

HIGH COURT OF DELHI : NEW DELHI

DELHI JUDICIAL SERVICE PRELIMINARY EXAMINATION – 2014

NOTICE

It is to notify that the objections to the Model Answer Keys in respect of Delhi Judicial Service Preliminary Examination – 2014 held on 01.06.2014 which were invited by way of notice dated 09.06.2014, have been duly considered and it has been found that the Model Answer Keys in respect of all such Questions in respect of which objections were received till 23.06.2014 are correct except the following Questions:

Series	A	C	E	G
Question Nos.	74	114	139	34
	140	30	55	100
	190	80	105	20

The reasons pertaining to the Answer Keys of such Questions in respect of which objections were raised, have been mentioned in the Remarks Column of Annexure 'A' appended to the Notice.

As regards the aforementioned three questions are concerned, it has been decided as under:-

Series	A	C	E	G	Decision
Question Nos.	74	114	139	34	Answer Key is revised to Option (3) in place of Option (4).
	140	30	55	100	Answer Key is revised to Option (4) in place of Option (3).
	190	80	105	20	This question stands deleted. 01 mark is awarded to all such candidates who have appeared in the Examination.

Sd/-
(SANGITA DHINGRA SEHGAL)
REGISTRAR GENERAL
02.07.2014

**MODEL ANSWERS OF THE FOLLOWING QUESTIONS OF DELHI JUDICIAL SERVICE PRELIMINARY EXAMINATION – 2014 HELD ON 01.06.2014
HAVE BEEN OBJECTED BY THE CANDIDATES**

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
	A	C	E	G		
1.	4	154	29	179	Stand on ceremony (1) Casual approach (2) Act with reserve (3) Lead from front (4) None of these	Reference: High School English Grammar & Composition by Wren & Martin, Composition – Chapter 25 (Idioms)
2.	9	159	34	184	ZANY (1) Imitator (2) Intelligent (3) Thinker (4) Enthusiastic	'Zany' means – an imitator, a clown, comically idiotic Reference: Shorter Oxford English Dictionary
3.	10	160	35	185	PROBITY (1) Trust (2) Deception (3) Permit (4) Support	'Probity' means – Integrity, uprightness of character, honesty and sincerity. The <u>word opposite</u> in the meaning is 'Deception', which means – cheating. The other words in the given options have no relevance in the context. Reference: Shorter Oxford English Dictionary
4.	16	166	41	191	Outgoing and _____ by nature, Kavita became even more gregarious at the school party. (1) affable (2) reclusive (3) solitary (4) withdrawn	The word 'and' is a signal that this is a synonym sentence. The missing word in the sentence should be synonym to 'outgoing'. 'Reclusive', 'solitary' and 'withdrawn' are opposite of 'outgoing'. Therefore, 'affable' is the only word that is closer to the word 'outgoing'.

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5.	17	167	42	192	The Health Ministry rejected the drug because the tests conducted for toxicity showed _____ results on the patients. (1) non-toxic (2) harmful (3) healthy (4) toxic	Since the tests conducted were for toxicity, the word 'toxic' is more relevant and the correct expression than 'harmful' in the given context.
6.	18	168	43	193	The District Collector _____ the Minister about the flood situation. (1) appraised (2) acquainted (3) apprised (4) provided	'appraised' means – to estimate the worth of; 'acquainted' means – having personal knowledge of; 'apprised' means – to inform; 'provided' means – to supply Thus 'apprised' is the correct option in the context of the given sentence Reference: The Chambers Dictionary
7.	19	169	44	194	Don't loiter _____ the street. (1) over (2) about (3) across (4) above	Reference: High School English Grammar & Composition by Wren & Martin, Grammar – Chapter 38 (The Prepositions)
8.	24	174	49	199	The _____ chapters are lacking in interest. (1) later (2) latter (3) latest (4) last	Reference: High School English Grammar & Composition by Wren & Martin, Grammar – Chapter 10 (Comparison of Adjectives)

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9.	27	177	2	152	Rapid Action Force, a Central Armed Force was raised on October 7, 1992 to (1) suppress communal and inter-caste riots anywhere in India. (2) protect public property. (3) rescue human lives in the time of natural calamities. (4) All these	Reference: Manorama Year Book, 2014 (page – 96)
10.	34	184	9	159	The smallest particle of an element which is capable of taking part in a chemical reaction is (1) molecule. (2) nucleus. (3) atom. (4) matter.	Reference: Manorama Year Book, 2014 (page – 212)
11.	35	185	10	160	The year 2014 is observed by the United Nations as the International Year of (1) Small Island Developing States. (2) Crystallography. (3) Family Farming. (4) All these	Reference: United Nations Website
12.	40	190	15	165	The imaginary lines drawn out on the global map, from poles to poles and perpendicular to the equator are called (1) Latitudes. (2) Tropics. (3) Longitudes. (4) Meridians.	Reference: Manorama Year Book, 2014 (page – 288)
13.	45	195	20	170	Who is the Chairperson of the 20 th Law Commission of	Reference: Law Commission of India website

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					India? (1) Justice D.K. Jain (2) Justice A.R.Lakshmanan (3) Justice A.P.Shah (4) Justice Santosh Hegde	
14.	55	95	120	135	'P' is found in possession of a document purporting to be a will of 'Q' in favour of 'P', bearing forged signatures of 'Q', intending that the will shall be fraudulently used as genuine after the death of 'Q'. 'P' has committed (1) no offence as it is mere preparatory to lay a claim. (2) no offence till the will is used. (3) has committed an offence as mere possession of such document in such circumstances is penal. (4) None of these	A will is one of the documents described in Section 467 IPC. In the given facts, the will is forged and the person in possession intends to use it fraudulently. Here, mere possession in such circumstances is an offence, as per Section 474 IPC.
15.	59	99	124	139	'B' and his girlfriend 'G', both adults, engage in consensual sexual intercourse in the privacy of the bedroom of the latter and 'B' with her consent prepares a video clip on his mobile camera and later shows it in total privacy to his friend 'F', it amounts to (1) stalking. (2) voyeurism. (3) rape. (4) None of these	The given situation falls in Explanation (2) to Section 354-C of IPC as offence of Voyeurism.
16.	60	100	125	140	A woman approaches 'X', an officer in charge of a police station and alleges that her boyfriend tried to forcibly remove her shirt in a dress shop, seeking	The woman has alleged facts that constitute the offence of use of criminal force with intent to disrobe, punishable under Section 354-B of IPC. The failure to

