

HIGH COURT OF DELHI

SENIOR JUDICIAL ASSISTANT/ READER EXAMINATION – 2015

SUNDAY – 5<sup>TH</sup> APRIL, 2015

ROLL NO.

**PAPER I**

Time : 3 Hrs

Maximum Marks : 100

NOTE : Write your Roll No. in the space given above. Answer all questions. Support your answers with relevant legal provisions. Each Question carries 5 marks.

**PART I**

Q.1 What is the court fee prescribed for ordinary inspection and urgent inspection of the records? What is the procedure prescribed for inspection of records for more than one day?

Q.2 Whether a stranger to the suit can obtain copy of judgment after it has been passed? How can a stranger to the suit obtain copies of exhibits put in evidence?

Q.3 In which circumstances any judicial record, book or paper may be destroyed even before the expiry of period of preservation prescribed in Delhi High Court Rules?

Q.4 Write a Note on the reception of Pauper Appeals.

Q.5 What is the period prescribed for paying the process fee? What steps can be taken by a party to file the process fee after the expiry of period prescribed for paying the process fee?

## PART II

- Q.6 Name any five powers of the Court which may be exercised by the Registrar?
- Q.7 What is the period of limitation for filing an appeal against orders of Registrar? Whether such an Appeal is heard in Open Court?
- Q.8 Write a brief note on the contents of an Interlocutory Application?
- Q.9 Define Commercial Suits.
- Q.10 How a Pardanashin lady identified for the attestation of her Affidavit?

## PART III

- Q.11 When service of summons upon defendants can be by substituted service?
- Q.12 When summons can be substituted by a letter signed by the Judge?
- Q.13 Whether the death of a plaintiff or defendant results in the abatement of the suit? Whether the death of either party between the conclusion of the hearing and the pronouncing of the judgment results in abatement?
- Q.14 Who may act as next friend of a minor or be appointed guardian for the Suit?
- Q.15 Under which circumstances, parties to an Appeal can be permitted to produce additional evidence?

#### PART IV

- Q.16 Write a Note on sentences which High Courts, Sessions Judges and Magistrates may Pass?
- Q.17 Where imprisonment has been awarded as part of the substantive sentence, to what extent a Magistrate can award term of imprisonment in default of payment of fine?
- Q.18 When an appeal abates? Name the near relatives who can apply to the Appellate Court for leave to continue the appeal after the death of the appellant?
- Q.19 The appellate court while hearing the appeal against an order of the magistrate called for the record. The Magistrate submitted with the Record, a statement setting forth the grounds of his decision which he thought were material to the issue. Whether the Appellate Court can consider such statement before overruling or setting aside the said decision or order?
- Q.20 Write a Note on :-
- (a) Reference to High Court
- OR**
- (b) Powers of Revision

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ROLL NO.

**PAPER II**

Time : 3 Hrs

Maximum Marks : 100

NOTE : Write your Roll No. in the space given above. Answer all questions. Questions carry Marks mentioned against each.

Q.1 In the Delhi High Court premises, a multilevel automated underground parking facility has been made free for lawyers. The facility has space for 1300 vehicles. Parking inside the High Court compound is now limited and only lawyers having valid parking stickers are permitted to park their cars in demarcated and designated spaces only. Parking of vehicles is not to be allowed outside the gates of the High Court or anywhere along the periphery. Prepare a circular to this effect for the lawyers and litigants.

(MARKS :10)

Q.2 Rule 7 of the Central Civil Services (Leave) Rules 1972 provides that Leave cannot be claimed as of right. It further provides that when the exigencies of public service so require, leave of any kind may be refused or revoked by the authority competent to grant it. Further, G.I., Dept. of Per. & Trg. OM No. 13018/2/2008- Estt. (L), dated the 18<sup>th</sup> November 2008 provides that provision of Child Care Leave does not mean that CCL should disrupt the functioning of Government offices. The OM clarifies that CCL cannot be demanded as a matter of right and no employee can proceed on CCL without prior proper approval of the leave by the leave sanctioning authority. In your branch, several applications for CCL are given by women employees. Make a note suggesting drawing up phased programme for the grant of leave to the applicants by turns.

(MARKS:10)

P.T.O.

Q.3 Draft a circular that two minutes silence shall be observed on 30<sup>th</sup> January at 11.00 AM in the memory of martyrs who sacrificed their lives for the freedom of the country. (MARKS:10)

Q.4 Write the hierarchy of officers in the High Court in the ascending Order. (MARKS:10)

Q.5 Read the following passage and answer whether the questions are true or false:-

I must have been about seven years when my father left Porbandar for Rajkot to become a member of Rajasthanik Court. There I was put to a primary school, and I can well recollect those days, including the names and other particulars of the teachers who taught me. As at Porbandar, so here, there is hardly anything to note about my studies. I could only have been a mediocre student. From this school, I went to the sub-urban school and thence to the High School, having already reached my twelfth year. I do not remember having ever told to lie during this short period, either to my teachers or to my schoolmates. I used to be very shy and avoided all company. My books and my lessons were my sole companions. To be at the school at the stroke of the hour, and to run back home as soon as the school closed – that was my daily habit. I literally ran back because I could not bear to talk to anybody. I was even afraid lest anyone should poke fun at me.

P.T.O.

There is an incident, which occurred at an examination during my first year at the High School, which is worth recording. Mr. Giles, the Education Inspector, had come on a visit of inspection. He had set up five words to write as a spelling exercise. One of the words was "kettle". I had mis-spelt it. The teacher tried to prompt me with the point of his boot, but I could not be prompted. It was beyond me to see that he wanted me to copy the spelling from my neighbour's slate, for I thought that the teacher was there to supervise us against copying. The result was that all the boys except myself were found to have spelt each word correctly. Only I had been stupid. The teacher tried later to bring this stupidity home to me, but it without effect. I never could learn the art of "copying".

#### Questions

State whether 'True' or 'False'

1. Mahatma Gandhi was exactly seven when his father left Porbandar for Rajkot.
2. Mahatma Gandhi remembered his Primary school days well.
3. Mahatma Gandhi was very good at studies.
4. He was eleven when he joined the High School.
5. He used to reach school very late.
6. Mr. Giles tried to help Mahatma Gandhi to spell "kettle" correctly.
7. All the boys including Mahatma Gandhi spelt each of the words correctly.
8. His teacher scolded Mahatma Gandhi.
9. Mahatma Gandhi thought the teacher was there to supervise against copying.
10. Mahatma Gandhi learnt the art of copying.

(MARKS 10)

P.T.O.

Q.6 Shri D.K.Verma Joint Registrar (Judicial) is transferred as P.O. MACT , South West District, Dwarka Courts and Shri Surinder Kumar P.O. MACT South West District , Dwarka Courts is transferred as Joint Registrar (Judicial) in the Delhi High Court.

Draft an office order announcing these transfers. (MARKS:10)

Q.7 During a surprise visit of the various branches by the Joint Registrar (Vigilance), it was observed that the officials are not adhering to lunch break timings and overstay for lunch.

Draft a suitable communication to all sections and branches asking the officials to adhere to the lunch break timings strictly and not to overstay.

(MARKS:10)

Q. 8 Write notes on ANY FOUR of the following:

(i) Correspondence Portion.

(ii) Issue of fair communication.

(iii) PUC

(iv) Linking of files.

(v) Standing guard files.

(vi) Demi official letter

(vii) Part File

(MARKS:20)

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