतापूर्ण न्यायपालिका और एक ही मौलिक विषयों के समूह की व्यवस्था की गई है।
- f) पहले उच्च न्यायालयों को केवल बंदी-प्रत्यक्षीकरण के लेख जारी करने का अधिकार था, परन्तु अब उच्च न्यायालयों को बंदी-प्रत्यक्षीकरण, परमादेश, प्रतिषेध, अधिकार-पूँछ, उत्प्रेषण इत्यादि लेख जारी करने का अधिकार दिया गया है।
- g) सर्वोच्च न्यायालय के मतानुसार उद्देशिका का प्रयोग संविधान निर्माताओं के मस्तिष्क में झांकने और उनके उद्देश्य को जानने में प्रयोग की जा सकती है।
- h) लेकिन कानून में प्रावधानित कारावासों और वास्तविक कारावासों में अत्यधिक अन्तर है।
- i) जमानत, किसी आरोपी को प्राप्त एक ऐसी कानूनी व्यवस्था है जिसके तहत अदालत में प्रतिभूति या गारंटी के रूप में पैसे या संपत्ति या कुछ संपार्श्विक बांड जमा कर रिहाई प्राप्त की जाती है।

- Incorrectly
Marked (Q. 3) 4/10
- (a) The appellate jurisdiction of high courts also covers both civil and criminal cases. STOPPED
- (b) Without seeking the permission of an appointed person of an institution or computer network, the act of making a copy of his computer's data or sharing it is an offence. When an unauthorised person, without the permission of an institution or an individual or a computer network, makes copy of data of such computer.
- (c) Actually the proper system of contempt of court not only seeks to suspend democracy, rather but also envisages to suspend the principles of natural justice of judicial system.
- (d) Those civil cases in which the pecuniary dispute is related to a sum of at least Rs 5000/- can be appealed before the High Court.

(e) Although India is an union, but unlike other unions, an united judicial system and a group of fundamental subjects have been guaranteed by the Constitution of India. provided by (C2D2ZT)

(f) Initially, the High Courts only had the right to issue the writ of habeas corpus, but now they have been restored the right to issue the writs of habeas corpus, mandamus, prohibition, quo warranto and certiorari. et cetera (SC21F) Make sure that every word is covered.

(g) According to Supreme Court, the preamble can be used to look into the minds of framers of the Constitution and to find out their intention and objective.

The sentence is silent on 'intention'

(h) But there is a lot of difference between the prisons laid down by the law and the statutory prisons.

~~of real prisons.~~

~~huge~~

- (ii) Bail is such a ~~restored~~ right for & any accused
- (i) Bail is such a legal system available to any accused, in pursuance of which he can be released by depositing any security, money in the form of guarantee, property or a collateral bond.

Q.5

The question was about summary writing, and not translation.

This ~~Siavati~~, while judicial ~~the~~ decisions had talked about ~~restriction~~ ~~carefully~~ ~~crackers~~ and also ~~these~~ government ~~questions~~ ~~answering~~ declared to put a ban ~~on~~ them; the public mocked all ~~these~~ factors and went crackers ~~before~~ the whole night. This is the lowestmost step of decency and, the man standing on this step, environment, his own health or the convenience or

Q.31 Transfer of Property Act - The case of Jayadayaal Poddar V Bibi Hazra is related to

1) Doctrine of election

2) Doctrine of part performance

3) Transfer by unauthorized person

4) Ostensible owner

Ans: 4

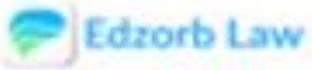
Source: Case Law Flashcards – Part I – Transfer of Property Act – Card 27

Source: Edzorb Law Premium + 2.0 – Simplified Notes - Part I – Transfer of Property Act – Section 41



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



**Jaydayal Poddar (Dead)
Through LRs**

v.

Bibi Hazra

The burden of proving that a particular sale is benami and the apparent purchaser is not the real owner, always rests on the person asserting it to be so.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 41

Necessary **condition for applicability** of this section:



Transfer with **express or implied consent** of real owner for consideration

Transferor must be an **ostensible owner**

Transferee must act in **good faith**

Take **reasonable care** that transferor has **power** to make transfer

(a)

(b)

(c)

(d)

Ostensible owner



One who has all traits of ownership without being the real owner

Owner who is not the real owner of the property

Not a person who is a qualified owner like a mortgagee or hirer of goods

Q.32 Transfer of Property Act - Where the mortgagor ostensibly sells the mortgaged property on condition that on default of payment of the mortgage money on a certain date the sale shall become absolute, is called-

- 1) Anomalous mortgage***
- 2) English mortgage***
- 3) Usufructuary mortgage***
- 4) Mortgage by conditional sale***

Ans: 4

**Source: Edzorb Premium+ 2.0 – Simplified Notes –
Transfer of Property Act – Part II – S. 58**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

SECTION 58 Mortgage, mortgagee, mortgage-money & mortgage-deed defined

Mortgage by conditional Sale Sec.58(c)	Mortgage by deposit of title-deeds Sec.58(f)	Anomalous mortgage Sec.58(g)
<p>Property sold by the mortgagor on condition that:</p> <ul style="list-style-type: none">(a) On default payment on a certain date the sale becomes absolute, or(b) the sale becomes void, or(c) property be transferred to the seller	<p>Person in towns of Calcutta, Madras, Bombay, and town specified by State Government delivers to the creditor or his agent documents of title to property with intent to create a security</p>	<p>A mortgage which is not a simple mortgage, mortgage by conditional sale, usufructuary mortgage, English mortgage, or mortgage by deposit of title-deeds</p>



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Mortgage by Conditional Sale



Type of property

Repayment clauses and conditions

Interest payable

Particulars mentioned in agreement:



Details of parties involved

Property delivery details

Details of title transfer

Repossession clause



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Mortgaged property sold on following conditions by mortgagor:

- Sale **become absolute** in case of default of payment of mortgage money on a certain date
- **Buyer shall transfer** property to seller & sale shall become void on such payment being made by a borrower.



PROVIDED: No transaction shall deem to be a mortgage unless the condition embodied in the document effects the sale.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

By a registered instrument signed by the mortgagor and attested by at least two witnesses or by delivery of the property. **(Section 59)**

Where the principal money secured is less than Rs 100

Where the principal money secured is Rs 100 or more

By a registered instrument signed by the mortgagor and attested by at least two witnesses

Remedy: The remedy open to the mortgagee by conditional sale is by foreclosure only and not by sale.

If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 4 Indian Contract Act



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q.33 Indian Contract Act - The Contract of life Insurance is

1- contract of indemnity

2- contract of guarantee

3- contract of agency

1) 1

2) 2

3) 3

4) None of these

Ans: 1

Source: Q Bank Concepts – Indian Contract Act – Unit IV – Q.4

4.



MCQ, Single Correct Question

Contract of Insurance is contract of:

- a Guarantee
- b Indemnity**
- c Bailment
- d Quasi-contract



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

(2)

Section 124 of the ICA, 1872 defines **Contract of Indemnity** as a contract by which one party promises to **save the other from loss caused to him by the conduct of the promisor himself, or by the conduct of any other person.**



- Rajesh contracts to indemnify Manoj against the consequences of any proceedings which Suresh may take against Manoj for a sum of Rs. 200;
- Rajesh is the indemnifier and Manoj is the indemnity holder. When Rajesh pays Manoj to cover damages that Manoj had to pay Suresh, then Rajesh has indemnified Manoj.

Contract of Insurance



United India Insurance Co. Vs M/s Aman Singh Munshi Lal
AIR 1994 P H 206



Defendant sued his insurer based on the cover-note, that guaranteed protection of consignment in-transit, which was destroyed in fire; the insurer was liable to indemnify under the contract.

Reference: Contract & Special Relief by Avtar Singh; 10th Ed; 2008; Page No. 584

Copyright © Edzorb Law: Any breach will attract immediate legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.34 Indian Contract Act - Every agreement to restrain the marriage of any person other than a minor is

1) Voidable

2) Unlawful

3) Void

4) lawful

Ans: 3

Source: Q Bank Concepts – Indian Contract Act – Unit IV – Q.3

3.



MCQ, Single Correct Question

An agreement in restraint of marriage is

a valid

b illegal

c void

d voidable



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 26 of the Indian Contract Act, provides that, every **agreement in restraint of the marriage** of any person, other than a minor, is void.

Jamila Khatun Vs Abdul Rashid

AIR 1939 Lah 165

In a marriage arrangement, a condition that, if the husband married another woman, the first wife could divorce him was upheld.

Reference: Contract & Special Relief by Avtar Singh; 10th Ed; 2008; Page No. 290

Copyright © Edzorb Law: Any breach will attract immediate legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Basis of difference	Void Agreement	Illegal Agreement
• Scope	• A void agreement is not necessarily illegal.	• An illegal agreement is always void.
• Nature	• Not forbidden under law.	• Are forbidden under law.
• Punishment	• Parties are not liable for any punishment under the law.	• Parties to illegal agreements are liable for punishment.
• Collateral Agreement	• It's not necessary that agreements collateral to void agreements may also be void. It may be valid also.	• Agreements collateral to illegal agreements are always void.



Q.35 Indian Contract Act - Where no application is made and no time specified for performance of promise then the agreement be performed within-

- 1) One year**
- 2) Reasonable time**
- 3) Two years**
- 4) Three years**

Ans: 2

Source: Edzorb Premium 2.0 – Simplified notes – Indian Contract Act – S.46

Section 46:

No Time/ place for specific performance of promise:

- Even though **no time for performance** is decided by the promisee,
- The **contract is not void for uncertainty.**
- The performance to be made **within a reasonable** time by promisor.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

I promise to pay Rs.5,000 to anyone if the ship named Pearl is found by anyone of you till tomorrow.

How much captain? 5,000...is it 5,000. Yes, you heard it right. Let's get to work.



- This contract is enforceable by law if the ship is found within the reasonable time.

Reference: The Indian Contract Act, 1872, Central Law Agency, Diglot Edition,

Copyright© Edzorb Law: Any breach will attract legal action with or without notice



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



Edzorb Law
True Learning



Best Judiciary Exam Preparation App

- Offline App
- Visual Learning
- Free Daily Quiz

DOWNLOAD THE APP NOW



Learn More www.edzorblaw.com

Q.36 Indian Contract Act - A contract by which one party promises to save the other from loss caused to him by the conduct of the promisor himself, or by The conduct of any other person, has been defined-

- 1) Under section 123 of Indian Contract Act,**
- 2) Under section 124 of Indian Contract Act**
- 3) Under section 125 of Indian Contract Act**
- 4) Under section 126 of Indian Contract Act**

Ans: 2

Source 1: Edzorb Law Premium + 2.0 – Simplified Notes – Indian Contract Act - Unit II – Section 124



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 124:

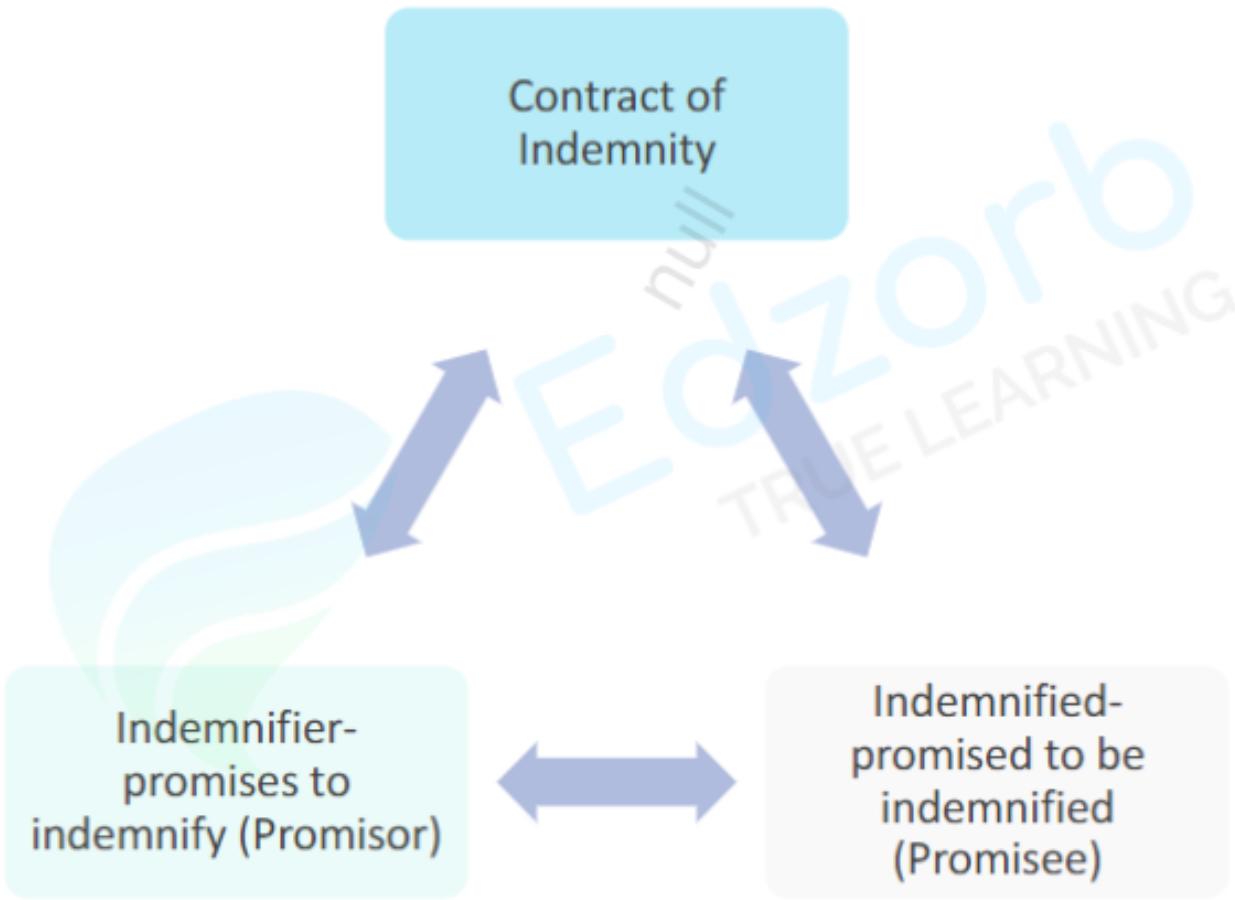
“Contract of indemnity” defined:

- Contract by which **one party promises to save the other from loss caused to him,**
- By the **promisor or by the conduct of any other person** is called **Contract of indemnity.**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



Reference: The Indian Contract Act, 1872, Central Law Agency, Diglot Edition,
Copyright© Edzorb Law: Any breach will attract legal action with or without notice



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

**Q.37 Indian Contract Act – An agency is terminated
1-by the agent renouncing the business of the agency**

2-by the principal being adjudicated an insolvent

3-by revoking of authority by the principal

1) 1 and 2

2) 2 and 3

3) 1 and 3

4) 1, 2 and 3

Ans: 4

Source 1: Q Bank Concepts – Indian Contract Act – Unit XVIII – Q.18

Source 2: Q Bank Concepts – Indian Contract Act – Unit XVIII – Q.19



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

28.

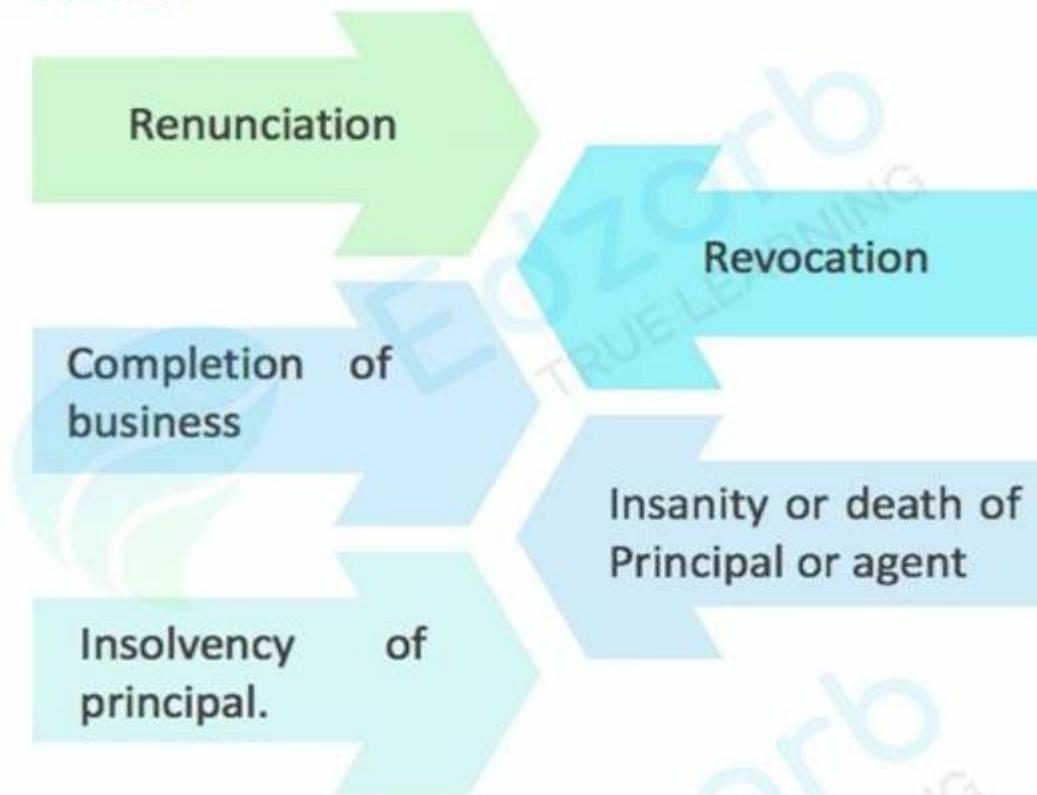
MCQ, Single Correct Question

An agency is terminated.....

- a By the principal revoking the authority
- b By the agent renouncing the business of agency
- c By either the principal or agent dying or becoming of unsound mind
- d All the above

Explanation

Section 201



Termination of agency: **Expiry of time.**

Appropriate notice of the termination:

- Third party must no longer believe that the agent has actual authority.
- Prudent principals will want to **notify third parties** themselves to **protect** themselves against **unwanted liability**.



Reference: Law of Contract and Specific Relief Dr. Avtar Singh 12th Ed., 2020, Page No. 827

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

29.

MCQ, Single Correct Question

Which of the following is correct

- a Agency stands terminated by the frustration of the objects of agency due to impossibility
- b Agency stands terminated by happening of an event rendering the object of the agency unlawful
- c Agency stands terminated by the destruction of subject-matter of agency
- d All the above

Explanation

Section 201

Termination of agency



R. Sayani Vs Bright Bros (P) Ltd

AIR1980 Mad 162

- Where an agency has been created for a fixed period, compensation would have to be paid for its premature termination, if the termination is without sufficient cause

Q.38 Indian Contract Act – in the case of a general offer, there is no need to communicate the acceptance, if not required by the proposer This has been decided in which one of the following cases

- 1) Bhagwan Das Vs Girdhari Lal**
- 2) Weeks Vs Tybald**
- 3) Ramji Dayavrala & Sons Vs. Investment Import**
- 4) Carlill Vs Carbolic Smoke Ball Co.**

Ans: 4

Source: Edzorb Law Premium+ 2.0 - Case Law Flashcards - II- Indian Contract Act — Card No.89



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



**Carlill
v.
Carbolic Smoke
Ball Co.**

Famous case related to general offer. In the case of general offer, there is no need to communicate the acceptance, if not required by the proposer.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.39 Indian Contract Act – In case of acceptance by post, at what point the acceptance is complete as against the proposer?

- 1) When the letter of acceptance is put in the course of transmission so as to be out of the power of the acceptor**
- 2) When the letter of acceptance has been written**
- 3) When the letter of acceptance has been received**
- 4) When the letter of acceptance has been read by the proposer**

Ans: 1

Source: Q Bank Concepts – Unit XXIII –Indian Contract Act – Q.2

Source II – Edzorb Law Premium + 2.0 – Simplified Notes – Indian Contract Act – Part 1- Section 4

2.



MCQ Single Correct Question

A letter of acceptance sent by post is lost in transit

- a There is a concluded contract as the letter of acceptance is put in the course of transmission
- b There is no concluded contract as the acceptance has not come to the knowledge of the proposer
- c There is no concluded contract as the acceptance has not been communicated to the proposer
- d None of these



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

(1)

Section 4 of the ICA provides that, communication of an acceptance is complete, as against the proposer, when it is put in a course of transmission

Kamisetty Subbajah Vs Katha Venkataswami
(1903) ILR 27 Mad 355, 359

When acceptance is posted and before it comes to the knowledge of the offeror, only the offeror, is bound. The acceptor still has right to recede from the contract by revoking his acceptance.

Reference: Contract & Special Relief by Avtar Singh; 10th Ed; 2008; Page No. 36

Copyright © Edzorb Law: Any breach will attract immediate legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 4:

Communication when complete:

1. The communication of a proposal is **complete**,

- When it **comes to the knowledge** of the person to whom it is made.

2. Communication of an acceptance is complete, -

- As against the proposer and acceptor -

Against Shreya, (Proposer) when the letter is **Put in course of transmission and out of the power of acceptor**



- Riya accepts the offer of Shreya via a letter.
- She posts the letter on 10th July and the letter reaches Shreya on 14th
- For **Shreya (the proposer)** the communication of the **acceptance is completed on 10th July itself**.

Against Riya, (Acceptor) when she **receives** the letter or comes to her knowledge. (i.e., 14th July)

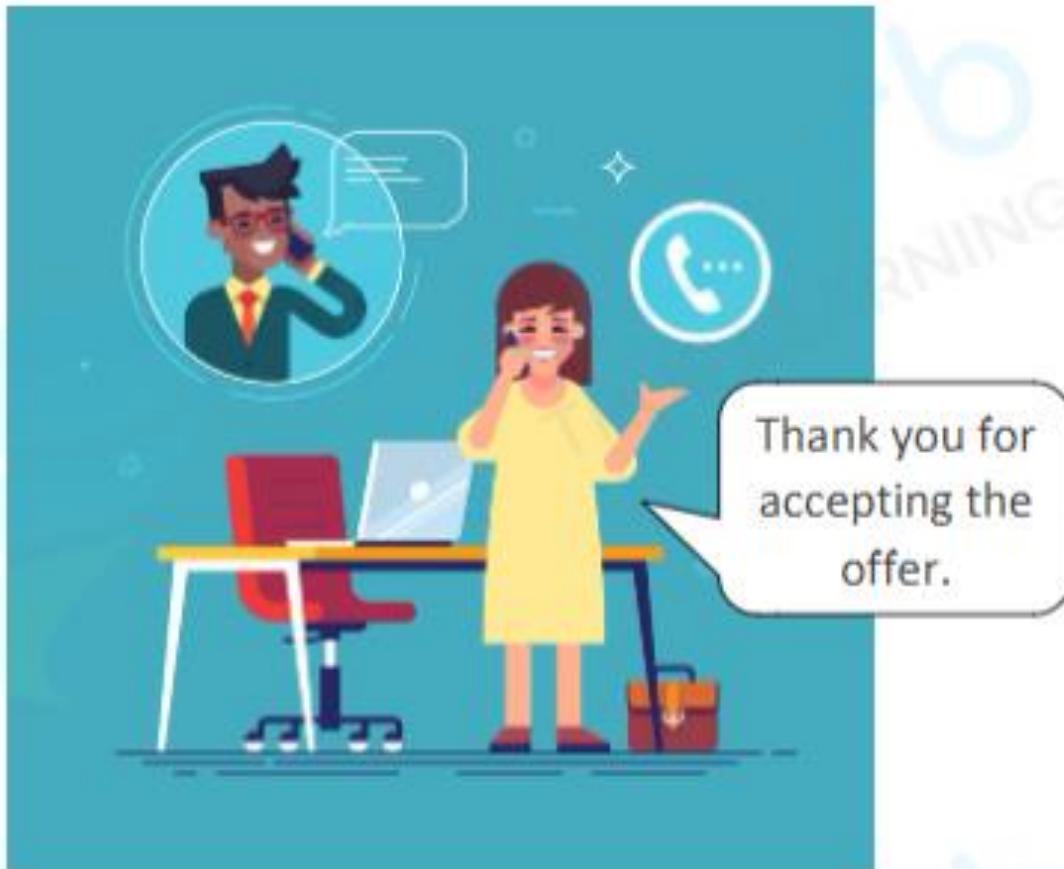
- **Communication of revocation is complete when**

Against Shreya, (Proposer) before she **posts** the letter in course of transmission and out of her power. (i.e., 10th July)



- Against Riya, (Acceptor) when the communication of the acceptance is complete (i.e., 14th July).
- Technically between 10th and 14th July, Riya can decide to revoke the acceptance.

- **Communication of Acceptance by Telephone or Telex**



- Contract by Telephone or Telex is to be completed,
- When communication of acceptance comes to the knowledge of proposer or receives the communication of acceptance.

Lalman Shukla Vs Gauri Dutt

1913 11 All LJ 489

Fact- The defendant's nephew absconded from home. He sent his servant in search of the boy.

- When the servant left, the defendant by **hand bill offered Rs 501 to anybody discovering the boy.**
- The servant came to know this offer only when he had traced the missing child.

Held- An offer cannot be accepted unless and until it has been **brought to the knowledge of the person to whom it is made.**

Reference: The Indian Contract Act, 1872, Central Law Agency, Diglot Edition, P.2

Copyright© Edzorb Law: Any breach will attract legal action with or without notice

Q.40 Indian Contract Act – Mark the correct answer in respect of the Contract of Guarantee

- 1) It may be in writing only**
- 2) It may be oral only**
- 3) It may be either oral or written**
- 4) It will be written and oral, both**

Ans: 3

Source: Q Bank Concepts – Indian Contract Act – Unit XXIII – Q.12

12.

MCQ, Single Correct Question

A guarantee:

- a Can be oral or in writing
- b Can be oral.
- c Has to be in writing
- d Neither (a) or (b)

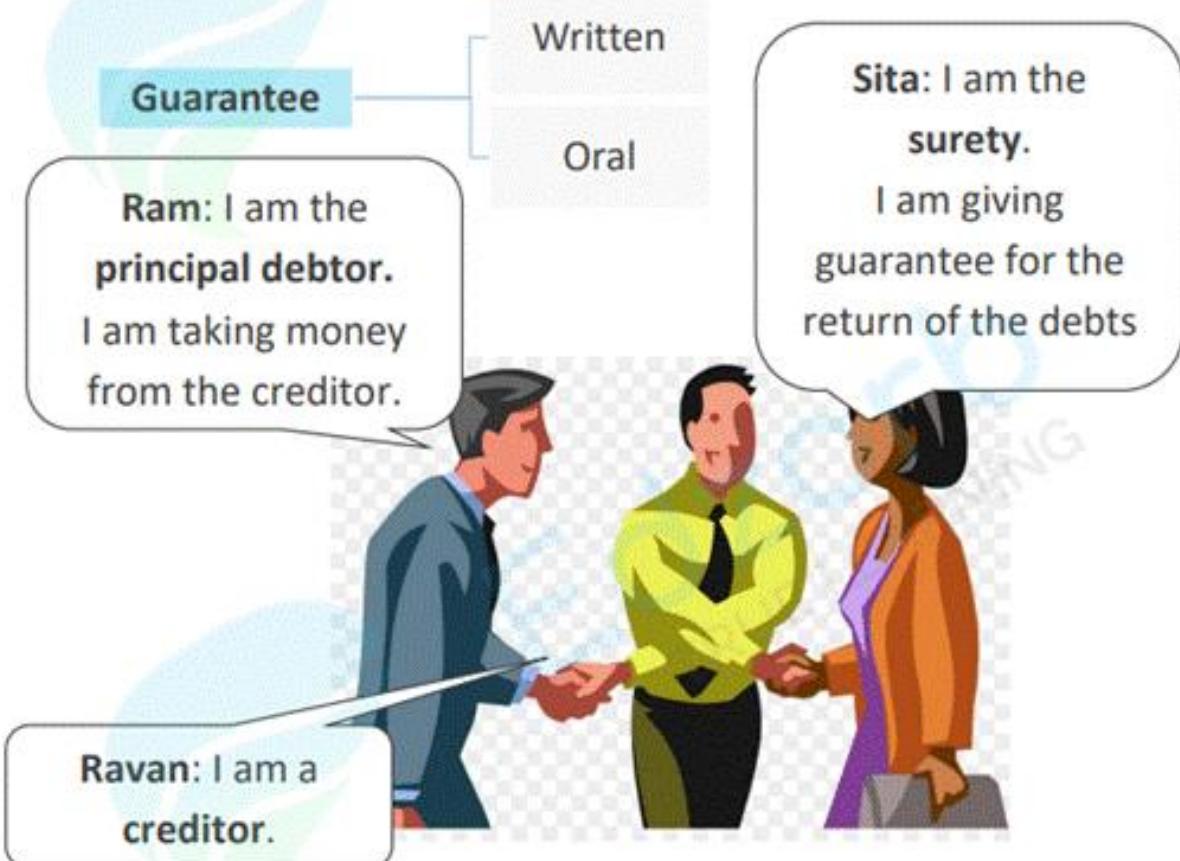
Explanation

A

Section 126

Contract of guarantee:

- **Contract** to perform the promise or discharge the liability **of a third person.**
- Surety: who gives the guarantee.
- Principal debtor: In respect of whose default the guarantee is given.
- Creditor: person to whom the guarantee is given.



Reference: Law of Contract and Specific Relief Dr. Avtar Singh 12th Ed., 2020, Page No. 599

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



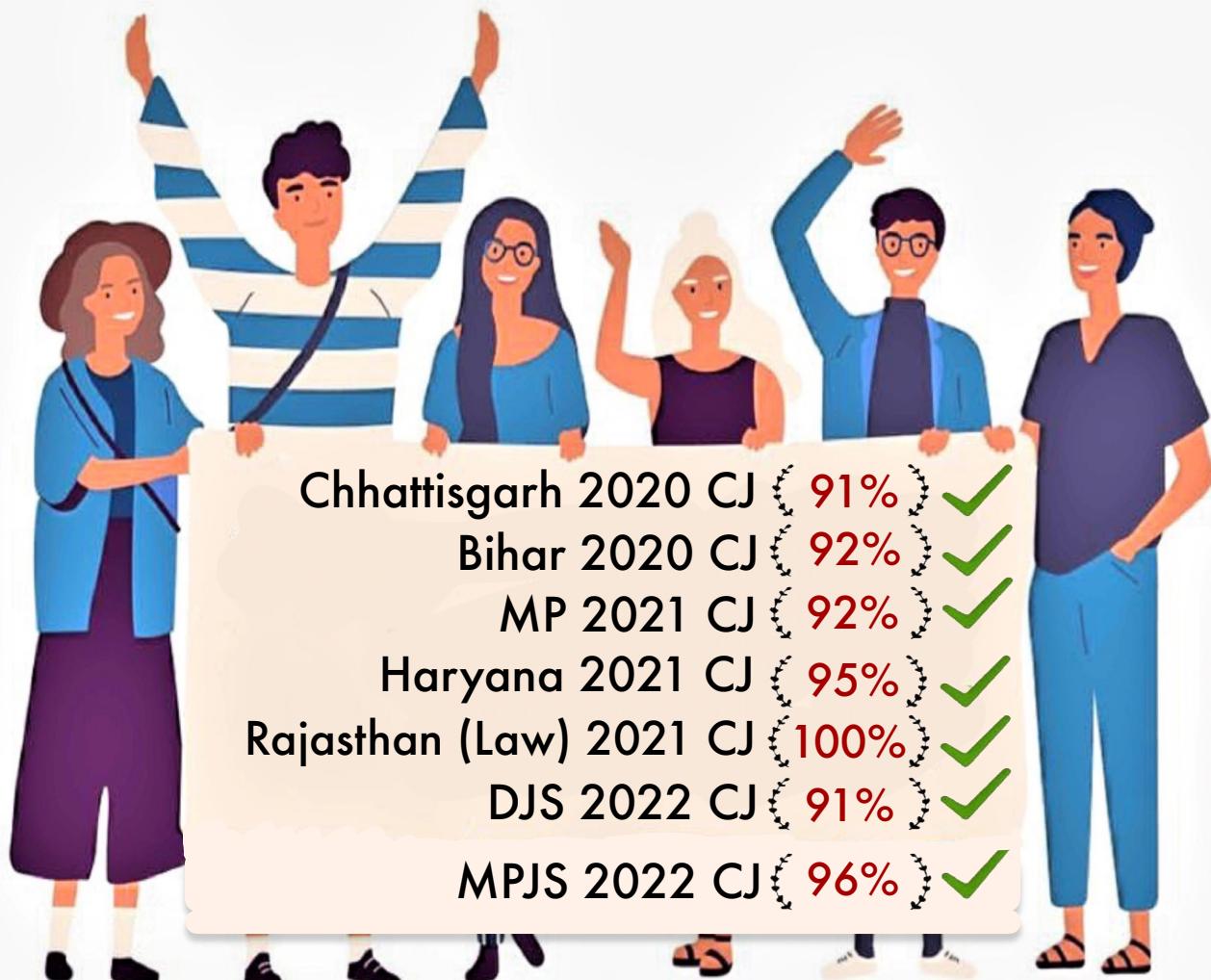
For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com

Edzorbians At Advantage

High Strike Rate in all PCSJ Exams



Predict the STRIKE RATE for RJS, UPJS & BJS

Score an Exam winning Strike with Edzorb Law



Edzorb Law
True Learning

Telegram: @edzorblaw
www.edzorblaw.com

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 5 Specific Relief Act



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q.41 Specific Relief Act - No substituted performance of a contract under sub-section (1) of section 20 shall be undertaken unless the party who suffers such breach has given a notice in writing, of not less than-----days, to the party in breach calling upon him to perform the contract within such time as specified in the notice

1) 60 days

2) 45 days

3) 30 days

4) 15 days

Ans: 3

**Source: Edzorb Premium +2.0 – Simplified Notes –
Specific Relief Act – S.20**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Substituted Performance of Contract etc.

Section 20 (Substituted by 2018 amendment)

Substituted performance of contract

(1)

Without prejudice to the generality of the provisions contained in the Indian Contract Act,



Except as otherwise agreed upon by the parties

1

Contract is **broken** due to **Non Performance** of a party

Person suffered such **breach** shall have the option to obtain **substituted performance** from **third party** or his **own agency**

2

And **recover expenses** and **cost** incurred, spent or suffered by him , From the **party** who has **committed the breach**

3



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

(2) No Substituted Performance of contract **U/Ss.1** shall be taken

Unless party who suffers breach

- Served notice of not **less than 30 days** to the party in breach
- Calling for performance within specified period, and
- On refusal or failure to do so



Only he may get a substituted performance.

Proviso:

• **Party who suffers breach :**

- Would be entitled to receive such expenses and costs only if
- He got the substituted performance through a third party or by his agency.

(3) A party who suffered a breach and got substituted performance as provided u/**Ss.1**:

- Not be entitled to **claim Specific Performance** against a party in breach.

(4) Nothing in this section shall prevent

- Party who suffered breach
- From claiming compensation from party in breach.



Q.42 Section 8 of the Specific Relief Act can be invoked-

- 1) When the thing claimed is held by the defendant as the agent or trustee of the plaintiff**
- 2) When compensation in money would not afford the plaintiff adequate relief for the loss of the thing claimed**
- 3) when the possession of the thing claimed has been wrongfully transferred from the plaintiff**
- 4) When the thing claimed is held by the defendant as the agent or trustee of the plaintiff, when compensation in money would not afford the plaintiff adequate relief for the loss of the thing claimed and when the possession of the thing claimed has been wrongfully transferred from the plaintiff.**

Ans: 4

Source: Q Bank Concepts – Specific Relief Act – Unit IV – Q.20

20.



MCQ, Single Correct Question

Section 8 can be invoked

- a If compensation in money is an adequate relief
- b If the damages can be easily ascertained
- c If the article is held by the person as agent or trustee of the claimant
- d If the article has been rightly transferred from the claimant.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

(C)

Circumstances when **Section 8** can be invoked:

Compensation
in money- not
adequate relief

When the thing is
held as the agent or
trustee of the plaintiff

Difficult to ascertain
damages

Possession of thing
wrongly transferred
from plaintiff

Presumption of court: Unless the contrary is proved, the court shall, presume-

- (a) That compensation in money would not afford the adequate relief for the loss;
- (b) that it would be extremely difficult to ascertain the actual damage caused by its loss.

Reference: Contract and Specific Relief by Avtar Singh, 12th Ed., 2017, Page no. 853.

Copyright © Edzorb Law: Any breach will attract immediate legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.43 Following is not the essential condition for the applicability of Sec 8 of the Specific Relief Act-

- 1) The defendant must be the owner of the Property**
- 2) The Article must be movable property**
- 3) The plaintiff must be entitled to Immediate possession of the article**
- 4) The article must be in possession or control of the defendant**

Ans: 1

Source: Q Bank Concepts – Specific Relief Act – Unit IV – Q.12

21.



MCQ. Single Correct Question

Suit under section 8 is not competent

- a Against a person who is the owner of the article claimed
- b Against a person who has the possession or control over the article
- c In respect of an article for which compensation in money is not an adequate relief
- d In cases where ascertainment of damages is extremely difficult.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

(A)

Section 8: Liability of a person in possession not as owner, to deliver to a person entitled to immediate possession:

Ingredients of **Section 8:**

 **The defendant has full control or possession and is not owner**

 **The plaintiff entitled to immediate possession**

 **The thing is not ordinary article**

 **Article is a moveable property**

Section 7

Suit can be filed against the true owner.

Section 8

Suit cannot be filed against the true owner.

Reference: Contract and Specific Relief by Avtar Singh, 12th Ed., 2017, Page no. 853.

Copyright © Edzorb Law: Any breach will attract immediate legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.44 U/s 37 of Specific Relief Act, 1963 a temporary injunction can be granted-

- 1) After settlement of the issues***
- 2) Before the conclusion of the plaintiffs evidence***
- 3) Before the conclusion of the defendant's evidence***
- 4) At any stage of the suit***

Ans: 4

**Source 1: Edzorb Premium +2.0 – Simplified Notes –
Specific Relief Act – S.37**

**Source 2: Q Bank Concepts – Specific Relief Act – Unit III
– Q.9**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 37:

Temporary Injunction and Perpetual Injunction:

Category	Temporary Injunction	Permanent Injunction
Definition under Section 37	<ul style="list-style-type: none">Temporary injunctions are such as are to continue until a specific time, or until the further order of the court, and they maybe granted at any stage of a suit, and	<ul style="list-style-type: none">A perpetual injunction can only be granted by the decree; the defendant is thereby perpetually enjoined from the assertion of a right, or from the
Basis of Decision	<ul style="list-style-type: none">It is decided on the basis of one side.	<ul style="list-style-type: none">It is on the basis of both the sides.
Order or Decree	<ul style="list-style-type: none">A temporary injunction is simply an order by the court.	<ul style="list-style-type: none">A permanent injunction is a decree (i.e., an official order by a court of law).

Copyright © Edzorb Law: Any breach will attract legal action with or without notice



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

	are regulated by the Code of Civil Procedure, 1908.	commission of an act, which would be contrary to the rights of the plaintiff.
Meaning	<ul style="list-style-type: none"> It is granted for a specified period of time, or as adjudged by the court. It may be 	<ul style="list-style-type: none"> It is granted by the decree of the court, and upon the examination of the facts and merits of the case.
	granted at any point during the suit.	
Governed by	<ul style="list-style-type: none"> Order 39 (Rules 1 to 5) of CPC. 	<ul style="list-style-type: none"> S. 38 to 42 of SRA, 1963.
Nature	<ul style="list-style-type: none"> A temporary injunction is non-conclusive. 	<ul style="list-style-type: none"> It deals with the finality of a judgment, thereby providing a conclusive and long term solution to the dispute at hand.



