

# CLAT 2013 Question Paper

## ENGLISH INCLUDING COMPREHENSION

**Direction for Questions 1 to 10:** Read the given passage carefully and attempt the questions that follow and shade the appropriate answer in the space provided for it on the OMR answer sheet.

It is an old saying that knowledge is power. Education is an instrument which imparts knowledge and therefore, indirectly controls power. Therefore, ever since the dawn of our civilisation, persons in power have always tried to supervise or control education. It has been handmaid of the ruling class. During the Christian era, the ecclesiastics controlled the institution of education and diffused among the people the gospel of the Bible and religious teachings. These gospels and teachings were no other than a philosophy for the maintenance of the existing society. It taught the poor man to be meek and to earn his bread with the sweat of his brow, while the priests and the landlords lived in luxury and fought duels for the slightest offence. During the Renaissance, education passed more from the clutches of the priest into the hands of the prince. In other words, it became more secular. Under the control of the monarch, education began to devise and preach the infallibility of its masters, the monarch or king. It also invented and supported fantastic theories like "The Divine right Theory" and that the king can do no wrong, etc. With the advent of the industrial revolution, education took a different turn and had to please the new masters. It now no longer remained the privilege of the baron class, but was thrown open to the new rich merchant class of the society. The philosophy which was in vogue during this period was that of "Laissez Faire"

restricting the function of the state to a mere keeping of laws and order while on the other hand, in practice the law of the jungle prevailed in the form of free competition and the survival of the fittest.

1. What does the theory "Divine Right of King" stipulate?

- A. The kings are God
- B. That the right of governing is conferred upon the kings by God
- C. They have the right to be worshipped like Gods by their subjects
- D. That the right of kings are divine and therefore sacred

2. Who controlled education during the Renaissance?

- A. The common people
- B. The prince
- C. The church and the priests
- D. None of these

3. What did the ruling class in the Christian era think of the poor man?

- A. That he is the beloved of God
- B. That he deserves all sympathy of the rich
- C. That he should be strong and lord over others
- D. That he is meant for serving the rich

4. Who controlled the institution of education during the Christian Era?

- A. The secular leaders of society
- B. The church and the priests
- C. The monarchs
- D. The common people

5. What does the word "infallibility" mean?
- A. That every man is open to error
  - B. Sensitivity
  - C. The virtue of not making mistake
  - D. That some divine power is responsible for determining the fate of the man
6. What do you mean by the "sweat of his brow"?
- A. Very hard work
  - B. The tiny droplets of sweat on the forehead
  - C. The wrinkles visible on the forehead
  - D. The sign of innocence
7. What does the policy of "Laissez Faire" stand for?
- A. Individual freedom in the economic field
  - B. State control over law and order in society
  - C. Joint control of the means of production by the state and private enterprise
  - D. Decontrol over law and order by the ruling class
8. Which of the following describes the writer?
- A. Concerned
  - B. Unconcerned
  - C. Aggressive
  - D. Frustrated
9. Choose the correct synonym out of the four choices given: Gospels
- A. Chit chat
  - B. A teaching or doctrine of a religious teacher

- C. Rumour
- D. Guidance

10. Choose the correct synonym out of the four choices given: Vogue

- A. Uncertain
- B. Out-dated
- C. The prevailing fashion or style
- D. Journey

**Direction for Questions 11 to 15:** Select the word that is spelt correctly

11. A paraphernalia  
B paraphrenalia  
C parapherenalia  
D paraphrennalia

12. A enterprenuer  
B entrepreneur  
C entrepenur  
D enteruepeur

13. A onomaetopoeia  
B onomoatopoeia  
C onomatopoeia  
D onomatopoeia

14. A hemorhage  
B haemorhhage

- C haemorrhage
- D hemoorhage

- 15. A dylexsia
- B dyslexia
- C dislexia
- D dislecsia

**Direction for questions 16 to 25:** Select the best option from the four alternatives given below and shade the appropriate answer in the space provided for it in the OMR answer sheet.

16. Unless he \_\_\_\_\_ this office, I will not say anything.

- A. Left
- B. Did not leave
- C. Leaves
- D. Had left

17. \_\_\_\_\_, I would help all the poor people.

- A. If I am rich
- B. If I was rich
- C. If I were rich
- D. In case I am rich

18. I \_\_\_\_\_ the news an hour ago.

- A. Have heard
- B. Heard
- C. Was hearing
- D. Have been hearing

19. He spoke \_\_\_\_\_ about his prospects.

- A. Confidentially
- B. Consciously
- C. Confidently
- D. Conscientiously

20. The boy is not interested in playing, \_\_\_\_\_ ?

- A. Doesn't he?
- B. Isn't he?
- C. Didn't he?
- D. Is he?

