

LL.M. ENTRANCE EXAMINATION - 2021

1. Whose lectures were published under the title ‘the Province of Jurisprudence Determined’:
 - A. Henry Maine
 - B. Bentham
 - C. Auguste Comte
 - D. John Austin
 2. The Carlill vs Carbolic Smoke Ball Co. case is related to:
 - A. Offer and counter offer
 - B. Offer to public at large
 - C. Invitation to offer to public at large
 - D. Offer and revocation of offer
 3. Adherence to precedent is called the doctrine of _____.
 - A. stare decisis
 - B. commercial impracticability
 - C. nolo contendere
 - D. substantial performance
 4. Which of the following can be included in Right to Life under Article 21 of the Indian Constitution?
 - i. Right of a person not to be subjected to bonded labour or to unfair conditions of labour.
 - ii. Right of a bonded labourer to rehabilitation after release.
 - iii. Right to a decent environment and a reasonable accommodation
- Choose the correct answer
- A. i, ii and iii
 - B. i and ii
 - C. ii and iii
 - D. i and iii
5. Who is called as “Darwinian before Darwin and Sociologist before sociologists”:
 - A. Savigny
 - B. Darwin
 - C. Montesquieu
 - D. Maine
 6. The ‘Instrument of Instructions’ contained in the Government of India Act, 1935 has been incorporated in the Constitution of India in the year 1950 as-
 - A. Fundamental Rights
 - B. Directive principles of State Policy
 - C. Extent of Executive Power of State
 - D. Conduct of Business of the Government of India
 7. In which landmark case the Supreme Court held that the Second marriage of Hindu man is invalid even if he converts to Islam before marriage?
 - A. Daniel Latiffi vs Union of India

- B. Sarla Mudgal vs Union of India
 - C. Roopa Hurrah vs Ashok Hurrah.
 - D. Ramchandra Saraswati vs Neena Bajpai
8. Article 16(4A) which gives power to the State to provide reservations to SCs/STs in matters of promotion was added by the-
- A. 75th Amendment to the Constitution of India.
 - B. 76th Amendment to the Constitution of India.
 - C. 77th Amendment to the Constitution of India.
 - D. 78th Amendment to the Constitution of India.
9. A man shall be guilty of the offence of sexual harassment under section 354A of Indian Penal Code, 1860, if he commits:
- i. Physical contact and advances involving unwelcome and explicit sexual overtures.
 - ii. A demand or request for sexual favours.
 - iii. Showing pornography against the will of a woman.
 - iv. Making sexually coloured remarks.

Choose the correct answer

- A. (i) and (ii)
 - B. (i) and (iii)
 - C. (i), (ii) and (iii)
 - D. (i), (ii), (iii) and (iv)
10. A company has to submit a statement of affairs to the Official Liquidator within days of the appointment of the official liquidator.
- A. 10
 - B. 14
 - C. 21
 - D. 30
11. ___ defined jurisprudence as ‘the formal science of positive law’
- A. Holland
 - B. Austin
 - C. Salmond
 - D. Allen
12. Why an ‘invention’ should be patented?
- i. It gives legal recognition to the invention.
 - ii. It makes others aware of the fact as to whom does the invention belong
 - iii. Patenting one’s invention make useful data relating to the invention available to other inventions for further research and development.

Choose the correct answer

- A. only ii and iii are correct
 - B. only i and ii are correct
 - C. only i and iii are correct
 - D. all i, ii and iii are correct
13. The Supreme Court of India formulated the doctrine of eclipse in-

- A. Bashesharnath vs Income Tax Commissioner
 - B. State of W.B. vs Anwar Ali Sarkar
 - C. Bhikhaji Narain vs State of M.P
 - D. Maneka Gandhi vs Union of India
14. Which of the following Section of IPC deals with Criminal Breach of Trust-
- A. Section 407 of IPC
 - B. Section 406 of IPC
 - C. Section 408 of IPC
 - D. Section 405 of IPC
15. "Active Concealment of Fact" is associated with which one of the following?
- A. Misrepresentation
 - B. Undue influence
 - C. Fraud
 - D. Mistake.
16. The Supreme Court held in which of the following cases that preamble is not a part of the Constitution of India-
- A. A. K. Gopalan vs State of Madras
 - B. Balaji vs State of Mysore
 - C. Minerva Mills vs Union of India
 - D. In Re Berubari Union case
17. X, cut down a tree on Y's land with the intention of dishonestly taking the tree out of Y's possession without Y's consent, in this case, X commits-
- A. Criminal breach of trust
 - B. Criminal misappropriation of property
 - C. No offense until the tree is taken away
 - D. Theft as soon as the tree is severed from the ground
18. Consider the following statements:
- i. The object of the legislation is to apply the law
 - ii. Legislation has both creative and abrogative powers
 - iii. Custom is generally based on the will of the people
- Choose the correct answer
- A. i, ii and iii are correct
 - B. i and ii are correct
 - C. ii and iii are correct
 - D. i and iii are correct
19. In which case the constitutional validity of the Muslim Women (Protection of Rights on Divorce) Act, 1986 was upheld?
- A. Mohammad Aslam Khan vs Khallilul Rahman
 - B. Sarla Mudgil vs Union of India
 - C. Daniel Latifi vs Union of India
 - D. Md. Ahmed Khan vs Shah Bano Begum
20. A divorce by khula is-