9.

MCQ, Single Correct Question

Which of the following reliefs can be granted at any stage of the suit?

- a Temporary injunction
- b Perpetual injunction
- c Either (a) or (b)
- d None of the above

Explanation

(A)

Section 36(1) of SRA, 1963: Temporary Injunction-

- Temporary injunctions are to continue
- Until specific time, or until further order of court, and
- They may be granted at any stage of a suit, and
- Are regulated by CPC.



Reference: Equity, Trust and Specific Relief Act, By Aqil Ahmed, 15th Edn. (2017), Page No. 146

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

**Q.45 Specific Relief Act – According to section 20C-
Notwithstanding anything contained in the Code of Civil
Procedure, A suit filed under the provisions of this Act shall
be disposed of by the court within a period of from
the date of service of summons to the defendant.**

- 1) Three months**
- 2) Six months**
- 3) Twelve months**
- 4) Twenty-four months**

Ans: 3

**Source 1: Edzorb Premium +2.0 – Simplified Notes –
Specific Relief Act – S.20(C)**

**Source 2: Q Bank Concepts – Specific Relief Act – Unit IV
– Q.8**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

8.

MCQ, Single Correct Question

The suit filed under SRA shall be disposed of within what period from the date of service of summons on defendant?

- a 6 Months
- b 12 Months
- c 18 Months
- d None of above.

Explanation

Section 20C

Expeditious disposal of suits

Notwithstanding anything contained in CPC

- Suit filed u/SRA



shall be disposed of by
the court within **12**
months



from the date of service of
summons to the defendant



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 20C (Added by 2018 amendment)

Expeditious disposal of suit

Notwithstanding anything contained in CPC, the suit filed under the provision of this Act

- Shall be disposed of by the court
- Within **12 months** from date of the service of summons to the defendant.



Proviso: This period can be extended

- exceeding **6 months** in aggregate
- After recording reasons in writing for such extension



Can further
be extended
for **6**
months in
aggregate

Suit for S.P
shall be
disposed of
within **12**
months

Total period
of **18 months**
it shall be
disposed of



Edzorb QBank Treasures



PRIME MINISTER





President

Nominal Executive Authority
(de jure executive)

Head of the State



Parliamentary system





P M

Real Executive Authority
(de facto executive)

Head of the Govt.



APPOINTMENT OF PRIME MINISTER

Conventions (Parliamentary system of govt.)

Article 75 PM shall be appointed by the President	<ul style="list-style-type: none">✓ Leader of Majority party✗ If no party has Majority → Personal Discretion✓ Largest party or coalition → usually <p>→ Vote of Confidence (within a month)</p>
---	---

Constitution does not contain any specific procedure

1984  **Indira Gandhi**
(Assassinated in 1984)

President Appointed → **Rajiv Gandhi (PM)** (ignoring caretaker PM)
Later on, Congress elected him as leader

Death - Incumbent PM → Ruling party elects a new leader → President → appoint him as PM (has no choice)

1980  **Delhi HC** President First appoint PM → **Prove majority**
(within a reasonable period)

1997  **Supreme Court** Person can be appointed as PM → **6 Months**
(Not a member of Parliament)
Member of either House of Parliament → should become
(otherwise, he ceases to be PM) Within 6 months

 **Constitutionally**, PM may be a member of **any** of the two Houses of parliament.

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



Edzorb QBank Treasures

HIGH COURT



HISTORY

Article 214-231

1862	1866	>1950	1956	Present
High court • Bombay • Madras • Culcutta	Allahabad	HC of Province HC for State	7th CAA Establish HC 2 or more States Or 2 or more States + UT	24 HC 3 Common HC Delhi (UT)- own HC

ORGANISATION

Strength Decided by President

Appointment	Eligibility	Oath	Tenure	Salaries	Transfer
President • CJ • Other Judges • Common HC Judges	Citizen Held Judicial office Or HC Advocate	Governor Or Nominated by	62 age	Determined by President	By President

Removal	Acting CJ	Additional Judges	Acting Judge	Retired Judges
President	Appointed by President	Appointed by President	Appointed by President	Appointed by CJ of HC
Misbehaviour	President	President	President	
Recommended by Parliament (Special Majority)	CJ — Absent Unable to perform duty	More work 2 years term	Judge Absent Unable to perform duty	(Temporary)

JURISDICTION & POWERS

✓ Highest court of appeal (In state)

Original
Hear disputes (1st instance)

Writ
Under Article 226

✓ Protector of FR

Appellate
Appeal against judgements

Supervisory
Superintendence

✓ Interpret Constitution

Control
Subordinate courts

Judicial review
Article 226

Original jurisdiction

Matters

- Company laws
- Marriage
- Court contempt
- Divorce
- Election disputes
- Revenue matters

Enforcement

Fundamental Rights

Cases

Transferred from Subordinate courts

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



Edzorb Law



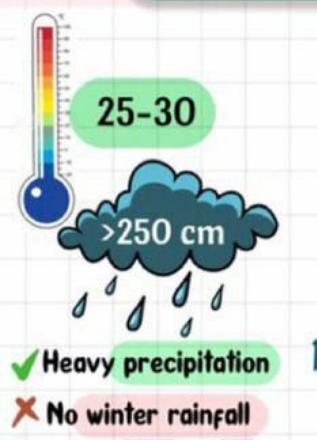
BIOME



• EQUATORIAL REGION

Tropical rainforest

Evergreen forest



10° N
0
10° S

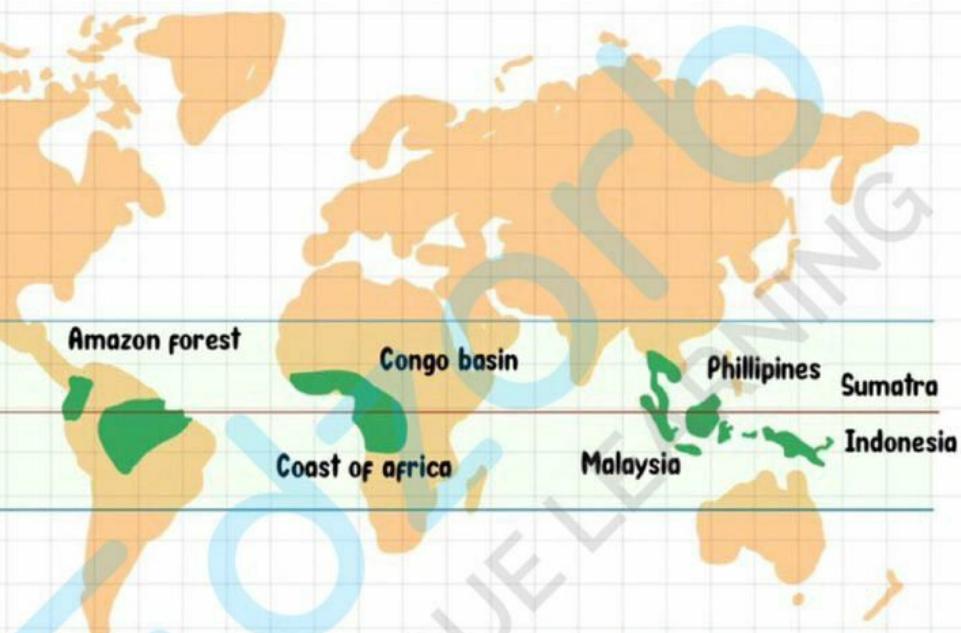
Broad leaves

Canopy formation

Very tall trees

Very dense forest

No shedding of leaves



- Hardwood
- Mahogany
- Ebony
- Rosewood
- Rubber
- Cinchona



ECONOMIC ACTIVITIES

- Hunting, gathering
- Shifting cultivation
- Rubber, Coffee, Tea
- Sugarcane, Oil palm



Semang (Malaysia)



Kubus (Sumatra)



Dayaks (Borneo)



Pygmies (Congo)



Amazon Indians (South America)

**ARTICLE
165**

ADVOCATE GENERAL OF THE STATE

Highest Law Officer in the State



Governor

Appoints Advocate Gen.

Determines remuneration



Entitled to appear before any court of law within the state



DUTIES AND FUNCTIONS

- Advice to the State Government on legal matters.
- Functions conferred by the Constitution/ Law.
- Other duties (legal) assigned by Governor.

Qualifications

Qualified to be appointed as a —

Judge of HC

Judicial office- 10 years

Advocate of HC- 10 years

✓ Can speak ,take part in proceedings

State Legislature



- Both Houses
- Committee
- Without right to Vote

✓ Holds office during the pleasure of the Governor.

CONSTITUTION

donot specify



• Term

• Removal Proceedure

Removal

- By Governor at any time.
- **Resignation** to the Governor.
- Conventionally resigns when Govt. resigns or replaced.

Sample

Q. "Equal Pay for Equal Work" is not expressly a constitutional right, it has been read into the Constitution through the interpretation of which other articles?

- A. Article 14, 15
- B. Article 39, 14, 15, 16
- C. Article 21
- D. None of the Above

Telegram:
@Edzorblaw

(B)

Equal Pay for Equal Work:



- The **directive principle of State Policy** under Article 39.
- It is the concept of labour rights that individuals in the same workplace be given equal pay.
- Equal pay relates to the full range of payments and benefits, including basic pay, non-salary payments, bonuses and allowances.



History of Equal Pay for Equal Work

As wage-labour became increasingly formalized during the Industrial Revolution, the principle of equal pay for equal work arose at the same part of first-wave feminism, with early efforts for equal pay being associated with nineteenth-century Trade Union activism in industrialized countries.

Principle of Equal Pay for Equal Work – Binding as precedent

State of Punjab Vs Jagjit Singh

(2017) 1 SCC 148

- **Decision of Lower court:** Temporary employees were not entitled to the minimum of the pay-scale, as was being paid to similarly placed regular employees was challenged.
- **Decision of Apex Court:** Principle of "*equal pay for equal work*" expounded through various decisions of Supreme Court constitutes law declared by Supreme Court, which is binding on all courts in India and is applicable to all temporarily engaged employees.

Did you Know?

The World Bank, which has tracked legal changes for the past decade, found **Belgium, Denmark, France, Latvia, Luxembourg or Sweden** were the only countries in the world to enshrine gender equality in laws affecting work.





SC Allows Service Through Instant Tele-Messenger Services

Considering difficulty in visiting post offices amid pandemic, SC allowed service of summons & notices through instant tele-messenger services like whatsapp, email and fax. All these will prove valid service on a party.



SA Bobde, C.J.I.; AS Bopanna, J. & Subhash Reddy, J.

Reference: economictimes.indiatimes.com/news/politics-and-nation/supreme-court-allows-email-fax-instant-messaging-apps-like-whatsapp-for-service-of-notices-summons/articleshow/76898274.cms?from=mdr



Criminal proceedings not to be quashed on the basis of statement made under S. 161 CrPC



S.161 of CrPC, S. 482 CrPC

Statements recorded under S.161 are inadmissible in evidence and are not a valid ground for allowing a petition under S.482. Courts not to appreciate evidence while dealing with the quashing petition filed under S. 482 CrPC.

Bench: L. Nageshwar Rao, J. & Deepak Gupta, J.

Reference: <https://main sci gov in supremecourt>

2017/2075/2075-2017-II-1502-20472-Judgement_11-Feb-2020.pdf



BIOME



LAURENTIAN TYPE

ST LAWRENCE TYPE

COOL TEMPERATE EAST MARGIN

HELLO SUMMER

Short



Winter



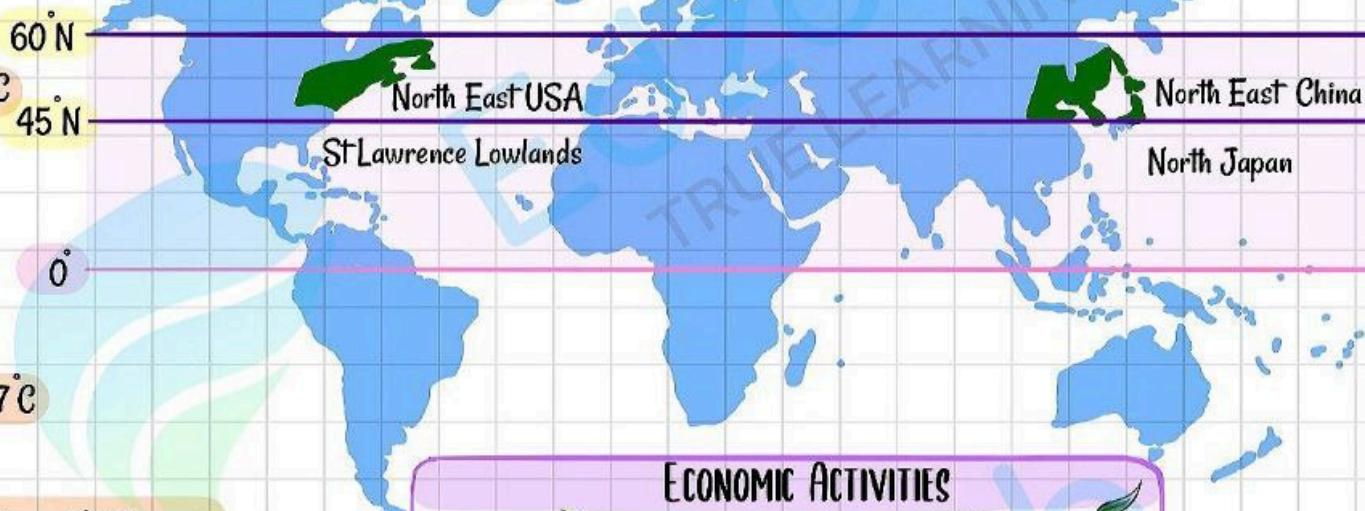
Westerlies bring cold influences
interior of the continent

Cold current, reduces warming
Influence from sea

Vegetation consists mostly of coniferous forests



Northern Japan covered with dense Coniferous
made up of Spruce, Fir, Larch, Pine



ECONOMIC ACTIVITIES

- Fruits
 





Pear Peach Plum Apple Orange
- Fishing
 


Prominent
- Mixed Cropping
 

Mountains in Manchuria

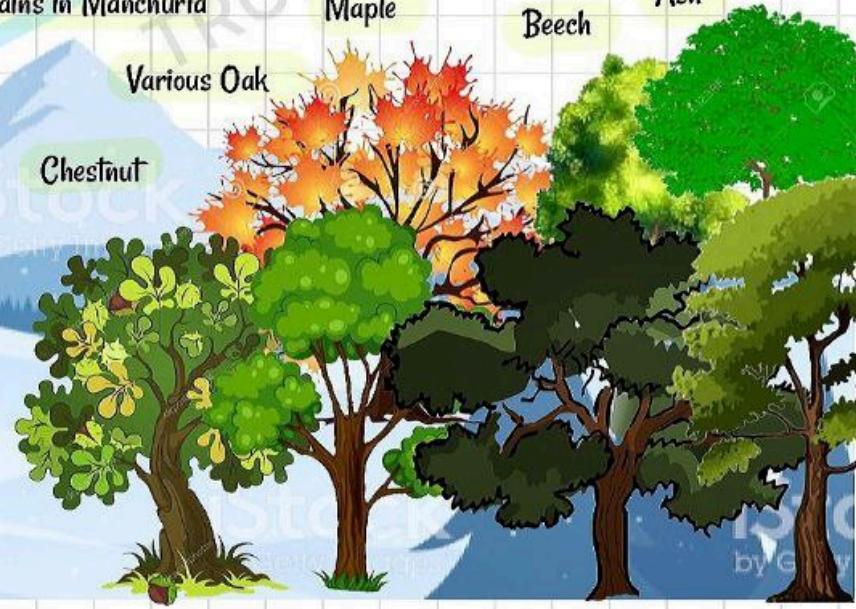
Various Oak

Chestnut

Maple

Ash

Beech



Extreme South East, Deciduous trees flourish

Q.46 Which new remedy inserted by Specific Relief (Amendment) Act 2018

- 1) Injunction**
- 2) Substituted performance**
- 3) Recovery of specific**
- 4) none of these**

Ans: 2

Source 1: Edzorb Premium +2.0 – Simplified Notes – Specific Relief Act – S.20

Source 2: Q Bank Concepts – Specific Relief Act – Unit VII – Q. 5



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 20 (Substituted by 2018 amendment)

Substituted performance of contract

(1)

Without prejudice to the generality of the provisions contained in the Indian Contract Act,



Except as otherwise agreed upon by the parties

1

Contract is **broken** due to **Non Performance** of a party

Person suffered such **breach** shall have the option to obtain **substituted performance** from **third party** or his **own agency**

2

And **recover expenses** and **cost** incurred, spent or suffered by him, From the **party** who has **committed the breach**

3

(4) Nothing in this section shall prevent

- Party who suffered breach
- From claiming compensation from party in breach.

(2) No Substituted Performance of contract **U/Ss.1** shall be taken

Unless party who suffers breach

- Served notice of not **less than 30 days** to the party in breach
- Calling for performance within specified period, and
- On refusal or failure to do so



Only he may get a substituted performance.

Proviso:

- **Party who suffers breach :**

- Would be entitled to receive such expenses and costs only if
- He got the substituted performance through a third party or by his agency.

(3) A party who suffered a breach and got substituted performance as provided u/**Ss.1:**

- Not be entitled to **claim Specific Performance** against a party in breach.



5.

MCQ, Single Correct Question

Jurisdiction of the court to enforce specific performance of a contract is

- a general and not exceptional
- b discretionary
- c exceptional
- d extensive.

(A)

Before 2018 Amendment Act

Section 20(1) of SRA, 1963: Discretion as to decreeing specific performance-

- The jurisdiction to decree specific performance is discretionary, and
- the court is not bound to grant such relief merely because it is lawful to do so.

After 2018 Amendment Act

Section 20: Substituted performance of contract:

Where the contract has been breached by one of the parties to the contract, the other party may ask for specific performance from the third party and may recover expenses from the party, which failed to fulfil the obligations of the contract.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



I have power
whether to grant
discretion of specific
performance or not

Sorry Mr. Judge, I
have amended
Section 20 and
taken away that
discretionary
power from you



Did you Know?

Once a person has obtained substituted performance, he can't claim specific performance against the party.



Mukesh Singh and Ors Vs Saurabh Chaudhary And Another

3 May, 2019, All. HC

The discretionary jurisdiction of Courts to decree specific performance was done away by newly substituted Section 20 by Act 18 of 2018.

The newly substituted Section 20 makes specific performance of contract a general rule than exception subject to certain limited grounds.

Reference: Contract and Specific Relief by Avtar Singh, 12th Ed., 2017, Page no. 893

Copyright © Edzorb Law: Any breach will attract immediate legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join **Edzorb Law**
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 6 Limitation Act



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com

Q.47 Which Section of the Limitation Act 1963 is based on the principle of "lex non cogit ad impossibilia"

1) Section 4

2) Section 5

3) Section 14

4) Section 15

Ans: 1

Source 1: Edzorb Premium +2.0 – Simplified Notes – Limitation Act – S.4

Source 2: Q Bank Concepts – Limitation Act – Unit II – Q.7 & 8

Section 4: Expiry of prescribed period when court is closed.

- If the **court is closed** on the day when the prescribed period for suit, appeal or application expires.
- Then, same can be made **when court reopens**.





Read S.4 of
Limitation Act..

Today is the last
day of filing suit.
What will I do
now??

Explanation: A court shall be deemed to be closed on any day within the meaning of this section if during any part of its **normal working hours** it remains closed on that day.



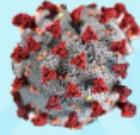
The suit can be filed next day when court reopens.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 4 during Covid 19:



High Court of Delhi in the office order dated 23.03.2020 wherein following directions were passed:

"Lockdown/Suspension of work of Court shall be treated as "Closure" within the meaning of Explanation appended to Section 4."

Reference: Limitation Act, S.4

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



Lex Non Cogit Ad Impossibilia



**THE LAW DOES NOT COMPEL TO
PERFORM WHAT IS IMPOSSIBLE**



S. 56 of Indian Contract Act

**IFCI v. Cannanore Spinning & Weaving
Mills Ltd.**

AIR 2002 SC 1841



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

S. 4 of Limitation Act is based on two legal maxims i.e.,

1. *Lex non cogit ad impossibilia*
2. *Actus Curiae Neminem Gravabit*

Section 56:

Agreement to do impossible act:

- If two parties enter a contract,
- Where the **promisor agrees to do an impossible or unlawful act,**
- Then the **contract is void when contract becomes impossible or unlawful.**



- The agreement is void.

- When the **contract was made, the promise was possible and lawful.**

- However, subsequent events made it impossible or unlawful and the promisor could not prevent it.
- **Contract is void from the moment the act becomes impossible.**



- The State passes a law which bans all plastic bags.
- Shreya could not prevent it and due to the recent law, she cannot perform her promise.
- Hence, the contract is void.

Q.48 Under Section 21 of the Limitation Act when the suit shall be deemed to have been instituted as against the newly impleaded defendant

- 1) From the date of filing of suit**
- 2) From the date of filing of application to implead him as defendant**
- 3) The date on which he was impleaded**
- 4) None of these**

Ans: 3

Source 1: Edzorb Premium +2.0 – Simplified Notes – Limitation Act – S.21

Source 2: Q Bank Concepts – Limitation Act – Unit IV – Q.19

Source 3: Q Bank Concepts – Limitation Act – Unit IV – Q.20



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

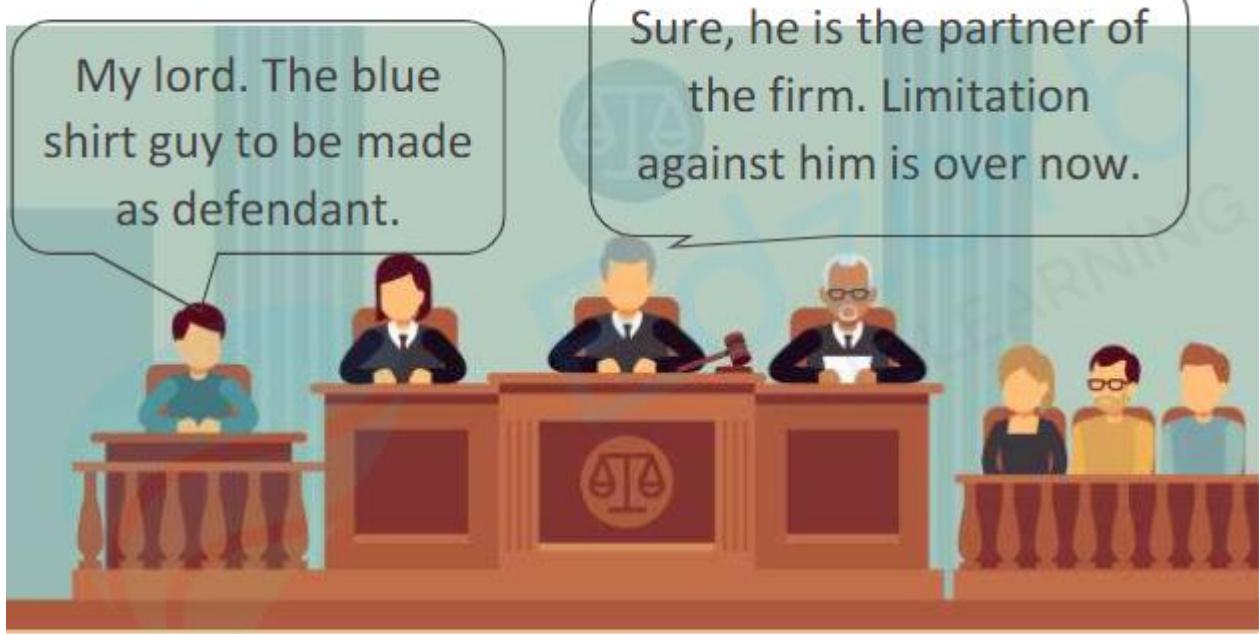
www.edzorblaw.com

Section 21: Effect of Substituting or adding new plaintiff or defendant:

(1) Effect of new party:

Substitution of parties	Effect of it
New plaintiff or defendant: substituted or added	<ul style="list-style-type: none">• Suit, as regard to the new party, is deemed to be instituted when party is added or substituted
Omission to include such party as above was due to mistake made in good faith	<ul style="list-style-type: none">• Court may direct that suit, in regard to them, shall be deemed to be instituted from its original date only.





My lord. The blue shirt guy to be made as defendant.

Sure, he is the partner of the firm. Limitation against him is over now.



I never knew he is the partner. Mistake in good faith is made

Ok, then suit against him will be deemed to be instituted on original date. Hence, it is within limitation.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

(2) Nothing in subsection 1 shall apply:

Where a party is added or substituted owing to assignment or devolution of any interest during the pendency of a suit

Where a plaintiff is made a defendant or a defendant is made a plaintiff

Reference: Limitation Act, S.21

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.

19.

MCQ Single Correct Question

Where after the institution of a suit, a new is substituted or added, the suit shall, as regards him, be deemed to have been instituted when he was made a party

- a Plaintiff
- b Defendant
- c Either (a) or (b)
- d None of the above



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

20.

MCQ Single Correct Question

Where the court is satisfied that the omission to include a new plaintiff or defendant was due to a mistake in good faith it may direct that the suit as regards such plaintiff or defendant shall be deemed to have been instituted.....

- a When he was made a party
- b On any earlier date
- c Either (a) or (b)
- d None of the above

Explanation

(C)

Section 21: Effect of Substituting or Adding New Plaintiff or Defendant

(1) Where after the institution of a suit,

A new plaintiff or defendant is **substituted or added**,

The suit shall, as regards him,



Be deemed to have been instituted **when he was made a party**:



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Provided that: the court is **satisfied** that

- the omission to include a new plaintiff or defendant **was due to a mistake in good faith**
- it may direct that the suit as regards such plaintiff or defendant shall be deemed to have been instituted on any earlier date.



Reference: Civil Procedure & Limitation Act by C. K. Takwani; 8th Ed., 2013, Page No. 776

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.49 Limitation Act – In which case Supreme Court has held that where a plaintiff serves notice under Section 80, CPC on the defendant on the last day of limitation and files suit before the expiry of two months, which is entertained by the Court in view of the provisions of Section 80(2) CPC, the plaintiff would be entitled to get that period excluded under this section?

- 1) Pallav Seth Vs Custodian**
- 2) State Of Goa Vs Western Builders**
- 3) Rabindra Nath Samuel Dawson Vs Sivakami**
- 4) Union of India Vs West Coast Paper Mills Ltd.**

Ans: 4

Source: Case Law Flashcards– Part II – CPC – 84

Source II – Edzorb Law Premium + 2.0 – Simplified Notes – CPC -Part II– Section 80



Union of India

Vs

**West Coast Paper Mills
Ltd.**

**Where u/s 80 a plaintiff
serves notice on the
defendant on the last day of
limitation and files suit
within 2 months, which u/s
80(2) CPC Court files, that
period can be excluded.**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 80: Notice

- Save as otherwise provided in sub-section (2), **no suit shall be instituted** against the Government (including the **Government of Jammu and Kashmir**) or



Government of Jammu and Kashmir

NO suit

Or

- Against a public officer** in respect of any act purporting to be done by such public officer in his **official capacity**, until the **expiration of two months** next after notice in writing has been delivered to, or left at the office of—





UNTIL EXPIRATION OF
two MONTHS

S. 15(2) of Limitation Act should also be read wherein the time required for obtaining the consent and sanction of the Govt. is excluded.

A suit against the Central Government, except where it relates to a railway, a **Secretary to that Government**

A suit against the Central Government where it relates to railway, the **General Manager** of that railway,

A suit against the government of the state Jammu and Kashmir, the **chief secretary** to that govt. or any officer on the govt. behalf

A suit against any other State Government, a **Secretary** to that Government or the **Collector** of the district;

Suit against a public officer, **delivered to him, or left** at his office

- The contents of the **notice** must be as follows:

A It should state the cause of action.

B It must contain the name, description and place of residence of the sender (plaintiff), .

C It must clearly provide for the relief that the sender claims.



- When the plaintiff is desirous of obtaining **urgent or immediate relief** against such Government or public officer and,
- The leave of the Court is taken, in such case, it will be **allowed to be instituted without such notice**.
- **No relief or interim or otherwise** shall be granted without giving an opportunity of showing cause to the Government or public officer.

Q.50 As per bare provision of section 4 of Limitation Act, 1963-

- 1) the court should be closed for the whole working day.**
- 2) the court if not closed for the whole working day, but closed for half day**
- 3) shall be deemed to be closed on a day within the meaning of this section if during any part of its normal working hours it remains closed on that day.**
- 4) None of these**

Ans: 3

Source 1: Edzorb Premium +2.0 – Simplified Notes – Limitation Act – S.4



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 4: Expiry of prescribed period when court is closed.

- If the **court is closed** on the day when the prescribed period for suit, appeal or application expires.
- Then, same can be made **when court reopens**.

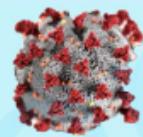


The suit can be filed next day when court reopens.

Explanation: A court shall be deemed to be closed on any day within the meaning of this section if during any part of its **normal working hours** it remains closed on that day.



Section 4 during Covid 19:



High Court of Delhi in the office order dated 23.03.2020 wherein following directions were passed:

“Lockdown/Suspension of work of Court shall be treated as “Closure” within the meaning of Explanation appended to Section 4.”

Reference: Limitation Act, S.4

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



Lex Non Cogit Ad Impossibilia



**THE LAW DOES NOT COMPEL TO
PERFORM WHAT IS IMPOSSIBLE**



S. 56 of Indian Contract Act

**IFCI v. Cannanore Spinning & Weaving
Mills Ltd.**

AIR 2002 SC 1841

If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com

**Your Judiciary Attempts deserve
to look better than this.**



Your Effort deserves Right Guidance.

Try Edzorb Law Premium Subscription for definite success within a year with the Integrated Prelims & Mains Preparation

Get it Right this time

Go Premium

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Edzorb
TRUE LEARNING

Section - 7 MP Accommodation Control Act



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q.51 M P Accommodation Control Act 1961 – under S 12 (1) (a) of the MP Accommodation Control Act, 1961 a ground for eviction arises on the date on which a notice of demand of rent has been served on the tenant by the landlord in the prescribed manner and

- 1) tenant has within one month neither paid nor tendered the whole of the arrears of the rent legally recoverable from him**
- 2) tenant has within three months neither paid nor tendered the whole of the arrears of the rent legally recoverable from him**
- 3) tenant has within two months neither paid nor tendered the whole of the arrears of the rent legally recoverable from him**
- 4) tenant has within 15 days neither paid nor tendered the whole of the arrears of the rent legally recoverable from him**

Ans: 3

Source: MPJS Prelims Crash Course – MP Local laws – MP Accommodation Act – S.12



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 12

Restriction on eviction of tenants

Grounds:

- a. Tenant has not paid rent within two months of notice.

Grounds:

- a. Tenant has not paid rent within two months of notice.



- b. Unlawful Sub-letting/transfer
 - c. Caused nuisance or acted inconsistent with purpose of tenancy (not to include use as office.)
 - d. Misuse of accommodation **for 6 months.**
 - e. Landlord bona fide, requires the residence for personal accommodation.
 - f. Landlord requires the accommodation for personal business **(himself, son, or unmarried daughter).**
 - g. Requirement of repairs as accommodation has become unsafe or unfit for human habitation.
 - h. Rebuilding the accommodation.
-
- i. Tenant has acquired vacant possession for purpose of residence.
 - j. If the tenant is the employee of landlord, when employment ceases.
 - k. Substantial damage to the accommodation;

i. Notice to quit and the landlord has contracted to sell etc.

m. Construction without permission

n. For construction of house, if accommodation is an open land.

o. Illegal possession of portion not included in tenancy.

p. Conviction of tenant

12 (2)

Eviction **will bind sub-tenant only when they are made a party** to the proceeding and the order for eviction is made binding on sub-tenant.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

12 (3)

If the tenant pays the rent that is due according to **Section 13**, there will be no eviction.

Proviso: This benefit can be availed only once.

12 (4)

Eviction under clause **(e) and (f)** happen only when **one year has elapsed from the date of the acquisition.**

12 (5)

ATTENTION!

Eviction under clause **(e)** requires **two month notice.**

12 (6)

Eviction under clause **(f)** can be done:

- After **two month notice** from order of eviction
- Compensation to the tenant in cities specified by State Notification in the following cases:

Double the amount of annual rent

The annual amount of rent

When tenant or someone who immediately inherited, has carried out **business for ten years.**

Other cases

Reference: The Madhya Pradesh Accommodation Control Act, 1961, s 12

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.

Q.52 M P Accommodation Control Act – B Is a tenant In a shop of landlord A, situated in the city of Ujjain for the last 11 years. Court has passed a decree eviction what compensation shall be paid by landlord

- 1) Not liable to pay any compensation**
- 2) Equal to double the amount of the annual standard rent**
- 3) Equal to the amount of the annual standard rent**
- 4) Lump-sum amount Rs 3.000**

Ans: 2

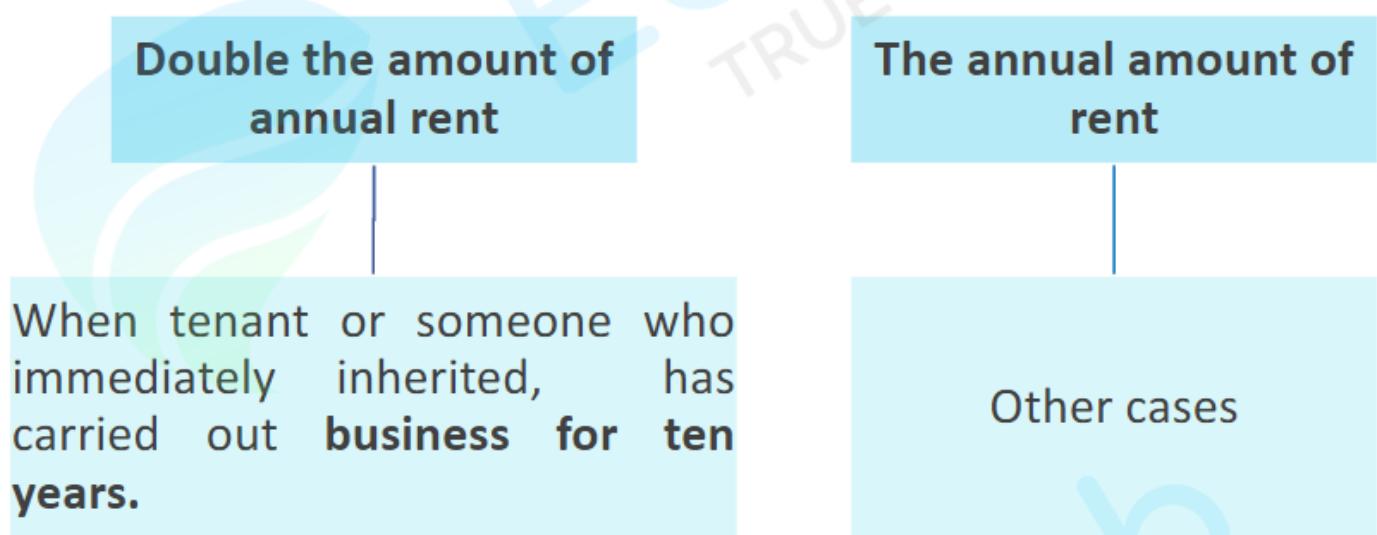
Source: MPJS Prelims Crash Course – MP Local laws – MP Accommodation Act – S. 12



12 (6)

Eviction under clause (f) can be done:

- After **two month notice** from order of eviction
- Compensation to the tenant in cities specified by State Notification in the following cases:



Ridh Karan Patni Vs Jagdish Prasad Agarwal

AIR 1990 MP 224

- **Section 12 (6) (a)** stays the execution of eviction at the hands of landlord under **Section 12 (1) (f)** for a period of two months from the date of the decree.
- **Object:** To provide some time to the tenant to vacate the accommodation and to look for an alternative accommodation.

Reference: The Madhya Pradesh Accommodation Control Act, 1961, s 12

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.

Q.53 Under M.P Accommodation Control Act, essential supply enjoyed by a tenant in respect of the accommodation let to him is cut off by the landlord Who will make an order to restore such supply?

- 1) Collector**
- 2) Civil Court**
- 3) Rent Controlling authority**
- 4) Municipal corporation or municipality as the case may be**

Ans: 3

Source: MPJS Prelims Crash Course – MP Local laws – MP Accommodation Act – S.38

Section 38

Cutting off or withholding essential supply or service

38 (1)

No landlord shall withhold any essential supply or service without just and sufficient cause.

Reference: The Madhya Pradesh Accommodation Control Act, 1961, s 38

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



38 (2)

Right of tenant to complaint: to the Rent Controlling Authority against such action.

38 (3)

Order for restoration: Rent Controlling Authority may make order of restoration of the withholding of essential supplies was without just and sufficient cause.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

38 (4)

The Rent Controlling Authority may a **compensation** of Rs 50/-

- to the if the application was frivolous or vexatious.
- to the tenant withholding was without just and sufficient cause.

Explanation I: “**Essential supply or service**” includes supply of **water, electricity, lights in passages and on staircases, conservancy and sanitary services.**

Explanation II: - If essential supply or service is cut off by the local authority due to act or omission of landlord, it will be attributable to the landlord.

Q.54 Presumption under section 23-D(3) M.P accommodation act 1961 is in the favour of

1) Tenant

2) Landlord or tenant, as the case may be

3) Landlord

4) None of these

Ans: 3

Source: MPJS Prelims Crash Course – MP Local laws – MP Accommodation Act – S.23 D(3)

Section 23 D(1)

Suit to be decided within **six months** after granting leave to contest the eviction.

Section 23 D(2)

The **Rent Controlling Authority** follow the practice and procedure of a **Court of Small Causes** and conduct hearing on day to day basis.

Section 23 D(3)

Presumption of bona fide application by the landlord.

Reference: The Madhya Pradesh Accommodation Control Act, 1961, s 23A-J

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



Q.55 The word "Tenant" as defined in section 2 of the Accommodation Control Act, does not include-

- 1) whose behalf the rent of any Accommodation is payable**
- 2) any person occupying the Accommodation as a Sub-Tenant**
- 3) any person continuing in possession after the termination of his**
- 4) member of the family of the Tenant**

Ans: 4

Source: MPJS Prelims Crash Course – MP Local laws – MP Accommodation Act – S.2

Section 2

Definitions

Tenant

- Person by whom rent would be payable.
- Includes sub-tenant.
- Person in possession after the termination of his tenancy
- Shall not include person against whom eviction decree has been made.

