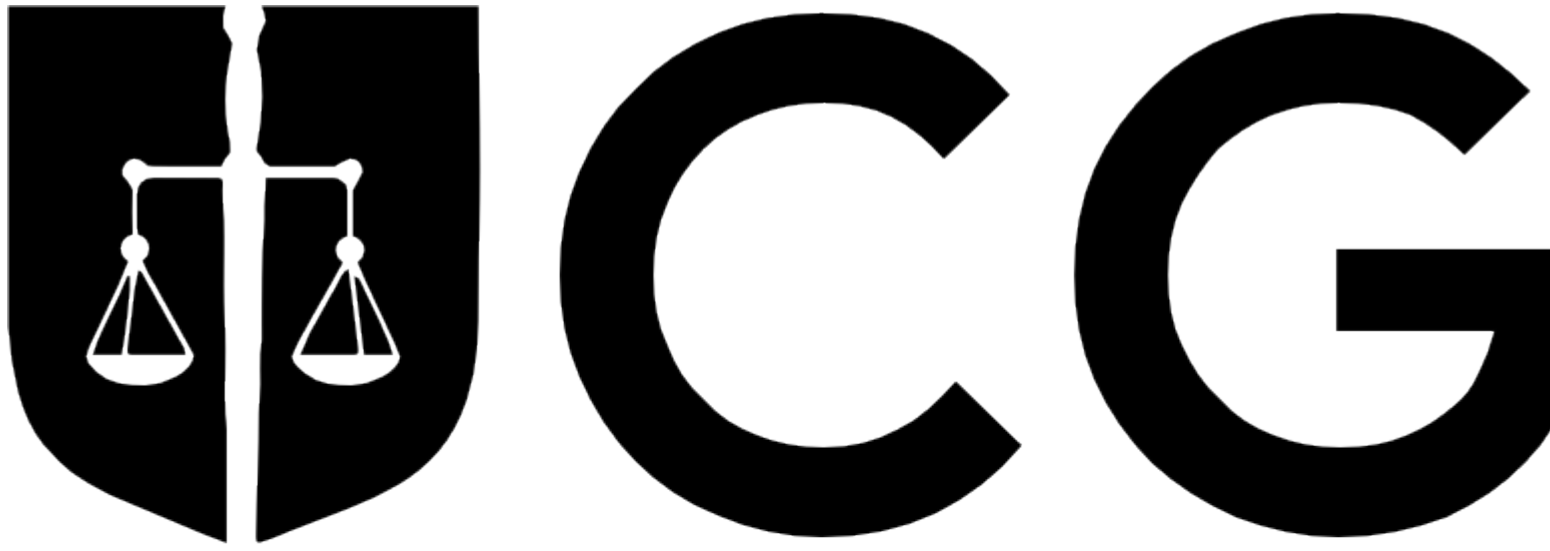




CLAT Gurukul

By Ready For Exa

JUD GURUKUL

Judiciary Prelims MCQ

JUD-PRELIMS · 2026-05-26 · 30 min · +?/?

1.

Under the Code of Civil Procedure, 1908, suits relating to immovable property are required to be instituted where the property is situated. This rule is contained in: [bare_act_section_recall_verbatim]

- A. Section 15
- B. Section 16
- C. Section 19
- D. Section 20

2.

Section 9 of the Code of Civil Procedure, 1908 provides that civil courts shall have jurisdiction to try all suits of a civil nature except those: [bare_act_section_recall_verbatim]

- A. Of which their cognizance is expressly or impliedly barred
- B. Involving questions of religious rites only
- C. Of value below Rs. 10,000
- D. Filed against the State

3.

The doctrine of res judicata under the Code of Civil Procedure, 1908 is embodied in: [bare_act_section_recall_verbatim]

- A. Section 10
- B. Section 11
- C. Section 13
- D. Section 14

4.

Section 10 CPC, which provides for the stay of a subsequently instituted suit when a previously instituted suit between the same parties on the same matter is pending, is popularly known as the doctrine of: [doctrinal_definition]

- A. Res judicata
- B. Res sub judice
- C. Estoppel by record
- D. Lis pendens

NAME: _____

ROLL NO: _____

BATCH: _____

5.

Order I Rule 10 of the Code of Civil Procedure, 1908 empowers the court to: [bare_act_section_recall_verbatim]

- A. Frame additional issues at trial
- B. Add or strike out parties
- C. Order amendment of pleadings
- D. Direct discovery of documents

6.

Under Order VI Rule 17 CPC, amendment of pleadings after the commencement of trial shall not be allowed unless: [bare_act_section_recall_verbatim]

- A. The court finds the amendment necessary for determining the real question in controversy and the party could not have raised the matter despite due diligence before trial
- B. Both parties consent in writing
- C. It does not increase the valuation of the suit
- D. The amendment is purely formal

7.

An ex parte decree may be set aside by the court that passed it, on an application by the defendant under: [bare_act_section_recall_verbatim]

- A. Order IX Rule 7
- B. Order IX Rule 9
- C. Order IX Rule 13
- D. Order XX Rule 6

8.