- A. a divorce with the consent and at the instance of the wife, in which she gives or agreed to give a consideration to the husband for her release from the marriage tie
 - B. a single irrevocable divorce (talaq-e-bain)
 - C. divorce by mutual consent
 - D. Both A and C
21. Who introduced the concept of 'Pure Theory of Law'?
- A. Holland
 - B. Salmond
 - C. Austin
 - D. Hans Kelsen
22. 'Mitakshra Coparcenary' consists of-
- A. Father plus three generations
 - B. Father plus three lineal male successors or descendants
 - C. Father plus sons and daughters
 - D. Father and sons only
23. The appropriate writ issued by Supreme Court to quash the appointment of a person to a public office is-
- A. Certiorari
 - B. Mandamus
 - C. Prohibition
 - D. Quo-Warranto
24. The concept of 'Antecedent Debt' is first of all well described in case of-
- A. Pannalal vs Narayan
 - B. Sitaram vs Harihar
 - C. Brij Narayan Rai vs Mangal Prasad
 - D. Girja Shankar vs Navin Chandra
25. According to the Hindu Marriage Act,1955 the definition of 'Sapinda Relationship' is give under-
- A. Section 2
 - B. Section 3
 - C. Section 4
 - D. Section 5
26. The case of Pakala Narayan Swamy vs Emperor pertains to-
- A. Estoppel
 - B. Dying declaration
 - C. Hostile witness
 - D. Accomplice evidence
27. The admissibility of dying declaration is based on which maxim?
- A. Res judicata pro veritate accipitur
 - B. Ante litem motam
 - C. Nemo moriturus praesumitur mentire
 - D. Nunc pro tunc
28. Which of the following is true concerning retracted confession?

- A. It is the law that once a confession is retracted, the Court should presume that it was tainted and be thrown overboard
 - B. The retracted confession of co-accused is very weak and if retracted, the same is admissible against the maker of it
 - C. The Court is bound to take the factum of retraction of confession
 - D. Retracted confession must be looked upon with lesser concern
29. Which of the following section of the Indian Evidence Act, 1872 deals with public documents?
- A. Section 74
 - B. Section 75
 - C. Section 76
 - D. Section 77
30. The Law of evidence is-
- A. *lex tallienis*
 - B. *lex fori*
 - C. *lex loci solutionis*
 - D. *lex situs*.
31. What is 'corporate personality'?
- A. Corporate personality means that the members in general meeting are regarded by the law as a person.
 - B. Corporate personality means that the board of directors is regarded by the law as a person.
 - C. Corporate personality means that the company as an entity is regarded by the law as a person.
 - D. Corporate personality means that all of the companies within a corporate group are regarded by the law as one person
32. 'Criminal Conspiracy' has been defined as an agreement between two or more persons to do an illegal act or an act which is not illegal by illegal means, under:
- A. Section 120B of IPC
 - B. Section 120A of IPC
 - C. Section 120 of IPC
 - D. Section 121A of IPC.
33. Zahira Sheikh was prime witness in-
- A. Tandoor Murder case(1995)
 - B. Best Bakery case (2004) '
 - C. Sukh Ram Disproportionate Assets case (2005)
 - D. Gujjar Killings case (2003).
34. Under the provisions of the Indian Evidence Act, 1872 which of the following presumptions can be made with regards to telegraphic messages?
- i. That a message forwarded from a telegraph office to the person to whom such message purports to be addressed
 - ii. That the message was sent by the person purporting to send the message
 - iii. The contents of the message are authenticated and true