Reference: The Madhya Pradesh Accommodation Control Act, 1961, s 2

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com



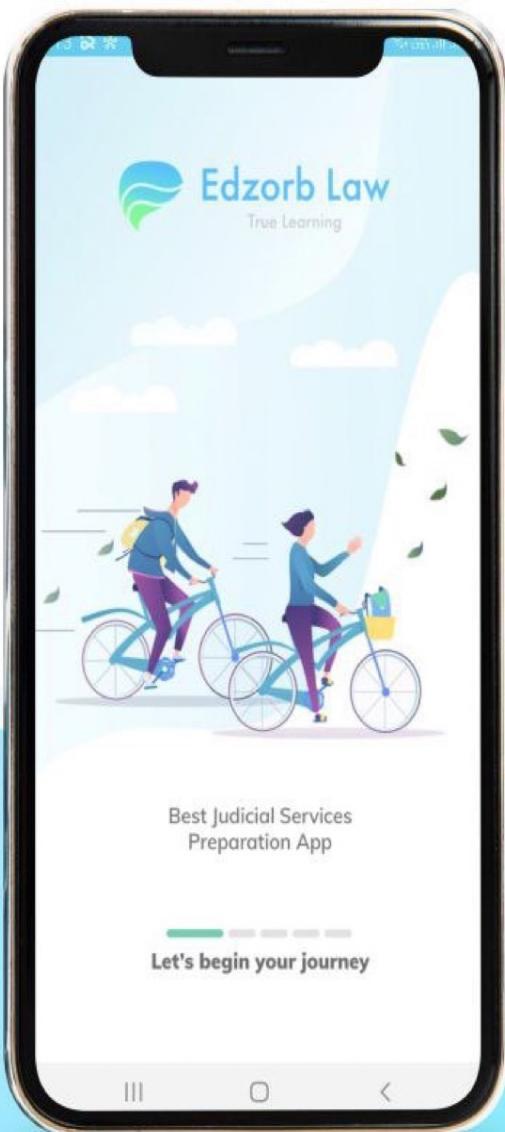
Edzorb Law
True Learning



Best Judiciary Exam Preparation App

- Offline App
- Visual Learning
- Free Daily Quiz

DOWNLOAD THE APP NOW



Learn More www.edzorblaw.com

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 8 MP Land Revenue Code



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q. 56 M.P Land Revenue Code – The limitation for filling appeal before Collector, against the order passed by Revenue Officer is

- 1) 30 days**
- 2) 45 days**
- 3) 60 days**
- 4) 90 days**

Ans: 2

Source: Edzorb Law - MPJS Prelims Crash Course 2- MP local laws- Madhya Pradesh Land Revenue Code Part 1- Section 47- Simplified Notes.

Section 47:

The period of limitation for filing first or second appeal shall be **forty-five days from the date of the order appealed against.**



Provided, where order was passed before 2018 Amendment Act, the limitation period shall be provided in the code prior to Amendment Act.

Q.57 M. P Land Revenue Code – The record made by Sub Divisional Officer ascertaining the customs in each village in any land or water not belonging to or controlled or managed by the State Government or a local authority is called –

1) Record of Right

2) Nistar Patrak

3) Wajib-ul-arz

4) Dakhil-Khariz

Ans:3

Source: Edzorb Law - MPJS Prelims Crash Course 2- MP local laws- Madhya Pradesh Land Revenue Code Part 5 - Section 242- Simplified Notes.



Section 242(1)

Ascertain and record the customs in each village in regard to:

Wajib-ul-arz

Customs

Recorded by Sub-Divisional Officer

Right to Irrigation

Right to Fishing

Section 242(2)
Wajib-ul-arz
records shall
be published.

Section 242(3)
Aggrieved from
records suit.
Suit in civil court
Within 1 year

Application under
Section 242

Q.58 M.P Land Revenue Code – Patwari shall not enter into any building or upon any enclosed court or garden attached To a dwelling house for the purpose of performing work related to his duties under the Madhya Pradesh Land Revenue Code without the consent of-

- 1) Collector**
- 2) Tehsildar**
- 3) The occupier thereof**
- 4) The real owner thereof**

Ans: 3

Source: MPJS - Prelims Crash Course –MP Local Laws - MP Land Revenue Code - Part I – S. 28

Section 28: Any Revenue Officer, Revenue Inspector, Nagar Sarvekshak, and Patwari, may direct.



Their servants and workmen to enter upon and **survey land and demarcate boundaries** and do other acts connected with their duties.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

No person shall enter into:



Building



Enclosed court



Garden attached to
dwelling house



With the consent of the occupier thereof,
without giving such occupier **at least twenty-four hours' notice.**

Reference: Madhya Pradesh Land Revenue Code, 1959

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.59 M.P Land Revenue Code -Any person aggrieved by any entry made in Wajib- ul-arz may Institute a suit in civil Court to have such entry cancelled or modified.

- 1) within 90 days of the publication of record**
- 2) within one year of the publication of record**
- 3) within two years of the publication of record**
- 4) within three years of the publication of record**

Ans: 2

Source: Edzorb Law - MPJS Prelims Crash Course 2- MP local laws- Madhya Pradesh Land Revenue Code Part 5 - Section 242(3)- Simplified Notes.

Section 242(2)
Wajib-ul-arz
records shall
be published.

Section 242(3)
Aggrieved from
records suit.
Suit in civil court
Within 1 year

Application under
Section 242

Section 242(5)

Modification/
insertion of
new entry in
Wajib-ul-arz

Section 242(4)

Decision of the
Civil Court =
**Final and
Conclusive**

Reasons for modification:

- Modification is in consent with all person
- Entry has been declared to be erroneous by Civil Court
- Not in accordance with Civil Court or Revenue Officer order
- Varied on appeal, revision or review



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.60 M P Land Revenue Code -When did M.P, land revenue code 1959 came into force?

1) 01-10-1959

2) 01 -11 -1959

3) 02-10-1959

4) 02-11 -1959

Ans: 3

**Source: Edzorb Law - MPJS Prelims Crash Course 2-
Madhya Pradesh Grand Test 11- Q.1, Madhya Pradesh
Land Revenue Code**

1. M.P. Land Revenue Code came into force on

- a 1st October, 1959
- b 1st November, 1959
- c 2nd October, 1959
- d 2nd November, 1959

Marks Awarded: 1.00

Trivia: 58.00% users answered right

Correct Answer: **c**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com



Edzorb Law
True Learning



karishma sharma

★★★★★ 07/08/2021



:

Brilliant content and a very useful and easy to use app. The team has put in exceptional efforts in preparing the content with the meticulous mains evaluation process. Also the team members are more than happy to go the extra mile to assist the students. All in all edzorb law is a must app for all the judicial aspirants. ❤️❤️

Thank you!

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 9 Indian Evidence Act



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q.61 The principle of Section 44 of The Indian Evidence Act cannot be extended to which of the following?

1) Misrepresentation or undue Influence

2) Fraud

3) Collusion

4) All of these

Ans: 1

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Evidence Act- Part 1- Section 44**

Section 44:

Any party to a suit or proceedings may show that any judgment, order or decree **which is relevant under sections 40, 41 or 42** and has been proved by the adverse party:



The judgment was delivered by a **court not competent to deliver it**

Saw my power of making fool, obtained the judgment in my favour. My win.....

The judgment was **obtained by fraud or collusion**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.62) Indian Evidence Act 1872- The case of *Sawal Das v. State of Bihar*, (1974) 4 SCC 193 is related to

1) Rule of res judicata

2) Rule of estoppel

3) Plea of alibi

4) Rule of res gestae

Ans: 4

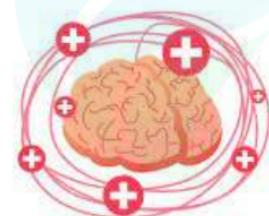
**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Evidence Act- Part 1- Section 6**

Concept of Res Gestae:

Res Gestae

things done.

Origin of the concept:



Connected together

- Originally the **Romans** used Res gestae to mean acts are done or actus.
- It was described by **the English and American writers** as facts forming the same transaction.

- Res gestae are the facts that form a part of the same transaction automatically or naturally.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Sawal Das Vs State of Bihar

1974, SC

Facts:

- A husband, his father and a mother were prosecuted for murder of wife.
- She cried for help as soon as she were pushed in room.
- Her children exclaimed that their mother is being killed.

Held: The exclamations were admissible as res gestae.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.64) Indian Evidence Act 1872- Which of the following section of the Indian Evidence Act, 1872 does not relate with the criminal matters

- 1) Section 23**
- 2) Section 27**
- 3) Section 53**
- 4) Section 133**

Ans: 1

Source: Q Bank Concepts – Indian Evidence Act – Unit IV – Q. 24

Section 23:

Admission in civil cases is not relevant if:

Any statement during this negotiation shall not be used as evidence against the party.

I have to pay Rs. 20 lacs but I will only pay 5 lac

I am here to negotiate about the dispute.



The statement of the man cannot be proved as admission by the girl.

- Where the court thinks that the parties agreed together not to give evidence of it.

Explanation to the section:

It does not exempt any pleader from giving evidence of any matter of which he may be compelled to give evidence under **section 126**.



Reference: Indian Evidence Act, 1872, Section 23

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.65 Under section 45 of Evidence Act, the opinion of expert are relevant facts as to-

- 1) Identity of hand writing.**
- 2) Identity of finger impressions.**
- 3) Identity of hand writing & Identity of finger impressions both.**
- 4) neither identity of hand writing nor identity of finger impressions.**

Ans: 3

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Evidence Act- Part 1- Section 45**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

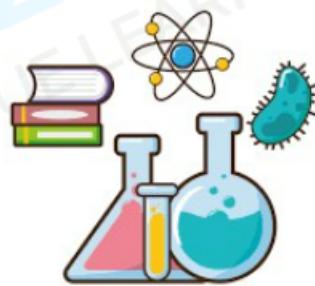
OPINIONS OF THIRD PERSONS, WHEN RELEVANT

Section 45: Opinions of experts:

When the Court has to form an opinion upon:



Foreign Law



Science and art



Identity of
handwriting



Identity of finger
impression





Edzorb Law

True Learning



Premium+

- QBank Concepts
- EPIC Mains Test Series
- Concept Treasures for GK, GS
- Case Law Cards
- PYP Cards
- Prelims Grand Test Series
- MCQ Factory
- Local Law PDF
- Study Materials (English, IT, Translation, Summary)
- Legal Updates Flashcards
- Personalised Mentorship & Strategic Guidance

Premium+ 2.0 (Added Features)

- Mains QBank
- QBanks Concepts 2.0 (Illustrations, Blueprint)
- Simplified Visual Notes of All Subjects
- Mains Factory
- Active Voice Guidance
- Video Seminars
- Bareact Revolution

9685513769 | 8884499902 |

Telegram: @edzorblaw |

www.edzorblaw.com



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.66 Indian Evidence Act – which of the following statement is not correct in relation to words & expressions used in S 3 of the Indian Evidence Act?

- 1) 'Fact. Includes not only state of things but also mental condition.**
- 2) Court` Includes arbitrators.**
- 3) An inscription on a stone is a document.**
- 4) A fact is said to be not proved when it is neither proved nor disproved.**

Ans:2

**Source: Edzorb Law - MPJS Prelims Crash Course 2-
Question bank Evidence Unit 3- Q.12, Indian Evidence
Act.**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

12. Which one of the following is not included in the expression 'Court' under the Indian Evidence Act?

- a All judges
- b All persons legally authorized to take evidence
- c All Magistrates
- d Arbitrator

Marks Awarded: 1.00

Explanation:

(D)

Section 3 of IEA: Court includes:

- All judge and magistrates,
- All person

Legally authorized to take evidence.

Except- Arbitrators.

To decide a dispute in a judicial manner and to declare the rights of the parties in a definitive judgment is essential **sine qua non** of a court.

Sine qua non means a thing absolutely necessary.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.67 In which of the following cases the evidence given by the witness will not be relevant under section 33 of the Indian Evidence Act,1872?

- 1) When the witness is staying abroad.**
- 2) When the witness is dead.**
- 3) When witness cannot be found.**
- 4) When the witness is Incapable of giving evidence**

Ans: 1

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Evidence Act- Part 1- Section 33**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 33: Relevancy of certain evidence for proving, in subsequent proceeding, the truth of facts therein stated:
Evidence given by a witness who is:



And had given evidence:

In any judicial proceedings

Before any person authorised by law to take it

The evidence given in such proceedings **is relevant for the purpose of proving the truth of the facts** which it states in:

Subsequent judicial proceeding

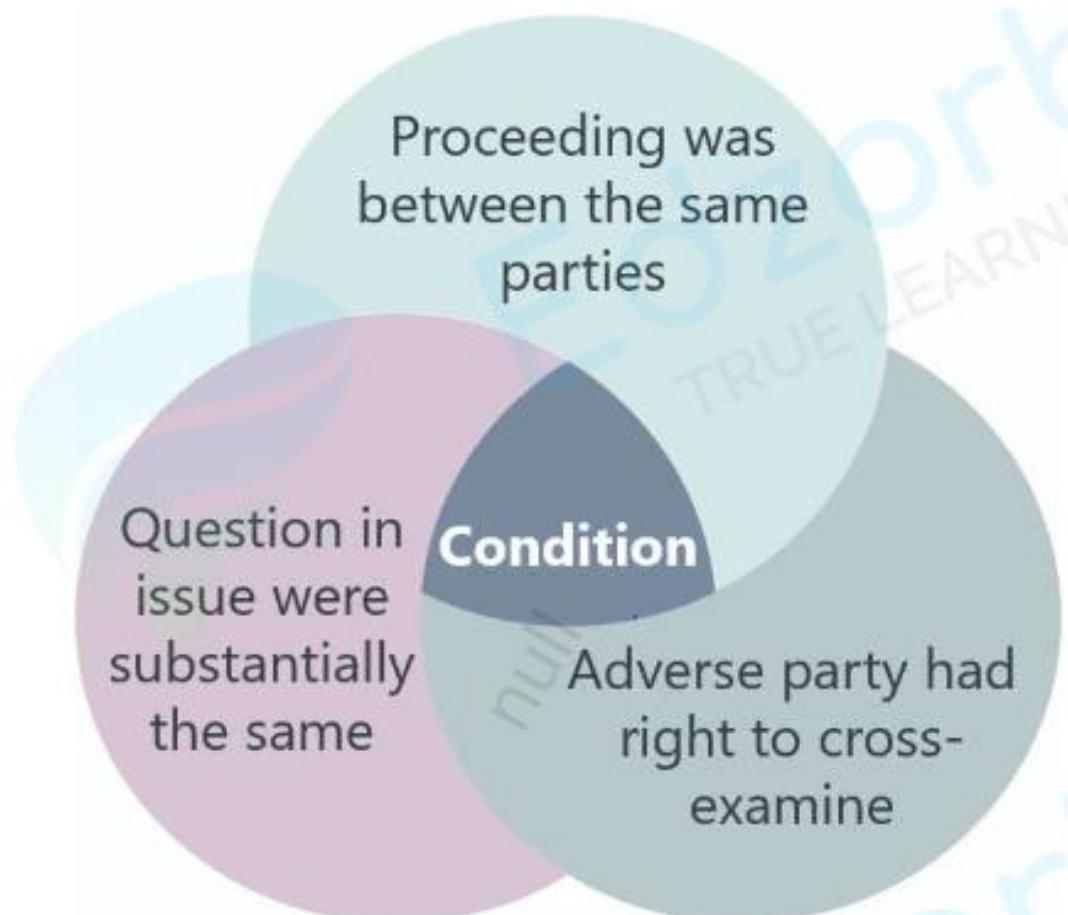
Evidence is

E

Relevant in

Later stage of the same judicial proceeding

Conditions for making the evidence relevant:



Did you Know?

A criminal trial or inquiry shall be deemed to be a proceeding between the prosecutor and the accused within the meaning of this section.



Q.68 Indian Evidence Act - under section 90A of Indian Evidence Act presumption as to electronic records years old is provided

- 1) 20**
- 2) 15**
- 3) 10**
- 4) 5**

Ans:4

**Source: Edzorb Law - MPJS Prelims Crash Course 2-
Question bank Evidence Unit 1- Q.23, Indian Evidence
Act.**

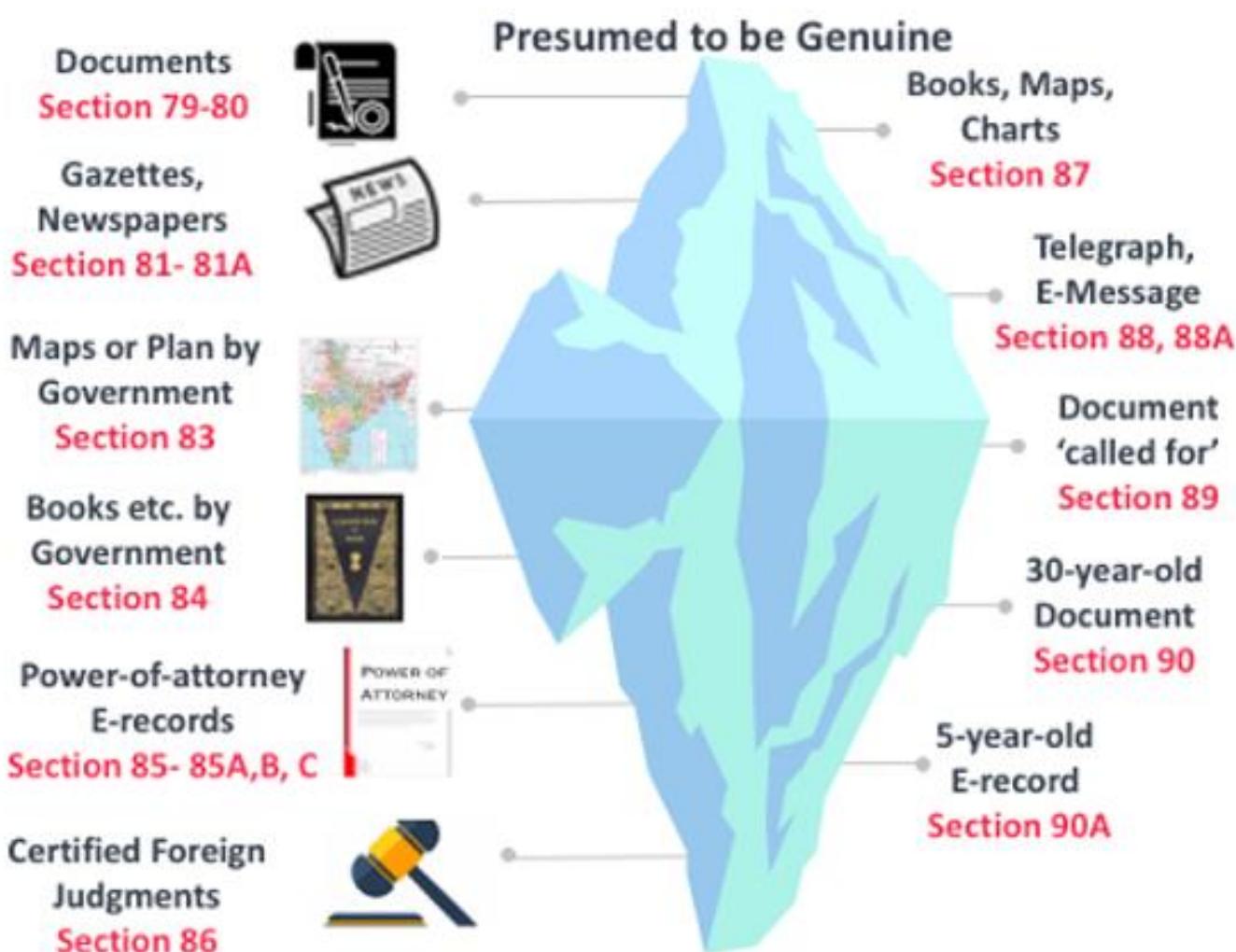
Presumption of electronic records: **Sections 85A, 85B, 85C, 88A and 90A**



**Bodala Murali Krishna Vs Smt. Bodala Prathima
(2007 (2) ALD 7237)**

- These provisions are referred only to demonstrate that the emphasis, at present, is to recognize the **electronic records** and digital signatures, as admissible pieces of evidence.

Provisions regarding Presumption of documents:



Reference: The Law of Evidence by Chief Justice M. Monir, 9th Ed., 2013, Page No. 304-318

Copyright © Edzorb Law: Any breach will attract immediate legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.69 Indian Evidence Act 1872-Which kind of Jurisdiction is not mentioned under section 41 of the Indian Evidence Act. 1872

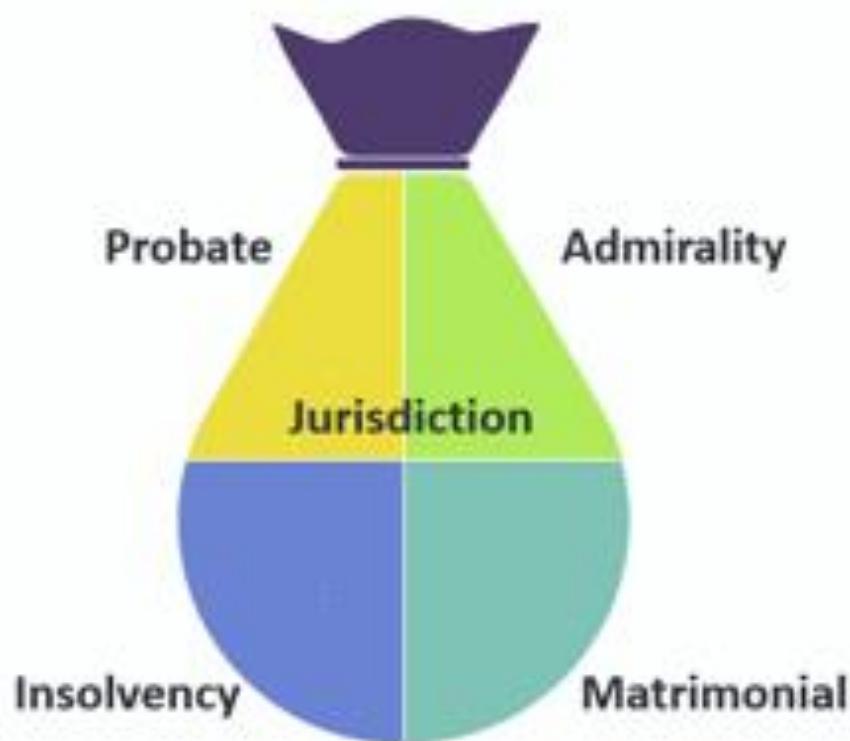
- 1) Probate**
- 2) Matrimonial**
- 3) Insolvency**
- 4) Revenue**

Ans: 4

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Evidence Act- Part 1- Section 41**

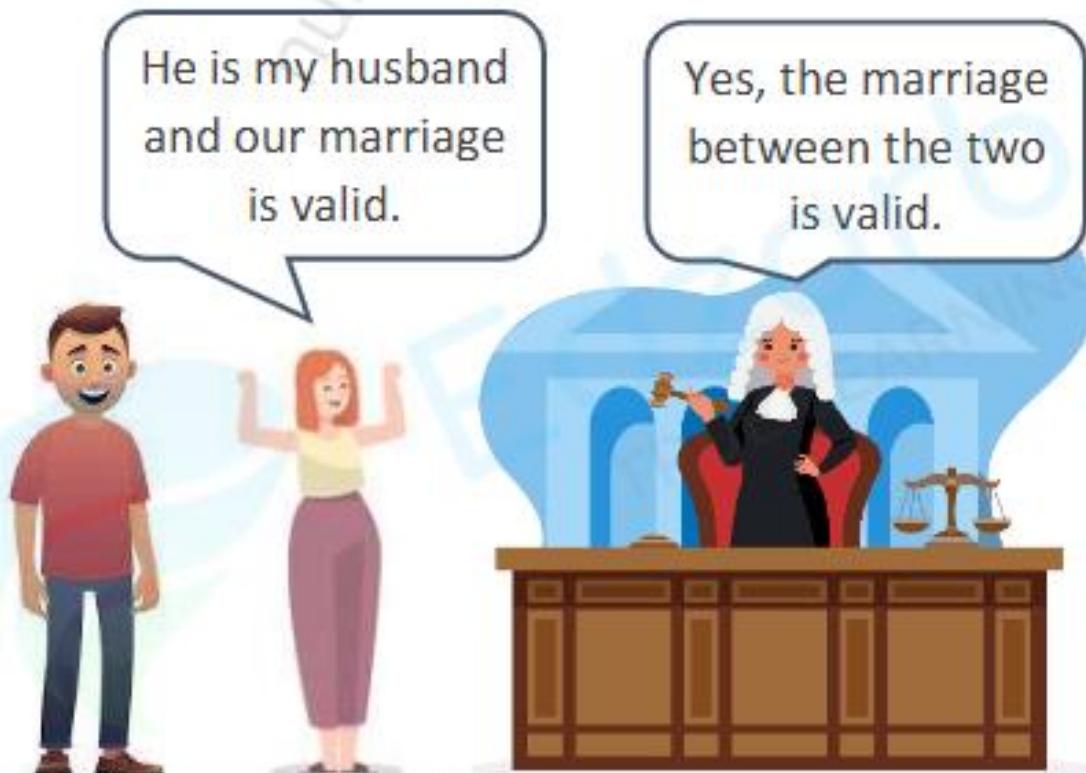
Section 41: Relevancy of certain judgments in probate, etc., jurisdictions:

A final judgment, order or decree of a competent Court, in the exercise of:



- Which confers upon or takes away from any person any legal character, or
- Which declares any person to be entitled to any such character, or to be entitled to any specific thing,
- Not as against any specified person but absolutely, is relevant when the existence of any such legal character, or the title of any such person to any such thing, is relevant.





Date of judgment: 02.02.2020



Judgement dated 02.02.2020 is relevant and admissible

Q.70 Indian Evidence Act. -The 'document' means-

- 1) A Map and an inscription on a stone**
- 2) A Caricature**
- 3) Words printed Lithographed or photographed**
- 4) All of these**

Ans: 4

**Source: Edzorb Law - MPJS Prelims Crash Course 2-
Question bank Evidence Unit 5- Q.28, Indian Evidence
Act.**

28.

MCQ, Single Correct Question

'Document' produced for the inspection of the court includes-

- i) A written document
- ii) A caricature
- iii) An electronic record
- iv) An inscription on stone

a (i) and (iv)

b (i), (ii) and (iv)

c (i), (ii), (iii) and (iv)

d (i), (ii) and (iii)

(c)

Section 3 of IEA: Document

Illustration:

- A writing is a document;
- Words printed, lithographed or photographed are documents;
- A map or plan is a document;
- An inscription on a metal plate or stone is a document;
- A caricature is a document.



Reference: the law of evidence, Ratanlal & Dhirajlal 27th Edn, Page No.15.

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

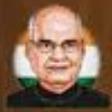
www.edzorblaw.com

Edzorb QBank Treasures



PRIME MINISTER





President

Nominal Executive Authority
(de jure executive)

Head of the State



Parliamentary system





P M

Real Executive Authority
(de facto executive)

Head of the Govt.



APPOINTMENT OF PRIME MINISTER

Conventions (Parliamentary system of govt.)

Article 75 PM shall be appointed by the President	<ul style="list-style-type: none">✓ Leader of Majority party✗ If no party has Majority → Personal Discretion✓ Largest party or coalition → usually <p>→ Vote of Confidence (within a month)</p>
---	---

Constitution does not contain any specific procedure

1984  **Indira Gandhi**
(Assassinated in 1984) President Appointed → **Rajiv Gandhi (PM)** (ignoring caretaker PM)
Later on, Congress elected him as leader

Death - Incumbent PM - Ruling party elects a new leader → President → appoint him as PM
(has no choice)

1980  **Delhi HC** President First appoint PM → **Prove majority**
(within a reasonable period)

1997  **Supreme Court** Person can be appointed as PM → **6 Months**
(Not a member of Parliament)
Member of either House of Parliament → should become
(otherwise, he ceases to be PM) Within 6 months

 **Constitutionally**, PM may be a member of **any** of the two Houses of parliament.

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



Edzorb QBank Treasures

HIGH COURT



HISTORY

Article 214-231

1862	1866	>1950	1956	Present
High court • Bombay • Madras • Culcutta	Allahabad	HC of Province HC for State	7th CAA Establish HC 2 or more States Or 2 or more States + UT	24 HC 3 Common HC Delhi (UT)- own HC

ORGANISATION

Strength Decided by President

Appointment	Eligibility	Oath	Tenure	Salaries	Transfer
President • CJ • Other Judges • Common HC Judges	Citizen Held Judicial office Or HC Advocate	Governor Or Nominated by	62 age	Determined by President	By President

Removal	Acting CJ	Additional Judges	Acting Judge	Retired Judges
President	Appointed by President	Appointed by President	Appointed by President	Appointed by CJ of HC
Misbehaviour	President	President	President	
Recommended by Parliament (Special Majority)	CJ — Absent Unable to perform duty	More work 2 years term	Judge Absent Unable to perform duty	(Temporary)

JURISDICTION & POWERS

✓ Highest court of appeal (In state)

Original
Hear disputes (1st instance)

Writ
Under Article 226

✓ Protector of FR

Appellate
Appeal against judgements

Supervisory
Superintendence

✓ Interpret Constitution

Control
Subordinate courts

Judicial review
Article 226

Original jurisdiction

Matters

- Company laws
- Marriage
- Court contempt
- Divorce
- Election disputes
- Revenue matters

Enforcement

Fundamental Rights

Cases

Transferred from Subordinate courts

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



Edzorb Law



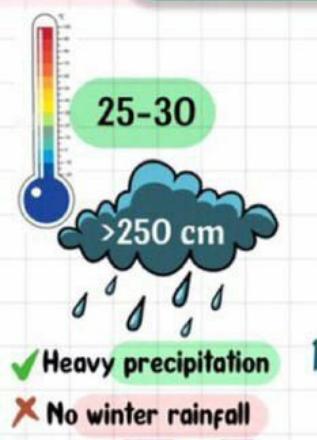
BIOME



• EQUATORIAL REGION

Tropical rainforest

Evergreen forest



10° N
0
10° S

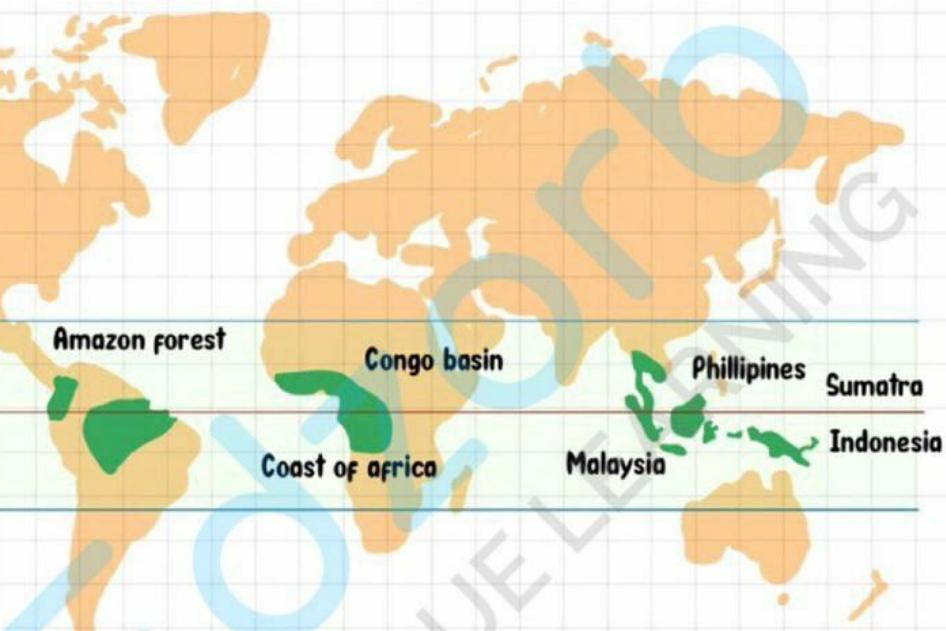
Broad leaves

Canopy formation

Very tall trees

Very dense forest

No shedding of leaves



- Hardwood
- Mahogany
- Ebony
- Rosewood
- Rubber
- Cinchona



ECONOMIC ACTIVITIES

- Hunting, gathering
- Shifting cultivation
- Rubber, Coffee, Tea
- Sugarcane, Oil palm



Semang (Malaysia)



Kubus (Sumatra)



Dayaks (Borneo)



Pygmies (Congo)



Amazon Indians (South America)



SC Allows Service Through Instant Tele-Messenger Services

Considering difficulty in visiting post offices amid pandemic, SC allowed service of summons & notices through instant tele-messenger services like whatsapp, email and fax. All these will prove valid service on a party.

 SA Bobde, C.J.I.; AS Bopanna, J. & Subhash Reddy, J.

Reference: economictimes.indiatimes.com/news/politics-and-nation/supreme-court-allows-email-fax-instant-messaging-apps-like-whatsapp-for-service-of-notices-summons/articleshow/76898274.cms?from=mdr

Q.71 Public document under Indian evidence act can be proved by

- 1) Oral evidence**
- 2) Certified copy**
- 3) By oral evidence who is given certify copy**
- 4) None of these**

Ans: 2

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Evidence Act- Part 1- Section 76**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 76. Certified copies of public documents:

If the public document is open for inspection, **its copy should be given to the person demanding it on the payment of the legal fees.**



The certificate must be attached having following particulars:



- ✓ True copy of document
- ✓ Name of officer and his official title
- ✓ Date of issue of copy
- ✓ Seal of office
- ✓ It must be dated.

The copies shall be called **CERTIFIED COPIES.**

Explanation:

Any officer who is authorized to deliver such copies, shall be deemed to have the custody of such documents within the meaning of this section.

You would have to talk to someone. I only take legal fees.



Section 77: Proof of documents by production of certified copies:

Certified copies be produced



Proof of the contents of the public documents or its parts of which they purport to be copies

Q.72 Indian Evidence Act. - A witness, who is unable to speak gives his evidence by writing in open court, evidence so given shall be deemed to be-

- 1) Primary evidence**
- 2) Documentary evidence**
- 3) Oral evidence**
- 4) Secondary evidence**

Ans: 3

Source: Edzorb Law Premium + 2.0 – Simplified Notes – Indian Evidence Act – Part 2 – Section 119

Section 119: Witness unable to communicate verbally:

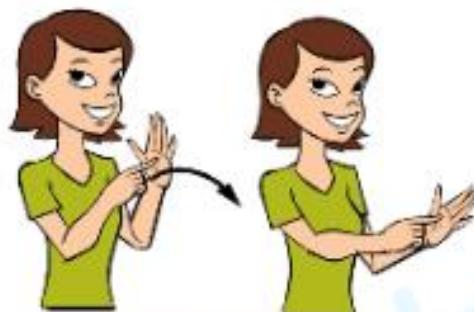
A witness who is **unable to speak** may give his evidence in any other manner in



which he can make it **intelligible**, such evidence be called oral evidence.



By writing written
in open court



By signs, made in
court.



If the witness is unable to communicate verbally, the Court shall take the assistance of an interpreter or a special educator in recording the statement, and such statement **shall be video-graphed**.

State of Rajasthan Vs Darshan Singh @ Darshan Lal (May 21, 2012), SC

Duty of Court

When examining such witness, the court has to exercise due care & caution

Oath:

On being satisfied, the witness may be administered oath with the help of interpreter.

Read and write

If a person can read and write, it is better to use that method than signs.

Credible & reliable witness

They are credible witness and it can't be doubted only coz of physical disability.

Q.73 Indian Evidence Act – A dying declaration recorded by the police officer in the form of FIR before the death of author without obtaining certificate as to his mental fitness?

- 1) Can not be treated as dying declaration**
- 2) Can not be read in evidence**
- 3) Can be treated as dying declaration**
- 4) Can not be used in evidence for any purpose**

Ans: 3

**Source: Edzorb Law - MPJS Prelims Crash Course 2-
Question bank Evidence Unit 6- Q.33, Indian Evidence
Act.**

33.



MCQ, Single Correct Question

Which of the following cases related to medical fitness of person while giving dying declaration.

- a Laxman Vs State of Maharashtra
- b Uka Ram Vs State of Rajasthan
- c Both a and b
- d Neither a nor b

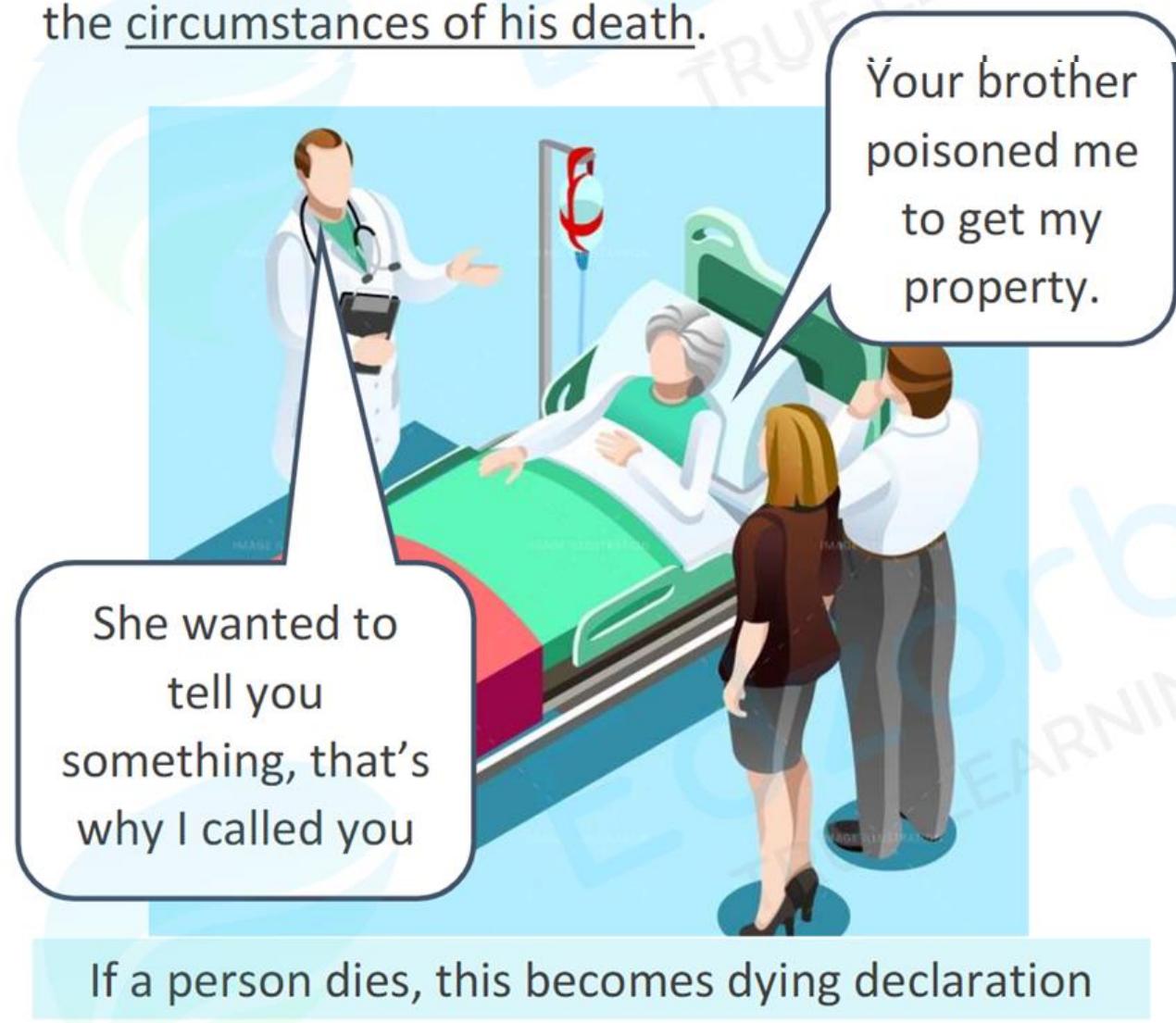


JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Concept of Dying Declaration: (Section 32(1))

- “**Dying Declaration**” means a statement (written or verbal) of relevant facts made by a person, who is dead.
- It is the statement of a person who had died explaining the circumstances of his death.



Reason for admissibility of Dying Declaration:

*Nemo moriturns
proesumitur
mentiri*



A man does not lie at the time of his death and he will not meet God with a lie in his mouth.