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					<p>legal action to be taken, but 'X' refuses to take note of the incident and asked her to file a criminal complaint before a magistrate. Here, 'X' has committed a</p> <p>(1) misconduct but not any penal offence. (2) cognizable offence. (3) non-cognizable offence. (4) None of these</p>	<p>record information about such offence is an offence under Section 166-A of IPC, which is a cognizable offence under the First Schedule to Cr.P. C.</p>
17.	61	101	126	141	<p>'S' is found in possession of property reasonably suspected to be stolen by him and is arrested by 'P', a police officer. 'S' is excited to sudden and violent passion by the arrest and fires at him but kills 'D' who was standing near 'P', neither intending nor knowing himself to be likely to kill 'D'. This is</p> <p>(1) culpable homicide not amounting to murder, because 'S' had been deprived of the power of self-control by grave and sudden provocation. (2) murder, because provocation was given by a thing done by a public servant in lawful discharge of his powers. (3) culpable Homicide not amounting to murder, because the death of 'D' occurred by mistake or accident. (4) None of these</p>	<p>'P', in terms of Section 41 Cr. P. C., was acting within his powers as a police officer. 'D' was standing near 'P' but not out of sight. The facts indicated in the question are covered by situations set out in Illustrations (b) and (c) below Exception (1) under Section 300 IPC.</p>
18.	62	102	127	142	<p>'A' was sentenced to fine of rupees one thousand and in case of default to suffer simple imprisonment for six months. He did not pay the fine and was taken in</p>	<p>The question is based on facts indicated in the Illustration below Section 69 IPC.</p>

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					<p>custody. After six weeks, an amount of rupees one hundred was realised through warrant for recovery and he further deposited rupees four hundred, the balance remaining unpaid. 'A' would be</p> <ol style="list-style-type: none"> (1) entitled to immediate release from custody. (2) entitled to release as soon as three months elapse. (3) liable to undergo imprisonment for the period of six months. (4) entitled to release after such period as the court may further direct on such realisation or deposit. 	
19.	66	106	131	146	<p>With respect to the difference between kidnapping from lawful guardianship and abduction which of the following statements is correct?</p> <ol style="list-style-type: none"> (1) Kidnapping is committed only in respect of a minor or a person of unsound mind. Abduction is committed in respect of a person of any age. (2) In former, the person kidnapped is removed out of lawful guardianship. Abduction has reference exclusively to the person abducted. (3) In kidnapping, consent of the person kidnapped or enticed is immaterial. In abduction, consent of the person moved, if freely and voluntarily given, condones abduction. (4) All these 	Based on the ingredients of the offence of 'Kidnapping from lawful guardianship', as defined in Section 361 IPC and the ingredients of the offence of 'Abduction', as defined in Section 362 of IPC
20.	67	107	132	147	<p>"X' along with four other armed associates seizes the child of 'Y' and threatens to kill him unless 'Y' parts with his watch and diamond ring compelling him to</p>	Here, 'Y' has been put in fear of instant death of his child immediately after the child was seized and thereby dishonestly induced to hand over his watch

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					do so. 'X' has committed the offence of (1) robbery. (2) dacoity. (3) attempt to murder. (4) extortion.	and diamond ring to 'X' and his associates. In these circumstances, the offence of extortion (Section 383) aggravates to robbery (Section 390) and since there are five persons committing the offence, it amounts to dacoity (section 391).
21.	68	108	133	148	For the offence of cheating (1) the person deceived must have been fraudulently or dishonestly induced to deliver property. (2) as a consequence of the intentional inducement, damage or harm in body, mind, reputation or property is caused or likely to be caused to the person deceived. (3) Both (1) and (2) are correct. (4) None of these	For the offence of cheating, as defined in Section 415 IPC, "fraudulent or dishonest inducement" leading to delivery of property or "damage or harm" to the person deceived "in body, mind, reputation or property" are essential ingredients.
22.	69	109	134	149	'A' and 'Z', both adults, agree to engage each other in fencing for amusement. In course of such fencing, without any foul play, 'A' causes a superficial hurt to 'Z'. Here, 'X' (1) is guilty of causing hurt by sharp edged weapon as he attacked 'Z'. (2) is not guilty as there is an implied consent on the part of 'Z' to suffer such harm. (3) is guilty because fencing is a dangerous sport. (4) Both (1) and (3)	The statement constituting the query clearly refers to two adults being 'A' and 'Z'. The query therefore posed, to every reader, obviously would be in relation to 'A' and 'Z'. 'X' typed in the query is an apparent typographic error and has to be noted by every discernible eye. The misprint is trivial in nature and does not affect the process of understanding or reasoning to answer the question by a reader who has studied law. The question is based on the facts indicated in the illustration below Section 87 IPC.
23.	74	114	139	34	Indicate the correct statement regarding the rights of an	The statements (i), (ii) & (iv) are correct in view of