Order VII Rule 11 of the Code of Civil Procedure, 1908 deals with: [bare_act_section_recall_verbatim]

- A. Return of plaint
- B. Rejection of plaint
- C. Amendment of plaint
- D. Striking off pleadings

9.

P files a suit for partition against his brother Q in the Munsif Court at Patna. While that suit is pending, Q files a fresh suit in the same court seeking a declaration that P is not a coparcener. The court should: [hypothetical_problem]

- A. Consolidate both suits suo motu
- B. Reject Q's plaint under Order VII Rule 11
- C. Stay Q's later suit under Section 10 CPC as the matter in issue is directly and substantially the same
- D. Try both suits independently as the reliefs differ

10.

A sues B in 2024 for recovery of Rs. 5 lakh on a promissory note; the suit is dismissed on merits. In 2026 A files a fresh suit on the same promissory note for the same cause of action. The second suit is: [hypothetical_problem]

- A. Maintainable on payment of fresh court fee
- B. Barred by Section 11 CPC (res judicata)
- C. Barred only if A had appealed and lost
- D. Maintainable as limitation has not expired

11.

X obtains a money decree against Y from a Patna court. Y owns property only in Ranchi. To execute the decree against that property, X must: [hypothetical_problem]

- A. File a fresh suit in Ranchi
- B. Apply for transfer of the decree under Section 39 CPC to the Ranchi court
- C. Apply for attachment before judgment
- D. Approach the High Court under Article 227

12.

Under Section 100 of the Code of Civil Procedure, 1908, a second appeal to the High Court lies only on: [bare_act_section_recall_verbatim]

- A. Any question of fact or law
- B. A substantial question of law
- C. A question of fact alone if perversity is shown
- D. Any error apparent on the face of the record

13.

In Salem Advocate Bar Association (II) v. Union of India, (2005) 6 SCC 344, the Supreme Court upheld the constitutional validity of the 1999 and 2002 amendments to the CPC and particularly endorsed which provision as a mandatory case-management tool? [case_law_application]

- A. Section 80 CPC (notice to government)
- B. Section 89 CPC (settlement outside court / ADR)
- C. Section 151 CPC (inherent powers)
- D. Section 9A CPC (preliminary issue of jurisdiction)

14.

In Booz Allen and Hamilton Inc. v. SBI Home Finance Ltd., (2011) 5 SCC 532, the Supreme Court laid down the test of arbitrability of disputes under Section 89 CPC and held that disputes relating to: [case_law_application]

- A. Rights in personam are generally arbitrable while rights in rem are not
- B. All civil matters are arbitrable without exception
- C. Only commercial disputes are arbitrable
- D. Family matters are always arbitrable

15.

The Commercial Courts Act, 2015 read with the Commercial Courts (Amendment) Act, 2018 introduced pre-institution mediation as mandatory for commercial suits not contemplating urgent interim relief. The relevant provision and the Supreme Court ruling affirming its mandatory character respectively are: [amendment_or_recent]

- A. Section 12A; Patil Automation Pvt. Ltd. v. Rakheja Engineers Pvt. Ltd., (2022) 10 SCC 1
- B. Section 10A; M/s N.N. Global Mercantile v. Indo Unique Flame, (2023) 7 SCC 1
- C. Section 15; Salem Advocate Bar Association v. Union of India (2005)
- D. Section 21; Hindustan Construction Co. v. UoI (2020)

16.

Under the Bharatiya Nagarik Suraksha Sanhita, 2023, the section corresponding to the old CrPC §41A (notice of appearance before police officer in lieu of arrest) is: [bare_act_section_recall_verbatim]

- A. Section 32 BNSS
- B. Section 35 BNSS
- C. Section 41 BNSS
- D. Section 45 BNSS

17.

Section 173 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to the old CrPC §154) introduces a procedural innovation in the registration of an FIR by permitting: [amendment_or_recent]

- A. Mandatory preliminary inquiry in every case
- B. Electronic / e-FIR registration and Zero FIR irrespective of territorial jurisdiction
- C. Filing of FIR only through a public prosecutor
- D. Registration only after Magistrate's permission

18.

Under Section 187 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to the old CrPC §167), the maximum period of police custody for non-petty offences may now be authorised by the Magistrate: [amendment_or_recent]

- A. Only within the first 15 days from arrest
- B. In parts, spread over the first 40 days (for offences punishable up to 10 years) or 60 days (for offences punishable with 10+ years/ life/death), within the overall 60/90-day judicial-custody window
- C. For an unlimited period at the Magistrate's discretion
- D. Only with prior High Court approval

19.

Under Section 356 of the Bharatiya Nagarik Suraksha Sanhita, 2023, a trial may proceed in absentia against a proclaimed offender if he/she: [amendment_or_recent]

- A. Has been absconding for at least seven days
- B. Is declared a proclaimed offender, and despite proclamation has absconded with no immediate prospect of arrest, and the court records reasons in writing
- C. Is outside India for any reason
- D. Has more than one criminal case pending

20.