Uka Ram Vs State of Rajasthan

10 April, 2001, Supreme Court

- The sense of death leads to the same feeling which a virtuous man gets under oath.
- The admission of DD is made because the declaration has been made under extremity.
- When a person is near death and his hope is gone for this world then it is powerful consideration that he will be speaking the truth.



Uka Ram Vs State of Rajasthan

10th April, 2001 SC

Facts:-

- Relying upon the dying declaration, trial court held appellant guilty for murder
- According to appellant, his wife was insane and getting treated for insanity.

Held:-

- Fact that deceased was mental patient, but investigating agency did not take precaution to ensure that the incident was suicidal or homicidal.
- **Dying declaration is not reliable** as the medical certificate showed that the person was not in reliable state of mind, the conviction and sentence of the appellant is not justified.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Surendra Bangali Vs State of Jharkhand (2021)

Held:

- Mere absence of doctor's certification as to the fitness of the declarant's state of mind would not ipso facto render the dying declaration unacceptable.

Q.74 Indian Evidence Act – Which section of the Indian Evidence Act, 1872 is founded upon the doctrine laid down in 'Pickard v Sears?

- 1) Section 6**
- 2) Section 32**
- 3) Section 115**
- 4) Section 167**

Ans: 3

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Evidence Act- Part 2- Section 115**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

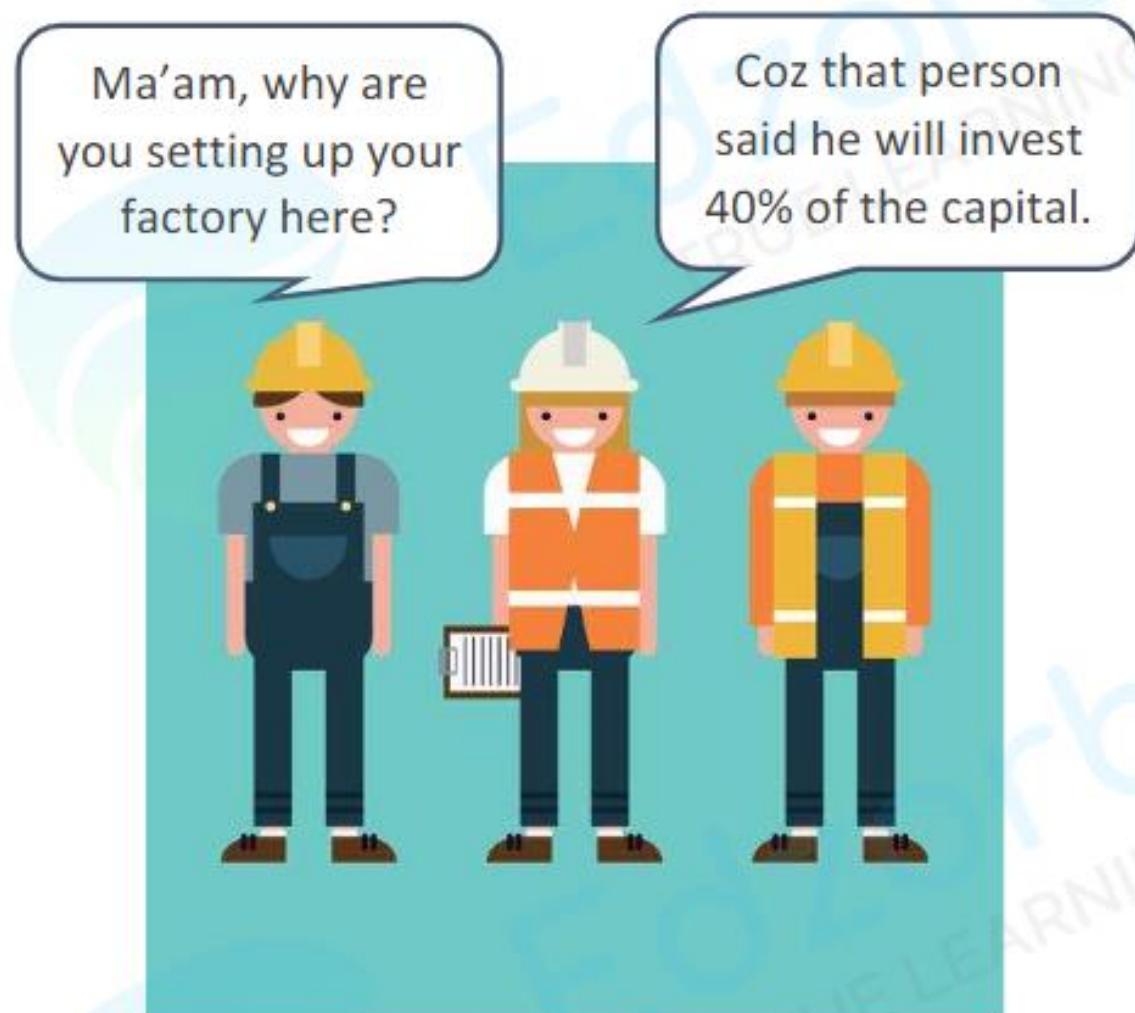
www.edzorblaw.com

Section 115: Estoppel:

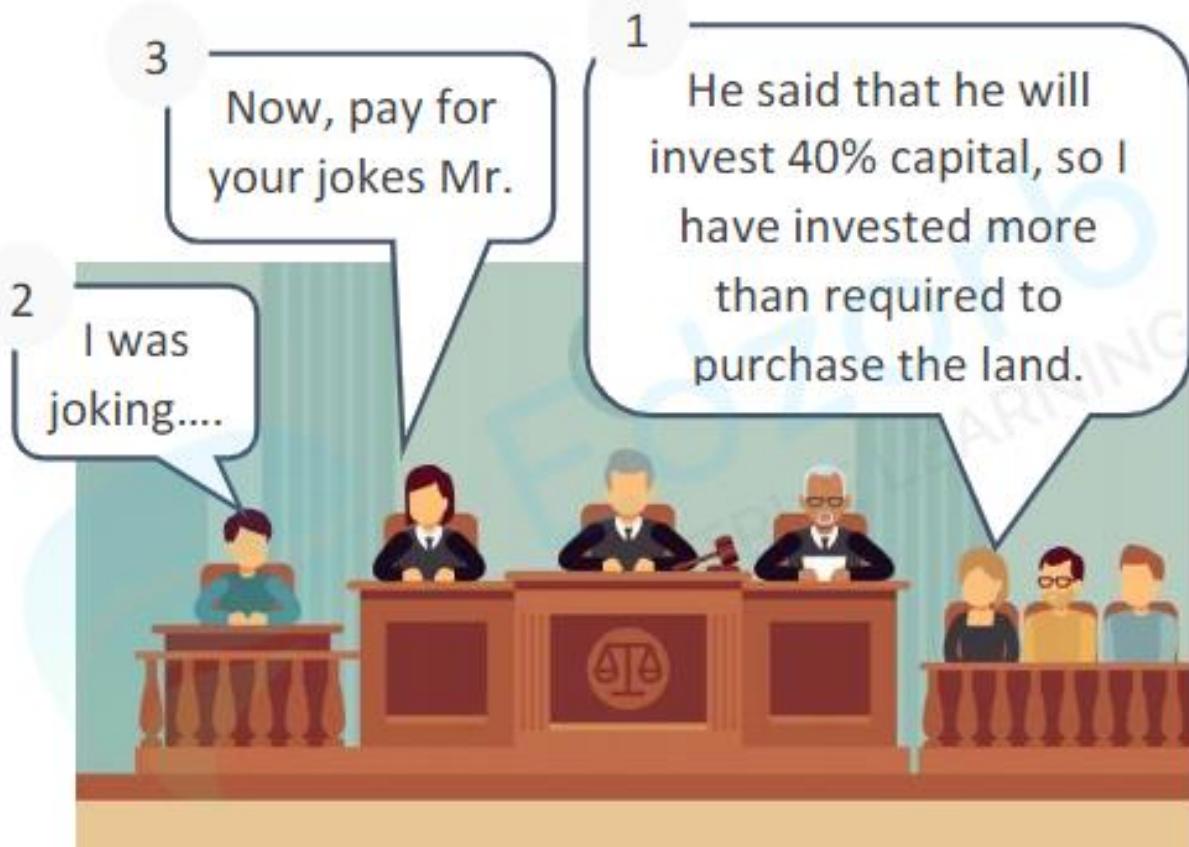
- I. When one person has, by his declaration, act or omission, intentionally caused or permitted, and



- II.** Another person to believe a thing to be true and to act upon such belief:



- III.** Neither he nor his representative shall be allowed, in any suit or proceeding between himself and such person or his representative, to deny the truth of that thing.



Here, the person will be estopped from denying the fact.

Did you Know?

Section 115 is based on English case law "**Pickard Vs Sears, 1837**"





**Pikard
v.
Sears**

**Section 115 of the
Indian Evidence Act is
founded upon the
doctrine laid down in
this case.**

Q.75 Indian Evidence Act – Under sub-section (5) (C) of section 65-B of Indian Evidence Act, a computer output shall be taken to have been produced by a computer In these statements which one is complete?

- 1) Whether it was produced by it directly**
- 2) Whether it was produced by means of any appropriate equipment**
- 3) Whether it was produced by it directly or (with or without human Intervention) appropriate equipment**
- 4) Whether it was produced by it directly or by means of any appropriate equipment**

Ans: 3

Source: Edzorb Law Premium + 2.0- Simplified Notes- Indian Evidence Act- Part 1- Section 65-B



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 65A. Special provisions as to evidence relating to electronic record:

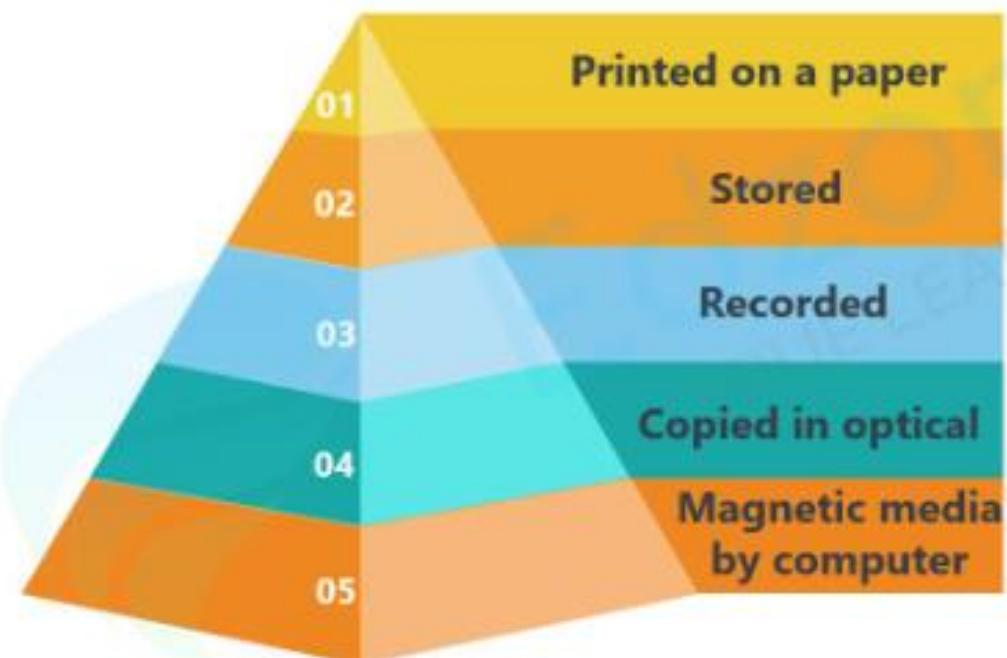
The contents of electronic records may be proved in accordance with the provisions of **section 65B**.



Section 65B: Admissibility of electronic records:

65B (1): Electronic record as DOCUMENT:

Any information that is contained in an electronic record which is:



shall be deemed to be also a document.



65B (5): For the purposes of this section:

a) INFORMATION TAKEN AS SUPPLIED:

When supplied either directly or by appropriate equipment.



When supplied in appropriate form

This is the official info., even if new, feed it in comp.



b) OFFICIAL INFORMATION

SUPPLIED: Whether in the course of activities carried on by any official information is supplied with a view to its being stored or processed for the purposes of those activities by a computer operated otherwise than in the course of those activities,

That information, if duly supplied to that computer,
shall be taken to be supplied to it in the course of
those activities;

c) **COMPUTER OUTPUT** shall be taken to have been **PRODUCED** by a computer whether it was produced:

Directly

Means of any appropriate equipment

Explanation: For the purpose of this section,

Any reference to information being derived from other information

Shall
be

A reference to its being derived therefrom by calculation, comparison or any other process.

**Arjun Panditrao Khotkar Vs Kailash Kushanrao Gorantyal
And Ors.
2020 SCCOnLine SC 57**

It clarified the position of **Section 65B** as to admissibility of Electronic record (ER):

- **CERTIFICATE:** The certificate under **65B (4)** is a condition precedent.
- **NON OSTANTE CLAUSE:** **Section 65B (1)** is non-obstante clause and admissibility must follow **Section 65B**.



If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel

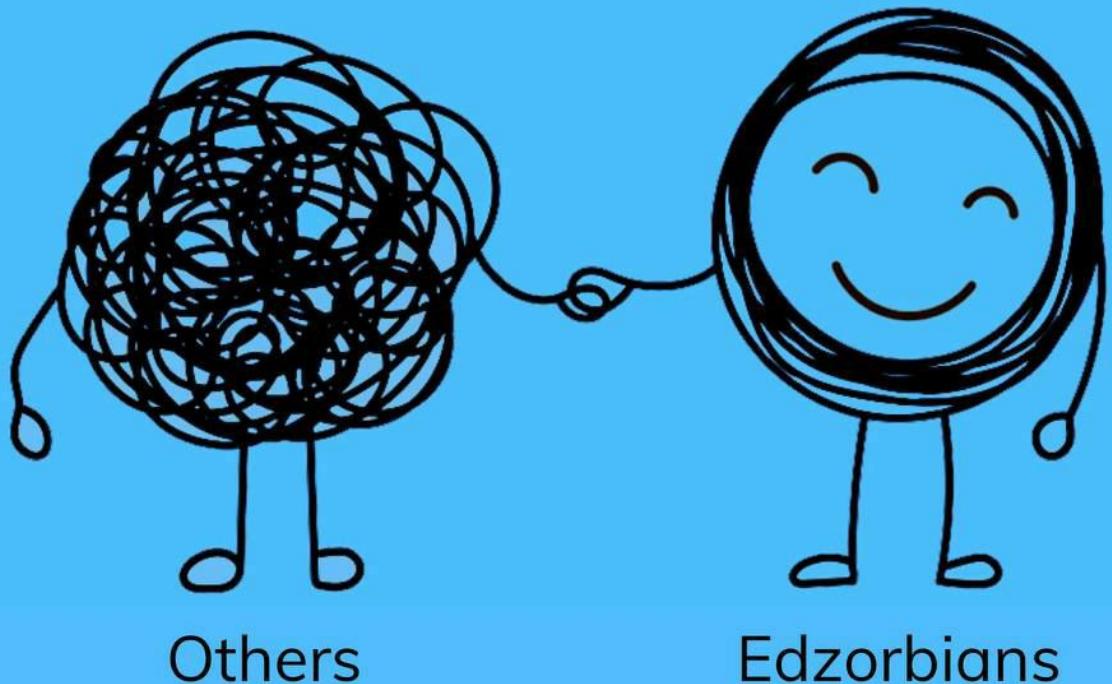


For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com



Untangle

Your Judiciary Preparation With Edzorb Law



Others

Edzorbiants

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 10 Indian Penal Code



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q.76 Indian penal Code 1860- when a woman was taking bath in her bathroom, "X" captures the Image in his mobile What offence has been committed by "X"

1) Sexual assault

2) Insulting the modesty of a women

3) Voyeurism

4) Stalking

Ans: 3

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Penal Code- Part 2- Section 354C**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 354C:

Voyeurism:

- Act:



- To **watch a woman**, or
- **Captures the image** of a woman
- When such woman is **engaging in a private act.**
- Moreover, the circumstances are such where she would usually have the **expectation of not being observed** either by the perpetrator or by any other person at the behest of the perpetrator or disseminates such image.

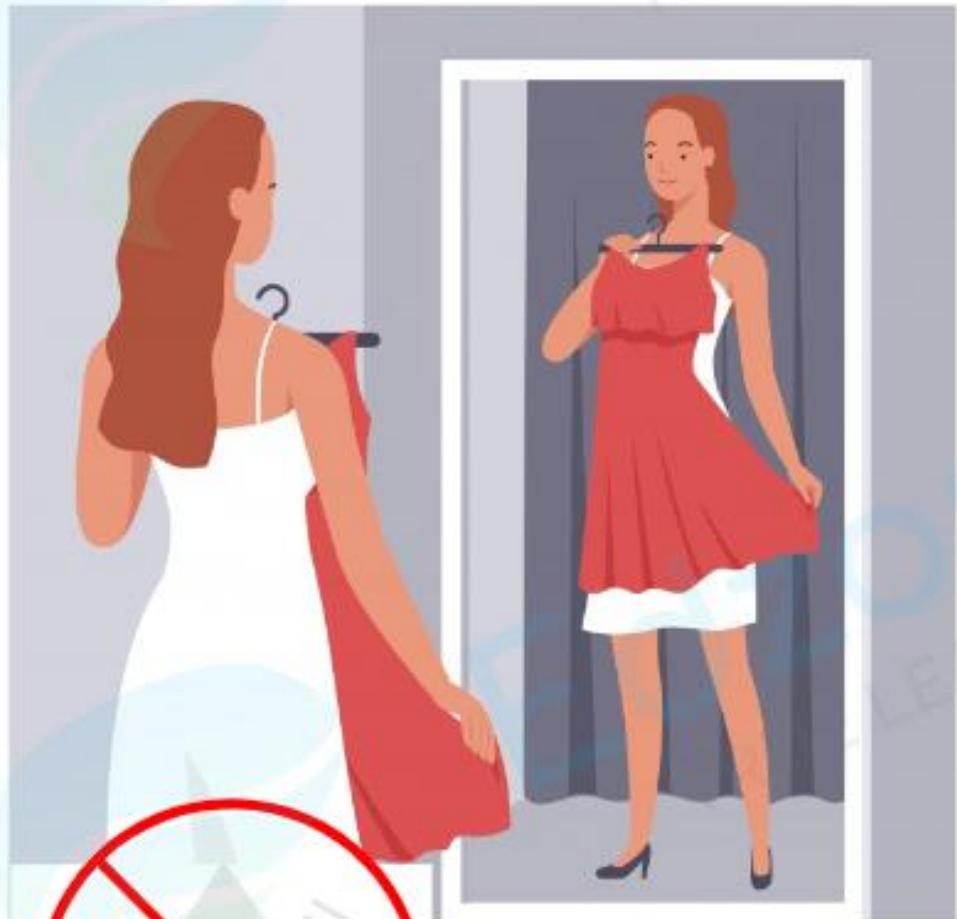


- Punishment:



- First conviction: Imprisonment – **1 Year to 3 Years + Fine.**
- Second Conviction: Imprisonment – **3 Year to 7 Years + Fine.**





Explanation 1:

Private acts – Act of watching carried out in a place:



Explanation 2:

- Where the victim **consents to the capture of the images** or any act,
- But the victim **did not consent to their dissemination** to third persons and where such image or act is

disseminated, such dissemination shall be considered an offence under this section.



Read more:

<https://www.scoopwhoop.com/my-boyfriend-threatened-to-leak-my-nude-photos/>

Reference: Indian Penal Code, 1862 s 354C

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.

Q.77 Indian penal Code 1860-Where an offence is punishable with imprisonment as well as fine, the term for which the Court directs the offender to be the imprisoned in default of payment of a fine shall not exceed

- 1) equal of the term of imprisonment which is the maximum fixed for the offence**
- 2) one-half of the term of Imprisonment which is the maximum fixed for the offence**
- 3) one-third of the term of imprisonment which is the maximum fixed for the offence**
- 4) one-fourth of the term of imprisonment which is the maximum fixed for the offence**

Ans: 4

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Penal Code- Part 1- Section 65**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 65

Limit of imprisonment for non-payment of fine, when imprisonment and fine awardable:



Shantilal Vs State of M.P.

(2008) 1 SCC (CRI) 1

Difference between **Section 53** and **64**:

- Term of imprisonment in **default** of payment of fine is **not a sentence**. It stands in a **different** footing.
- **It is a penalty** (**Section 64**) which a person incurs on account of non-payment of fine.
- **It can always be avoided by payment** of such fine.

Reference: Indian Penal Code, 1862 s 65

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.78 According to the Indian Penal Code. which of the following conditions would be correct?

- 1. 'A" hits 'Z' fifty times with a stick, If the punishment for a strike is 1 year. Then 'A' will be punished with 50 years of imprisonment**
 - 2. When A Is hitting Z. Y. intervenes and 'A' deliberately kills 'Y' as well. A. is liable to one punishment for voluntarily causing hurt to .Z. and another punishment for killing 'Y'**
- 1) Both 1 and 2**
- 2) Only 1**
- 3) Only 2**
- 4) neither 1 nor 2**

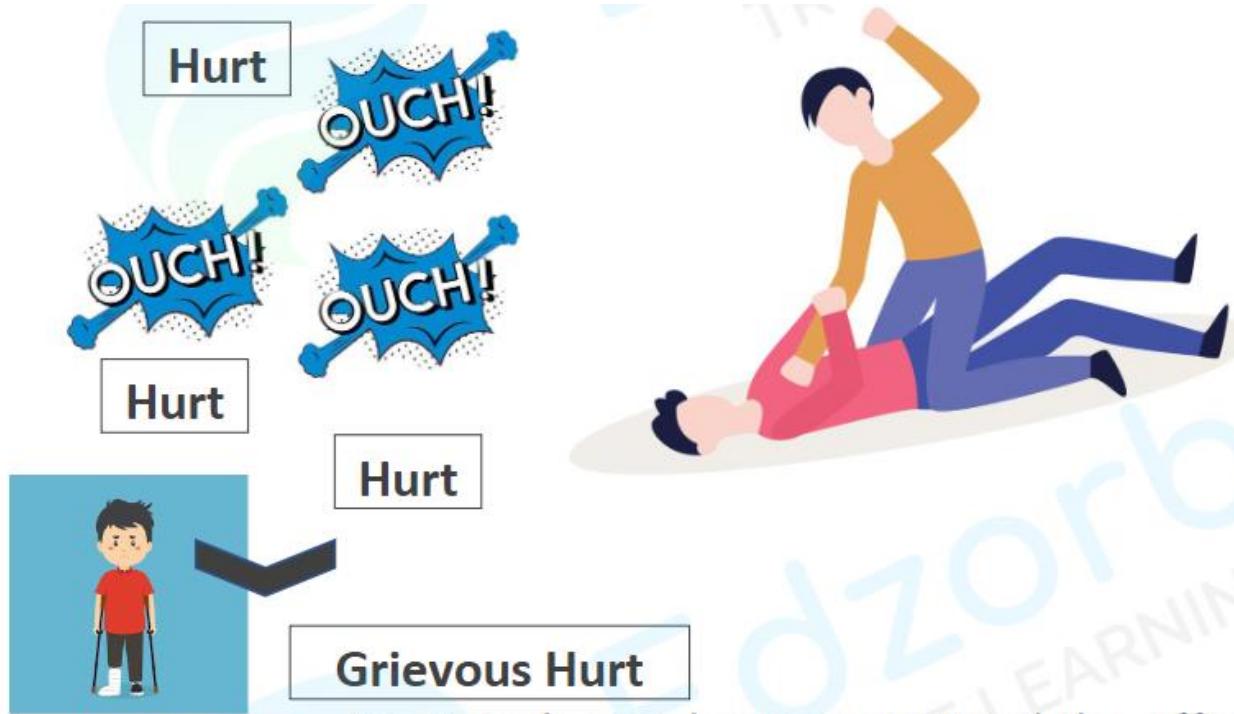
Ans: 3

Source: Source: Edzorb Law Premium + 2.0 – Simplified Notes – Indian Penal Code - Part I – S. 71

Section 71

- In cases where an offence is made up of parts
- And any of the parts is itself an offence.
- The offender shall not be punished with the punishment of more than one of such his offences, unless it be so expressly provided.





Grievous Hurt

- So, Rajesh may have committed the offence of voluntarily causing grievous hurt by whole beating process.
- Each blow also amounted to an offence.
- Here if each blow would be accounted for, then the entire punishment and range up to 50 Years.
- But the punishment will be for Grievous hurt only.
- This will be under **Section 325 – Punishment – Up to 7 years.**

Part II:

- Where anything is an **offence falling within two or more separate definitions** of any law in force for the time being by which offences are defined or punished.
- Or where **several acts, of which one or more than one would by itself or themselves constitute an offence**, constitute, **when combined, a different offence**, the offender shall not be punished with a more severe punishment than the Court which tries him could award for any one of such offences.

Goolzar Khan (1868) 9 WR(Cr) 30

- Each person lodged a separate complaint.
- For different charges, person can be punished separately for each offence.
- Accused was convicted and sentenced to four month's imprisonment for threat of each witness.

Reference: Indian Penal Code, 1862 s 71

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.79 Which one Is not an exception of defamation under Section 499 of Indian Penal Code

- 1) Public conduct of public servant**
- 2) Malicious statements**
- 3) Conduct of any person touching any public question**
- 4) Publication of reports or proceedings of Court**

Ans: 2

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Penal Code- Part 4- Section 499**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



What's an
imputation?

Allegation
or Charging

Don't
Defame



NOTE

has been caused to reputation.

EXCEPTIONS:

<u>First Exception</u>	<ul style="list-style-type: none">• To impute anything which is true• For the PUBLIC GOOD
<u>Second Exception</u>	<ul style="list-style-type: none">• To express any opinion• In good faith• About conduct of public servant or his character appearing in that character in discharge of their public functions.
<u>Third Exception</u>	<ul style="list-style-type: none">• To express any opinion in good faith• About conduct of any person touching any public question
<u>Fourth Exception</u>	<ul style="list-style-type: none">• To publish• True report of the proceedings of a court or• A result of any such proceedings
<u>Fifth Exception</u>	<ul style="list-style-type: none">• To express any opinion• In good faith<ul style="list-style-type: none">○ About merits of any case decided by a court of Justice OR○ About the conduct of any party, witness or agent

Sixth Exception	<ul style="list-style-type: none">• To express in good faith• About the merits of any performance• Or the character of the author as it appears in such performance• Which is submitted to the judgment of the public
Explanation	Performance can be submitted to the judgment of public expressly or by acts on part of the author.
Seventh Exception	<ul style="list-style-type: none">• To pass in good faith• Any censure on the conduct• By a person having authority over another• Either conferred by law OR• Arising out of a lawful contract• In matters related to such authority
Eighth Exception	<ul style="list-style-type: none">• When a person has lawful authority over another person.• The same can prefer accusation against that person• However, the accusation must be in Good faith.

	<ul style="list-style-type: none"> The accusation must be with respect to a subject matter which I withing the lawful authority.
Ninth Exception	<ul style="list-style-type: none"> To make an imputation On the CHARACTER of another In good faith For protection of the interests of Person making it OR any other person OR public good
Tenth Exception	<ul style="list-style-type: none"> To convey a caution In good faith To one person against other Intended for the good of Person to whom it is conveyed OR interested person OR public good.



Q.80 Indian penal Code 1860-The right of private defence of body does not extend to voluntary causing of death of the offender, in which of the following offences.

- 1) Rape**
- 2) Kidnapping**
- 3) Gratifying un-natural**
- 4) Causing miscarriage**

Ans: 4

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Penal Code- Part 1- Section 100**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 100:

Note: This section is subject to the restrictions of **S.99.**

- Right of private defence of the body **extends to causing death or any other harm** to assailant in cases of:

Apprehension of grievous hurt.

Apprehension of death.



Apprehension of rape.



**Section 100
Private Defence
against ASSAULT
of 7 kind-**

Acid Attack.
2013 Amnd.



Intention of-
Gratifying unnatural lust.



Intention of-
Wrongful confinement.



Intention of-
Kidnapping/abducting.



Reference: Indian Penal Code, 1862 s 100

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.

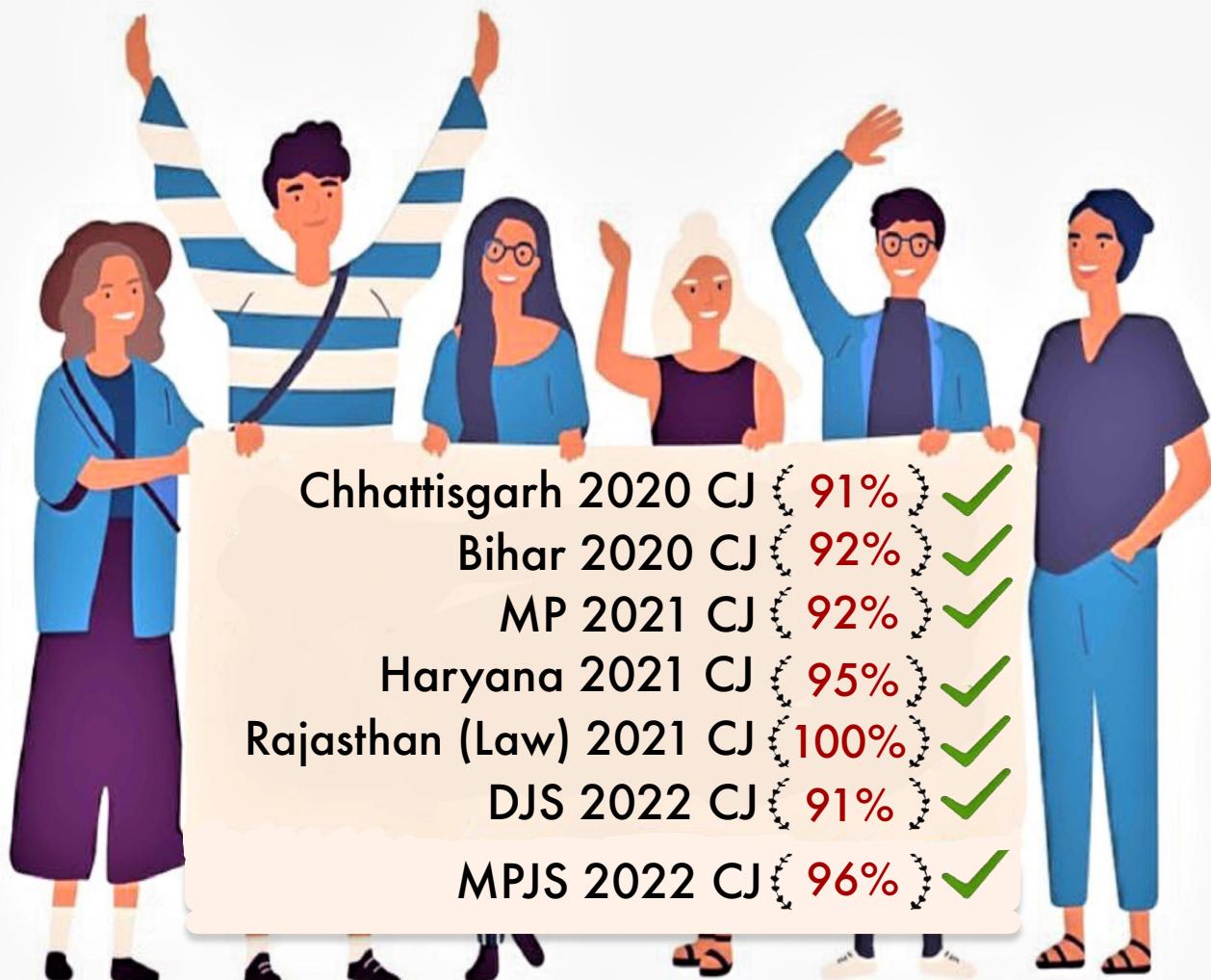


JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Edzorbians At Advantage

High Strike Rate in all PCSJ Exams



Predict the STRIKE RATE for RJS, UPJS & BJS

Score an Exam winning Strike with Edzorb Law



Edzorb Law
True Learning

Telegram: @edzorblaw
www.edzorblaw.com

Q.81 Indian penal Code 1860- The time of solitary confinement a time not exceeding months if the term of Imprisonment shall exceed 1 year

- 1) 1 month**
- 2) 2 month**
- 3) 3 month**
- 4) 6 month**

Ans: 3

Source: Edzorb Law - MPJS Prelims Crash Course 2- Question bank IPC Unit 14- Q.30, Indian Penal Code.

28.



MCQ, Single Correct Question

Section 73 of IPC provides for the maximum limit of solitary confinement to be

- a One year
- b Two years
- c Three months
- d Six months.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

(C)

Solitary confinement is a sort of **detainment** inside which a detainee is disengaged from any human contact.



Section 73 of IPC: **Solitary confinement** punishment should not exceed:

Punishment	Maximum period of Solitary Confinement
6 months	One month
6 months - 1 year	Two months
More than 1 year	Three months

Section 29 in The Prisons Act, 1894

- No cell shall be used for solitary confinement unless it is furnished with the means of enabling the prisoner to communicate at any time with an officer of the prison, and
- Every prisoner under solitary confinement for more than twenty-four hours shall be visited at least once a day by the **Medical Officer or Medical Subordinate**.

Sunil Batra and others Vs Delhi Administration and others
1978 AIR 1675

Right against solitary confinement falls under the **Right to Life** in **Article 21 of the Indian Constitution.**

Food for Thought!

Do you think Solitary Confinement must be abolished as it is no touch torture?



Read more:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5105008/>

Reference: Ratanlal & Dhirajlal: Indian Penal Code, 36th Edn. Page no. 98

Copyright © Edzorb Law: Any breach will attract immediate legal action with or without notice.

Q.82 Indian Penal Code 1860-"Common Intention" and "Similar Intention" was distinguished in the famous case of -

- 1) Barendra K Ghosh Vs King 1925 P C 1**
- 2) Mehboob Shah Vs Emperor 1943 P C 118**
- 3) Knpal Singh Vs State of U P 1954 S.C 706**
- 4) Rishldev Pandey Vs State of U P 1955**

Ans:2

Source: Edzorb Law - MPJS Prelims Crash Course 2-
Question bank IPC Unit 8- Q.11, Indian Penal Code.

11.



MCQ, Single Correct Question

In which of the following cases the Privy Council made a distinction between 'common intention' and 'similar intention' ?

- a Barendra Kumar Ghose v. Emperor
- b Mahboob Shah v. King Emperor**
- c SrinivasmalBarolia v. Emperor
- d Barmumal v. Emperor

(B)

Common Intention	Similar Intention
Intention may be the same but there should be <u>prior meeting of minds.</u>	<u>No requirement</u> of prior meeting of minds.
<u>Concept of Vicarious liability</u> applies.	Concept of vicarious liability does <u>not apply.</u>

Mehboob Shah Vs Emperor (1945) 47 BOMLR 941

- On hearing Qasim Shah's cries for help, Mahboob Shah and his son Wali Shah came armed with their guns.
- Wali Shah fired at the victim who died instantly and Mahboob Shah fired at another person causing him some injuries.
- Privy Council set aside the conviction for murder for Mahboob Shah stating that here the two accused might be having **same or similar intention but not common intention.**

Reference: The Indian Penal Code by Prof. S. N. Misra; 19th Ed, 2013; Page No: 100.

Copyright © Edzorb Law: Any breach will attract immediate legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Mahboob Shah

v.

Emperor

The distinction between
‘similar intention’ and
‘common intention’ was
clarified in this case.

Q.83 How many kinds of kidnapping are there in the Indian Penal Code?

- 1) One**
- 2) Three**
- 3) Four**
- 4) Two**

Ans: 4

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Penal Code- Part 2- Section 359**

Section 359:

Kidnapping



Section 360:

Kidnapping from India:

- Whoever conveys any person **beyond the limits of India**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

- Without the consent of that person
- Or Without the consent of some person legally authorised to consent on behalf of that person, is said to kidnap that person from India.



Section 361:

Kidnapping from lawful guardianship:

- Whoever takes or entices:
 - Any minor
 - Male → Under **16 Years** of age.
 - Female → Under **18 Years** of age.
 - Any person of unsound mind.
- Out of the keeping of the lawful guardian** of such minor or person of unsound mind.



- Without the consent of such guardian is said to kidnap such minor or person from lawful guardianship.



Explanation:

Lawful guardian:

- Include any person lawfully entrusted with the **care** or **custody** of such minor or other person.



Q.84 Under which section of the Indian Penal code is the non-treatment of victim by public or private hospitals punishable?

1) Section 165 A

2) Section 376 D

3) Section 166 B

4) Section 288 A

Ans: 3

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Penal Code- Part 1- Section 166B**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 166B

Punishment for non-treatment of victim—

- Person **in charge of a hospital** (public or private) which is run by Central/ State Government/local bodies/bodies/another person.
- **Contravenes** the provisions of **Section 357C CrPC, 1973**
- Such person **shall be punished**
 - Imprisonment 1 year
 - **OR** fine or both.



Recapitulation!

Section 357C CrPC

- All hospitals, public or private, whether run by the Central Government, the State Government, local bodies or any other person, shall immediately, provide the first-aid or medical treatment, free of cost, to the victims of any offence covered under Section 326A, 376, 376A, 376AB, 376B, 376C, 376D, 376DA, 376DB or section 376E of the Indian Penal Code, and shall immediately inform the police of such incident.



- He is in charge of hospital.
- Failed to provide First Aid to the Rape Victim.
- Guilty



Reference: Indian Penal Code, 1860 s 156B

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.

Q.85 Consent given by a child below, Years of age is not deemed as consent under section 90 of India Penal Code

1) 7 -Years

2) 5-Years

3) 12-years

4) 10-Years

Ans: 3

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Penal Code- Part 1- Section 90**



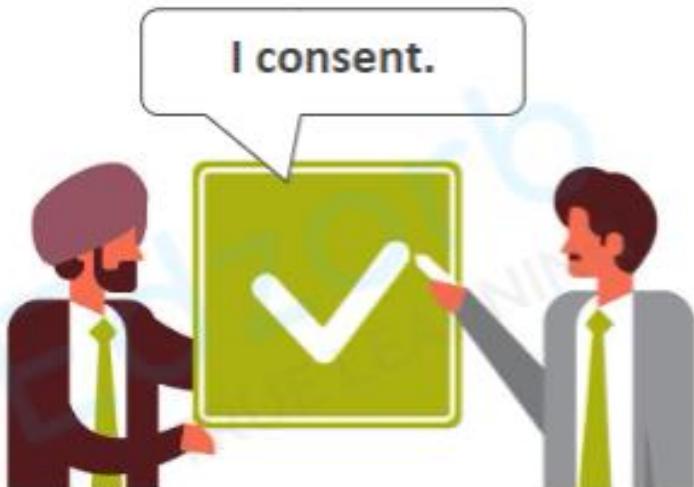
JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 90:

Consent must be given

- Without **fear of injury** or Without a misconception of fact.



**Siddharth Ramakrishna Chitte Vs State of Maharashtra,
2020 SCC OnLine Bom 864**

- In case of rape **S. 376**, intention of accused to marry the prosecutrix right from the inception must be taken case.
- Investigation revealed that prosecutrix did not have the knowledge of marriage of accused.
- Moreover, accused had knowledge that he would not be able to marry the prosecutrix as long as his marriage is subsisting.
- Therefore, the consent given by the prosecutrix is vitiated because of the concealment of material fact by the accused from her.



Without fear of injury or without a misconception of fact



No consent → when person knows consent is given under fear etc.