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					<p>arrestee.</p> <p>A person arrested without warrant has the right to</p> <p>(i) be informed of the particulars of the offence for which he is arrested.</p> <p>(ii) have a relative or friend named by him to be informed about his arrest.</p> <p>(iii) have an advocate of his choice remain present throughout interrogation.</p> <p>(iv) be medically examined by a medical officer.</p> <p><i>Which of the statements given above are correct?</i></p> <p>(1) (i), (ii) and (iii)</p> <p>(2) (ii), (iii) and (iv)</p> <p>(3) (i), (ii) and (iv)</p> <p>(4) (i), (ii), (iii) and (iv)</p>	<p>Sections 50, 41-B and 54 Cr. P. C. respectively.</p> <p>The statement (iii) is not correct because Section 41-D Cr.P.C. makes it clear that the right to “have an advocate of his choice remain present” cannot be “throughout” interrogation.</p> <p>Hence option (3) is the correct answer and option (4) is incorrect.</p> <p><u>The Answer Key is corrected accordingly.</u></p>
24.	75	115	140	35	<p>In order to compel appearance of a person who is absconding in spite of a warrant of arrest being issued against him, his property may be ordered to be attached simultaneously with issuance of a proclamation under section 82 of the Code of Criminal Procedure, provided that the court is satisfied that such person is</p> <p>(1) about to dispose of the whole or any part of his property.</p> <p>(2) about to remove the whole or any part of property from the local jurisdiction of the Court.</p> <p>(3) Either condition in (1) or (2) exists.</p> <p>(4) Both conditions in (1) and (2) co-exist.</p>	<p>Proviso to Section 83(1) Cr. P. C. envisages two different situations and permits simultaneous order of attachment in either of them.</p>
25.	76	116	141	36	<p>Which of the following is not an essential search-procedure under Sec. 100 of Code of Criminal Procedure?</p>	<p>The first three options are covered by sub-sections (4), (5) and (6) of Section 100 Cr. P C. There is no provision requiring mandatory presence or signatures of an</p>

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					<p>(1) Calling upon two independent and respectable inhabitants of the locality to witness the search.</p> <p>(2) Signing of search-memo by the witnesses to search.</p> <p>(3) Attendance of occupant of the place during the search.</p> <p>(4) Signature of the accused on the search-list.</p>	accused on the search-list of a 'closed place'. It is not necessary that the accused would be the persons in charge of such place required to be searched.
26.	78	118	143	38	<p>On the non-completion of investigation, i.e., failure of the prosecution to file charge sheet within the prescribed period of 90 or 60 days, as given in Section 167 of Code of Criminal Procedure, the</p> <p>(1) accused person is to be discharged unconditionally.</p> <p>(2) accused person shall be released on bail if he is prepared to and does furnish bail.</p> <p>(3) right of the accused person to be released on bail could be defeated by the subsequent filing of the charge sheet under any circumstance.</p> <p>(4) None of these</p>	Option (2) is covered by the command of the first proviso of Section 167(2) Cr. P. C. There is no question of unconditional discharge at such stage as the investigation is continuing. The statutory right to bail cannot be defeated as the right accrues on default.
27.	79	119	144	39	<p>'G', a 17 years old girl, was married to 'H'. 'H' during the subsistence of the said marriage entered into another marriage with 'P'. The court may take cognizance for the offence of bigamy, if the complaint is brought by</p> <p>(1) her father, mother, brother, sister, son or daughter or by her father's or mother's brother or sister.</p> <p>(2) any other person related to her by blood, marriage or adoption, with the leave of the</p>	All the three given options are covered by proviso (a) & (c) to section 198 (1) Cr. P. C. and section 198 (3) Cr. P. C.

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					<p>court.</p> <p>(3) some other person on her behalf, with leave of court, but where there is a guardian appointed in her respect, then only after such guardian has been heard.</p> <p>(4) All these</p>	
28.	81	121	146	41	<p>The categories of persons who may, without their consent, be charged and tried together include persons accused of</p> <p>(1) different offences committed in the course of the same transaction.</p> <p>(2) more than one offence of the same kind committed by them within the period of twelve months.</p> <p>(3) Neither (1) nor (2)</p> <p>(4) Both (1) and (2)</p>	<p>Option (1) is directly based on Section 223 (d) Cr. P. C. and therefore is correct.</p> <p>Since option (2) does not state that the offences had been committed by the accused persons "jointly", it is not correct in view of Section 223 (c) Cr. P. C.</p>
29.	83	123	148	43	<p>'A' was acquitted of the charge for voluntarily causing grievous hurt by throwing acid on 'X', as the victim did not support the police version about involvement of 'A' in the incident, though grievous hurt by acid was proved. 'X' seeks compensation from the Trial Court. The Trial Court may</p> <p>(1) dismiss the claim because the accused was acquitted.</p> <p>(2) dismiss the claim because the victim turned hostile during trial.</p> <p>(3) consider making recommendation to the State Legal Services Authority for compensation to victim.</p> <p>(4) direct the accused to pay compensation to the</p>	<p>Section 357-A (3) Cr. P. C. permits such recommendation if the offence is proved but complicity of accused is not proved.</p>

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					victim on humanitarian grounds.	
30.	87	127	152	47	<p>A Metropolitan Magistrate may release an accused on bail in non-bailable offence except in following case(s) if</p> <p>(1) there are reasonable grounds for believing that he has been guilty of an offence punishable with death or imprisonment for life.</p> <p>(2) there are reasonable grounds for believing that he has been guilty of a cognizable offence and he has been previously convicted of an offence punishable with imprisonment for seven years.</p> <p>(3) he had been previously convicted on two or more occasions of a cognizable offence punishable with imprisonment for three years.</p> <p>(4) All these</p>	The provision contained in section 437(1) Cr. P. C. contains the inhibitions indicated in the first three options.
31.	89	129	154	49	<p>The proceedings before a criminal court are vitiated if the presiding magistrate who is not empowered by law to do so</p> <p>(1) issues search warrant erroneously but in good faith.</p> <p>(2) holds inquest under section 176 of Code of Criminal Procedure erroneously but in good faith.</p> <p>(3) tries an offender summarily.</p> <p>(4) All these</p>	Section 460 (a) Cr. P. C. and Section 460 (c) Cr. P. C. respectively save the proceedings because of the element of 'good faith' in situations covered by first two options. But, Section 461 (m) Cr. P. C. renders summary trial by an incompetent magistrate void.
32.	90	130	155	50	Prosecution of a case involving misappropriation of property belonging to the Central Government can be withdrawn by	The fact-situation attracts proviso to Section 321 Cr. P. C. which applies when the public prosecutor is not appointed by the Central Government. Thus, a public