Choose the correct answer

- A. i only
- B. i and iii

- C. ii and iv
 - D. iii and iv
35. Can a husband be held vicariously liable for the tort of his wife in India?
- A. Yes, because husband is considered as the agent of his wife
 - B. Yes, because husband is the guardian of his wife
 - C. No, a married woman can be independently sued
 - D. No, because husband is not the guardian of his wife
36. A contract by which one party promises the other party to save from loss which may be caused either by the conduct of the promissor or by the conduct of any other person is called as-
- A. Contract of Bailment
 - B. Contract of Guarantee
 - C. Contract of Pledge
 - D. Contract of Indemnity
37. Every person has a right to defend his own body-
- A. Against any offence affecting the human body
 - B. And the body of his friends, against any offence affecting the human body
 - C. And the body of any other person, against any offence affecting the human body
 - D. And the body of his blood relatives against any offence affecting the human body
38. A -----is a contract to do or not to do something, if some event, collateral to such contract, does or does not happen.
- A. Contingent Contract
 - B. Quasi Contract
 - C. Express or Implied Contract
 - D. Indemnity Contract
39. A threatens to kill B if B does not enter into contact with A. So B enters in the contract with A. Here the consent of B is obtained by_____
- A. Coercion
 - B. Fraud
 - C. Misrepresentation
 - D. Undue influence.
40. '*Quantum Meruit*' means:
- A. A non-graduations promise
 - B. As much as is earned
 - C. An implied promise
 - D. As much as is paid
41. In the event of a breach of contract, which of the following is correct in relation to remoteness of damage?
- i. The damage will not be too remote if it arose naturally from the breach.
 - ii. The damage will not be too remote even if the damage did not arise naturally, if the contract breaker ought to have had it in contemplation as likely to result.
 - iii. Whether a claimant has mitigated his loss is irrelevant to remoteness of damage.
- Choose the correct answer
- A. i only
 - B. i and iii only

- C. iii only
 - D. I, ii and iii
42. The principle 'the thing speaks for itself' is expressed by the maxim:
- A. Ubi jus ibi remedium.
 - B. Res Ipsa Loquitur.
 - C. Novus Actus Interveniens
 - D. Causa Causams
43. In an action for the tort of negligence, what is not required to be proved by the plaintiff is that-
- A. Breach of Duty
 - B. Duty of Care
 - C. Proximate cause
 - D. Malicious Comments
44. 'No-fault liability' means-
- A. liability for damage caused through negligence
 - B. liability for damage caused through fault.
 - C. absolute liability even without any negligence or fault
 - D. freedom from liability
45. 'Dishonestly' has been defined as doing anything with intention to cause wrongful gain to one person & wrongful loss to another, under-
- A. Section 21 of IPC
 - B. Section 23 of IPC
 - C. Section 24 of IPC
 - D. Section 25 of IPC
46. "Tortious liability arises from breach of duty, primarily fixed by law; this duty is towards persons generally and its breach is redressable by an action for unliquidated damages". This definition is given by
- A. Winfield
 - B. Salmond
 - C. Flemmings
 - D. Goodheart
47. 'Law of Torts is founded and structured on morality that no one has right to injure or harm another intentionally or even innocently'. This has been observed in:
- A. Jai Laxmi Salt Works (P) Ltd. vs State of Gujarat
 - B. Nathu Lal Jain vs State of Rajasthan
 - C. M.C.Mehta vs Union of India
 - D. Bishnu Dutt Sharma vs Board of High School
48. 'Apportionment' under Section 36 of the Transfer of Property Act, 1882 means:
- A. Disproportionate division
 - B. Accommodation
 - C. Proportionate division
 - D. Equitable division
49. Who has said that "an offer need not be made to an ascertained person, but no contract can arise until it has been accepted by an ascertained person?"-
- A. Cheshire & Fifoot