No consent → of person of unsound mind



Intoxicated person/person unable to understand consequence.



No consent → child under 12 years.



State of H.P. Vs Mango Ram

(2000) 7 SCC 224

- Submission of the body under the fear or terror cannot be construed as a consented sexual act.
- Consent for the purpose of **Section 375** requires **voluntary participation** based on the knowledge and choice between resistance and assent.

Edzorb QBank Treasures

HIGH COURT



HISTORY

Article 214-231

1862	1866	>1950	1956	Present
High court • Bombay • Madras • Culcutta	Allahabad	HC of Province HC for State	7th CAA Establish HC 2 or more States Or 2 or more States + UT	24 HC 3 Common HC Delhi (UT)- own HC

ORGANISATION

Strength Decided by President

Appointment	Eligibility	Oath	Tenure	Salaries	Transfer
President • CJ • Other Judges • Common HC Judges	Citizen Held Judicial office Or HC Advocate	Governor Or Nominated by	62 age	Determined by President	By President

Removal	Acting CJ	Additional Judges	Acting Judge	Retired Judges
President	Appointed by President	Appointed by President	Appointed by President	Appointed by CJ of HC
Misbehaviour	President	President	President	
Recommended by Parliament (Special Majority)	CJ — Absent Unable to perform duty	More work 2 years term	Judge Absent Unable to perform duty	(Temporary)

JURISDICTION & POWERS

✓ Highest court of appeal (In state)

Original
Hear disputes (1st instance)

Writ
Under Article 226

✓ Protector of FR

Appellate
Appeal against judgements

Supervisory
Superintendence

✓ Interpret Constitution

Control
Subordinate courts

Judicial review
Article 226

Original jurisdiction

Matters

- Company laws
- Marriage
- Court contempt
- Divorce
- Election disputes
- Revenue matters

Enforcement

Fundamental Rights

Cases

Transferred from Subordinate courts

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



Edzorb Law

MADHYA PRADESH

Sub-tropical coniferous



RANGES

• Satpura Plateau (Hills)

■ STATE ANIMAL

Swamp Deer



■ STATE TREE

Banyan Tree



■ STATE BIRD

Indian Paradise Flycatcher



■ STATE FLOWER

Parrot Tree



■ STATE FRUIT

Mango



■ STATE FISH

Masheer



FESTIVALS

- Aalami Tableegi Ijtima



- Fair of Hira Bhumia



- Fair of Nagaji



- Kumbha
(Simhastha)



- Fair of Ramlila



- Fair of Pir Budhan



- Fair of Tejaji



MADHYA PRADESH



TRIBES

- Baiga
- Bhil
- Gond
- Korku
- Saharia

SANCTUARY & NATIONAL PARK

- Bhoj Wetlands
- Panna Biosphere Reserve
- Pench (Priyadarshini) NP



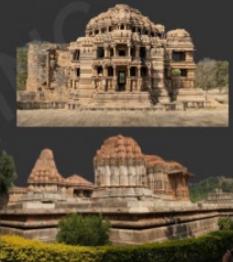
HIGHEST PEAK

- Dhupgarh Peak
4,429 feet
[1,350 metres]

Gwalior Fort



Sahastra Bahu Temples



Great Stupa of Sanchi



Khajuraho Group of Monuments



Kundalpur Jain temples



Brahma statue at Amarkantak



Ancient city of Mandu



Marble Rocks



Bhimbetka rock shelters





Edzorb
TRUE LEARNING

FESTIVALS OF INDIA

MADHYA PRADESH



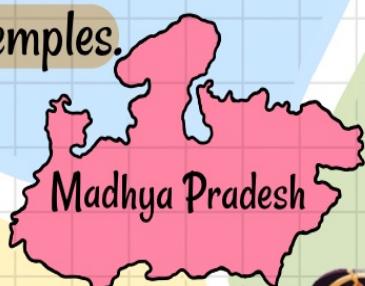
KHAJURaho DANCE FESTIVAL



- 1 week festival of classical dances

held annually beside the

Khajuraho temples.



LOKRANG FESTIVAL

- Most iconic dance festival of MP.
- It signifies the existing legacy of its dance.



- Marks the beginning of the New Year



- Festival of Lights.

Q.86 Indian penal Code 1860-Disclosure of the identity or name of victim of rape is punishable under which of the following sections of the Indian Penal Code 1860

1) Section 354 D

2) Section 376 E

3) Section 229

4) Section 228 A

Ans: 4

Source: Edzorb Law Premium + 2.0 – Simplified Notes- Indian Penal Code - Part 1 – Section 228A



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 228A (1):

Disclosure of identity of the victim of Rape Victims:

- Printing or publishing
- The name or any matter which may make the identity of any person known
- Any Person = victim, one against whom an offence under the following section is alleged or found to have been committed:



Offences	Description
S. 376	Punishment of Rape
S. 376 - A	Punishment of Rape – results in death or persistent vegetative state

S. 376 - AB	Punishment of Rape on a woman under 12 years of age
S. 376 - B	Sexual intercourse by husband upon wife during separation
S. 376 - C	Sexual intercourse by person in authority
S. 376 - D	Gang Rape
S. 376 - DA	Gang Rape of woman under 16 year of age
S. 376 - DB	Gang Rape of woman under 12 year of age

- Such a person shall be **punished**.



- Imprisonment up to **2 Years + Fine**.

Section 228A (2):

Printing or publication of the name / identity of the victim is allowed in the following case:



Order in writing

Officer-in-charge of police station – in **good faith** – for investigation.

Victim's Authorization

– in writing

Written authorization of next of kin – Dead or **minor** victim



- **Proviso: No such authorization:**

- Next of kin can give authorization **only** to **chairman** or the **secretary**, by whatever name called, of any **recognized welfare institution or organization**.

Section 228A (3):

- Whoever prints or publishes any matter
- In relation to any proceeding before a court with respect to an offence **Section 228A (1)**
- Without the previous permission of such court
- Shall be punished
 - Imprisonment up to **2 Years + Fine.**



Explanation:

- The printing or publication of the judgment of any High Court or the Supreme Court does not amount to an offence within the meaning of this section.

Nipun Saxena Vs Union of India

(2019) 2 SCC 703

- Supreme Court issued direction under Article 142 for recognising social welfare institutions.
- Until there is an such organisation which recognised by Government, the application by next of kin should be made to the Session's Judge concerned.

Reference: Indian Penal Code, 1862 s 228

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.

Q.87 In which section of the Indian Penal Code the word "Court of justice" is defined

1) Section 17

2) Section 19

3) Section 18

4) Section 20

Ans: 4

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Penal Code- Part 1- Section 20**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Court of Justice:

Section 20

- Judge who is empowered by law.
- Who can act judicially alone.
- Body of Judges empowered by law to act judicially.



Illustration

- A **Panchayat** acting under **Regulation VII, 1816**, of the Madras Code, having power to try and determine suits, is a **Court of Justice**.



Reference: Indian Penal Code, 1862 s 20

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.

Q.88 Indian penal Code 1860- The punishment provided for offence of sedition under section 124-A Of IPC is

- 1) imprisonment for life to which fine may be added or with imprisonment which may extended to 2 years to which fine may be added or with fine**
- 2) imprisonment for life to which fine may be added or with imprisonment which may extended to 3 years to which fine may be added or with fine**
- 3) imprisonment for life to which fine may be added or with imprisonment which may extended to 1 years to which fine may be added or with fine**
- 4) imprisonment for life to which fine may be added or with imprisonment which may extended to 5 years to which fine may be added or with fine**

Ans: 2

Source: Edzorb Law Premium + 2.0- Simplified Notes- Indian Penal Code- Part 1- Section 124A



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 124A

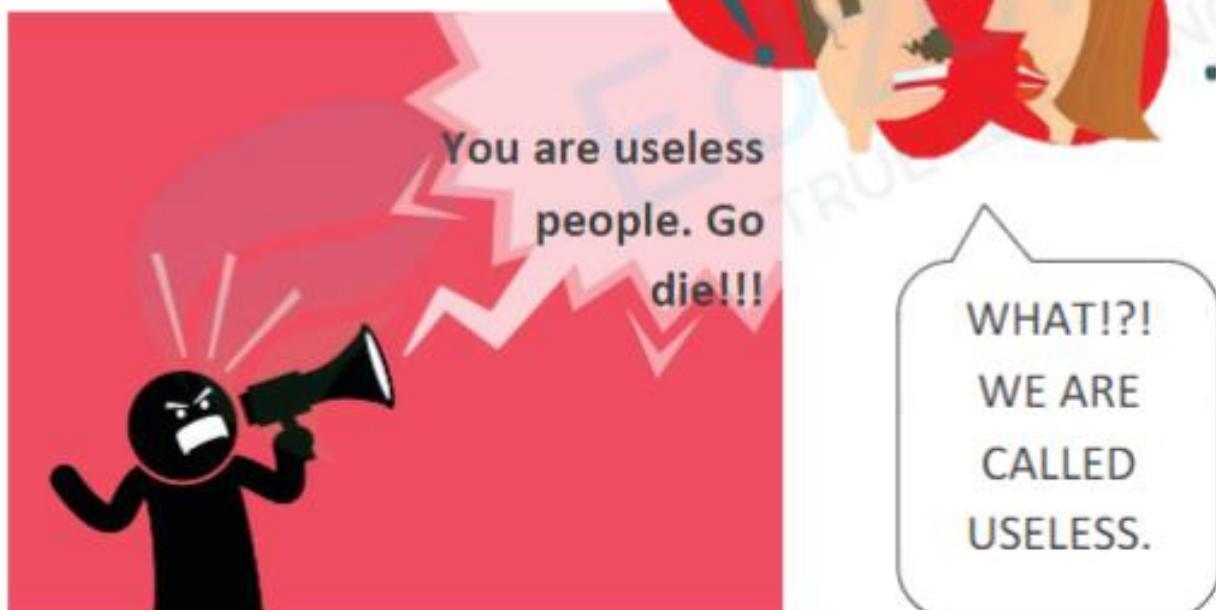
Sedition:



- Words (spoken or written)
- Signs
- Visible representation, or otherwise,

• Cause & effect:

- Brings or attempts to bring into **hatred** or **contempt**,
- Or **excites or attempts to excite disaffection** towards the Government of India



Balwant Singh Vs State of Punjab

(1995) 3 SCC 214

- Mere expression of derogatory or objectionable words may not be a sufficient ground for invoking the provisions contained in **Sections 124A** or **Section 153A**.
- Provisions would apply only when the written or spoken words would have the tendency or intention of creating disorder or disturbance of public peace by resort to violence.

- **Explanation 1:**



- **Explanation 2:**

Comments expressing **disapprobation** of the **measures** of the **Government** with a view **to obtain**

their alteration by lawful means, without exciting or attempting to excite hatred, contempt or disaffection, do not



constitute an offence under this section.

• **Explanation 3:**

- Comments expressing **disapprobation** of the **administrative** or other action of the Government **without exciting or attempting to excite hatred, contempt or disaffection**, do not constitute an offence under this section.

Kedarnath Vs Union of India

AIR 1962 SC 955

- Disloyalty against the Government is not the same thing as commenting in strong terms upon the measures or acts of govt. or its agencies .



- Imprisonment **for life (Fine may be added)**
- Imprisonment **for up to 3 Years (Fine may be added)**
- Or, Fine

Reference: Indian Penal Code, 1860 s 124

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.

Q.89 Indian Penal Code'- "Coin" is defined in which section?

- 1) 45**
- 2) 229**
- 3) 230**
- 4) 231**

Ans: 3

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Indian Penal Code- Part 1- Section 230**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 230

Coin defined:



Coin is metal used for the time being **as money**



Stamped and issued by the authority of some **State or Sovereign Power** in order to be so used.

Indian coin

Indian Coin

Metal Coil

Issued By

Government of India

Purpose

Used as money



Characteristic

Stamped & Issued

- Such a coin shall be **Indian coin** for the purposes of Chapter XII, IPC **even if it may have ceased to be used as money.**

Origin	to	• Sher Shah Suri in 1540-45.
Rupiya		
Apr	1935	• Reserve Bank of India is set up.
Jan	1938	• First note of Rs 5 issued by the Reserve Bank
Aug	1940	• Rs 1 note reintroduced. Rs 1 was first introduced on 30 Nov 1917, followed by Rs 2 and 8 annas, and was discontinued on 1 Jan 1926.
Mar 1943	• Rs 2 introduced	
1950	• First post-Independence coins issued in 1 pice, 1.2, one and two annas and Re. 1 denominations.	

- Cowries
- Lumps of **unstamped copper**, though used as money, are not coin.
- **Medals are not coin**, inasmuch as they are not intended to be used as money
- The coin denominated as the **Company's rupee** is Indian coin.
- The "**Farukhabad rupee**", which was formerly used as money under the authority of the Government of India, is [Indian coin although it is no longer so used.]

Reference: Indian Penal Code, 1862 s 230

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.

Q.90 Indian Penal Code – "A" finds a watch on the floor of a state transport bus while he was leaving it as a last passenger, he picked it up and put it in his pocket instead of returning it to the state transport authorities. Next day he sold it. 'A' is liable for?

- 1) Theft**
- 2) Extortion**
- 3) Criminal misappropriation**
- 4) Criminal breach of trust**

Ans: 3

Source: Courses - Bare Act Revolution - Indian Penal Code-Part - Section 403



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 403

IPC

Dishonest Misappropriation of Property

- Whoever dishonestly misappropriates or converts to his own use any movable property, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

She is my FRIEND, she will never say NO to me. I will return this comic book to her in a few days.



You have this LIMITED EDITION as well. WOW 😊
Can you give it to me for 6k?

Hmm... she does not RECOGNISE it's her own BOOK. I can make money out of it 🤑



Next page...



Section 403

IPC

Dishonest Misappropriation of Property

Here, take the MONEY 😊

COOL 😎👍

Converts the
book to her
own use.



Commits Dishonest
Misappropriation
of Property.

Imprisonment
upto 2 years or
fine or both



Next page...

Section 403

IPC

Dishonest Misappropriation of Property

Explanation 1 :

A dishonest misappropriation for a time only is a misappropriation within the meaning of this section.



Section 403

IPC

Dishonest Misappropriation of Property

**Commits Dishonest
Misappropriation
of Property**

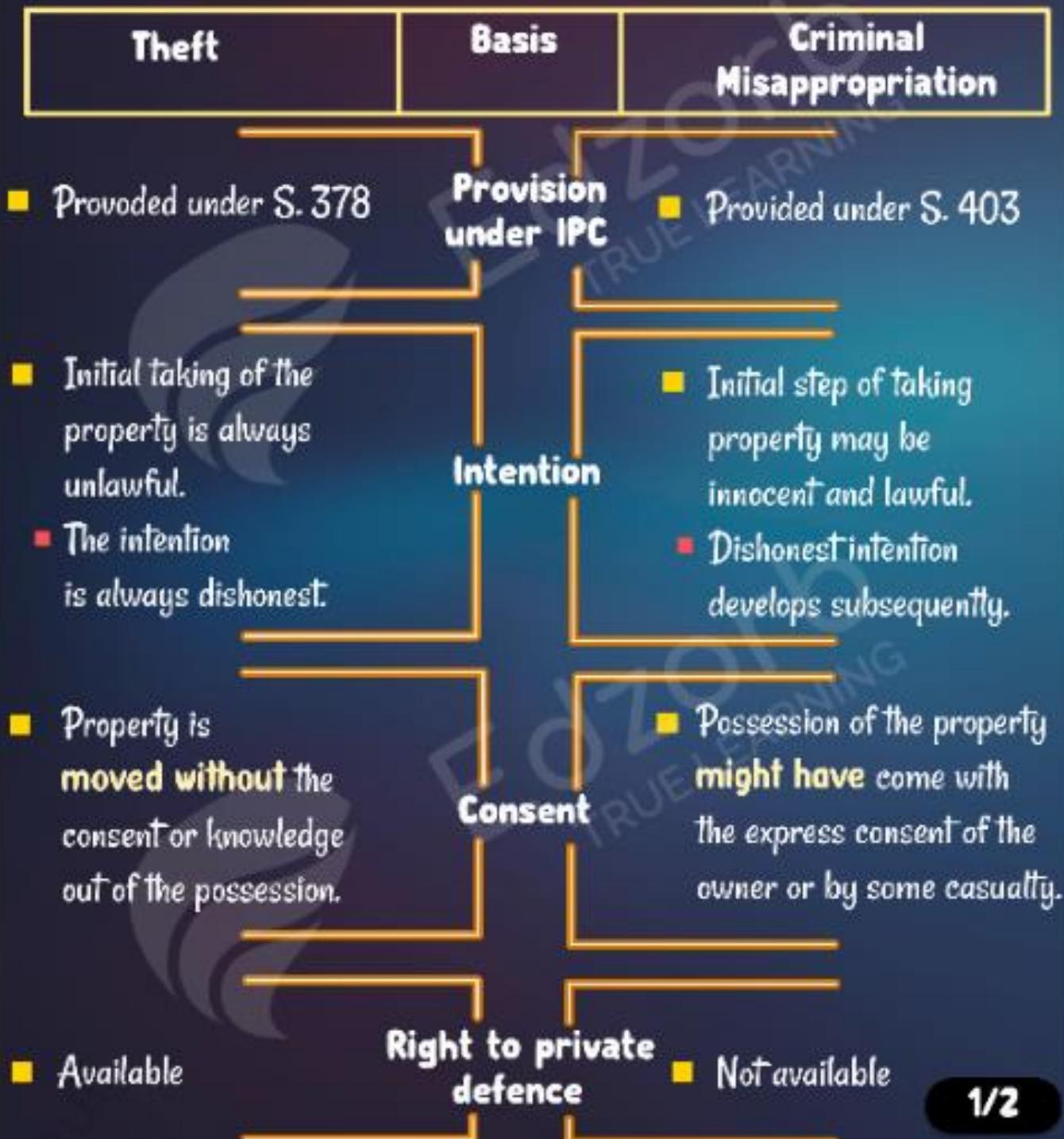


Next page...

Difference

IPC

Theft Vs Criminal Misappropriation of Property



Difference

IPC

Theft Vs Criminal Misappropriation of Property

Theft	Basis	Criminal Misappropriation
<ul style="list-style-type: none"> The moving of property is itself an offence. 	Commission of offence	<ul style="list-style-type: none"> Mere moving of property does not constitute the offence. Offence when the property is converted or misappropriated.
<ul style="list-style-type: none"> The right of the possession is violated by the wrongdoer. 	Right of Possession	<ul style="list-style-type: none"> There is no such infringement of right of possession as the offender is already in the possession of the property.
<ul style="list-style-type: none"> Imprisonment may extend to 3 years or with fine, or with both (S. 379) 	Punishment	<ul style="list-style-type: none"> Imprisonment may extend to 2 years or with fine, or with both (S. 403)

If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com

Best App for
Judicial Services

JUDICIAL SERVICES PREPARATION



www.edzorblaw.com



Edzorb Law

True Learning



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 11 Criminal Procedure Code



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q.91 Proceedings under section 258 of the Code of Criminal Procedure can be stopped-

- 1) in a summons case instituted upon a complaint.**
- 2) in a summons case instituted otherwise than upon a complaint.**
- 3) in a warrant case instituted upon a complaint.**
- 4) in a cognizable warrant case instituted otherwise than upon a complaint.**

Ans: 2

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Criminal Procedure Code- Part 5- Section 258**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



Section 258: Power to stop proceedings in certain cases:

In any summons-case instituted otherwise than upon complaint,

- JMIC or,
- Any other JM, with the previous sanction of the CJM

May, for reasons to be recorded by him, stop the proceedings at any stage without pronouncing any judgment.

Effect of such stoppage:

Stage	After evidence of principal witnesses recorded	Other cases
Effect of stoppage	Acquittal	Discharge



Applicability of **Section 258** on cheque:



Re Expedited Trial of Cases under Section 138 of N.I Act,

16.04.2021, SC

- **Section 258** is not applicable on complaints.
- Hence, **Section 258** is not applicable to complaints made u/**S.138** of the Act.

Sec.258 to be applicable in peculiar circumstances:

Suo Moto Vs State of Kerala

2019 SCC OnLine Ker 2239

Held: S. 258 CrPC can be invoked only in peculiar and unusual circumstances when no prima facie case is made out against the accused.

Q.92 A declaration of forfeiture under section 95 of the Code of Criminal Procedure can be set aside by-

- 1) Magistrate Issuing the search warrant.**
- 2) Chief Judicial Magistrate/Chief Metropolitan Magistrate.**
- 3) Court of Sessions.**
- 4) High Court.**

Ans: 4

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Code of Criminal Procedure- Part 1- Section 96**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 96:

(1) Application against Declaration of forfeiture made u/s.95:



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

(2) Every such application shall be heard by:



**Where the High Court consists of 3 or more Judges:
Special Bench of the High Court composed of 3 Judges**



**Where the High Court consists of less than 3
Judges: Special Bench composed of all judges of HC**

(3) Evidence in application with reference to newspaper:

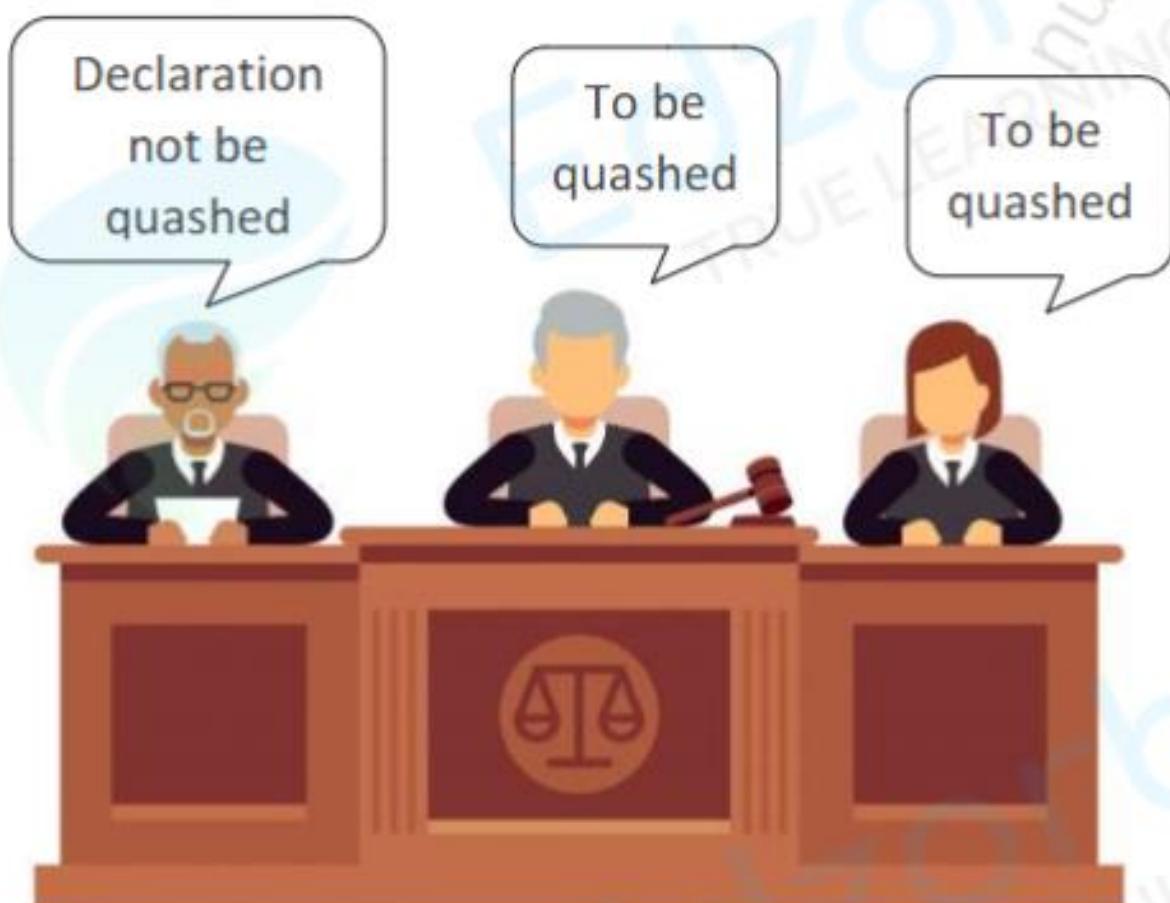
- Any copy of such newspaper may be given in evidence
- In aid of the proof of the nature or tendency of the words, signs or visible representations contained in such newspaper.

(4) Order:

- The High Court not satisfied that the issue of document contained any matter as is referred in **S.95(1)**
- The High court shall set aside the declaration.

(5) Difference of opinion among judges:

The decision shall be in accordance with the opinion of the majority of those Judges.



Sadhu Singh Hamdard Trust Vs State of Punjab

1992 CriLJ 1002

Held:

The declaration can also be challenged through writ petition and court can award comp. to aggrieved party.

Q.93 Power conferred under Section 311 of the Code of Criminal Procedure. 1973 to summon material witnesses may be utilized by Court at which stage

- 1) any time before closing of prosecution evidence**
- 2) any time before closing of defence evidence**
- 3) any time before hearing of final argument**
- 4) any time before pronouncement of Judgment**

Ans: 4

**Source: Edzorb Law - MPJS Prelims Crash Course 2-
Criminal Procedure Code Question Bank Module 15 - Q.34**

34.



MCQ, Single Correct Question

Under which section of the Cr. P.C. the Court has power to summon any person as a witness at any stage of trial?

- a Section 309
- b Section 175
- c Section 310
- d Section 311



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

(D)

Section 311 CrPC: Power to summon material witness, or examine person present.

- Any Court may, at any stage of any inquiry, trial or other proceeding,
 - **summon any person as a witness**, or
 - examine any person in attendance, though not summoned as a witness, or
 - recall and re-examine any person already examined.
- **Court shall summon and examine or recall and re-examine any such person** if his evidence appears to it to be essential to the just decision of the case.

Hussain Umar Vs Dalip Singhji

AIR 1970 SC 45

The Court has inherent power to recall a witness if it is satisfied that he is prepared to give evidence which is materially different from what he had given at the trial.

Section 175	Power to summon persons.
Section 309	Power to postpone or adjourn proceedings.
Section 310	Local Inspection.

Reference: The R.V. Kelkar's Criminal Procedure; 5th Ed., 2013, Page No. 421

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.94 During Inquiry or trial, under section 309 of the Code of Criminal Procedure Magistrate can remand an accused to custody

- 1) for a maximum of one month at a time**
- 2) for a maximum of 15 days at a time**
- 3) for a maximum period of 14 days at a time**
- 4) for a period till next date Irrespective of days**

Ans: 2

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Code of Criminal Procedure- Part 6- Section 309**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

We must provide justice

Section 309:



- (1) In every inquiry or trial,
- Proceedings shall be **continued from day-to-day**.
 - Until all the witnesses in attendance have been examined.

Unless:

Court finds the adjournment of the same beyond the following day to be **necessary for reasons to be recorded**.



Oh lord! I am having heart attack. Kindly adjourn it for day.



This is no reason for adj...

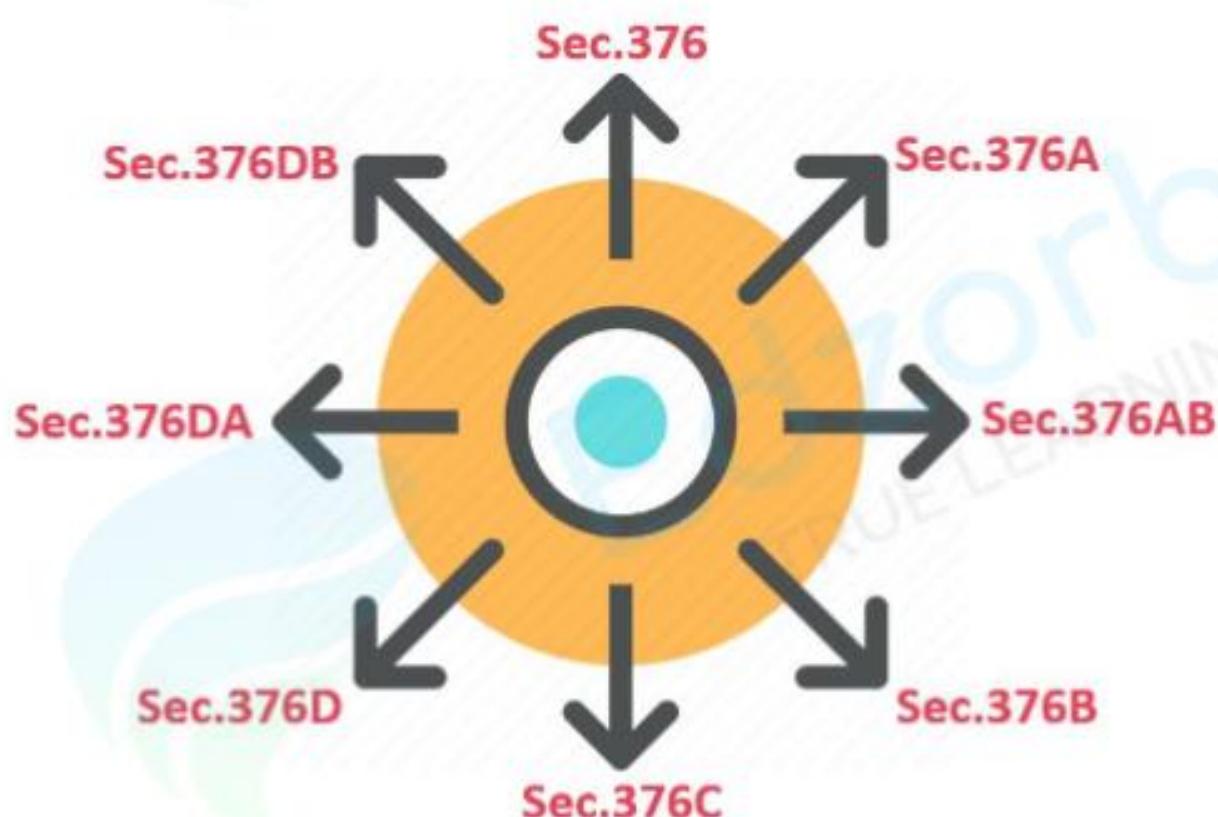
Provided that:

- When the inquiry or trial relates to **S.376-376DB IPC**,
- The inquiry or trial shall be completed within:

2 months from filing of charge sheet



Offences are as follows:



(2) Adjourning or postponing the inquiry or trial:

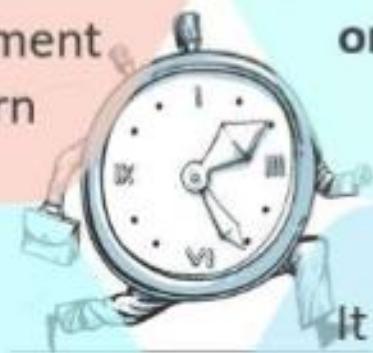
- After taking cognizance of an offence or commencement of trial,

1

Court finds it necessary or advisable to postpone the commencement or adjourn

2

It may, from time to time, for reasons to be recorded, **postpone** or **adjourn** the same



Court may by a warrant **remand** the accused if in custody

4

It may adjourn on **such terms** as it thinks fit and for **such time as reasonable**

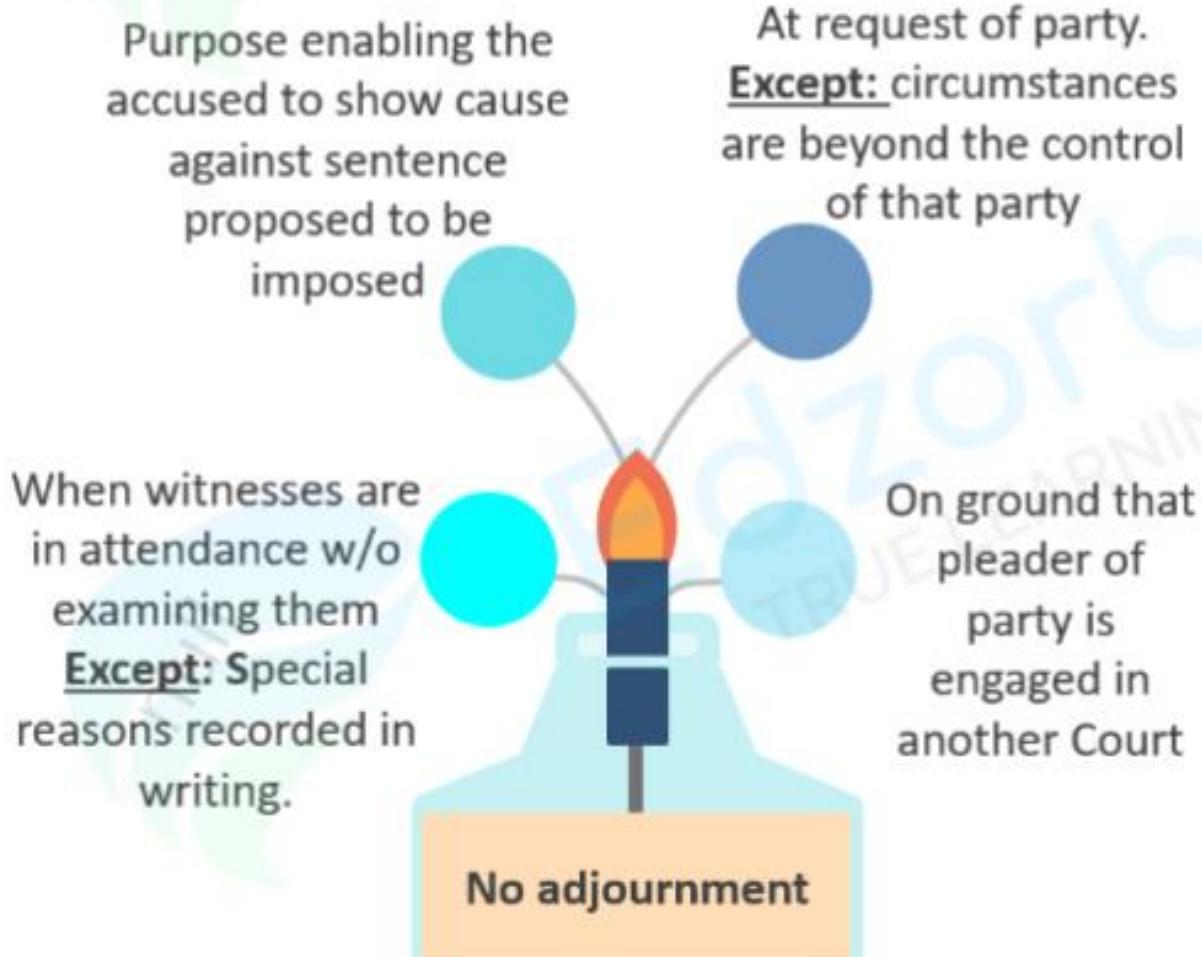
3

Provided that:

- **Limitation period** for which an accused shall be remanded to custody:

Not more than 15 days at a time

- No adjournment or postponement:



Q.95 Under Section 200 of the Code of Criminal Procedure, the magistrate need not examine the complainant and the witnesses-

- 1) if the complaint is supported by the affidavit of the complainant**
- 2) If the complaint is made in writing by a public servant in the discharge of his official duties**
- 3) If the complainant is senior citizen**
- 4) all of them**

Ans: 2

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Code of Criminal Procedure- Part 4- Section 200**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 200: Examination of complainant:



Cases where complainant and the witnesses need not be examined:



When the complaint is **made in writing**:

(a) Complainant is a Public Servant:

If a public servant acting or purporting to act in the **discharge of his official duties** or a Court has made the complaint; or



(b) Making over to another magistrate:

If the Magistrate **makes over the case** for inquiry or trial to another Magistrate u/**s.192**:

Provided further that:

If the Magistrate makes over the case to another Magistrate u/s. 192 after examining the complainant and the witnesses, **the latter Magistrate need not re-examine them.**



**Smt. Mona Panwar Vs The Hon'ble High Court of
Judicature at Allahabad through its Registrar**

2011 (2) ALJ 445 (SC)

Held:

- One of the objects to examine complainant & witnesses u/s.200 is to ascertain whether there is **prima facie case against the person accused** and to prevent the issue of process on a complaint which is **either false or vexatious or intended only to harass such person.**
- Such examination is provided, therefore, to find out whether there is or **not sufficient ground for proceeding further.**

**Nirmaljeet Singh Hoon Vs State of WB
(1973) 3 SCC 753**

Held:

- The object of such examination is to ascertain whether there is a prima facie case against the person accused of the offence in the complaint.
- To prevent the issue of process on a complaint which is either false or vexatious or intended only to harass such a person.

**Durvasa Vs Chandrakala
1994 CriLJ 3765**

Held:

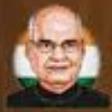
- If after examining the complainant on oath and after finding prima facie case against the accused, process is issued to the accused, then simply because the witnesses' if any' were not examined by the **Magistrate** would not vitiate the proceedings u/s 200.
- It has been held that an **accused cannot get a Magistrate's order** issuing process set aside, on the ground that the Magistrate's examination of the complainant and his witnesses was improper.

Edzorb QBank Treasures



PRIME MINISTER





President

Nominal Executive Authority
(de jure executive)

Head of the State



Parliamentary system





P M

Real Executive Authority
(de facto executive)

Head of the Govt.



APPOINTMENT OF PRIME MINISTER

Article 75

PM shall be appointed by the **President**

Conventions (Parliamentary system of govt.)

- ✓ Leader of Majority party
- ✗ If no party has Majority → **Personal Discretion**
- ✓ Largest party or coalition → usually

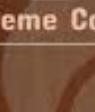
→ **Vote of Confidence** (within a month)

→ **Constitution does not contain any specific procedure**

1984  **President** (Zail Singh) **Appointed** → **Rajiv Gandhi (PM)** (ignoring caretaker PM)
Later on, Congress elected him as leader

Death - Incumbent PM → Ruling party elects a new leader → **President** → appoint him as PM (has no choice)

1980  **President** **First appoint PM** → **Prove majority** (within a reasonable period)

1997  **Person** can be appointed as PM → **6 Months**
(Not a member of Parliament)
Member of either House of Parliament → should become
(otherwise, he ceases to be PM) → **Within 6 months**

 **Constitutionally**, PM may be a member of **any** of the two Houses of parliament.

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com





PACHMARHI BIOSPHERE RESERVE



Madhya Pradesh 1999



Pachmarhi hills

Tropical moist deciduous forest

Tropical dry deciduous

Central Indian sub tropical hill forest

Teak and Sal trees



Nilgai



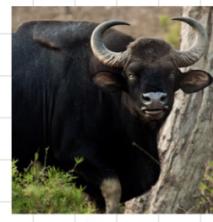
Chinkara



Wild Dog



Giant squirrel



Bisons



Flying squirrel

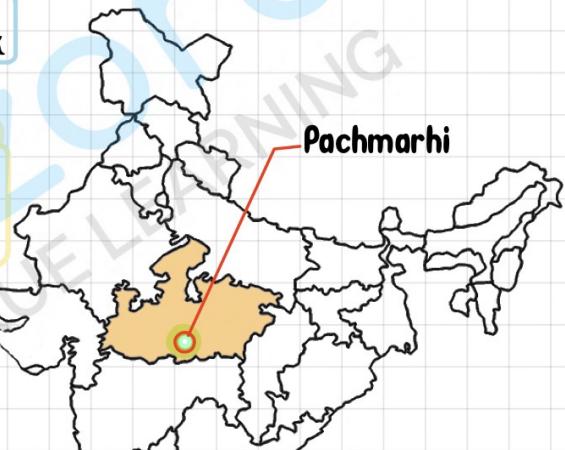
National Park
Satpura National Park

Wildlife Sanctuary

Bori Sanctuary
Pachmarhi Sanctuary

Rivers

Dudhi River



Saros crane



Four-horned antelope



White-rumped Vulture



Sacred grove Bush Frog

ACHANAKMAR-AMARKANTAK BIOSPHERE RESERVE

Madhya Pradesh Chhattisgarh 2005



Wild dog



Wildlife Sanctuary

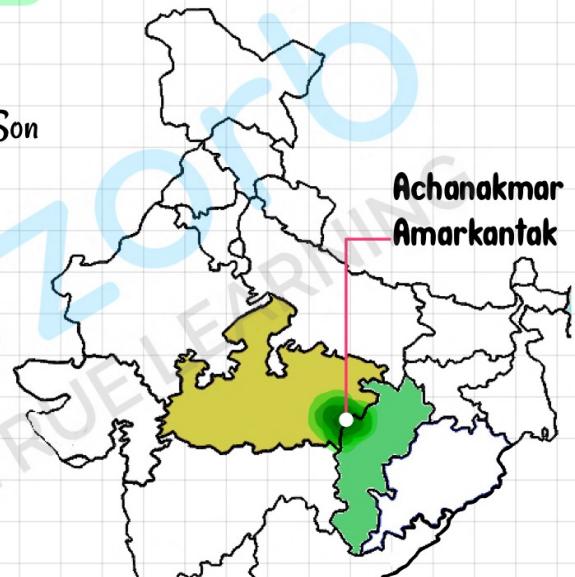
Achanakmar

Rivers

Narmada, Johilla, Son



Maikala Hills



Achanakmar Amarkantak



Northern Tropical Moist Deciduous forest

Southern Dry Mixed Deciduous forest

Q.96 In which case has the Supreme Court held that Section 125 Cr P C applicable to all irrespective of their religion?