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					<p>(1) any Public Prosecutor on the direction of the State Government.</p> <p>(2) the Public Prosecutor appointed by the Central Government on the direction of the State Government.</p> <p>(3) the Public Prosecutor appointed by the State Government on permission granted by the Central Government.</p> <p>(4) any Public Prosecutor on the direction of the Central Government.</p>	<p>prosecutor appointed by the Central government would have the competence and authority of law to withdraw from prosecution in his own rights. But a Public Prosecutor not appointed by the Central government would need permission from the Central Government.</p>
33.	92	132	157	52	<p>Which is the correct essential conditions for applicability of the rule of <i>sub judice</i>?</p> <p>(1) The matter in issue in the subsequent suit must be directly and substantially in issue in the previous suit.</p> <p>(2) The parties must be litigating under the same title in both the suits.</p> <p>(3) Both (1) and (2)</p> <p>(4) Neither (1) nor (2)</p>	<p>The bare provision contained in Section 10 CPC makes both these as essential requisites for stay of suit on principle of <i>res sub judice</i>.</p>
34.	93	133	158	53	<p>The expression 'former suit' in the context of rule of <i>res judicata</i> means a suit which has been</p> <p>(1) instituted prior to the suit in question.</p> <p>(2) decided prior to the suit in question.</p> <p>(3) Both (1) and (2)</p> <p>(4) Neither (1) nor (2)</p>	<p>Explanation-I below Section 11 CPC</p>
35.	94	134	159	54	<p>Which of the following statements is true?</p> <p>(1) A suit for recovery of immovable property shall be instituted in the court in whose jurisdiction the property is situated.</p> <p>(2) A suit for partition of immoveable property</p>	<p>Option (1) is correct in view of Section 16 (a) CPC. Option (2) is wrong because even in case of partition of immoveable property it is the place where the property is situated which governs the question of jurisdiction in view of Section 16(b) CPC. The place where defendant</p>

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					shall be instituted in the court in whose jurisdiction the defendant resides or works for gain. (3) Both (1) and (2) (4) Neither (1) nor (2)	resides or works for gain (Section 20 CPC) comes into play only in situations not covered by preceding provisions (including Section 16).
36.	95	135	160	55	Consider the following statement(s). i. A defendant may set up, by way of a counter-claim against the claim of the plaintiff any right or claim in respect of the cause of action accruing to him. ii. The counter-claim may be submitted by the defendant even after he has delivered his defence. iii. The counter-claim shall not exceed the pecuniary jurisdiction of the court. <i>Which of the statements given above are correct?</i> (1) (i) and (ii) (2) (i) and (iii) (3) (ii) and (iii) (4) All these	Order 8 Rule 6-A CPC makes it clear that counter-claim may be set up “before the defendant has delivered his defence”. Hence, statement (ii) is wrong. The other two statements are correct in view of same provision.
37.	97	137	162	57	Where the defendant is absent at the time when service of summons is sought to be effected on him at his residence, there being no likelihood of his availability within reasonable time and in absence of an empowered agent, the service may be made	Order 5 Rule 15 CPC only requires the person to be ‘adult member of the family’. It makes it clear that such member may be either male or female. As per Explanation appended to Order 5 Rule 15 CPC, a servant is not a member of the family.

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					<p>on</p> <p>(1) any adult male member of his family.</p> <p>(2) any adult female member of his family.</p> <p>(3) a servant engaged by the defendant at his residence.</p> <p>(4) Both (1) and (2)</p>	
38.	99	139	164	59	<p>Consider the following statements.</p> <p>Admissions for forming the basis of judgment may be secured from the opposite party to a civil suit by way of notice</p> <p>i. of admission of the case</p> <p>ii. to admit documents</p> <p>iii. to admit facts</p> <p><i>Which of the statements given above are correct?</i></p> <p>(1) None of these</p> <p>(2) All these</p> <p>(3) Only (i) and (ii)</p> <p>(4) Only (ii) and (iii)</p>	The three statements are covered by the provisions contained in Order 12 Rules 1, 2, 4 and 6 CPC.
39.	101	141	166	61	<p>Which of the following statements is incorrect?</p> <p>(1) Where issues both of law and of fact arise and if the court is of opinion that the case may be disposed of on an issue relating to jurisdiction, it may postpone the settlement of other issues until after the issue of jurisdiction has been determined.</p> <p>(2) Where a suit may be disposed of on preliminary issue, the court need not pronounce judgment on other issues settled in the case.</p> <p>(3) The preliminary issue may relate to a bar to the</p>	Order 14 Rule 2(2) CPC shows that in such situation as is given in option (2), the Court must postpone the settlement of other issues. The issue to be treated as preliminary may relate to jurisdiction or bar under the law. If issues have been settled, per Order 14 Rule 2(1), the Court is obliged to pronounce judgment on all issues.

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					suit created by any law for the time being in force. (4) None of these	
40.	103	143	168	63	A money decree may be executed by (1) attachment and sale of any property of the judgment debtor. (2) arrest and detention in prison of the judgment debtor for indefinite period. (3) Both (1) and (2) (4) Neither (1) nor (2)	Section 51 (b) CPC permits execution of money decree by attachment and sale of any property of the judgment debtor. Section 51 (c) CPC permits execution even by arrest and detention in prison of the judgment debtor but not for period exceeding the one specified in Section 58 CPC.
41.	104	144	169	64	Which of the following statements is correct? (1) No suit, not involving urgent or immediate relief, may be instituted against the Central Government except after serving a notice of two months. (2) A decree against the Union of India may not be executed unless it remains unsatisfied for a period of three months. (3) Both (1) and (2) are correct. (4) Both (1) and (2) are incorrect.	Options (1) and (2) are directly covered by Sections 80 and 82 CPC.
42.	105	145	170	65	Which of the following statements is correct? (1) Where on the death of a defendant the right to sue survivors against the other surviving defendant alone, the case may proceed against the surviving defendant.	Options (1), (2) and (3) are directly covered by provisions contained in Order 22 Rules 2, 4 and 6 of C.P.C.