21. He told us that we should never live beyond \_\_\_\_\_ means.

- A. His
- B. Their
- C. Our
- D. Her

22. May I request \_\_\_\_\_ you again to consider my case favourably.

- A. To
- B. Onto
- C. Of
- D. No proposition required

23. Known as devout and serious person, she also has \_\_\_\_\_ sense of humour.

- A. Better
- B. Quick

- C. Good
- D. Beautiful

24. Galileo said, "The Earth \_\_\_\_\_ around the sun".

- A. Revolved
- B. Is revolving
- C. Revolves
- D. Is revolved

25. We \_\_\_\_\_ our work before the guests arrived at our house.

- A. Shall finish
- B. Have finished
- C. Had finished
- D. Shall have finished

**Direction for Questions 26 to 30:** The sentences given in each question, when properly sequenced, form a coherent paragraph. Each sentence is labelled with a letter. Choose the most logical order of sentences from among the given choices to construct a coherent paragraph. Shade the appropriate answer in the space provided for it in the OMR sheet.

26. a: People who start up their own business typically come from two extreme backgrounds: One is the business family background and the other is a steady professional family background.

b: Typically, people from different backgrounds face different kinds of basic problems.

c: The people from both the backgrounds find it very difficult to establish and manage an enterprise.

d: Starting up and managing a small business is no joke.

- A. d b c a
- B. b a c d
- C. d a c b
- D. c d a b

27. a: Venture capital is recommended as the ideal source of financing for a successfully small business.

b: Several companies including start ups have been funded by dedicated venture funds during this decade.

c: Despite this, an average Indian entrepreneur understands and appreciation of venture capital concept has been woefully inadequate.

d: In the Indian context, though venture capital has been a relatively late entrant, it has already made a reasonable impact.

- A. a b c d
- B. a d b c
- C. a c b d
- D. a d c b

28. a: Progress in diagnosis, in preventive medicine and in treatment, both medicinal and surgical, has been rapid and breathe taking.

b: Much in medicine which is not taken for granted was undreamt of even as recently as 20 years ago.

c: Presently small pox has been eradicated, poliomyelitis practically banished, tuberculosis has become curable and coronary artery disease surgically relievable.

d: The dramatic surge in the field of molecular biology and research by immunologists and geneticists has succeeded in controlling parasitic diseases like malaria and river blindness that affect millions of people round the world.

- A. b d c a
- B. b a c d
- C. b c a d
- D. b d a c

29. a: Instead, many deaths and injuries result from falling objects and the collapse of buildings, bridges and other structures.

b: Earthquakes almost never kill people directly.

c: Fire resulting from broken gas or power lines is another major danger during a quake.

d: Spills of hazardous chemicals are also a concern during an earthquake.

- A. c a b d
- B. d a c b
- C. d c a b
- D. b a c d

30. a: The Winchester or hard disk drives can store much more data than what can be stored on a floppy diskette.

b: Hard disks come sealed and they cannot be removed or changed like floppy diskettes.

c: Often floppy disk system is used in conjunction with the Winchester disk system.

d: This makes for an ideal system for secondary storage.

- A. c a b d
- B. c b d a
- C. b a c d
- D. a b c d

**Direction for Questions 31 to 35:** Given below are a few foreign language phrases which are commonly used. Choose the correct meaning for each of the phrases and shade the appropriate answer in the space provided for it in the OMR sheet.

31. El Dorado

- A. An imaginary place
- B. High altitude
- C. A literary man
- D. A country full of gold and precious stones

32. quantum ramifactus

- A. The amount of damage suffered
- B. The amount of damage caused
- C. The amount of damage paid
- D. The amount of damage received

33. Corpus delicti

- A. Fake evidence of an offence
- B. Hearsay evidence of an offence
- C. Lack of evidence of an offence
- D. An evidence which constitute an offence

34. Vis-a-vis

- A. Direct
- B. Opposite
- C. Face to face
- D. Agree

35. Carte blanche

- A. Complete authority
- B. Issue the warrant
- C. No authority
- D. Lack of authority

**Direction for Questions 36 to 40:** Choose the explanation that catches the spirit of the idiom given in each question.