- 1) Mohd Umar Khan v Gulshan Begum**
- 2) Mohd Ahmed Khan v Shah Bano Begum**
- 3) Mst Zohara Khatoon v Mohd Ibrahim**
- 4) Noor Saba Khatoon v Mohd Quasim**

Ans: 2

Source: Edzorb Law Premium + 2.0 - Case Law Flashcard Series 1 - Code of Criminal Procedure – No.7



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



Mohd. Ahmad Khan

v.

Shah Bano Begum

**"Section 125 of the
Code of Criminal
Procedure, 1973 is
applicable to all
persons irrespective
of their religion."**

Q.97 Which Section of Cr.P.C provides that the Public Prosecutor in-charge of a case may, with the consent of the Court at any time before the judgment is pronounced, withdraw from the Prosecution of any person in respect of any offence for which he is tried?

- 1) Section 320 (4)**
- 2) Section 320 (1)**
- 3) Section 321**
- 4) Section 313**

Ans: 3

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Code of Criminal Procedure- Part 6- Section 321**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 321: Withdrawal from prosecution:



- The PP or Assistant PP in charge of a case may,
- With the **consent** of the Court,
A cartoon illustration of a male judge with white hair and glasses, wearing a black robe with red and yellow accents, sitting behind a wooden desk and holding a wooden gavel.
- At any time **before the judgment** is pronounced,
A cartoon illustration of a wooden gavel with a gold band, resting on a wooden block.
- Withdraw from the **prosecution**

Q.98 Criminal Procedure Code - For authorizing detention of accused in custody of the police the accused must be produced before the Magistrate?

- 1) In person**
- 2) Through an advocate**
- 3) By producing an application signed by accused**
- 4) through near relative**

Ans: 1

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Code of Criminal Procedure- Part III - Section 167 (2)**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 167(2)

Detention by Magistrate – 15 Days

- Accused is forwarded to Magistrate under this section



Note: Whether magistrate has jurisdiction or not to try the case:

- Such magistrate may authorize the detention of the accused
 - From time to time, **in such custody as such Magistrate thinks fit**

- For a term not exceeding fifteen days in the whole
- In case the Magistrate does not have jurisdiction to try the case or commit it for trial
- And considers further detention unnecessary



- Production before Magistrate mandatory:
 - Detention of the accused in custody of the police can be authorized by magistrate.
 - Condition: Accused is produced before Magistrate in person for the first time
 - Produced before Magistrate subsequently every time till the accused remains in the custody of the police
- Note: Magistrate may extend further detention in **judicial custody** on production of the accused either in person or through the medium of electronic video linkage.



Q.99 Under Section 468 Cr P C the limitation for taking cognizance of an offence which is punishable with imprisonment for a term exceeding one year but not exceeding three years is.

- 1) One year**
- 2) two years**
- 3) three years**
- 4) four years**

Ans: 3

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Code of Criminal Procedure- Chapter IX - Section 468**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 468

Bar to taking cognizance after lapse of the period of limitation

- (1) No Court shall **take cognizance of an offence** of the category u/s **468(2)**

After the **expiry of the period of limitation**

- (2) The period of limitation shall be:



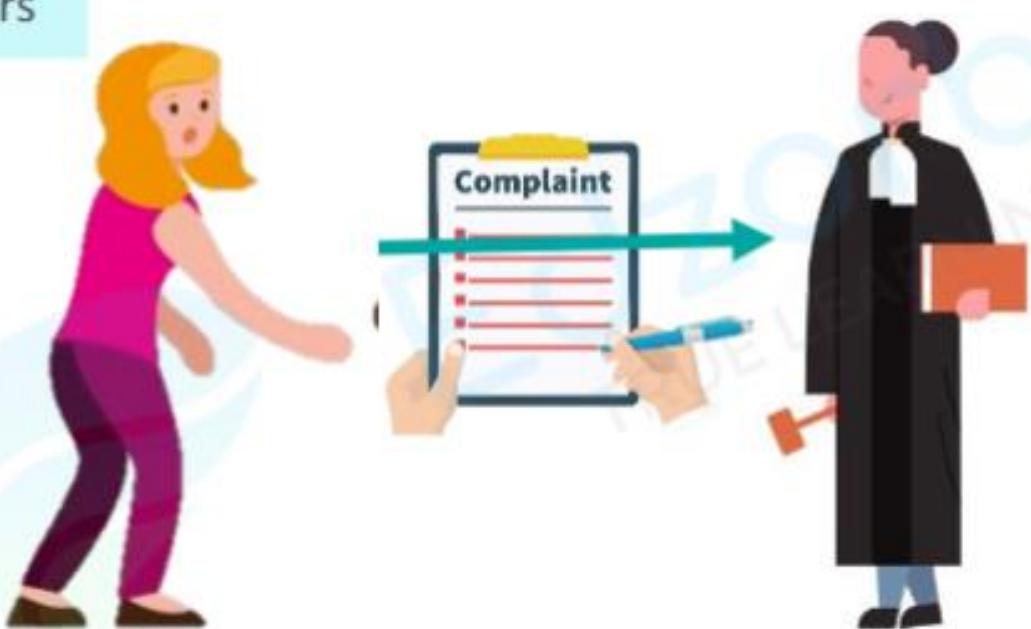
JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Limitation Period	Offence punishable with
6 months	Fine only
1 year	Less than 1 year
3 years	1-3 years
No limitation	More than three years



After 4
years



Cognizance cannot be taken as the punishment if for 3 years and complaint was filed after 3 years.

Japani Sahoo Vs Chandra Sekhar Mohanty

(2007) 7 SCC 394

The **relevant date**, for the purpose of computing the period of limitation under **Section 468** is the date of filing of the complaint or the date of institution of prosecution and not the date on which a Magistrate takes Cognizance.

Q.100 Under section 357 A (2) criminal procedure code which of the authority is authorised to decide quantum of compensation?

- 1) State legal service authority or District legal service authority**
- 2) Sessions Judge**
- 3) Chief Judicial Magistrate**
- 4) District Magistrate**

Ans: 1

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Code of Criminal Procedure- Part 7- Section 357 A (2)**



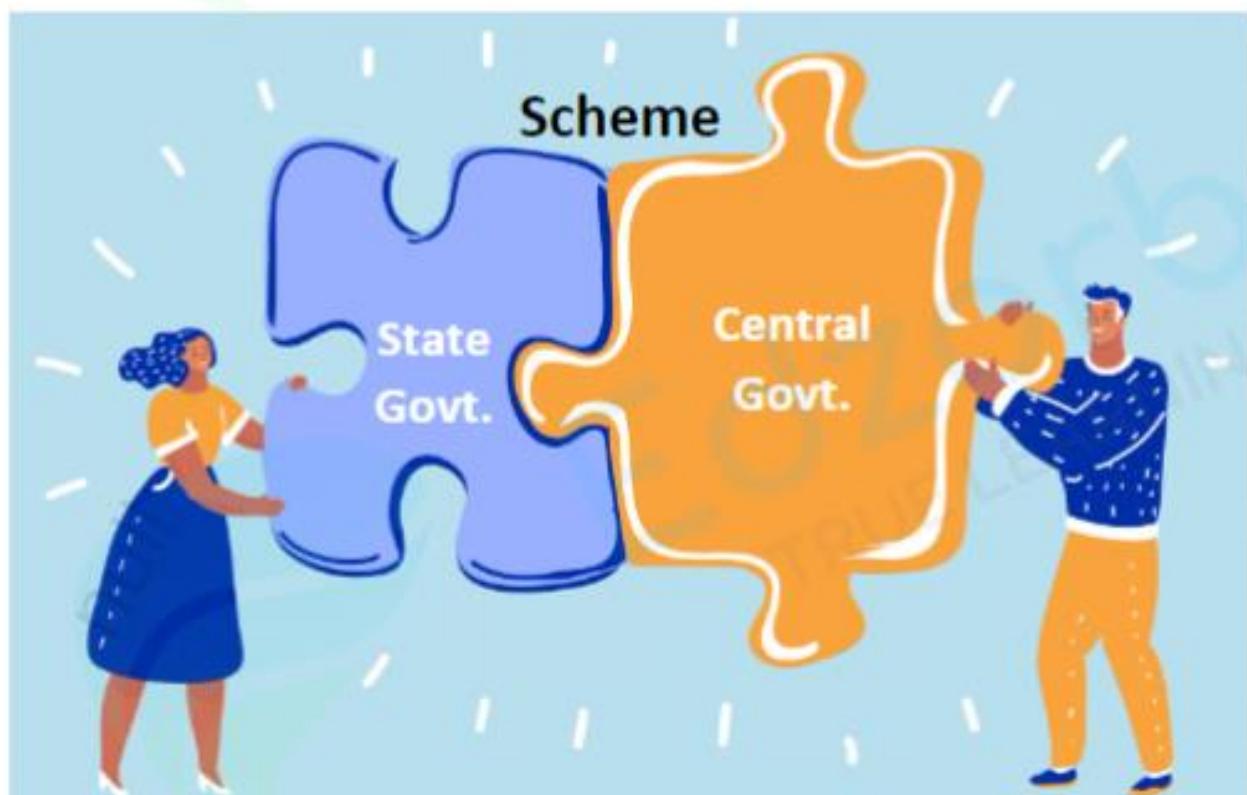
JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 357A: Victim compensation scheme:

(1) Scheme for compensation:

Every State Government in co-ordination with the Central Government shall prepare a scheme:



Purpose of scheme: For providing funds for compensation

- **Compensation to whom:** To following if require rehabilitation:
 - Victim or
 - His dependents who have suffered loss or injury as a result of the crime.



(2) Recommendation by court for compensation:

The quantum of compensation awarded u/ss. (1) shall be decided by:

- ✓ DLSA (District Legal Service Authority)
- ✓ SLSA (State)



(3) Recommendation for compensation:

The trial court may make recommendation if:

- At the conclusion of the trial, it is satisfied, that the compensation awarded **u/S.357 is not adequate for rehabilitation,**





With Model Answers &
Qualitative Evaluation

Answer Writing - 8

Structuring, Packaging, Quality
Enrichment

~~Rs 10000~~



Judgement Writing - 4

Legal Principles, Precision,
Non-ambiguity

~~Rs 5000~~



Essay Writing - 4

Structure, Engagement, Flow,
Substantiality

~~Rs 5000~~



Translation - 4

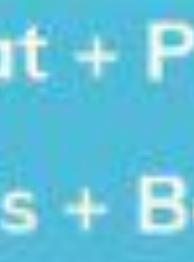
Accuracy, Flexibility, Versatility

~~Rs 5000~~





Edzorb Law Subscriptions



QBank

10000+ Concepts in Q & A

Format + Premium

Flashcards + Bonus Grand

Test Series (1)



Edzorb Law Premium

QBank + EPIC Mains Series

+ Bonus Grand Tests (2) +

Premium Flashcards

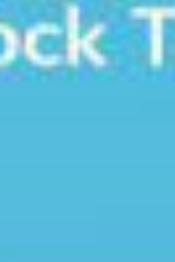


EPIC Mains Test Series

Answer Writing +

Judgement Writing + Essay

+ Translation



State Grand Test Series

State Standardized Four

Mock Tests

CONSTITUTION

1. Discuss the rights granted to convicted person under the Constitution. Elaborate the findings of the court in Selvi vs Union of India and the development of the issue in the later cases.

- 8 Marks

**EPIC MAINS TEST SERIES EVALUATION
SAMPLE**

Telegram:

@Edzorblaw

Shall not be compelled to witness against

www.edzorblaw.com

→ What does
'compel' mean
be or here?

"Person accused of" means that a formal accusation has been made against such person which might result in his conviction.

The case of Kathi Kalu v. state of Bihar SC

"No person can be compelled or forced to give evidence against himself."

Selvi v. stat UOI, 2010 SC

In this case the petitioner has challenged a lie, the narco analysis, brain finger mapping and polygraph test which are being conducted against the consent of the person accused of an offence. The Supreme Court held the following guidelines-

Facts?
Issue?

Mention

them at
least in

→ discuss the facts properly.
→ what is Narco analysis and the other tests etc.

- (1) NO person shall be examined or compelled to give evidence against his consent.
- (2) If an accused person consents to give evidence he shall be explained to the consequences of such test and his lawyer shall be present.
- (3) The consent of person shall be recorded by the judicial magistrate
- (4) On the hearing before the judicial magistrate Lawyer of accused shall be present.

Thus, even if the accused has consented to such tests, he shall be heard properly by the judicial magistrate to ensure that he has not been forced to give evidence.

→ Article 20(3)(b)

• "any S. 300 CrPC here." (4)

→ Confession under the Evidence Act

(2) Art 20(2) - The protection against double jeopardy -
It reads as -

"No person shall be ~~convicted~~ or
prosecuted and
for the same offence twice." Punished

It is based on the maxim - "Nemo debet vis
vexari". → What does it mean?

The Code of Criminal Procedure 1973 s 300
also deals with this principle of double
jeopardy.

essentials - ① Accused must be convicted
on the same offence for which he has
been prosecuted before.

② Proceeding was conducted before the
judicial magistrate or court in judicial
proceeding.

→ Pinpoint the difference b/w S. 300 CrPC
& Art. 20(2)

→ S. 300 CrPC is for the convicts & the acquits as ex-post facto laws — well.

(3)

The protection against

ex-post facto

laws — well.

Art. 20(1) reads as —

convicted

"No person shall be arrested except for the violation of law in force at the time of commission of act or omission nor shall be subjected to greater punishment than at the time of commission of act of omission."

The Indian constitution protects only from two types of ex post facto laws —

(1) The law which was not in force at the time of commission of offence.

(2) The punishment which was enhanced after the punishment of offence.

→ What if the punishment is reduced?

Q.101 Criminal Procedure Code – Evidence rendered in Court is the substantive evidence, it would be impermissible to convict the accused on the basis of the statement made u/s 164 CrPC, it was held by the Supreme Court in the case.

1) Arun Vs State of M.P

2) Rajesh @ Sarkari and another Vs. State of Haryana

3) Somasundaram @ Somu Vs. State Rep. by The Deputy Commissioner of Police

4) Devkaran Vs State of M.P

Ans: 3

Source: Case Law Flashcards – Cr.P.C – Card 37



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



Somasundaram

@ Somu

Vs.

State

**Substantive evidence is the
evidence rendered in Court.**

**Should there be no other
evidence against the
accused, it would be
impermissible to convict the
accused on the basis of the
statement u/S 164**

Q.102 For the application of section 300 of the Code of Criminal Procedure, 1973 which one of the following is incorrect

- 1) That there must have been a previous trial of the accused for the same offence,**
- 2) For the accused to be acquitted in the previous trial for the same offence,**
- 3) For the previous proceedings to have been for the same offence,**
- 4) It is not necessary that the court who conducted the trial was competent or not to try the case.**

Ans: 4

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Code of Criminal Procedure- Part 6- Section 300**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Essentials of Section 300(1):

There must be
acquittal or
conviction

Trial by court
of competent
juris.



2 alleged
offences
identical/similar

More than 1 offence out
of same fact, conviction
in one will act as bar for
trial for another



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.103 Criminal Procedure Code – In which case, the Supreme Court held that No Second FIR can be of same Incident, in such case first FIR shall be treated Main FIR and other will be treated as statement under section 162 CrPC

1) Kuldeep choudhary @ Kuldeep yadav and another Vs State of MP

2) Amish Devgan Vs Union of India and Others

3) Rajesh Dhiman Vs State of Himachal Pradesh

4) Kaushik Chatterjee Vs State of Haryana and others

Ans:2

Source: Case Law Flashcards – Cr.P.C – Card 42



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



Amish Devgan

V.

UOI

**Supreme Court reiterated
that subsequent FIRs
would be treated as
statements u/S 162 of
the CrPC. No second FIR
can be of same incident.**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.104 Sec 293 Cr P C does not apply to which Government Scientific Expert-

- 1) any Chemical Examiner or Assistant Chemical Examiner to Government.**
- 2) the Chief Controller of Explosives.**
- 3) the Director of the Finger Print Bureau**
- 4) State Examiner for the questioned documents**

Ans: 4

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Code of Criminal Procedure- Part 6- Section 293**



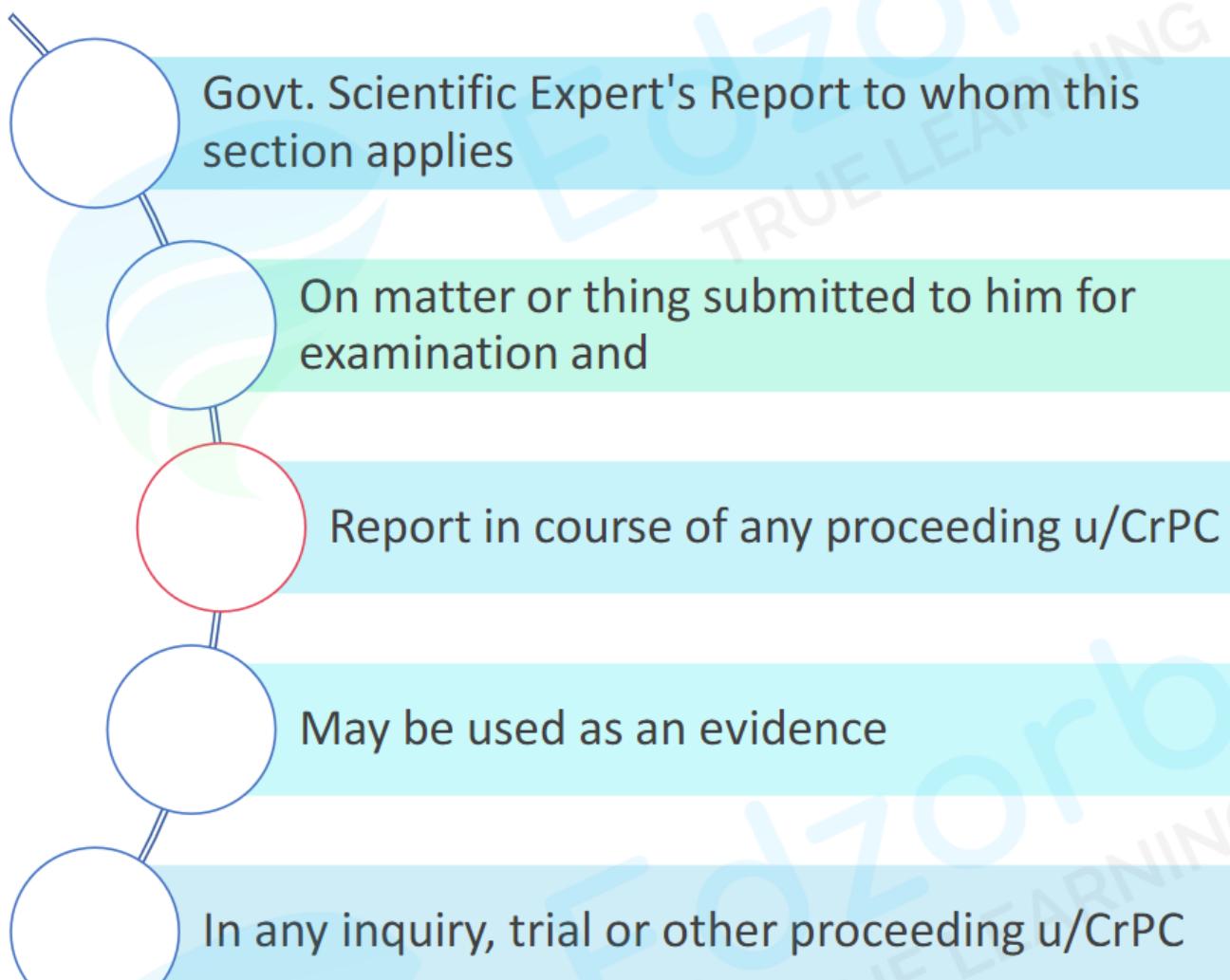
JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 293

Reports of certain Government scientific experts

(1) Report to be used as evidence:



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

(2) The Court may, **if it thinks fit**, summon and examine such expert on his report.



(3) The expert

- May **depute any responsible person** working with him
- Who can **satisfactorily depose** in Court on his behalf,
- To attend the Court when he is **summoned** but is **unable** to attend personally



Except:

Where the Court has **expressly directed** him to appear personally.

- (4) S.293 applies to the following **Government scientific experts**:



Did you Know?

There are 7 Central Forensic Laboratories in India, at Hyderabad, Kolkata, Chandigarh, New Delhi, Guwahati, Bhopal and Pune.



State Vs Ramsingh

AIR 1963 Bom 68

Held:

- If a Chemical Examiner's report does not contain:
 - **Data of tests or experiments performed**
 - **Reasons for his opinion**
- The objection can only be to the weight attached to the report.
- Its admissibility in evidence cannot be challenged.

Q.105 Criminal Procedure Code – To whom the Court may appoint as Administrator for management of properties seized or forfeited under Chapter 7A of the Criminal Procedure Code

1) District Magistrate or officer nominated by District Magistrate

2) Tehsildar

3) Commissioner

4) Station House Officer

Ans: 1

**Source: Edzorb Law Premium + 2.0- Simplified Notes-
Code of Criminal Procedure- Part 2- Section 105 F (1)**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 105 – F (1):

Management of properties seized or forfeited under this Chapter:

- Administrator of such property = Appointed by the Court

Who can be Administrator?

- District Magistrate of the area where the property is situated
- Other officer nominated by DM.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com

**Your Judiciary Attempts deserve
to look better than this.**



Your Effort deserves Right Guidance.

Try Edzorb Law Premium Subscription for definite success within a year with the Integrated Prelims & Mains Preparation

Get it Right this time

Go Premium

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 12 Negotiable Instrument Act



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q. 106 Negotiable Instrument Act 1881-the interim compensation under section 143A (4) shall be paid within -----days from the date of the order or within such further period not exceeding thirty days as may be directed by the Court on sufficient cause being shown by the complainant

1) 30 days

2) 45 days

3) 60 days

4) 90 days

Ans: 3

Source: Edzorb Law Premium + 2.0 – Simplified Notes – Negotiable Instruments Act – Part II - S. 143 A



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 143 A Power to direct interim compensation



- Empowers the court to order the drawer of the cheque to **pay interim compensation** to the complainant
- In case of a summary trial or a summons case, where the drawer pleads not guilty to the allegations made by the complainant, and
- In any other case, upon framing of the charges.
- The Section **143A & 148** which have been now inserted in the Ni acts is in addition to Section 138 of Ni acts which is dealing with **cheque bounce cases**.
 - Interim compensation shall be paid within **60 days** from the date of order or within such further period **not exceeding 30 days**.

The payee of a dishonoured cheque is offered **greater protection** & also it would discharge frivolous & unnecessary litigation adopted by the drawers to delay their liability.

The amount of interim compensation shall not be more than **20% of the cheque amount**.

Drawer is acquitted: the payee may be directed by the court to **refund the entire amount of compensation paid to him/her with RBI's prevailing rate of interest to the drawer.**



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.107 Negotiable Instrument Act 1881 – Which defence may not be allowed in the proceeding's u/s 138 of the Negotiable Instruments Act` 1881

- 1) he had not put his signature on the cheque**
- 2) the complainant is not the payee or the holder of cheque in due course**
- 3) he had no reason to believe when cheque was issued that the same may be dishonoured**
- 4) he had Issued the cheque in connection with the liability which was not legally enforceable**

Ans: 3

Source: Edzorb Law - MPJS Prelims Crash Course 2- Negotiable Instruments Act – Unit XI

4.

MCQ, Single Correct Question

As per section 140 of Negotiable Instruments Act, 1881, it shall not be a defence in a prosecution for an offence under section 138 of the Act that:

- a The drawer had no reason to believe when he issued the cheque that the cheque may be dishonoured on presentment for the reasons stated in that section
- b The cheque was not issued in discharge of a debt but merely as a donation
- c The cheque was issued for an illegal consideration
- d None of the above



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

(A)

Section 140: Defence which may not be allowed in any prosecution under **section 138**:

The drawer cannot take the defence that **he had no reason to believe that the cheque may be dishonoured** on presentment due to:

- Insufficiency of funds
- The cheque amount exceeds the amount arranged to be paid from that account by an agreement with that bank



Mayuri Pulse Mills and Others Vs Union of India And Others.

(1994) 96 BOMLR 953

Facts: The constitutional validity of sections 138, 139, 140 and 141 of NI Act was challenged. It was contended that **Section 140** takes the most important defence which is violative and unconstitutional.

Held:

- The state of mind of the accused person, his knowledge or reasonable belief are not the necessary ingredients of an offence under **section 138**.
- Therefore, the provision contained in **section 140** that it shall not be a defence that the drawer had no reason to believe that the cheque may be dishonoured on presentment, cannot be said to be unreasonable and unconstitutional.

Reference: The Negotiable Instruments Act, 1882, Section 140

Copyright © Edzorb Law: Any breach will attract immediate legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.108 Negotiable Instrument Act – In appeal against conviction, the appellate Court may order the appellant to deposit fine or compensation awarded by the trial Court

- 1) Minimum Five percent**
- 2) Minimum Ten percent**
- 3) Minimum Fifteen percent**
- 4) Minimum Twenty percent**

Ans: 4

Source: Edzorb Law Premium + 2.0 – Simplified Notes – Negotiable Instruments Act - Part II- S. 148



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Section 148 Power of Appellate Court to order payment pending appeal against conviction



- Added by 2018 amendment
- The **section 148** of the NI Act deals with the matter of appeal against conviction awarded by the trial court judgment.
- It empowers the appellate court to order the appellant to deposit an amount which shall be a **minimum of 20%** of the fine or compensation awarded by the trial court.
- This amount is in addition to the amount already paid by the appellant under **Section 143 A**.
- This deposit may be released by an order for payment to the complainant at any time during the pendency of appeal.



Provided:

When the appellant is acquitted:

- Court will direct the complainant to repay to the appellant the amount so released
- With interest at the bank rate as published by the RBI.
- Within **60 days** from the date of the order, or within such further period not exceeding **30 days** as directed by the Court on sufficient cause being shown by the complainant.

**Surinder Singh Deswal @ Col SS Deswal & Ors Vs
Virendra Gandhi
(2019)**

Held:

- **Section 148** of NI Act, applies even in a case where the criminal complaints about the offence under **S.138** of NI act were filed prior to 2018 amendment act, i.e., prior to 01/09/2018.

Reference: Negotiable Instruments Act, 1881, S.148

Copyright © Edzorblaw: Any breach will attract legal action with or without notice

167



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.109 Which of the following presumption is prescribed u/s.118 Negotiable instrument Act?

- 1) Of consideration**
- 2) As to date**
- 3) As to time of acceptance**
- 4) all of these**

Ans: 4

Source: Edzorb Law - MPJS Prelims Crash Course 2-
Question Bank Negotiable Instruments Act – Unit X

14.



MCQ, Single Correct Question

A presumption of passing of consideration is mentioned in section

- a 118(a)
- b 118(b)
- c 118(c)
- d 118(d)



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

(A)

Section 118- Presumptions as to negotiable instruments:

Particular	Presumption
a) Of consideration	Every negotiable instrument was <u>made or drawn for consideration.</u>
b) As to date	Every negotiable instrument bearing a date was <u>made or drawn on such date.</u>
c) As to time of acceptance	Every accepted bill of exchange was <u>accepted within a reasonable time before its maturity.</u>
d) As to time of transfer	Every transfer of a negotiable instrument <u>was made before its maturity.</u>
e) As to order of endorsements	The endorsements appearing upon a negotiable instrument <u>were made in the order in which they appear thereon.</u>
f) Holder in due course	Holder of a negotiable instrument is a <u>holder in due course;</u> where the instrument has been obtained from its lawful owner.



If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com



Edzorb
TRUE LEARNING

Telegram @Edzorblaw

www.edzorblaw.com

MPJS Prelims Examination 2022

SET - 1



Detailed Analysis with Explanations

Q. 111 to 150 Part 2/2

Powered By



@Edzorblaw

www.edzorblaw.com



Edzorb
TRUE LEARNING



MPJS Prelims Analysis

2022

Strike Rate - 96%

**Our Strike Rate
says it all!**



www.edzorblaw.com

MADHYA PRADESH

Sub-tropical coniferous



RANGES

• Satpura Plateau (Hills)

■ STATE ANIMAL

Swamp Deer



■ STATE TREE

Banyan Tree



■ STATE BIRD

Indian Paradise Flycatcher



■ STATE FLOWER

Parrot Tree



■ STATE FRUIT

Mango



■ STATE FISH

Masheer



FESTIVALS

- Aalami Tableegi Ijtima



- Fair of Hira Bhumia



- Fair of Nagaji



- Kumbha
(Simhastha)



- Fair of Ramlila



- Fair of Pir Budhan



- Fair of Tejaji



MADHYA PRADESH



TRIBES

- Baiga
- Bhil
- Gond
- Korku
- Saharia

SANCTUARY & NATIONAL PARK

- Bhoj Wetlands
- Panna Biosphere Reserve
- Pench (Priyadarshini) NP



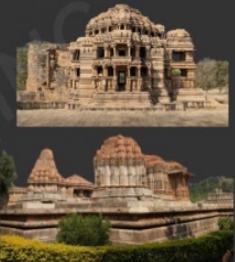
HIGHEST PEAK

- Dhupgarh Peak
4,429 feet
[1,350 metres]

Gwalior Fort



Sahastra Bahu Temples



Great Stupa of Sanchi



Khajuraho Group of Monuments



Kundalpur Jain temples



Brahma statue at Amarkantak



Ancient city of Mandu



Marble Rocks



Bhimbetka rock shelters





Edzorb
TRUE LEARNING

FESTIVALS OF INDIA

MADHYA PRADESH



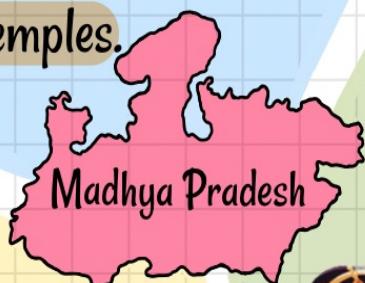
KHAJURaho DANCE FESTIVAL



- 1 week festival of classical dances

held annually beside the

Khajuraho temples.



LOKRANG FESTIVAL

- Most iconic dance festival of MP.
- It signifies the existing legacy of its dance.



- Marks the beginning of the New Year

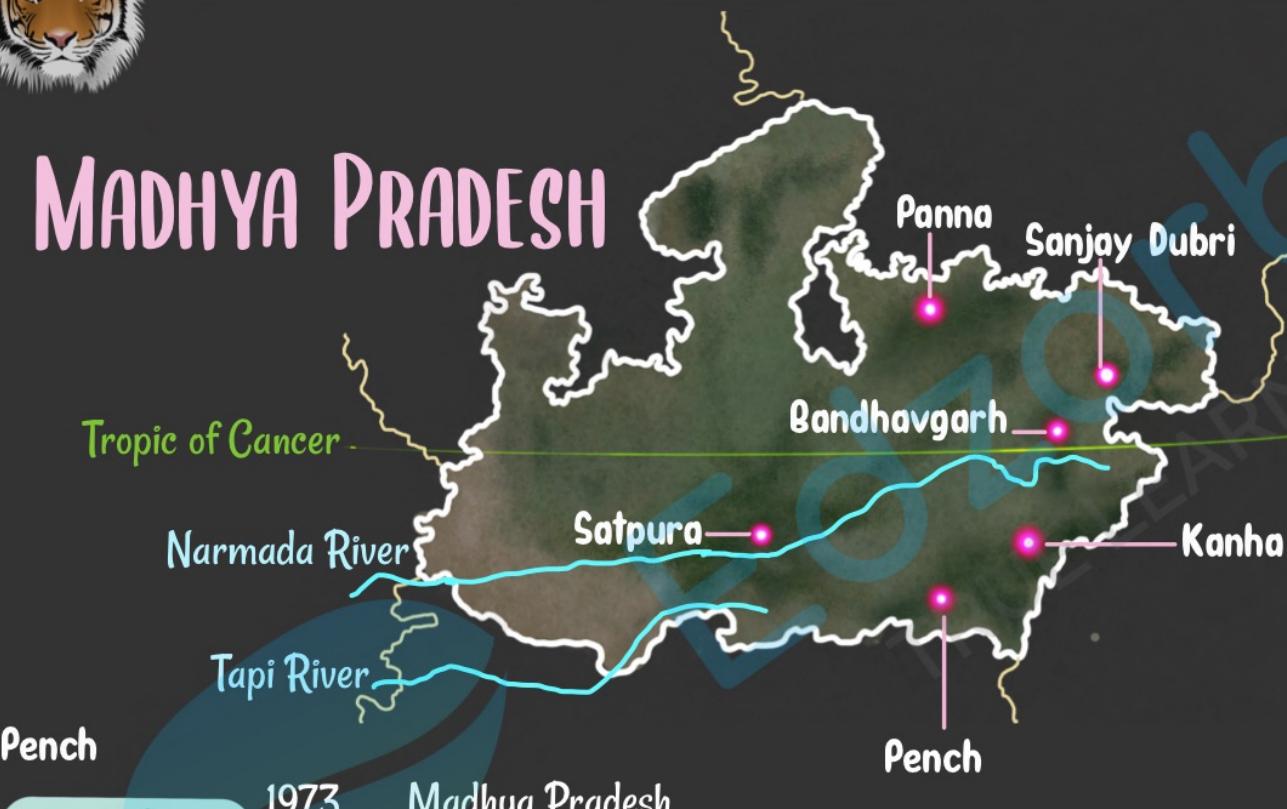


- Festival of Lights.



TIGER RESERVES

MADHYA PRADESH



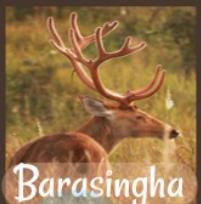
Pench

Kanha

1973 Madhya Pradesh



- The Park is respected globally for saving the Barasingha from near extinction.
- It is also the first tiger reserve in India to officially introduce a mascot, "Bhoorsingh the Barasingha".



Leopard



Royal Bengal Tiger



Sloth Bear



Wild Dog



Indian Ghost Tree



Bamboo

Pench

1992 Madhya Pradesh



River Pench



Satpura Range



Tiger



Golden Jackal



Hanuman Langur



Bamboo



Teak plantation

Bandhavgarh

1993 Madhya Pradesh



Tiger



Nilgai



Striped hyena



Gaur



Charan Ganga river



Vindhya hills



Sal, Saja, Salai



Dhobin, Bamboo

Panna

1994 Madhya Pradesh

Tiger, Leopard, Chital, Chinkara, Nilgai, Sambhar, Sloth bear, Honey buzzard



Blossom-headed
Parakeet



Changeable Hawk-Eagle



Bar-headed Goose



King Vulture



Ken River



Vindhyan Hills



Sal



Crocodile bark



Arjun



Kamun

Satpura

1999 Madhya Pradesh



Denwa River



Dhoopgarh peak, Satpura hills



Indian muntjac



Porcupine



Blackbuck



Mouse deer



Hornbills



Peafowl



Four-horned
antelope

Tiger, Leopard, Sambar, Nilgai, Chinkara, Wild Boar, Bear, Fox, Flying Squirrel, Giant squirrel,

Sal, Teak, Tendu, Phyllanthus emblica, Mahua, Bel, Bamboo, and grasses

Sanjay Dubri

2008 Madhya Pradesh

No tiger was sighted

Tiger, Indian Leopard, Sambar Deer, Wild Boar, Nilgai, Chinkara, Porcupine, Vulture



Racket-tailed Drongo



Monitor lizard



Indian pitta



Spotted deer



Civet



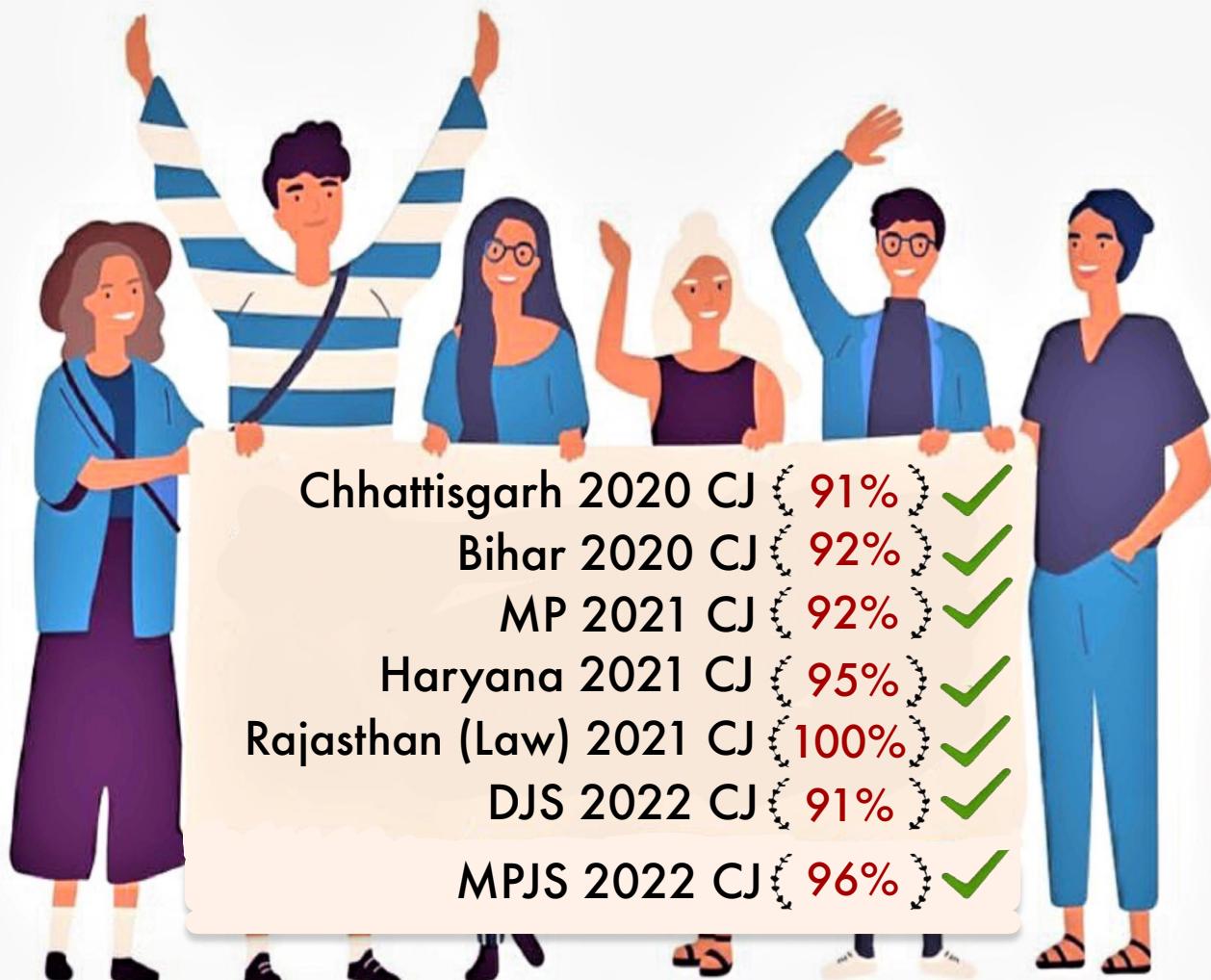
Golden Hooded
Oriole



Sakhua/Sal, Bamboo and mixed forests

Edzorbians At Advantage

High Strike Rate in all PCSJ Exams



Predict the STRIKE RATE for RJS, UPJS & BJS

Score an Exam winning Strike with Edzorb Law



Edzorb Law
True Learning

Telegram: @edzorblaw
www.edzorblaw.com

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 1 General Knowledge



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q.111 Who won the final of 2021 Wimbledon?