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
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					<p>(2) Where on the death of a defendant the right to sue does not survive against the other surviving defendant alone, the case shall abate against the deceased defendant if no application is made within the time limited by law for the legal representative of the deceased defendant to be made a party.</p> <p>(3) There shall be no abatement by reason of death of either party between the conclusion of the hearing and the pronouncing of the judgment.</p> <p>(4) All these</p>	
43.	107	147	172	67	<p>Which is the correct statement in context of summary procedure for civil suits?</p> <p>(1) May be invoked for recovery of a liquidated demand in money payable by the defendant arising out a written contract.</p> <p>(2) May be applied suo motu by any civil court in its discretion in the interest of expeditious adjudication.</p> <p>(3) Requires the defendant to seek leave to defend which, if granted, must be unconditional.</p> <p>(4) All these statements are not correct.</p>	<p>Order 37 Rule 1(2)(b)(i) CPC directly covers option (1). Order 37 Rule 2(1)(a) CPC requires a specific averment by the plaintiff invoking the summary procedure. Hence, court cannot apply this procedure on its own. Order 37 Rule 3(5) CPC states that the leave to defend may be granted even "upon such terms as may appear ... to be just".</p>
44.	108	148	173	68	<p>In case of breach of any of the terms on which temporary injunction was granted, the court may order</p> <p>(1) the person in breach to be detained in civil prison for indefinite period but not after the breach has ceased.</p>	<p>Order 39 Rule 2-A CPC clearly provides that in such situation detention in civil prison cannot exceed 'three months' and so cannot be for 'indefinite period' and, further, that the amount payable as compensation has to be determined and the balance paid back to the</p>

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	A	C	E	G		
					<p>(2) attachment of the property of the person in breach and, if the breach continues for more than one year, sell the attached property and award the entire sale proceeds to the injured party as compensation.</p> <p>(3) Both (1) and (2) are incorrect.</p> <p>(4) Both (1) and (2) are correct.</p>	party in default. Hence, it is not a rule that entire sale proceeds must necessarily be paid as compensation.
45.	109	149	174	69	<p>The leave may be granted by the civil court to deliver interrogatories</p> <p>(1) only to the defendant since the plaintiff is the master of the suit.</p> <p>(2) even if they relate to matters not in question in the suit.</p> <p>(3) notwithstanding the objection taken by the opposite party.</p> <p>(4) if it considers the same necessary for disposing of the case fairly.</p>	Order 11 Rule 1 permits both the plaintiff and defendant to deliver interrogatories on the opposite party by leave of court. The conjoint effect of Order 11 rules 2 and 6 CPC is that the court while granting leave takes into account objections of the opposite party and must decide on the relevance of the proposed interrogatories to conclude if they are “necessary either for disposing fairly of the suit or for saving costs”.
46.	110	150	175	70	<p>A decree becomes final when</p> <p>(1) it conclusively determines the rights of the parties.</p> <p>(2) no appeal has been preferred against the decree.</p> <p>(3) Both (1) and (2)</p> <p>(4) Neither (1) nor (2)</p>	The question takes into account the provision contained in Section 2(2) CPC defining “decree”, the rule of <i>res judicata</i> contained in Section 11 CPC, provisions relating to remedy of appeal, law of limitation and the scheme of Order 21 CPC.
47.	113	3	178	73	<p>Which of the following is not an essential condition for an arbitration agreement as per Section 7 of the Arbitration and Conciliation Act, 1996?</p> <p>(1) The agreement must be registered.</p> <p>(2) The agreement must be to submit to arbitration all or certain disputes which have</p>	Registration of an arbitration agreement is not essential as per section 7 of the Arbitration and Conciliation Act, 1996

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
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					<p>arisen or which may arise in respect of a defined legal relationship whether contractual or not.</p> <p>(3) The arbitration agreement must be in writing.</p> <p>(4) None of these</p>	
48.	115	5	180	75	<p>In which of the following cases it was held by the Supreme Court that Part I of the Arbitration and Conciliation Act, 1996 would have no application to International commercial arbitrations held outside India and therefore such awards would only be subject to the jurisdiction of Indian courts when the same are sought to be enforced in India in accordance with Part II of the said Act?</p> <p>(1) Bharat Aluminum Company etc. v. Kaiser Aluminum Technical Services Inc. etc. (Balco) 2012 (9) SCC 552</p> <p>(2) Bhatia International v. Bulk Trading SA and Anr 2002 (4) SCC 105</p> <p>(3) Sachin Gupta and Anr. v. K.S Forge Metal Pvt. Ltd. (2013) 10 SCC 540</p> <p>(4) Kanpur Jal Sansthan and Anr. v. Bapu Construction 2014 (1) SCALE 207</p>	See - Bharat Aluminum Company etc. v. Kaiser Aluminum Technical Services Inc. etc. (Balco) 2012 (9) SCC 552
49.	122	12	187	82	<p>Which of the following is not a quasi-contract?</p> <p>(1) Obligation of a person enjoying benefit of non-gratuitous act.</p> <p>(2) Responsibility of finder of goods</p> <p>(3) Quantum meriut</p> <p>(4) Novation</p>	Novation is a mode of discharge of a contract stated under section 62 of the Indian Contract Act, 1872 and is not a quasi-contract mentioned in sections 68-72.
50.	124	14	189	84	Inadequacy of consideration is relevant in determining the question of	Explanation 2 of section 25 of the Indian Contract Act.

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
	A	C	E	G		
					(1) fraud (2) misrepresentation (3) undue influence (4) free consent	
51.	125	15	190	85	'P' a wholesale dealer in sugar, sells sugar to 'Q' with a condition that 'Q' shall not sell the sugar beyond one kilometer of 'P's godown. The agreement is (1) valid (2) without free consent (3) in restraint of trade and thus void (4) voidable at the option of 'P'	Section 27 of the Indian Contract Act. The agreement is not covered under exceptions to section 27.
52.	126	16	191	86	While determining damages for breach of contract, which of the following are taken into account? (1) Motive (2) Indirect loss (3) Means of remedying the inconvenience caused by non-performance (4) All these	Explanation to section 73 of the Indian Contract Act.
53.	129	19	194	89	'A' contract to sing for 'B' at a concert for ₹50,000/-, which are paid in advance. 'A' is too ill to sing on the day of the concert. The consequence is (1) 'A' is bound to make compensation to 'B' for the loss of the profits which 'B' would have made if 'A' had been able to sing (2) 'A' is bound to refund to 'B' ₹50,000/- paid in advance (3) 'A' can be forced to sing at the concert (4) 'A' is bound to refund only that money out of	Based on illustration (d) of section 65 of the Indian Contract Act. Read with section 56 of the Indian Contract Act.