- B. Anson
 - C. Lord Atkin
 - D. Lord Stowell
50. The foundation of doctrine of election under the Transfer of Property Act, 1882 is that a person taking the benefit of an instrument:
- A. Must bear the burden
 - B. Must not bear the burden
 - C. Burden is not the subject of election
 - D. None of the above
51. The provision of contingent interest is provided in:
- A. Section 20 of the Transfer of Property Act, 1882
 - B. Section 21 of the Transfer of Property Act, 1882
 - C. Section 22 of the Transfer of Property Act, 1882
 - D. Section 23 of the Transfer of Property Act, 1882
52. Under the Transfer of Property Act, 1882, "attached to earth" means:
- i. rooted in the earth, as in the case of trees and shrubs;
 - ii. embedded in the earth as in the case of walls and buildings; or
 - iii. attached to what is so embedded for the permanent beneficial enjoyment of that to which it is attached.
- Choose the correct answer
- A. only i and ii are correct
 - B. only ii and iii are correct
 - C. only i and iii are correct
 - D. all i, ii and iii are correct.
53. According to which school, "the purpose of jurisprudence is to analyse and dissect the law of the land as it exists today"?
- A. Analytical Jurisprudence
 - B. Historical Jurisprudence
 - C. Sociological Jurisprudence
 - D. Philosophical Jurisprudence
54. 'No transfer of property can operate to create an interest which is to take effect after the life time of one or more persons living at the date of such transfer'. These provisions come under:
- A. Rule against retrospective transfer only
 - B. Rule against perpetuity
 - C. Rule against prospective transfer
 - D. None of the above.
55. Which of the following propositions for distinguishing between a lease and a licence were made by Justice J Subba Rao in *Associated Hotels of India vs RN Kapoor*?
- A. To ascertain whether a document creates a lease or a licence, the form of the document must be preferred to its substance
 - B. The real test is the intention of the parties, whether they intended to create a lease or a licence

- C. If the document creates an interest in the property, it is a licence; but, if it only permits another to make use of the property, of which legal possession continues with the owner, it is a lease
 - D. both A and B
56. In which judicial decision it has been held that 'it is not necessary that alleged infringement should be an exact or verbatim copy of the original but its resemblance with the original in a large measure is sufficient to indicate that it is a copy':
- A. K.L.George vs Cheriyan
 - B. Microsoft Corporation vs Yogesh Papat
 - C. R.G.Anand vs Delux Films
 - D. Ganapati Prasad Rao vs Parnadi Saroja
57. What is meant by the term 'actionable per se'?
- A. Actionable without proof of damage
 - B. Actionable at the instance of the injured party only
 - C. Actionable only in the civil courts
 - D. A tort of strict liability
58. Section 82 of IPC provides that nothing is an offence which is done by a child under:
- A. six years of age
 - B. seven years of age
 - C. nine years of age
 - D. ten years of age
59. _____ is not a requirement for registration of a Trade Mark.
- A. Capability of graphical representation
 - B. Capability of distinguishing goods or services of one undertaking from those of others
 - C. Capability of indicating connection in course of trade
 - D. The Trade Mark should be well known
60. What is the punishment for copyright infringement?
- A. Imprisonment 9 months to 3 years + fine of Rs. 1 lakh to 2 lakhs
 - B. Imprisonment 6 months to 3 years + fine of Rs. 50,000 to 2 lakhs
 - C. Imprisonment 1 year to 3 years + fine of Rs. 50,000 to 3 lakhs
 - D. Imprisonment 6 months to 2 years + fine of Rs. 40,000 to 2 lakhs
61. Which of the following is not an intellectual property law?
- A. Copyright Act, 1957
 - B. Trademark Act, 1999
 - C. Patent Act, 1970
 - D. Customs Act, 1962
62. Intellectual Property Rights (IPR) protect the use of information and ideas that are of-
- A. Ethical value
 - B. Moral value
 - C. Social value
 - D. Commercial value
63. Doctrine of Indoor Management is an exception to the principle of-
- A. Rule of Majority
 - B. Constructive Notice

- C. Public Notice
 - D. Lifting the corporate veil
64. Where a director acts dishonestly to the interest of the company, he will be held liable for-
- A. *Ultra Vires* acts
 - B. Negligence.
 - C. Breach of Fiduciary Duty
 - D. *Mala fide* acts.
65.means a prospectus issued by any financial institution or bank for one or more issues of the securities specified in that document.
- A. Shelf prospectus
 - B. Red herring prospectus
 - C. Abridged prospectus
 - D. Deemed prospectus
66. The judgment in the case of Foss vs Hurbottle lays down the principle of-
- A. Rule of Majority
 - B. Constructive Notice
 - C. Indoor Management
 - D. Public Notice
67. _____ lays down the modes in which the objects of the company are to be carried out by the members.
- A. Statement in lieu
 - B. Prospectus
 - C. Memorandum of Association
 - D. Articles of Association
68. 'Escheat' is a term employed to denote lapsing of property to the _____in default of heirs on the death of the intestate.
- A. NGO
 - B. Government
 - C. Orphanage
 - D. None
69. Which Section of the Copyright Act, 1957 contains the powers of the police to seize infringing copies?
- A. Section 32
 - B. Section 64
 - C. Section 40
 - D. Section 58
70. The heritage (property) in which there are some privileges, is called:
- A. Servient heritage
 - B. Non-servient heritage
 - C. Dominant heritage
 - D. Non-dominant heritage