1) Novak Djokovic

2) Moteyo Beretni

3) Rafael Nadal

4) Roger Federer

Ans: 1

Source: Free Initiatives – Free Mocks – MPCJ Simulator

Mock Exam 4 - Q. 122

122



MCQ, Single Correct Question

Wimbledon 2021 for Mens Singles was won by:

- a. Roger Federer
- b. Rafel Nadal
- c. Novak Djokovic
- d. None of the above



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



Explanation

 Wimbledon
Jun 21–Jul 12, 2021

MEN'S SINGLES	WOMEN'S SINGLES	MEN'S DOUBLES	WOMEN'S DOUBLES	M
Mon 28 Jun	Tue 29 Jun	Wed 30 Jun	Thu 1 Jul	Fri 2 Jul
Final - Centre Court				
 1 N. Djokovic	6 6 6 6	Final >		
 7 M. Berrettini	7 4 4 3			
Video highlights 				

The 2021 Wimbledon Championships was a rescheduled Grand Slam tennis tournament that took place at **London, United Kingdom**.



- **Dates:** 28 Jun 2021 – 11 Jul 2021
- **Location:** All England Lawn Tennis & Croquet Club





- 1. Name:** Novak Djokovic
- 2. Born:** 22 - May 1987
- 3. About:** He is a Serbian professional tennis player. He is currently ranked world No. 1 by the Association of Tennis Professionals (ATP). He has been ranked world No. 1 for a record total 369 weeks, and has finished as the year-end No. 1 a record seven times.



Edzorb
TRUE LEARNING





BOX for Extra Information

1877- 2021 List of winners from Wimbledon Men's-

<https://timesofindia.indiatimes.com/sports/tennis/wimbledon-2021/list-of-wimbledon-mens-singles-champions/articleshow/83830813.cms>

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



Edzorb
TRUE LEARNING



Q.112 General Knowledge – One religion, one cast, one God for mankind These words were spoken by

- 1) Mahatma Gandhi**
- 2) Guru Nanak**
- 3) Shri Narayan Guru**
- 4) Shri Aurbindo Ghosh**

Ans: 3

Source: Edzorb Law Premium + 2.0 – Concept Treasures - Personalities – Narayan Guru



SREE NARAYANA GURU (1855-1928)



- Great social & religious reformer — Kerala
- Belonged to the Ezhava caste
- Influenced by Vedanta

Learnt **Hatha Yoga**
and other philosophies



Drawn towards asceticism

In Tagore's words- "I have been touring different parts of the world. But I have never come across one who is spiritually greater than Sree Narayana Guru".

REFORMS

Caste System: **REJECTED** the caste system- Stressed on **equality** of man
Gave the universal message, "**One caste, one religion, one God**"

Aravipuram Movement

- ✓ Built a temple dedicated to **Lord Shiva** at Aruvippuram
- ✓ Which was against the caste-based restrictions of the time.



In one temple he consecrated at Kalavancode
He **kept mirrors instead of idols**
To symbolize divine was within each individual



Built many Hindu temples → **Open to people from all castes and religions.**



Vaikkom Satyagraha

Lent his support to the Vaikkom Satyagraha

Aimed at **temple entry** in Travancore for the lower castes.

Mahatma Gandhi met Guru during this time.



Education:

- A keen educator → stressed on the importance of education for all
- Taught Sanskriti and the Upanishads to students from all castes.



PUBLICATIONS



Atompadesa Satakam
(One-hundred verses of self-instruction)

Deiva Dasakam
(The prayer for Humanity)

Janani-nava-Ratna-Manjari
(A Nine-gem Nosegay to the mother)

Kundilini Pattu
(Song of the Kundilini Snake).



Q.113 General Knowledge – Who received Padmashri

"Award 2022" for contribution in field of yoga

- 1) B K'S Iyanger
- 2) Swami Sivananda
- 3) Guru Vishnu
- 4) Tulasi Gowda

Ans: 2

Source: Free Initiatives –Free Mock Exams – DJS

Simulator Mock Exam 3 - Q. 21

21.



MCQ Single Correct Question

Who was felicitated with Padma shri 2022 for Yoga ?

- (a) Baba Ramdev
- (b) Swami Sivananda
- (c) Swami Sivakrisna
- (d) Swami Ramananda



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Explanation

Yoga Legend Swami Sivananda Conferred with Padma Shri Award 2022 By President Ram Nath Kovind.



Three Different Category for the National Award-

Padma Vibhushan

Exceptional and
Distinguished
Service

Padma Bhushan

Distinguished
Service of a high
order

Padma Shri

Distinguished
Service



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Padma Shri



Presented by: Government of India

Obverse: A centrally located lotus flower is embossed and the text “Padma” written in Devanagari script is placed above and the text “Shri” is placed below the lotus.

Reverse: A platinum State Emblem of India placed in the center with the national motto of India, “Satyamev Jayate” (Truth alone triumphs) in Devanagari Script

Established: 1954



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

1st Awarded: 1954

Swami Sivananda

Born: Sivananda

Claimed to be August 8, 1896, Sylhet District, Bengal Presidency, British India (present-day Sylhet Division, Bangladesh)

Religion: Hinduism

Nationality: Indian

Occupation: Yoga teacher

Honors: Padma Shri



Copyright © Edzorb Law: Any breach will attract legal action with or without notice



Edzorb
TRUE LEARNING



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.114 With which aspect of commerce is the term Bull & Bear associated?

- 1) Stock market
- 2) Bank
- 3) Insurance
- 4) None of these

Ans: 1

**Source: Free Initiatives – Free Mock Exams – DJS
Simulator Mock Exam 3 - Q. 185**

185

MCQ Single Correct Question

"Bull Market" is a term associated with:

- (a) Sale of livestock
- (b) Human trafficking
- (c) Stock Market
- (d) Politicians changing parties

Explanation

A **bull market** is a market that is on the rise and is economically sound, while a **bear market** is a market that is receding, where most stocks are declining in value.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Do you Invest in Stocks?

It helps you build your savings, protect your money from inflation and taxes, and maximize income from your investments.

Thanks for the information, I will go and read about it and will surely Invest.



Edzorb
TRUE LEARNING



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



Bull Market

- 20% Rise Following 20% Decline
- Happens When The Economy Is Strong
- Investor Confidence High
- Strong Demand For Stocks
- Rising Company Profits

Bear Market

- 20% Decline Following 20% Rise
- Happens When Investor Confidence Declines
- Trading Activity And Dividend Yield Decrease
- Can Transition To Bull Market As Investors Capitalize On Low Prices

Did you Know?

The movie is based on Stock Market.



Hemant Shah, aspires to become rich. He soon devises a plan to exploit the loopholes in the banking system to fulfil his ambitions.



Q.115 Black revolution is related to?

- 1) Coal Production**
- 2) Black hole**
- 3) Petroleum Production**
- 4) Leather Production**

Ans: 3

Source: Free Initiatives – AIRPT 3 – Q. 141

qa

141

MCQ, Multiple Correct Question

Black Revolution is associated with

- a Coal Production
- b Petroleum Production
- c Removing discrimination against the blacks
- d Minimising waste generation



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Explanation



Black Revolution

- The Indian Government planned to boost the production of petroleum by mixing ethanol with petrol to produce biodiesel.
 - Ethanol is a renewable source of energy and is a by-product of sugar production produced from molasses.
 - The blending of ethanol with petrol has been practised in the USA and Brazil for over 70 years.
 - The blending of ethanol with transport fuels would provide better returns to farmers, supplement scarce resources of hydrocarbons and environment-friendly by reducing pollutants as it helps combustion.
 - This caused a major rise in petroleum production
 - In India which is known as the Black revolution.



Agricultural Revolutions in India

Products/Aim	Revolution	Father of the Revolution
Integration of ecological principles in technology development	Evergreen Revolution	M S Swaminathan
Higher Production (Technology-driven 2nd Green revolution)	Protein Revolution	Coined by Narendra Modi and Arun Jaitley
Oilseed Production (Especially Mustard and Sunflower)	Yellow Revolution	Sam Pitroda
Petroleum products	Black Revolution	–
Fish Production	Blue Revolution	Dr Arun Krishnan
Leather / Cocoa / Non-Conventional Products	Brown Revolution	–
Jute Production	Golden Fiber Revolution	–
Fruits / Honey Production / Horticulture Development	Golden Revolution	Nirpakh Tutej
Fertilizers	Grey Revolution	–
Onion Production / Pharmaceuticals / Prawn Production	Pink Revolution	Durgesh Patel
Egg Production / Poultry Production	Silver Revolution	Indira Gandhi (Mother of the Revolution)



Cotton	Silver Fiber Revolution	-
Meat Production / Tomato Production	Red Revolution	Vishal Tewari
Potato	Round Revolution	-
Food Grains	Green Revolution	M.S. Swaminathan
Milk Production	White Revolution	Verghese Kurien

Did you Know?

The Ethanol Blended Petrol program was an initiative by the Ministry of Petroleum & Natural Gas in January 2003.

10th August 2021- India celebrated World Biofuel Day, with the theme “Biofuels towards Atmanirbhar Bharat”.



Copyright © Edzorb Law: Any breach will attract legal action with or without notice



Edzorb
TRUE LEARNING



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



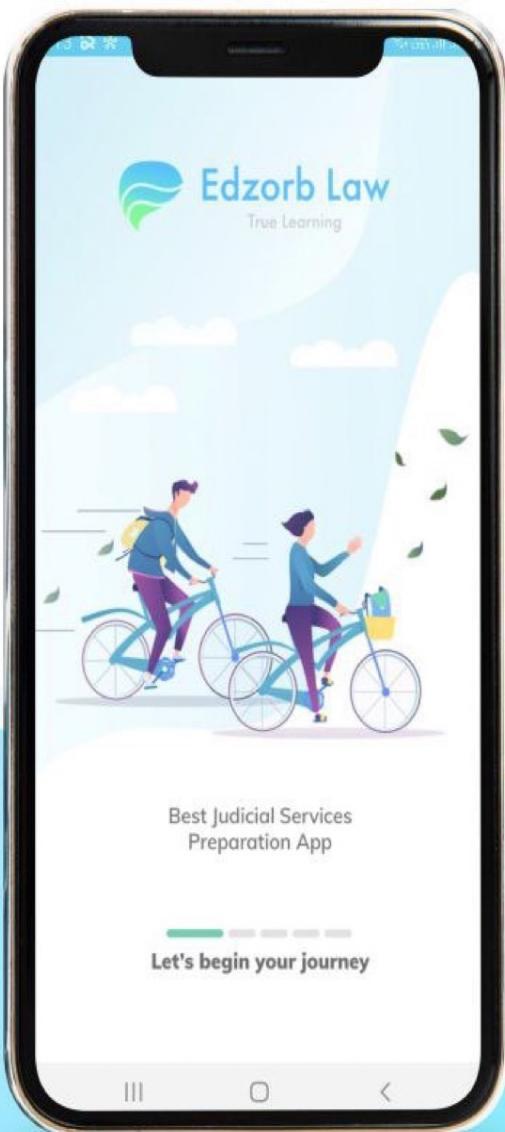
Edzorb Law
True Learning



Best Judiciary Exam Preparation App

- Offline App
- Visual Learning
- Free Daily Quiz

DOWNLOAD THE APP NOW



Learn More www.edzorblaw.com

Q.116 Which greek Ambassador came in India during the ruling of Chandra Gupta Maurya?

- 1) Hensang**
- 2) Megasthenes**
- 3) Ibanabatoota**
- 4) Fahyan**

Ans: 2

Source: Edzorb Law Premium + 2.0 – Concept Treasures-



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Mauryan Empire



MAURYAN EMPIRE



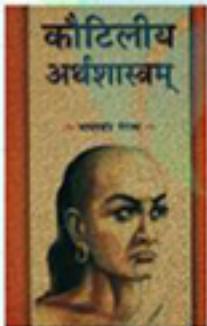
INTRODUCTION

- Opens a new history in the Indian era, for the 1st time political unity was achieved in India
- Ruled for the maximum period
- Dipavamsa Mahavamsa throws light on Ashoka spreading Buddhism in Sri Lanka



LITERARY SOURCES

KAUTILYA'S Arthashastra (Sanskrit)



- Deals with
- King & His council
- Department of government
- Civil & Criminal Law
- Diplomacy & Peace and war

VISHAKHADATTA'S Mudrarakshasa



(Drama in Sanskrit)

- Describes how Chandragupta Maurya with assistance of Kautilya overthrew Nanda

MEGASTHENES'S Indica (Greek Ambassador)



Sent by Seleucus Nikator to the court of Chandragupta Maurya

DETAILS OF PATALIPUTRA

- Administration
- Military organisation
- Social life

OTHER LITERATURE



- Jatakas
- Ceylonese
- Chronicles



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.117 Where the Mahatma Gandhi Gramodaya Vishwavidyalaya is located?

- 1) Gwalior
- 2) Bhopal
- 3) Chitrakoot
- 4) Jabalpur

Ans: 3

Source: Free Initiatives – Free Mocks – MPCJ Simulator

Mock Exam 2 - Q. 123

123



MCQ_Single Correct Question

The other name for Chitrakoot Gramodaya Vishwavidyalaya is ?

- a) Mahatma Gandhi Chitrakoot Gramodaya Vishwavidyalaya
- b) Indira Gandhi Chitrakoot Gramodaya Vishwavidyalaya
- c) Jawahar Lal Nehru Chitrakoot Gramodaya Vishwavidyalaya
- d) None of the above



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

महात्मा गांधी चित्रकूट ग्रामोदय विश्वविद्यालय चित्रकूट जिला-खतना (म.प्र.)



Former name: Chitrakoot Gramodaya

Vishwavidyalaya

Type: Public

Established: 1991

Founder: Nanaji Deshmukh

Chancellor: Governor of Madhya Pradesh

Vice-Chancellor: Prof. Bharat Mishra

Location: Chitrakoot, Madhya Pradesh, India, 153 Acre



Q.118 "The national education policy 2020" was prepared under chairmanship of-

- 1) Ramesh Pokhriyal
- 2) Dr K Kasturirangan
- 3) Arvind Pangadia
- 4) Prof Yashpal

Ans: 2

Source: Free Initiatives – Free Mock Exams – DJS Simulator Mock Exam 3 – Q. 27

27.

MCQ Single Correct Question

Who chaired the Steering Committee of the National Education Policy of 2020 ?

- a) K Kasturirangan
- b) Narendra Modi
- c) Ram Nath Kovind
- d) Smriti Irani



The National Education Policy 2020 (NEP 2020) drafting committee **chairperson Kasturirangan** will head the national steering committee for the development of the new curriculum for school, early childhood, teacher and adult education.



Explanation



Edzorb
TRUE LEARNING



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



What are the major recommendations of the NEP in higher education?

- * Replacing the UGC and the AICTE with the Higher Education Commission of India.
- * Opening up Indian higher education to foreign players.
- * Reintroduction of the four-year multi-disciplinary Bachelor's programme, with exit options.
- * Flexibility to institutions to offer different designs for Master's programmes.
- * Discontinuation of the M.Phil programme.
- * Setting up of a National Research Foundation.



Q.119 General Knowledge - Who made the observation

"Jurisprudence is Lawyer's extraversion"?

1) John Austin

2) Julius Stone

3) Cicero

4) C.K Allen

Ans: 2

Source: Free Initiatives – Free Mock Exams – HJS

Simulator Mock Exam 1 – Q. 119

119

MCQ Single Correct Question

Which Jurist made the observation that " Jurisprudence is Lawyer's Etraversion"

- a) Julius Stone
- b) Austin
- c) Aristotle
- d) None of the above

Explanation



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

JURISPRUDENCE



JULIOUS STONE

Jurisprudence means lawyer's extraversion which meant it involves examination of precepts, ideals, and techniques of the law in the light derived from present knowledge in disciplines other than the law.

Copyright © Edzorb Law: Any breach will attract legal action with or without notice



Edzorb
TRUE LEARNING



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.120 The headquarters of the World Bank is situated at

- 1) Geneva
- 2) New York
- 3) Paris
- 4) Washington D C

Ans: 4

Source: Free Initiatives – Free Mocks - MPCJ Simulator

Mock Exam 3 – Q. 122

122



MCQ Single Correct Question

World Bank has its headquarters in ?

- a) Geneva
- b) Washington DC
- c) Paris
- d) None of the above



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

W
O
R
L
D
B
A
N
K

Headquarters: Washington, D.C., United States

Founders: John Maynard Keynes, Harry Dexter White

Founded: July 1944, Bretton Woods, New Hampshire, United States

Motto: Working for a World Free of Poverty

- The World Bank is an international financial institution that provides loans and grants to the governments of low- and middle-income countries for the purpose of pursuing capital projects.
 - **President:** David Malpass
 - **Subsidiaries:** International Finance Corporation, MORE
 - **Parent organization:** United Nations

Copyright © Edzorb Law: Any breach will attract legal action with or without notice



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Best App for
Judicial Services

JUDICIAL SERVICES PREPARATION



www.edzorblaw.com



Edzorb Law

True Learning



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.121) Which of the following is the softest

1) Caesium

2) Lead

3) Gold

4) Silver

Ans: 1

Source: Free Initiatives – Free Mocks – MPCJ Simulator

Mock Exam 3 - Q. 131

131

MCQ Single Correct Question

Which amongst the following is the softest?

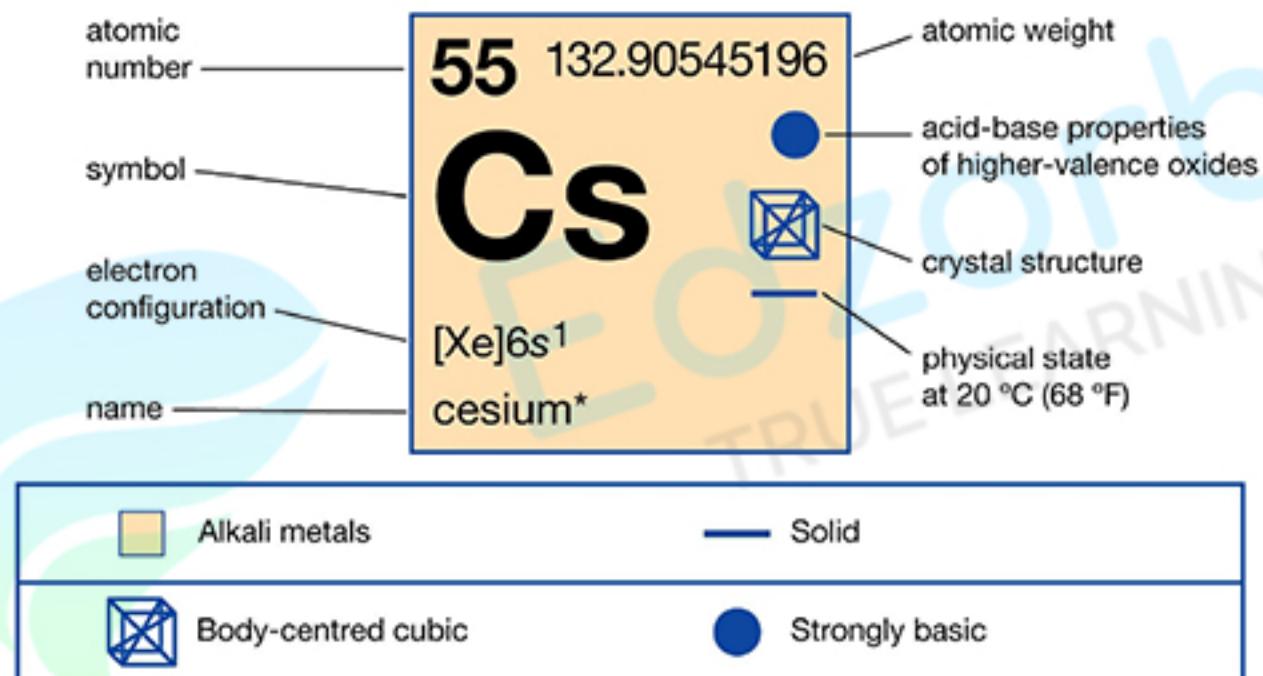
- a) Diamond
- b) Corundum
- c) Topaz
- d) Caesium



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

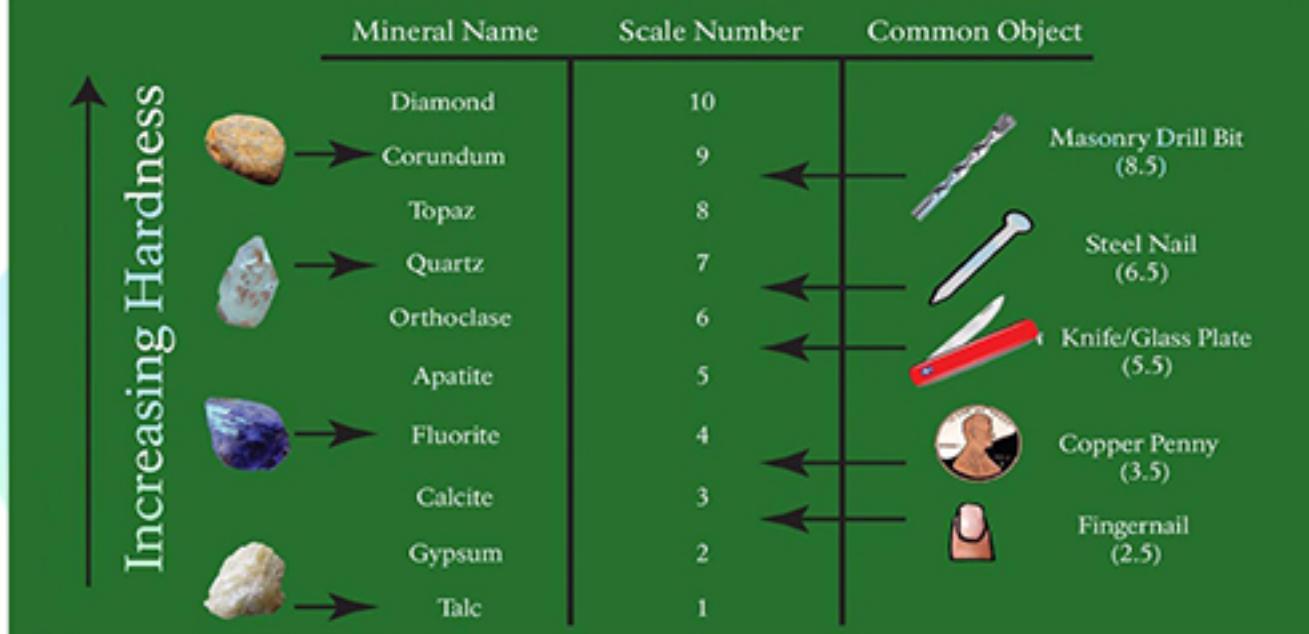
www.edzorblaw.com

Cesium*



*Also spelled caesium.

Mohs Hardness Scale



Copyright © Edzorb Law: Any breach will attract legal action with or without notice



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.122) Which of the following is known as the Golden Quadrilateral?

- 1) Rail lines joining metropolitan cities**
- 2) National Highway Projects**
- 3) Air Routes**
- 4) Gold Trading ways**

Ans: 2



Q.123) Which Sultan had established a separate department (Deewan-E-Amir Kohi) for the supervision of agriculture-

- 1) Khijra Khan
- 2) Tugril Beg
- 3) Jalal-Ud-Deen Khilji
- 4) Muhammad Bin Tuglak

Ans: 4

Source: Free Initiatives Powered By Edzorb Law – Free Mock Exams and Judicial Quizzes – MPCJ Simulator Mock

4 – Q. 126

126



MCQ, Single Correct Question

Who among the following made a different department for Agriculture 'Diwan-i-Kolhi'?

- a) Ghiasuddin Tughlaq
- b) Firoz Tughlaq
- c) Sirajudullah
- d) Mohammed Bin Tughlaq



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Explanation

TUGHLAQ DYNASTY (1320 - 1414)



- Founded by Ghiyasuddin Tughlaq
- Laid foundation of Tughlaqabad near Delhi
- Killed by his own son "Ulugh khan" who ascended throne under the name of Muhammad -bin - tughlaq in 1325
- Tolerant nature in religious matters & novel experiments



MUHAMMAD - BIN - TUGHLAQ/UUGH KHAN (1325-1351)



- Received a literary, religious & philosophical education
- Introduced **Copper coins** at par value of **Silver Tanka** but couldn't prevent forgery, hence stopped the circulation
- **Exchanged silver coins** for all copper coins circulated in the market which led to vanish of royal treasury
- Imposed **heavy tax** revenue on land, which led to strong revolt from peasants
- "**Takkavi loans**" (Loan for cultivation) were given to farmers to buy seeds & to extend cultivation.
- A separate **department for Agriculture "Diwan-i-Kohli"** was established. - this model was further continued by Firoz Tughlaq
- Ziauddin Barani quoted =heaps of copper coins remained lying on the road



Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.124) First one day international double century was scored by Sachin Tendulkar on which ground of Madhya Pradesh-

- 1) Captain Roop Singh Stadium*
- 2) Nehru Stadium*
- 3) Holkar Cricket Stadium*
- 4) Gwalior International Cricket Stadium*

Ans: 1



Edzorb
TRUE LEARNING



Q.125) Asirgarh Fort is situated in which district of Madhya Pradesh?

1) Gwalior

2) Bhopal

3) Burhanpur

4) Shahdol

Ans: 3

Source: Free Initiatives – Free Mocks – MPCJ Simulator

Exam 1 – Q. 114

114

MCQ Single Correct Question

Burhanpur District has which of the following forts:

- a) Gujari Mahal
- b) Tansen's Mausoleum
- c) Asirgarh Fort
- d) None of the above

IMPORTANT FACTS

- It is situated in the Satpura Range
- Connecting the valleys of the Narmada and Tapti rivers, it was known as the "key to the Deccan"
- The **Asirgarh fort** is said to have been built by a king named Asa Ahir in the early 15th century. He was murdered by Nasir Khan of Khandesh.

Copyright © Edzorb Law: Any breach will attract legal action with or without notice



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.126) Which is the State animal of Madhya Pradesh-

- 1) Lion**
- 2) Swampdeer**
- 3) Tiger**
- 4) Bear**

Ans: 2

Source: Edzorb Law Premium + 2.0 – Concept Treasures
-State Facts - Madhya Pradesh





■ STATE ANIMAL	■ STATE TREE	■ STATE BIRD
Swamp Deer	Banyan Tree	Indian Paradise Flycatcher
■ STATE FLOWER	■ STATE FRUIT	■ STATE FISH
Parrot Tree	Mango	Masheer

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



With Model Answers &
Qualitative Evaluation

Answer Writing - 8

Structuring, Packaging, Quality
Enrichment

~~Rs 10000~~



Judgement Writing - 4

Legal Principles, Precision,
Non-ambiguity

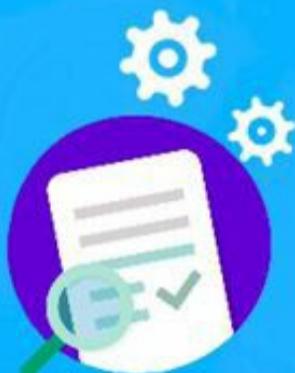
~~Rs 5000~~



Essay Writing - 4

Structure, Engagement, Flow,
Substantiality

~~Rs 5000~~



Translation - 4

Accuracy, Flexibility, Versatility

~~Rs 5000~~



M.P. JUDICIAL SERVICE (CIVIL JUDGE) MAIN EXAMINATION

ARTICLE & SUMMARY WRITING

Second Question Paper

3. Translate the following 10 Sentences into English: - 10

- a) उच्च न्यायालयों का अपीलीय अधिकार क्षेत्र भी दीवानी और फौजदारी दोनों प्रकार के मुकदमों तक विस्तृत है।
- b) किसी संस्था या व्यक्ति या कंप्यूटर नेटवर्क में अनधिकृत व्यक्ति द्वारा बिना अनुमति लिये उसके कंप्यूटर के डाटा की कॉपी करना या उसे साझा करना डाटा चोरी अपराध के तहत माना जाता है।
- c) दरअसल कोर्ट की अवमानना की समूची व्यवस्था न सिर्फ जनतंत्र, बल्कि न्यायिक प्रणाली के भी प्राकृतिक नियमों को सम्पेंड किये जाने की मांग करती दिखती है।
- d) जिन दीवानी मुकदमों में कम-से-कम 5,000 रु. की मालियत का प्रश्न अंतर्गत हो, उनकी अपील उच्च न्यायालय में की जा सकती है।

EPIC Mains Test Series Question & Evaluation

SAMPLE

- e) यद्यपि भारत एक संघ है, परन्तु अन्य संघों के विपरीत भारत में संविधान द्वारा एकतापूर्ण न्यायपालिका और एक ही मौलिक विषयों के समूह की व्यवस्था की गई है।
- f) पहले उच्च न्यायालयों को केवल बंदी-प्रत्यक्षीकरण के लेख जारी करने का अधिकार था, परन्तु अब उच्च न्यायालयों को बंदी-प्रत्यक्षीकरण, परमादेश, प्रतिषेध, अधिकार-पूँछ, उत्प्रेषण इत्यादि लेख जारी करने का अधिकार दिया गया है।
- g) सर्वोच्च न्यायालय के मतानुसार उद्देशिका का प्रयोग संविधान निर्माताओं के मस्तिष्क में झांकने और उनके उद्देश्य को जानने में प्रयोग की जा सकती है।
- h) लेकिन कानून में प्रावधानित कारावासों और वास्तविक कारावासों में अत्यधिक अन्तर है।
- i) जमानत, किसी आरोपी को प्राप्त एक ऐसी कानूनी व्यवस्था है जिसके तहत अदालत में प्रतिभूति या गारंटी के रूप में पैसे या संपत्ति या कुछ संपार्श्विक बांड जमा कर रिहाई प्राप्त की जाती है।

- Incorrectly
Marked (Q. 3) 4/10
- (a) The appellate jurisdiction of high courts also covers both civil and criminal cases. STOPPED
- (b) Without seeking the permission of an appointed person of an institution or computer network, the act of making a copy of his computer's data or sharing it is an offence. When an unauthorised person, without the permission of an institution or an individual or a computer network, makes copy of data of such computer.
- (c) Actually the proper system of contempt of court not only seeks to suspend democracy, rather but also envisages to suspend the principles of natural justice of judicial system.
- (d) Those civil cases in which the pecuniary dispute is related to a sum of at least Rs 5000/- can be appealed before the High Court. STOPPED

(e) Although India is an union, but unlike other unions, an united judicial system and a group of fundamental subjects have been guaranteed by the Constitution of India. provided by (C2D2ZT)

(f) Initially, the High Courts only had the right to issue the writ of habeas corpus, but now they have been restored the right to issue the writs of habeas corpus, mandamus, prohibition, quo warranto and certiorari. et cetera (SC21F) Make sure that every word is covered.

(g) According to Supreme Court, the preamble can be used to look into the minds of framers of the Constitution and to find out their intention and objective.

The sentence is silent on 'intention'

(h) But there is a lot of difference between the prisons laid down by the law and the statutory prisons.

~~of real prisons.~~

~~huge~~

- (ii) Bail is such a ~~restored~~ right for & any accused
- (i) Bail is such a legal system available to any accused, in pursuance of which he can be released by depositing any security, money in the form of guarantee, property or a collateral bond.

Q.5

The question was about summary writing, and not translation.

This ~~Siavati~~, while judicial ~~the~~ decisions had talked about ~~restriction~~ ~~carefully~~ ~~crackers~~ and also ~~these~~ government ~~questions~~ ~~answering~~ declared to put a ban ~~on~~ them; the public mocked all ~~these~~ factors and went crackers ~~before~~ the whole night. This is the lowestmost step of decency and, the man standing on this step, environment, his own health or the convenience or



Become a Judicial Officer



Rs 1,000 off



Series of 20 Standardized Tests



Post-Exam Model Pointers



Personalised Evaluation & Feedback

Offer valid for last 150 subscribers only/-

Book Now

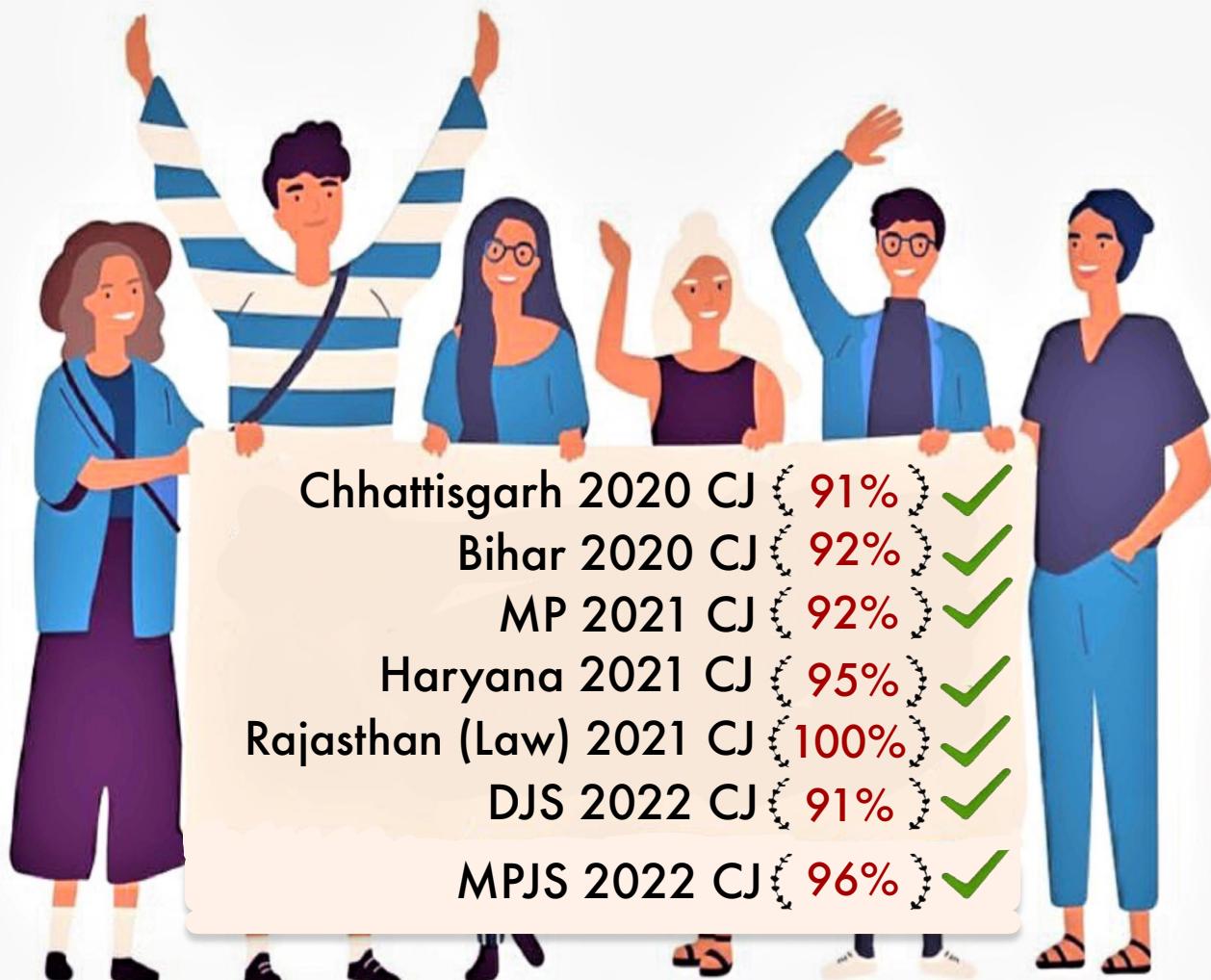
It's Now or Never

**Bihar Mains
Batch:
Ongoing
Admissions**



Edzorbians At Advantage

High Strike Rate in all PCSJ Exams



Predict the STRIKE RATE for RJS, UPJS & BJS

Score an Exam winning Strike with Edzorb Law



Edzorb Law
True Learning

Telegram: @edzorblaw
www.edzorblaw.com

Q.127) What is the name of the initiative launched by India to bring back Indians stranded in Ukraine

- 1) Operation Ganga**
- 2) Operation Kiev**
- 3) Operation Moscow**
- 4) Operation Bharat**

Ans: 1

Source: Free Initiatives Powered By Edzorb Law – Free Mock Exams and Judicial Quizzes – MPCJ Simulator Mock

4 – Q. 121

121



MCQ, Single Correct Question

What is the name of the initiative launched by India to bring back Indians stranded in Ukraine?

- a) Operation Ganga
- b) Operation Kiev
- c) Operation Moscow
- d) Operation Bharat



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Explanation

OPERATION GANGA IN A NUTSHELL

Govt of India launches ops to repatriate stranded Indians from Ukraine

4 ministers sent to oversee evacuation efforts



Jyotiraditya
Scindia
Romania



Kiren Rijiju
Slovak
Republic



Hardeep
Puri
Hungary



Gen VK
Singh
Poland



MEA
activates
@opganga
Twitter
handle

Airlines running evacuation flights



IAF's C-17
Globemaster
also operational
from today

3 more Globemaster
aircraft to visit
Poland, Hungary,
Romania

6 flights carrying 1,377 Indians departed for India in last 24 hrs

Copyright © Edzorb Law: Any breach will attract legal action with or without notice.



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.128) "Pingali Venkaya" is related to which of the following?

- 1) Indian Army*
- 2) India's National Flag*
- 3) India's National*
- 4) India's Constitution*

Ans: 2



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.129) In which Indian state "Khangchendzonga"

National Park situated

- 1) West Bengal
- 2) Arunachal Pradesh
- 3) Sikkim
- 4) Tripura

Ans: 3

Source: Edzorb Law Premium + 2.0 – Concept Treasures

–National Parks - Sikkim



Kanchendzonga 1977

 Named after Kanchenjunga  Zemu Glacier

		
Clouded Leopard	Musk Deer	Asiatic Wild Dog
<ul style="list-style-type: none"> • 1st mixed heritage site of India • Lepcha tribal settlements • Tholing Monastery  Oaks, Fir, Birch, Maple, Willow		

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

Q.130) The DOGE-1 mission to the moon will be launched by which company in 2022?