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
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					₹ 50,000/- that he has not spent	
54.	132	22	197	92	<p>Mark the correct answer in respect of Contract of Guarantee.</p> <p>(1) It may be in writing (2) It may be oral (3) Both (1) and (2) (4) Neither (1) nor (2)</p>	Mentioned in section 126 of the Indian Contract Act.
55.	135	25	200	95	<p>If the time of performance of contract is the essence of contract and the promisor fails to perform the contract by the specified time, the contract is</p> <p>(1) void (2) valid (3) voidable at the option of the promisee (4) infructuous</p>	<p>The query concerns the right of the promisee in the context of a promisor failing to perform his obligation under the contract by the specified time. The typographic error in option (3) where the word 'promise' has been typed instead of 'promisee' is obvious even to an average reader. The misprint is trivial in nature and does not affect the process of understanding or reasoning to answer the question by a reader who has studied law.</p> <p>It is based on Section 55(1) of the Indian Contract Act.</p>
56.	139	29	54	99	<p>'A' prosecutes 'B' for adultery with 'C', wife of 'A'. 'B' contested by denying the allegation. 'B' was found guilty and convicted in said case. Subsequently, 'C' was prosecuted on charge of bigamy on allegations that she had married 'B' during subsistence of her marriage with 'A'. 'C' contested by denying that she was ever married to 'A'. In the case against 'C', the judgment in the first case against 'B' is</p> <p>(1) relevant (2) irrelevant (3) binding</p>	Illustration (b) below Section 43 Evidence Act directly covers this question.

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
	A	C	E	G		
					(4) None of these	
57.	140	30	55	100	<p>Mark the incorrect statement.</p> <p>A court may take the assistance of expert for forming opinion on point of</p> <p>(1) foreign law (2) art (3) Both (1) and (2) (4) Neither (1) nor (2)</p>	<p>This question relates to Section 45 Evidence Act. It asks for "incorrect statement" to be chosen as the correct option. Since the first two options make correct statements of law, they cannot be the correct answers. Therefore, the correct answer is option (4).</p> <p><u>The Answer Key is corrected accordingly.</u></p>
58.	142	32	57	102	<p>'A' is on trial for the murder of 'C'. There is evidence to show that 'C' was murdered by 'A' and 'B', and that 'B' said – 'A' and I murdered 'C'. As against 'A', this evidence is</p> <p>(1) not to be taken into consideration as the evidence is hearsay (2) to be taken into consideration as it is direct (3) not to be taken into consideration as 'A' and 'B' are not being jointly tried (4) to be taken into consideration as 'A' and 'B' are accomplices</p>	<p>Illustration (b) below Section 30 Evidence Act directly covers this question.</p>
59.	143	33	58	103	<p>The essential conditions for the dying declaration to be relevant include the</p> <p>(i) statement is made by a person as to the cause of his death (ii) statement is made by a person as to any of the circumstances of the transaction which resulted in his death (iii) person must have been under expectation of death at the time of making the statement</p> <p><i>Which of the above propositions is/are correct?</i></p>	<p>Section 32(1) Evidence Act covers the question. The provision clearly states that such statement is relevant regardless of the fact whether he was at that time "under expectation of death". Thus, last statement is rendered wrong.</p>

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
	A	C	E	G		
					(1) (i) and (ii) (2) (ii) and (iii) (3) (i) and (iii) (4) All these	
60.	144	34	59	104	Which of the following statements is correct? (1) Confession caused by inducement, threat or promise flowing from person in authority, giving reasonable impression to the accused that he would thereby avoid punishment, is relevant (2) Confession by accused while in custody of police, even if made in the immediate presence of a magistrate, shall not be proved (3) The confession of the accused made while in custody of police may be proved if as a consequence of information received thereby a relevant fact is discovered (4) None of these	Section 24 Evidence Act renders confession caused by inducement, threat or promise from person in authority irrelevant. The conjoint effect of Sections 25-26 Evidence Act is that confession to a police officer or in his custody may not be proved. Section 26 carves out an exception if such confession is made in the immediate presence of a magistrate. As per Section 27, upon discovery of a relevant fact as a consequence of information received from the accused in the custody of police, only "so much of the information" as relates "distinctly to the fact thereby discovered" may be proved. Thus, it is not correct to state that the "confession" as such may be proved in such circumstances. Thus, statements in all of first three options are wrong.
61.	149	39	64	109	Which of the following is correct? (1) There is a presumption that maps of various States and Union Territories made by the Survey of India are accurate. (2) There is a presumption that map prepared by a registered architect for the purpose of a civil dispute is accurate (3) Both (1) and (2) (4) Neither (1) nor (2)	The presumption indicated in option (1) is given in Section 83 Evidence Act. The same provision (second limb) shows there is no such presumption available for maps prepared for purposes of any cause, as the accuracy thereof must be proved.
62.	151	41	66	111	In which case oral evidence cannot be given? (1) 'A' hired lodgings of 'B' and gives to 'B' a card on which he wrote "Rooms, Rs. 2000/- a	Illustration (h) below Section 92 Evidence Act directly covers this question.