A is arrested by the police on 1 June 2026 at 10 a.m. for an offence punishable with imprisonment up to seven years. Under the Bharatiya Nagarik Suraksha Sanhita, 2023, A must ordinarily be produced before the nearest Magistrate: [hypothetical_problem]

- A. Within 12 hours of arrest
- B. Within 24 hours of arrest, excluding journey time, in accordance with Section 58 BNSS and Article 22(2) of the Constitution
- C. Within 48 hours of arrest
- D. Within 72 hours of arrest

21.

Article 14 of the Constitution of India, which guarantees equality before law and equal protection of the laws, has been judicially expanded to forbid arbitrariness in State action. The classic formulation of this 'new doctrine' was given in: [case_law_application]

- A. State of West Bengal v. Anwar Ali Sarkar, AIR 1952 SC 75
- B. E.P. Royappa v. State of Tamil Nadu, (1974) 4 SCC 3
- C. Maneka Gandhi v. Union of India, (1978) 1 SCC 248
- D. Both (B) and (C) together

22.

Under Article 141 of the Constitution of India, the law declared by the Supreme Court is binding on: [bare_act_section_recall_verbatim]

- A. All courts within the territory of India
- B. Only High Courts
- C. Only courts subordinate to High Courts
- D. All courts and tribunals including military courts

23.

In Anita Kushwaha v. Pushap Sudan, (2016) 8 SCC 509, a Constitution Bench of the Supreme Court declared access to justice to be a fundamental right traceable to: [case_law_application]

- A. Article 19(1)(a) alone
- B. Article 21 read with Article 14
- C. Article 32 alone
- D. Article 39A as a Directive Principle, not a fundamental right

24.

Under Section 63 of the Bharatiya Sakshya Adhiniyam, 2023 (which restates and expands the old IEA §65B on electronic records), the certificate accompanying an electronic record must be: [amendment_or_recent]

- A. Signed only by the person controlling the device
- B. Signed both by the person in charge of the device and by an expert, in the prescribed form
- C. Signed by any literate witness
- D. Optional where the device is produced in court

25.

In Anvar PV. v. P.K. Basheer, (2014) 10 SCC 473, the Supreme Court held that secondary electronic evidence is inadmissible without a certificate. This holding was reaffirmed and clarified, particularly on the question of the stage at which the certificate may be produced, in: [case_law_application]

- A. Tomaso Bruno v. State of U.P., (2015) 7 SCC 178
- B. Shafhi Mohammad v. State of H.P., (2018) 2 SCC 801
- C. Arjun Panditrao Khotkar v. Kailash Kushanrao Gorantyal, (2020) 7 SCC 1
- D. Ravinder Singh v. State of Punjab (2022)

26.

Under Section 11 of the Indian Contract Act, 1872, the following persons are competent to contract: [bare_act_section_recall_verbatim]

- A. Any person above 16 years of age
- B. Persons of the age of majority according to the law to which they are subject, of sound mind and not disqualified from contracting by any law
- C. Only Indian citizens of sound mind
- D. Any person not declared insolvent

27.

P, a minor, executed a mortgage in favour of Q to secure a loan. On attaining majority, P sought to repudiate the mortgage. The position laid down in Mohori Bibee v. Dharmodas Ghose, ILR (1903) 30 Cal 539 (PC) and consistently followed thereafter is: [case_law_application]

- A. A minor's agreement is void ab initio and cannot be ratified after attaining majority
- B. A minor's agreement is voidable at the minor's option
- C. A minor's agreement is valid if for the minor's benefit
- D. A minor's agreement becomes valid upon attaining majority

28.

Section 73 of the Indian Contract Act, 1872 entitles a party to recover damages for breach of contract. The damages recoverable are:
[bare_act_section_recall_verbatim]

- A. Damages naturally arising in the usual course of things from the breach, or such as the parties knew, when they made the contract, to be likely to result from it
- B. Only liquidated damages stipulated in the contract
- C. Punitive damages for any wilful breach
- D. Only damages assessed by an arbitrator

29.

Following the Specific Relief (Amendment) Act, 2018, specific performance of a contract under Section 10 of the Specific Relief Act, 1963 is now: [amendment_or_recent]

- A. A discretionary remedy as before
- B. A general rule, enforceable by the court, subject only to the limited exceptions in Sections 11(2), 14 and 16
- C. Available only where damages are inadequate
- D. Available only for sale of immovable property

30.

Section 14 of the Specific Relief Act, 1963 (as amended in 2018) bars specific performance of which of the following contracts?
[bare_act_section_recall_verbatim]

- A. A contract where compensation in money would be adequate relief, or which involves the performance of a continuous duty which the court cannot supervise, or which is so dependent on the personal qualifications of the parties that the court cannot enforce specific performance of its material terms
- B. Every contract relating to immovable property
- C. Every contract for the sale of goods
- D. Only contracts of personal service unrelated to public office

Free daily — judiciarygurukul.com/daily · Share with a friend