1) Space X

2) ISRO

3) NASA

4) Roscosmos

Ans: 1

Source: Free Initiatives – Free Mocks – MPCJ Simulator

Mock Exam 4 - Q. 124

124|



MCQ Single Correct Question

What is the Mission to the moon to be launched by SpaceX in 2022?

- a) Beresheet
- b) Queqiao
- c) DOGE 1
- d) GRAIL



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com



Explanation

MISSION TO THE MOON



DOGE-1
-2022-

Dogecoin (DOGE) is ready to create history in by going to the moon through Elon Musk's upcoming SpaceX mission.

Did you Know?

Dogecoins is a cryptocurrency and the Dog on Dogecoins Logo Is Shiba Inu



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

20 Years of Missions to the Moon

Missions to the moon or its orbit in the last 20 years

space craft

launch date

country

type

Chang'e 5* Nov 24, 2020  Robotic lander return mission

Chandrayaan-2 Jul 22, 2019  Failed lander and rover mission (hard impact)

Beresheet Feb 22, 2019  Failed robotic lander mission (hard impact)

Chang'e-4 Dec 7, 2018  Second rover landing on dark side of the moon

Queqiao May 20, 2018  Communication satellite for farside landing

Chang'e 5 test mission Oct 23, 2014  Flyby and return

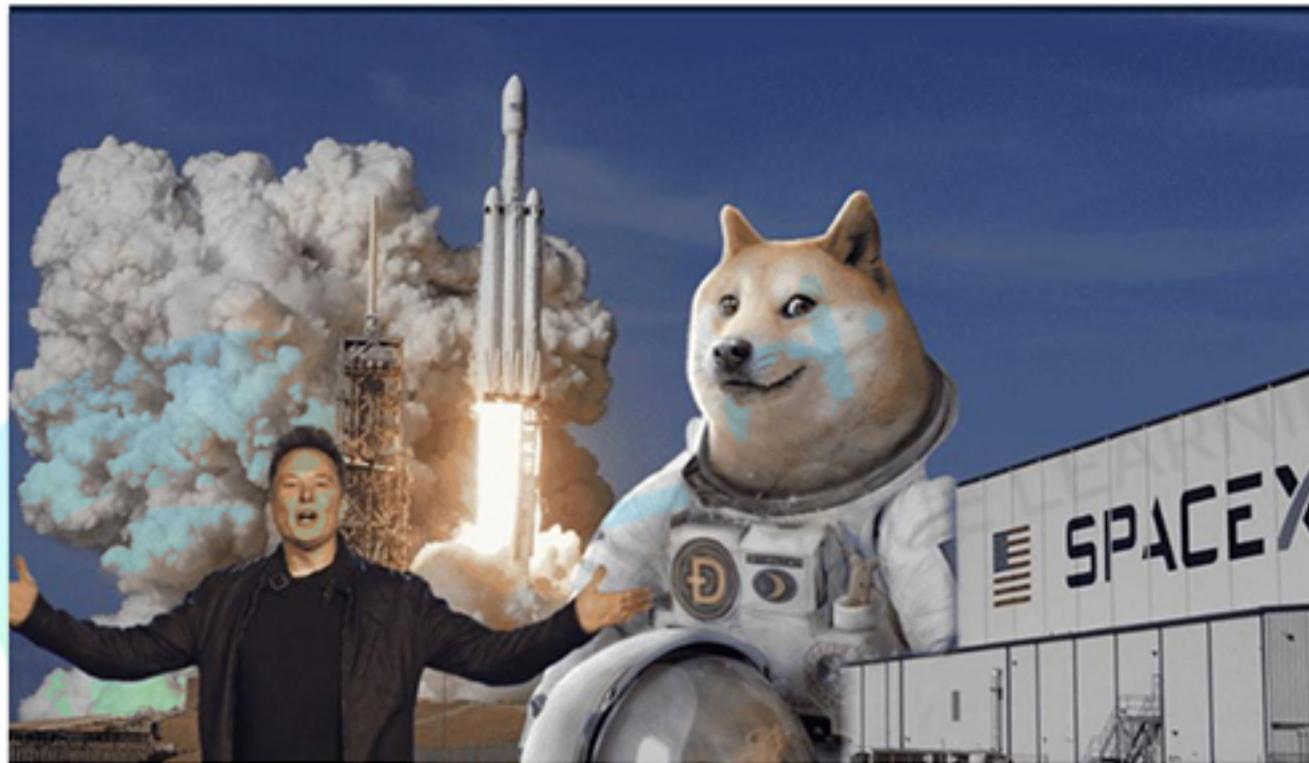
Chang'e 3 Dec 1, 2013  Lander and rover mission



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

LADEE	Sept 6, 2013		Orbiter surveying atmosphere and dust
GRAIL	Sept 10, 2011		Orbiter measuring lunar gravity
Chang'e 2	Oct 1, 2010		Orbiter scouting for landing spots
LCROSS & Lunar Reconnaissance	Jun 17, 2009		Orbiter/impactor finding water on moon
Chandrayaan-1	Oct 22, 2008		India's first orbiter and impactor
Chang'e 1	Oct 24, 2007		China's first orbiter
Kaguya	Sept 14, 2007		Orbiter for geological survey
SMART-1	Sept 27, 2003		Orbiter testing solar-powered ion drive



Copyright © Edzorb Law: Any breach will attract legal action with or without notice



JOIN TELEGRAM FOR FREE MATERIAL: @Edzorblaw

www.edzorblaw.com

If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com



Clear Judicial Services Exams with Flying Colours

Personalised Mentorship by Judicial Officers +
Integrated Prelims & Mains Concepts Building QBank +
Mains Test Series & Smart Revision Modules

Let's Do it in 2022



Telegram: @edzorblaw | www.edzorblaw.com | 9685513769



Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 2 Computer Awareness



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q.131 A collection of records on a particular topic in a database are stored as-

- a) file
- b) record
- c) folder
- d) field

Ans: A

Source: Edzorb Law Question bank

(a)

A combination of one or more characters is called a field

(b)

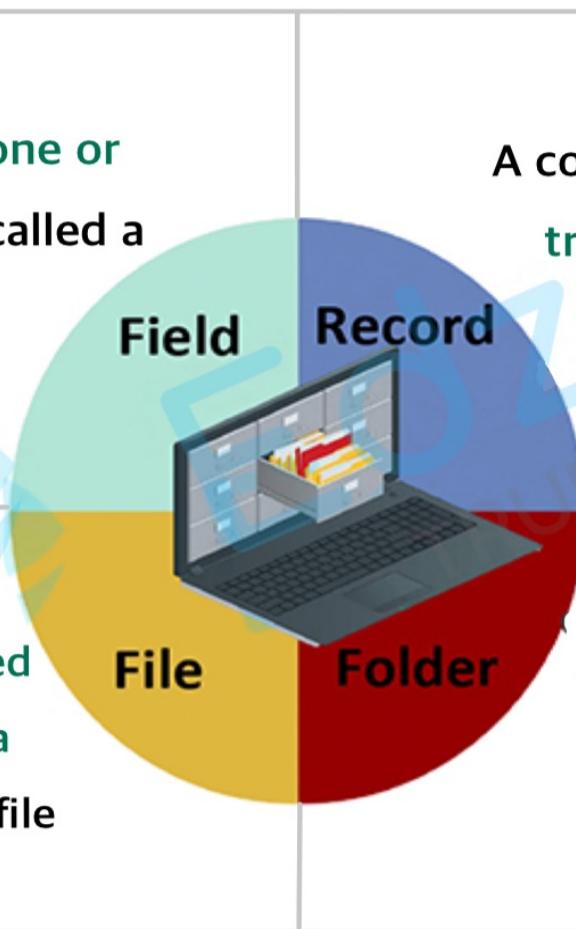
A collection of related fields treated as single unit is called a record

(c)

A collection of related records treated as a single unit is called a file

(d)

Also called a directory , is a special space used to store files, other folders, and shortcuts on a computer



Q.132 Ctrl, Shift, and Alt are ----keys.

1) Modifier

2) Function

3) Alpha-numeric

4) Adjustment

Ans: 1

Source: Edzorb Law- MPJS Prelims Crash Course 2 Computer

Basic MCQ Factory -Set 34- Q.16

16. Ctrl, Shift and Alt are called _____ keys.

- a modifier
- b function
- c alphanumeric
- d adjustment

Marks Awarded: 1.00

Trivia: 50.00% users answered right

Correct Answer: a



Q.133 To insert header and footer click on which menu?

- 1) File
- 2) Format
- 3) Edit
- 4) Insert

Ans: 4

Source: Edzorb Law- MPJS Prelims Crash Course 2 – Grand

Test 13 - Q.138

138. To insert header and footer one needs to click on which of the following?

- a File
- b Format
- c Insert
- d Edit

Marks Awarded: -0.25

Trivia: 76.00% users answered right

Correct Answer: c



Q.134 Undo and Redo buttons are in the following tool bar?

- a) Standard toolbar
- b) Format toolbar
- c) Drawing toolbar
- d) Status toolbar

Ans: A

Source: [Edzorb Law Question bank](#)

Standard Toolbar

- Gives the user access to file operations, printing, movement of data blocks, the undo system, and some of the powerful tools like the function creator and the

Format Toolbar

- A toolbar in Microsoft Office applications such as Microsoft Word and Microsoft Excel gives the user the ability to change the



<p>graphing system.</p>	<p>formatting of selected text.</p>
<ul style="list-style-type: none"> • Located just below the menu bar. 	<ul style="list-style-type: none"> • Located by default next to the standard toolbar.
<ul style="list-style-type: none"> • Contains buttons representing commands. 	<ul style="list-style-type: none"> • Contains button representing text modifying commands.
<ul style="list-style-type: none"> • Ex. New, save, print, undo, redo, copy, paste, etc. 	<ul style="list-style-type: none"> • Ex. Font, text size, bold, bullets, new slide, etc.



Q.135 Computer Knowledge -Which one of the following shortcut keys is used to paste a file?

- 1) *Ctrl+C*
- 2) *Ctrl+V*
- 3) *Ctrl+P*
- 4) *Ctrl+X*

Ans: 2

**Source: Edzorb Law- MPJS Prelims Crash Course 2-
Computer Basic MCQ Factory -Set 34-Q.14**



13. You can use.....to copy selected text, and to paste it in a document.

- a CTRL + C, CTRL + V
- b CTRL + C, CTRL + P
- c CTRL + S, CTRL + S
- d SHIFT + C, ALT + P
- e CTRL + D, CTRL + A

Marks Awarded: 1.00

Trivia: 100.00% users answered right

Correct Answer: a





Untangle

Your Judiciary Preparation With Edzorb Law



Others

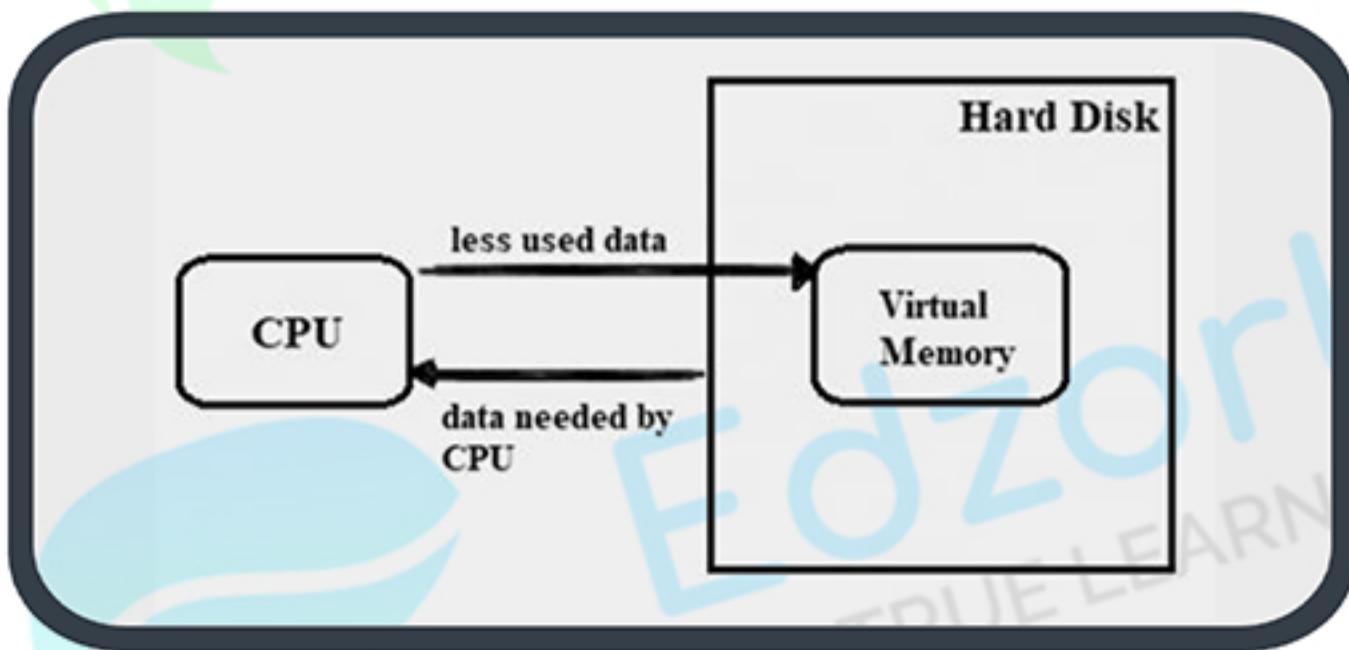
Edzorbiants

Q.136 Computer Knowledge – Virtual Memory is-

- a) *memory on the hard disk that the CPU uses as extended RAM*
- b) *in RAM*
- c) *only necessary if you do not have any RAM in your computer*
- d) *a backup device for floppy disks*

Ans: A

Source: Edzorb Law Question bank



- Virtual memory is the partition of logical memory from physical memory.
- This partition supports large virtual memory for programmers when only limited physical memory is available.
- It creates the function of programming easier because the programmer no longer requires to worry about the multiple physical memory available.



Q.137 Computer Knowledge -The term bit is short for

- a) megabyte
- b) binary language
- c) binary digit
- d) binary number

Ans: C

Source: Edzorb Law Question bank

(a)

A binary digit, or bit, is the **smallest unit** of information in a computer.

(d)

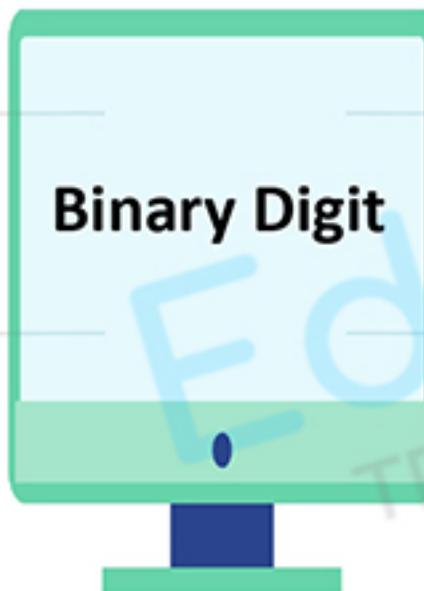
Eight bits make a **byte**.

(b)

It's a single unit of information with a value of either **0 or 1**.

(c)

A computer is often classified by the number of bits it can **process at one time** or number of bits in a **memory address**.



Q.138 Computer Knowledge - Shortcut for displaying the full page as they are printed

- a) *Ctrl + F1*
- b) *Ctrl + F2*
- c) *Shift + F1*
- d) *Shift + F2*

Ans: B

Source: [Edzorb Law Question bank](#)

Function	Short-cut keys
Commonly Used Short-cut Keys	
F1	Universal help (for any sort of program).
Alt + F	File menu options in the current program.
Alt + E	Edits options in the current program.
Ctrl + A	Selects all text.
Ctrl + X	Cuts the selected item.
Ctrl + C	Copies the selected item.



Ctrl + V	Pastes copied item.
Ctrl + F2	Displays full pages as they are printed
Home	Takes the user to the beginning of the current line.
End	Takes the user to the end of the current line.
Ctrl + Home	Takes the user to the beginning of the document.
Ctrl + End	Takes the user to the end of the document.
Shift + Home	Highlights from the current place to the beginning of the line.
Shift + End	Highlights from the current place to the end of the line.



Q.139 Which of the following is the largest unit of storage-

- 1) KB
- 2) TB
- 3) MB
- 4) GB

Ans: 2

Source: Edzorb Law- MPJS Prelims Crash Course 2- Grand

Test 21 -Q.17

17. Which form of the following is largest unit of storage?

- a MB
- b GB
- c TB
- d KB

Marks Awarded: 1.00

Trivia: 94.00% users answered right

Correct Answer: c



Q140 Computer Knowledge - "http" stands for-

- a) *hypertext transfer protocol*
- b) *hyper transfer topology protocol*
- c) *higher text transfer protocol*
- d) *high triple topology phase*

Ans: A

Source: Edzorb Law Question bank

S.No.	Abbreviation	Full-Form
1	RAM	Random Access Memory
2	ROM	Read-Only Memory
3	CPU	Central Processing Unit
4	URL	Uniform Resource Locator
5	USB	Universal Serial Bus



6	VIRUS	Vital Information Resource Under Siege
7	TCP	Transmission Control Protocol
8	UPS	Uninterruptible Power Supply
9	PSU	Power Supply Unit
10	CD	Compact Disc
11	DVD	Digital Versatile Disc
12	HTTP	Hypertext Transfer Protocol
13	SAP	System Application and Products
12	PNG	Portable Network Graphics
15	IP	Internet Protocol



If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com



With Model Answers &
Qualitative Evaluation

Answer Writing - 8

Structuring, Packaging, Quality
Enrichment

~~Rs 10000~~



Judgement Writing - 4

Legal Principles, Precision,
Non-ambiguity

~~Rs 5000~~



Essay Writing - 4

Structure, Engagement, Flow,
Substantiality

~~Rs 5000~~



Translation - 4

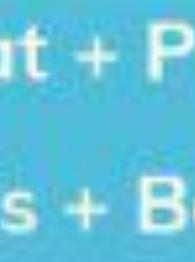
Accuracy, Flexibility, Versatility

~~Rs 5000~~





Edzorb Law Subscriptions



QBank

10000+ Concepts in Q & A

Format + Premium

Flashcards + Bonus Grand

Test Series (1)



Edzorb Law Premium

QBank + EPIC Mains Series

+ Bonus Grand Tests (2) +

Premium Flashcards



EPIC Mains Test Series

Answer Writing +

Judgement Writing + Essay

+ Translation



State Grand Test Series

State Standardized Four

Mock Tests

CONSTITUTION

1. Discuss the rights granted to convicted person under the Constitution. Elaborate the findings of the court in Selvi vs Union of India and the development of the issue in the later cases.

- 8 Marks

**EPIC MAINS TEST SERIES EVALUATION
SAMPLE**

Telegram:

@Edzorblaw

Shall not be compelled to witness against

www.edzorblaw.com

→ What does
'compel' mean
be or here?

"Person accused of" means that a formal accusation has been made against such person which might result in his conviction.

The case of Kathi Kalu v. state of Bihar SC

"No person can be compelled or forced to give evidence against himself."

Selvi v. stat UOI, 2010 SC

In this case the petitioner has challenged a lie, the narco analysis, brain finger mapping and polygraph test which are being conducted against the consent of the person accused of an offence. The Supreme Court held the following guidelines-

Facts?
Issue?

Mention

them at
least in

→ discuss the facts properly.
→ what is Narco analysis and the other tests etc.

- (1) NO person shall be examined or compelled to give evidence against his consent.
- (2) If an accused person consents to give evidence he shall be explained to the consequences of such test and his lawyer shall be present.
- (3) The consent of person shall be recorded by the judicial magistrate
- (4) On the hearing before the judicial magistrate Lawyer of accused shall be present.

Thus, even if the accused has consented to such tests, he shall be heard properly by the judicial magistrate to ensure that he has not been forced to give evidence.

→ Article 20(3)(b)

• "any S. 300 CrPC here." (4)

→ Confession under the Evidence Act

(2) Art 20(2) - The protection against double jeopardy -
It reads as -

"No person shall be ~~convicted~~ or
prosecuted and
for the same offence twice." Punished

It is based on the maxim - "Nemo debet vis
vexari". → What does it mean?

The Code of Criminal Procedure 1973 s 300
also deals with this principle of double
jeopardy.

essentials - ① Accused must be convicted
on the same offence for which he has
been prosecuted before.

② Proceeding was conducted before the
judicial magistrate or court in judicial
proceeding.

→ Pinpoint the difference b/w S. 300 CrPC
& Art. 20(2)

→ S. 300 CrPC is for the convicts & the acquits as ex-post facto laws — well.

(3)

The protection against

ex-post facto

laws — well.

Art. 20(1) reads as —

convicted

"No person shall be arrested except for the violation of law in force at the time of commission of act or omission nor shall be subjected to greater punishment than at the time of commission of act of omission."

The Indian constitution protects only from two types of ex post facto laws —

(1) The law which was not in force at the time of commission of offence.

(2) The punishment which was enhanced after the punishment of offence.

→ What if the punishment is reduced?

There is one more ex post facto law which is not covered under Art 20(1). that is "A procedure which has been changed after the commission of offence".

'offence' has the same meaning as defined in Sec. 26 of General Clauses Act?

What is that meaning? This is not self-explanatory.

Provide a well-rounded conclusion.

Free MPJS Prelims Analysis 2022

The Qualitative Solution Support

With Case Laws, Current Affairs and Clinical Correlations.



Section - 3 English



Copyright By Edzorb Law

All rights are reserved. No part of this document may be reproduced, stored in a retrieval system or transmitted in any form or by any mean, electronic, mechanical, photocopying, recording or otherwise, without prior permission of Edzorb Law.

Q.141 Choose the correct spelling

- 1) commennsurate
- 2) commensurate
- 3) commenssurate
- 4) commensurate

Ans: 4

Source: Edzorb Law - MPJS Prelims Crash Course 2- English

+ Meaning of Words Part 1

Commensurate	Corresponding in size or degree, proportionate Ex: The punishment must be commensurate with the crime, for we cannot hang someone for mere shop lifting; ‘Pronounced as kumen-ser-it
Virtually	Nearly Ex: The fire destroyed virtually all the houses in the area.
Prodigal	Wasteful



Q.142 Appropriate synonym *FOSTERING* is –

- 1) Safeguarding
- 2) Neglecting
- 3) Ignoring
- 4) Nurturing

Ans: D

Source: Edzorb Law Question bank

Word	Synonym	Antonym
Chastise	Punish, admonish	Cheer, encourage
Baffle	Astound, Faze	Facilitate, Clarify
Befogged	Becloud, Dim	Clear-headed, Uncloud



Callous

Obdurate, unfeeling

Compassionate, Tender

Incubating

Fostering, nurturing

Preventing, battling

Eloquence

Expression, fluency

Halting, Stammering



Q.143 One who hates women is called –

- 1) philanthropist**
- 2) ascetic**
- 3) misogynist**
- 4) misogamist**

Ans: 3

Source: Edzorb Law-MPJS Prelims Crash Course 2- English +

Meaning of Words- Part 1



Misogyny	Hatred of women.
Misandry	Hatred of men.
Misogamy	Hatred or aversion to marriage.
Misoloqy	Hatred of knowledge.
Bigamy	The practice of having two marriages.
Polygamy	The practice of having multiple marriages
Polygyny	The practice of having multiple wives.
Polyandry	The practice of having multiple husbands.



Edzorb
TRUE LEARNING



Q.144 One word substitution for-A person who renounces the world and practices self-discipline in order to attain salvation-

- 1) Sceptic
- 2) Ascetic
- 3) Devotee
- 4) Antiquarian

Ans: 2

Source: Edzorb Law MPJS Prelims Crash Course 2- English +

Meaning of Words- Part 1

Ascetic	Living life by severe self-denial and not indulging in basic comforts, usually done for religious reasons – Ex: The nuns lived an ascetic lifestyle, devoted wholly to God
Hermit	A person living all alone and away from society



Q.146 Antonym Of the word 'Arraignment' is-

- 1) *Incriminate*
- 2) *Exonerate*
- 3) *Inculpate*
- 4) *Indict*

Ans: 2

Source: Edzorb Law Question bank

Word	Synonym	Antonym
Intrinsic	Genuine, fundamental	Extraneous, incidental
Jejune	Dull, boring	Interesting, exciting
Befogged	Becloud, Dim	Clear-headed, Uncloud
Arraignment	Indictment,	Acquittal, exoneration



	impeachment	
Languid	Sluggish, apathetic	Energetic, spirited



Q.147 "Procrastination" means

- 1) Action of delaying
- 2) Action of Whispering
- 3) Emancipation
- 4) Advancement

Ans: 1

Source: Edzorb Law- MPJS Prelims Crash Course 2- English +

Meaning of Words- Part 2



Procrastinate	To put off doing something Ex: Students must never procrastinate doing their homework
Defer	To postpone Ex: The confirmation of Judge Brett Kavanaugh was deferred till the completion of the FBI investigation
Shelve	To indefinitely stop moving ahead with a project Ex: After the cost overruns were pointed out, the project was shelved.
Putter around	To cut time in relaxed way doing odd jobs that are not very important Ex: he puttered around the house on the weekend.



Q.148 *Modus operandi*' means?

- 1) the mode of behaving**
- 2) way of counselling**
- 3) manner of working**
- 4) mode of travelling**

Ans: 3

Source: Edzorb Law- MPJS Prelims Crash Course 2, English +

LEx Fori	Law of forum.
LEx Loci	Law of the land.
Locatio Rei	Letting a thing for hire.
Mare Clausum	Sea that is under a clause i.e under someone's jurisdiction.
Mare Liberium	Sea that is open to all.
Mutatis Mutandis	After making the necessary changes wherever needed.
Modus operandi	Way of operating.



Latin Phrases.

Q.149 One who walks in sleep is?

- 1) Hypocrite
- 2) Imposter
- 3) Somnambulist
- 4) Sarcastic

Ans: 3

**Source: Edzorb Law- MPJS Prelims Crash Course 2, English +
Meaning of Words- Part 2**



Somnambulism	Sleepwalking Ex: 'Pronounced as som-nam-byu-lism'
Somniloquism	Sleepwalking Ex: 'Pronounced as som-nilo-quism'
Jetlag	Extreme tiredness caused due to by the disruption of a person's normal biological rhythms due to flight travel across different time zones
Alacrity	Cheerful readiness and willingness Ex: The alacrity of the employee to take on new tasks really impressed the CEO.
Celerity	Swiftness, quickness Ex: They joked that his celerity on the field was matched only by the tortoise
Abscise	To cut off



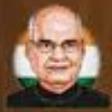
Edzorb
TRUE LEARNING

Edzorb QBank Treasures



PRIME MINISTER





President

Nominal Executive Authority
(de jure executive)

Head of the State



Parliamentary system





P M

Real Executive Authority
(de facto executive)

Head of the Govt.



APPOINTMENT OF PRIME MINISTER

Conventions (Parliamentary system of govt.)

Article 75 PM shall be appointed by the President	<ul style="list-style-type: none">✓ Leader of Majority party✗ If no party has Majority → Personal Discretion✓ Largest party or coalition → usually <p>→ Vote of Confidence (within a month)</p>
---	---

Constitution does not contain any specific procedure

1984  **Indira Gandhi**
(Assassinated in 1984) President Appointed → **Rajiv Gandhi (PM)** (ignoring caretaker PM)
Later on, Congress elected him as leader

Death - Incumbent PM - Ruling party elects a new leader → President → appoint him as PM (has no choice)

1980  **Delhi HC** President First appoint PM → **Prove majority**
(within a reasonable period)

1997  **Supreme Court** Person can be appointed as PM → **6 Months**
(Not a member of Parliament)
Member of either House of Parliament → should become
(otherwise, he ceases to be PM) Within 6 months

 **Constitutionally**, PM may be a member of **any** of the two Houses of parliament.

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



Edzorb QBank Treasures

HIGH COURT



HISTORY

Article 214-231

1862	1866	>1950	1956	Present
High court • Bombay • Madras • Culcutta	Allahabad	HC of Province HC for State	7th CAA Establish HC 2 or more States Or 2 or more States + UT	24 HC 3 Common HC Delhi (UT)- own HC

ORGANISATION

Strength Decided by President

Appointment	Eligibility	Oath	Tenure	Salaries	Transfer
President • CJ • Other Judges • Common HC Judges	Citizen Held Judicial office Or HC Advocate	Governor Or Nominated by	62 age	Determined by President	By President

Removal	Acting CJ	Additional Judges	Acting Judge	Retired Judges
President	Appointed by President	Appointed by President	Appointed by President	Appointed by CJ of HC
Misbehaviour	President	President	President	
Recommended by Parliament (Special Majority)	CJ — Absent Unable to perform duty	More work 2 years term	Judge Absent Unable to perform duty	(Temporary)

JURISDICTION & POWERS

✓ Highest court of appeal (In state)

Original
Hear disputes (1st instance)

Writ
Under Article 226

✓ Protector of FR

Appellate
Appeal against judgements

Supervisory
Superintendence

✓ Interpret Constitution

Control
Subordinate courts

Judicial review
Article 226

Original jurisdiction

Matters

- Company laws
- Marriage
- Court contempt
- Divorce
- Election disputes
- Revenue matters

Enforcement

Fundamental Rights

Cases

Transferred from Subordinate courts

Copyright © Edzorb LAW: Any breach will attract legal action with or without notice. www.edzorblaw.com



Edzorb Law



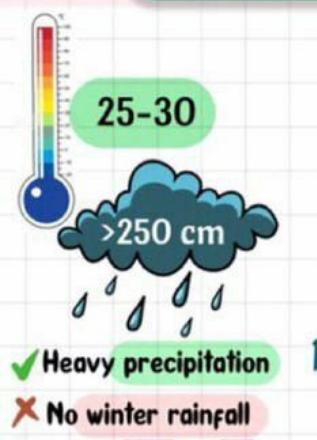
BIOME



• EQUATORIAL REGION

Tropical rainforest

Evergreen forest



10° N
0
10° S

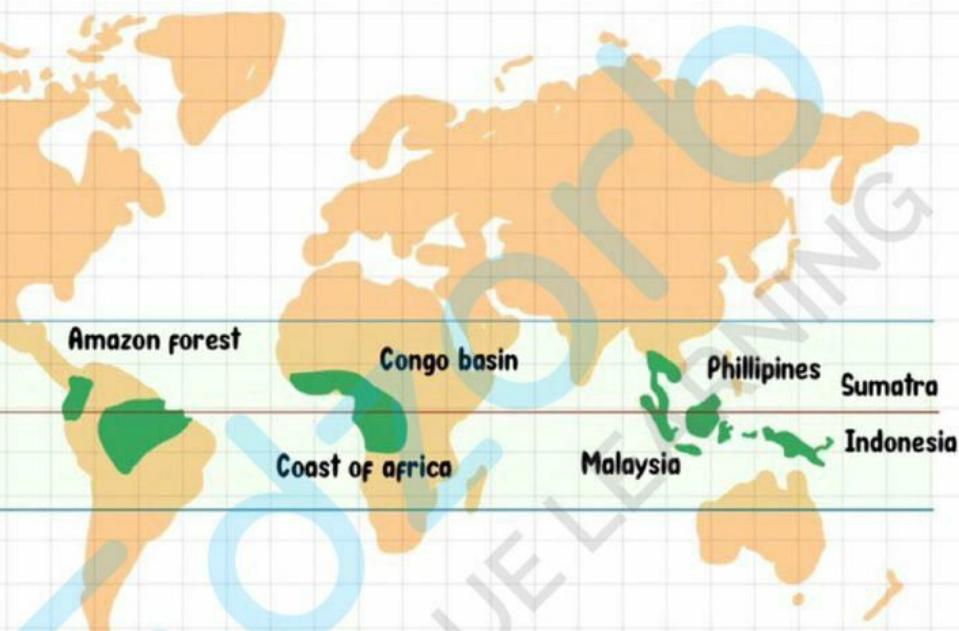
Broad leaves

Canopy formation

Very tall trees

Very dense forest

No shedding of leaves



- Hardwood
- Mahogany
- Ebony
- Rosewood
- Rubber
- Cinchona



ECONOMIC ACTIVITIES

- Hunting, gathering
- Shifting cultivation
- Rubber, Coffee, Tea
- Sugarcane, Oil palm



Semang (Malaysia)



Kubus (Sumatra)



Dayaks (Borneo)



Pygmies (Congo)



Amazon Indians (South America)

**ARTICLE
165**

ADVOCATE GENERAL OF THE STATE

Highest Law Officer in the State



Governor

Appoints Advocate Gen.

Determines remuneration



Entitled to appear before any court
of law within the state



DUTIES AND FUNCTIONS

- Advice to the State Government on legal matters.
- Functions conferred by the Constitution/ Law.
- Other duties (legal) assigned by Governor.

Qualifications

Qualified to be appointed as a —

Judge of HC

Judicial office- 10 years

Advocate of HC- 10 years

CONSTITUTION

donot specify



• Term

• Removal Proceedure

✓ Can speak ,take part in proceedings

State Legislature



- Both Houses
- Committee
- Without right to
Vote

✓ Holds office during the pleasure of the Governor.

Removal

- By Governor at any time.
- **Resignation** to the Governor.
- Conventionally resigns when
Govt. resigns or replaced.

Sample

Q. "Equal Pay for Equal Work" is not expressly a constitutional right, it has been read into the Constitution through the interpretation of which other articles?

- A. Article 14, 15
- B. Article 39, 14, 15, 16
- C. Article 21
- D. None of the Above

Telegram:
@Edzorblaw

(B)

Equal Pay for Equal Work:



- The **directive principle of State Policy** under Article 39.
- It is the concept of labour rights that individuals in the same workplace be given equal pay.
- Equal pay relates to the full range of payments and benefits, including basic pay, non-salary payments, bonuses and allowances.



History of Equal Pay for Equal Work

As wage-labour became increasingly formalized during the Industrial Revolution, the principle of equal pay for equal work arose at the same part of first-wave feminism, with early efforts for equal pay being associated with nineteenth-century Trade Union activism in industrialized countries.

Principle of Equal Pay for Equal Work – Binding as precedent

State of Punjab Vs Jagjit Singh

(2017) 1 SCC 148

- **Decision of Lower court:** Temporary employees were not entitled to the minimum of the pay-scale, as was being paid to similarly placed regular employees was challenged.
- **Decision of Apex Court:** Principle of "*equal pay for equal work*" expounded through various decisions of Supreme Court constitutes law declared by Supreme Court, which is binding on all courts in India and is applicable to all temporarily engaged employees.

Did you Know?

The World Bank, which has tracked legal changes for the past decade, found **Belgium, Denmark, France, Latvia, Luxembourg or Sweden** were the only countries in the world to enshrine gender equality in laws affecting work.





SC Allows Service Through Instant Tele-Messenger Services

Considering difficulty in visiting post offices amid pandemic, SC allowed service of summons & notices through instant tele-messenger services like whatsapp, email and fax. All these will prove valid service on a party.

 SA Bobde, C.J.I.; AS Bopanna, J. & Subhash Reddy, J.

Reference: economictimes.indiatimes.com/news/politics-and-nation/supreme-court-allows-email-fax-instant-messaging-apps-like-whatsapp-for-service-of-notices-summons/articleshow/76898274.cms?from=mdr



Criminal proceedings not to be quashed on the basis of statement made under S. 161 CrPC



S.161 of CrPC, S. 482 CrPC

Statements recorded under S.161 are inadmissible in evidence and are not a valid ground for allowing a petition under S.482. Courts not to appreciate evidence while dealing with the quashing petition filed under S. 482 CrPC.

Bench: L. Nageshwar Rao, J. & Deepak Gupta, J.

Reference: <https://main sci gov in supremecourt>

2017/2075/2075-2017-II-1502-20472-Judgement_11-Feb-2020.pdf



BIOME



LAURENTIAN TYPE

ST LAWRENCE TYPE

COOL TEMPERATE EAST MARGIN

HELLO SUMMER

Short



Winter



Westerlies bring cold influences
interior of the continent

Cold current, reduces warming
Influence from sea

Vegetation consists mostly of coniferous forests



Northern Japan covered with dense Coniferous
made up of Spruce, Fir, Larch, Pine



ECONOMIC ACTIVITIES

- Fruits
 





Pear Peach Plum Apple Orange
- Fishing
 


Prominent
- Mixed Cropping
 

Mountains in Manchuria

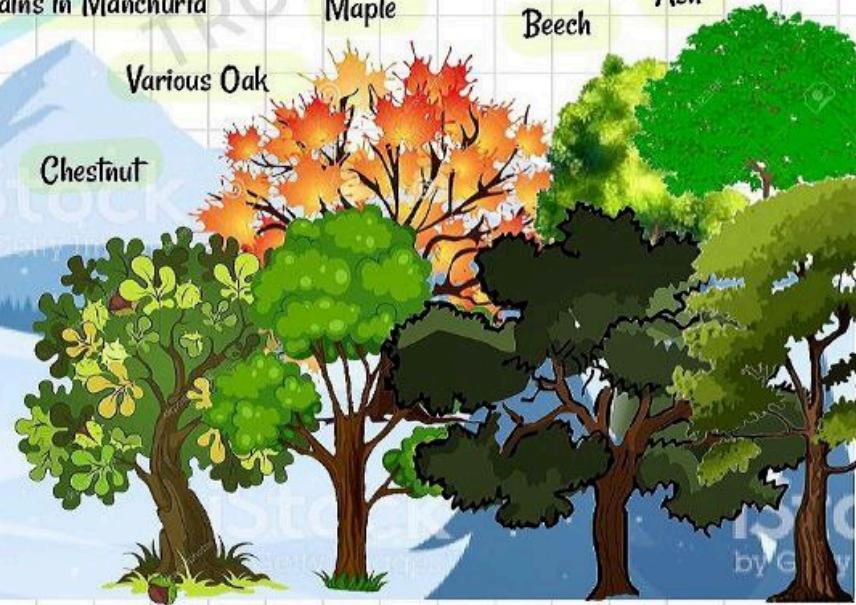
Various Oak

Chestnut

Maple

Ash

Beech



Extreme South East, Deciduous trees flourish

Q.150 Choose the alternative which best expresses the meaning of idiom/phrase "A moot point"?

- 1) All too clear point
- 2) A fixed belief point
- 3) none of these
- 4) A debatable point

Ans: 4

Source: Edzorb Law Question bank

Idiom/ phrases	Meaning	
Beat around the bush	To avoid talking about what's important	

Cut corners	Doing something in an easier and least expensive manner	
Hit the sack	Go to sleep	
A moot point	A debatable point	



Don't cry over spilt milk

Don't cry over what has happened as it cannot be fixed.



Edzorb
TRUE LEARNING



Edzorb
TRUE LEARNING

If you enjoyed the experience of quality content with Edzorb Law, please do spread the word about us.

We are dependent on your recommendations



We value your association. Thank you for being with Edzorb Law.

With ❤
Team Edzorb



For More Free Material
👉 Join [Edzorb Law](#)
Official Telegram Channel



For Premium Plus
course-related queries,
mail us at
support@edzorblaw.com



Edzorb
TRUE LEARNING

Telegram @Edzorblaw

www.edzorblaw.com