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
	A	C	E	G		
					<p>month". 'A' in a suit wants to prove verbal agreement that the terms included partial board</p> <p>(2) 'A' hired lodgings of 'B' for a year. A regularly stamped agreement was drawn up by an attorney and signed by both of them. The document is silent on the subject of board. 'A' in a suit wants to prove verbal agreement that the terms included partial board.</p> <p>(3) Both in (1) and in (2)</p> <p>(4) Neither in (1) nor in (2)</p>	
63.	154	44	69	114	<p>Leading questions may be asked in examination-in-chief</p> <p>(1) with permission of the court as to matters which are introductory</p> <p>(2) if in the opinion of the court the matter involved has been already sufficiently proved</p> <p>(3) Neither (1) nor (2)</p> <p>(4) Both (1) and (2)</p>	Section 142 Evidence Act directly covers this question.
64.	155	45	70	115	<p>For deciding whether or not a witness shall be compelled to answer questions, the court shall have regard to considerations which include as to whether such questions are</p> <p>(1) proper if the truth of imputation conveyed thereby would seriously affect the opinion of the court as to the credibility of the witness on the subject matter of his deposition</p> <p>(2) improper if the truth of imputation conveyed thereby would affect in a slight degree the opinion of the court as to the credibility of the witness on the subject matter of his deposition</p>	The provisions contained in Section 148(1) and 148(2) Evidence Act directly cover the first two options.

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
	A	C	E	G		
					(3) Both (1) and (2) (4) None of these	
65.	157	47	72	117	The court may presume that (1) when a document creating an obligation is in the hands of the obligor, the obligation has been discharged. (2) judicial and official acts have not been regularly performed. (3) a bill of exchange, accepted or endorsed, was accepted or endorsed for deficient consideration. (4) All these are incorrect.	Illustrations (i), (e) and (c) below Section 114 Evidence Act directly cover the first three options.
66.	160	50	75	120	The Judge's power to put questions or order production of documents does not include authorization to (1) compel a witness to answer any question which such witness is entitled to refuse to answer if the question were asked by the adverse party (2) to ask a question which would be proper for any other person to ask (3) to elicit clarity on a point (4) None of these	Section 165 Evidence Act directly covers this question.
67.	161	51	76	121	Section 5 of the Limitation Act, 1963 does not apply to (1) suits	Combined effect of sec. 5 and sec. 29(3) of the Limitation Act

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
	A	C	E	G		
					(2) execution petitions under Order 21 CPC (3) petitions for divorce under the Hindu Marriage Act, 1956 (4) All these	
68.	163	53	78	123	In case of a suit for property which the plaintiff has conveyed while insane, the time from which the period of limitation (three years under Article 102 of the Schedule of the Limitation Act, 1963) begins to run is (1) when the plaintiff is restored to sanity (2) the date the property was conveyed (3) when the plaintiff has knowledge of the conveyance (4)Both (1) and (3)	Article 102 of the Schedule of the Limitation Act, 1963
69.	167	57	82	127	The period of limitation for preferring an appeal from a decree passed by a court subordinate to the High Court to a High Court from the date of the decree is (1) 90 days (2) 60 days (3) 30 days (4) One year	Article 116(a) of the Schedule of the Limitation Act, 1963
70.	169	59	84	129	Which of the following is correct with regard to acknowledgment of liability under Sec.18 of the Limitation Act, 1963? (1) Acknowledgement cannot be undated. (2) Acknowledgment can be made to a person other than the person entitled to the property	Explanation (a) to Sec.18 of the Limitation Act, 1963 -

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
	A	C	E	G		
					(3) Acknowledgement need not be in writing (4) Acknowledgement can be made after the expiry of the period of limitation	
71.	175	65	90	5	In which of the following cases, a partner may cease to be a partner without the dissolution of the firm? (1) Retirement (2) Insolvency (3) Death (4) All these	Combined effect of sections 32, 34 & 35 of the Indian Partnership Act
72.	176	66	91	6	A court may deny specific performance of an agreement to sell an immovable property if (1) it is of the opinion that the consideration is inadequate (2) the court feels that the contract is onerous to the defendant (3) the performance of the contract would involve hardship on the defendant which he did not foresee and non-performance would involve no such hardship on the plaintiff (4) All these	Section 20(2)(b) of the Specific Relief Act and Explanation 1 of the section
73.	178	68	93	8	'S' a shopkeeper has kept the goods for sale on the pavement outside the shop and constructed temporary overhead shed. Flying squad of NCT of Delhi demolished the temporary construction and seized the goods from the pavement, without giving him any notice. After one year, 'S' filed a suit for recovery of possession of pavement against NCT of Delhi u/s 6 of Specific Relief Act, 1963. The	Section 6(2) of the Specific Relief Act provides the period of limitation (6 months) for filling the suit and also creates the bar for filling a suit against the Government

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
	A	C	E	G		
					<p>suit is barred as filed</p> <p>(1) against the Government</p> <p>(2) after the period prescribed</p> <p>(3) without the title over the pavement</p> <p>(4) Both (1) and (2)</p>	
74.	179	69	94	9	<p>The engagement diamond ring of 'N' was stolen by 'T', a thief who sold it to 'J' a jeweller. 'N' filed a suit for recovery of ring against 'J'. 'J' contended that he is ready to pay the price of the ring. Whether the decree for recovery of diamond ring can be refused on the ground that</p> <p>(1) compensation in terms of money would be adequate relief for the loss of ring</p> <p>(2) 'J' is bonafide purchaser of ring for consideration</p> <p>(3) there is no jural relation between 'N' & 'J'</p> <p>(4) None of these</p>	<p>Provision under section 8(d) of the Specific Relief Act applies in the given facts. Therefore decree can't be refused on the grounds given in the option.</p>
75.	180	70	95	10	<p>It is the principle of law that a person who has been in long and continuous possession can protect the same by seeking injunction against any person in the whole world other than the true owner.</p> <p><i>The above statement is</i></p> <p>(1) True</p> <p>(2) False</p> <p>(3) Partly true</p> <p>(4) Partly false</p>	<p>The principle was laid down in Prataprai N. Kothari v. John Braganza; (1999)4 SCC 403 about Scope of section 6 of the Specific Relief Act</p>
76.	181	71	96	11	<p>Which of the following statements is/are correct in the</p>	<p>Article 53(1) read with Article 74(1) of Constitution.</p>

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
	A	C	E	G		
					<p>light of provisions of Article 356?</p> <p>(1) President must proclaim emergency only on the basis of a report from the Governor of the State</p> <p>(2) Governor can recommend President to proclaim emergency on the basis of personal information suggesting large scale defection of legislators</p> <p>(3) President can proclaim emergency only on the advice of Council of Ministers</p> <p>(4) All these</p>	<p>Further clarification, Shamsheer Singh v. State of Punjab, AIR, 1974 SC 2192, where S.C. has explained the way president is supposed to exercise his power under the constitution.</p> <p>Other options are not correct because:</p> <p>1) It can be on the basis of report or otherwise.</p> <p>2) Refer Rameshwar Prasad v. Union of India</p>
77.	183	73	98	13	<p>Which of the following is correct about the preamble to the Constitution of India?</p> <p>(1) It was adopted after adoption of operative Articles of Constitution.</p> <p>(2) It envisages that all citizens have fundamental rights.</p> <p>(3) It seeks to secure good livelihood to all.</p> <p>(4) It is not a part of the Constitution.</p>	<p>Constituent assembly debates or authoritative books e.g. H.K. Saharay, Constitution of India, 4th ed., p.8.</p> <p>Other options are wrong because:</p> <p>2) Nowhere fundamental rights has been referred to in preamble</p> <p>3) Not mentioned</p> <p>4) Refer Kesavananda bharati Case</p>
78.	184	74	99	14	<p>Which of the following is true about Supreme Court of India?</p> <p>(1) Supreme Court shall sit in such places, as are approved by the Chief Justice of India under intimation to the President of India.</p> <p>(2) No judgment shall be delivered by the Supreme Court save in open Court.</p> <p>(3) President of India can enlarge the jurisdiction and powers of Supreme Court.</p> <p>(4) All authorities including armed forces in the territory of India shall act in aid of the Supreme</p>	<p>Article 145(4) of Constitution.</p> <p>Other options are wrong because of content of</p> <p>1) Art. 130.</p> <p>3) Art. 138.</p> <p>4) Art.144.</p>

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
	A	C	E	G		
					Court.	
79.	186	76	101	16	<p>'Curative Petition' may be entertained by the Supreme Court in the following situation/situations</p> <p>(1) when a Judge on the Bench having heard the matter did not disclose his connection with the subject matter.</p> <p>(2) the petitioner filing the petition was not a party before the Court but has suffered a grave prejudice by the decision.</p> <p>(3) the grounds mentioned in the Curative Petition had been agitated in the Review Petition which was dismissed in circulation.</p> <p>(4) All these</p>	See Rupa Ashok Hurra v. Ashok Hurra, (2002) 4SCC 388
80.	188	78	103	18	<p>Which of the following is not a requirement under Article 311 of the Constitution while dealing with disciplinary proceedings for dismissal, removal or reduction in rank of a civil servant?</p> <p>(1) A departmental inquiry is held against the delinquent employee after serving him with the charge-sheet.</p> <p>(2) A reasonable opportunity of being heard in respect of the charges.</p> <p>(3) A reasonable opportunity of making representation on the penalty proposed.</p> <p>(4) None of these</p>	Proviso to Clause 2 of Art. 311
81.	190	80	105	20	<p>Right to form association under Article 19 (3) of the Constitution includes</p> <p>(1) Right to strike.</p>	There is a typographical error in the question, it should be Article 19 (1) (c). The mistake creates confusion and will affect the understanding of the reader.

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
	A	C	E	G		
					(2) Right to collective bargaining. (3) Right to lockout. (4) None of these	The Committee has decided to delete the question from assessment and award 01 mark to all such candidates who have appeared in the Examination.
82.	191	81	106	21	Which of the following is not a Fundamental duty under Article 51-A? (1) To abide by the Constitution and respect its ideals and institutions. (2) To value and preserve the rich heritage of our composite culture. (3) To provide opportunity of education to the child below the age of six by his parent or guardian. (4) To have compassion for living creatures.	It is between six and fourteen years, see Art. 51A (K).
83.	192	82	107	22	Which of the following is a Directive Principles of State Policy? (1) To provide paternity leave. (2) To organize Gram Sabhas. (3) To provide for participation of workers in management of industries. (4) To take steps for separation of judiciary from legislature.	See Art. 43A.
84.	193	83	108	23	Which of the following is a Fundamental Right? (1) To assemble with arms. (2) To form co-operative societies. (3) Right to employment. (4) Right of religious denominations to own immovable property only for charitable purpose.	See Art. 19(1)(c).
85.	194	84	109	24	Which of the following is a State for the purposes of	See

Sl. No.	QUESTION BOOKLET SERIES				QUESTION	REMARKS
	A	C	E	G		
					<p>Article 12?</p> <p>(1) National Council of Educational Research and Training.</p> <p>(2) Institute of Constitutional and Parliamentary Studies.</p> <p>(3) Indian Oil Corporation.</p> <p>(4) High Court of Delhi.</p>	<p>1) AIR 1992 SC 76</p> <p>2) AIR 1988 SC 469</p> <p>3) AIR 1990 SC 1031.</p> <p>4) AIR 1967 SC 1, where it has been held that judiciary is not state for the purposes of Art.12.</p>
86.	196	86	111	26	<p>Which of the following writs can be sought to be issued to quash unconstitutional appointment to a public office:</p> <p>(1) Quo-Warranto</p> <p>(2) Mandamus</p> <p>(3) Prohibition</p> <p>(4) Certiorari</p>	<p>See any treatise on writs e.g. M. P. Jain, Indian Constitutional law, 6th ed., pp 462-4.</p>
87.	199	89	114	29	<p>Which of the following is not a requirement to be satisfied by the State to exercise their discretion while providing for reservations in promotions in favour of SCs & STs?</p> <p>(1) Backwardness of the class.</p> <p>(2) Not crossing of 50% ceiling in a particular year.</p> <p>(3) Inadequacy of representation in Public Employment.</p> <p>(4) Efficiency in administration.</p>	<p>See M. Nagraj V. Union of India, (2006) 8 SCC 212. Ceiling of 50 per cent is not year based, it can be cadre based.</p>