36. To blaze a trail:

- A. To set on fire
- B. To blow the trumpet
- C. To initiate work in a movement
- D. To be hopeful

37. A snake in the grass:

- A. A secret or hidden enemy
- B. An unreliable person
- C. Unforeseen happening
- D. A dangerous enemy

38. Have too many irons in the fire:

- A. Engaged in too many enterprises at the same time
- B. Facing too many problems at the same time
- C. Said or done too many things at the same time
- D. To incite the feeling amongst the people

39. A fair weather friend:

- A. A friend who is fair to us at all the times

- B. A friend who deserts us in difficulties
- C. A friend whom we love the most
- D. A friend who loves us the most

40. A Panacea:

- A. An injection that serves as a life line
- B. A lecture full of precepts
- C. A strong drug that induces sleep
- D. A single cure for all diseases or troubles

### **ELEMENTARY MATHEMATICS (NUMERICAL ABILITY)**

41  $\frac{2}{3}$  is a rational number whereas  $\frac{\sqrt{2}}{\sqrt{3}}$  is

- A. Also a rational number
- B. An irrational number
- C. Not a number
- D. A natural periodic number

42 Greatest number which divides 926 and 2313, leaving 2 and 3 remainders, respectively, is

- A. 52
- B. 54
- C. 152
- D. 154

43 A single discount equivalent to a discount series 15% and 5% is

- A. 32%
- B. 20%

- C. 10%
- D. 8.5%

44 By selling a cycle for Rs. 2345, a student loses 19%. His cost price is nearly

- A. Rs. 4000
- B. Rs. 5000
- C. Rs. 3000
- D. Rs. 3500

45 Diagonals of a rhombus are 1 meter and 1.5 meter in lengths. The area of the rhombus is

- A. 0.75 m<sup>2</sup>
- B. 1.5 m
- C. 1.5 m<sup>2</sup>
- D. 0.375 m<sup>2</sup>

46 An angle in a semi circle is

- A.  $\pi$
- B.  $\pi/4$
- C.  $\pi/2$
- D.  $2\pi$

47 In a school for midday meal food is sufficient for 250 students for 33 days, if each student is given 125 gm meals. 80 more students joined the school. If same amount of meal is given to each student, then the food will last for

- A. 20 days
- B. 40 days

- C. 30 days
- D. 25 days

48 In a school of 500 students, 102 students can read Hindi and Tamil both, 200 students can read only Hindi. The students who can read Tamil are

- A. 98
- B. 402
- C. 302
- D. 300

49 The value of  $k$  for which  $kx+3y-k+3 = 0$  and  $12x+ky = k$ , have infinite solutions, is

- A. 0
- B. -6
- C. 6
- D. 1

50 Table shows the daily expenditure on food of 25 households in a locality:

Rs. 100-150	150-200	200-250	250-300	300-350	Households
4	5	12	2	2	

The mean daily expenditure on food is

- A. Rs. 111
- B. Rs. 161
- C. Rs. 211
- D. Rs. 261

51 A box contains 24 marbles, some are green and others are blue. If a marble is drawn at random from the jar, the probability that it is green is  $\frac{2}{3}$ . The number of blue balls in the jar is

- A. 13
- B. 12
- C. 16
- D. 8

52 The population of a city is 250 thousand. It is increasing at the rate of 2% every year. The growth in the population after 2 years is

- A. 2500
- B. 10000
- C. 252000
- D. 10100

53 If a point  $(x, y)$  in a OXY plane is equidistant from  $(-1,1)$  and  $(4,3)$  then

- A.  $10x+4y = 23$
- B.  $6x+4y = 23$
- C.  $-x+y = 7$
- D.  $4x+3y = 0$

54 Sum of first 15 multiples of 8 is

- A. 960
- B. 660
- C. 1200
- D. 1060

55 A rod of 2 cm diameter and 30 cm length is converted into a wire of 3 meter length of uniform thickness. The diameter of the wire is

- A.  $2/10$  cm
- B.  $2/\sqrt{10}$  cm

- C.  $\frac{1}{\sqrt{10}}$  cm
- D.  $\frac{1}{10}$  cm

56 Two straight poles of unequal length stand upright on a ground. The length of the shorter pole is 10 meters. A pole joins the top of the two vertical poles. The distance between the two tops is 5 meters. The distance between the poles along the ground is 4 meter. The area thus formed by the three poles with the ground is

- A. 52 meter<sup>2</sup>
- B. 46 meter<sup>2</sup>
- C. 20 meter<sup>2</sup>
- D. 50 meter<sup>2</sup>

57 Pipe A can fill a tank in 10 hours and pipe B can fill the same tank in 12 hours. Both the pipes are opened to fill the tank and after 3 hours pipe A is closed. Pipe B will fill the remaining part of the tank in

- A. 5 hours
- B. 4 hours
- C. 5 hours 24 minutes
- D. 3 hours

58 A ground  $100 \times 80$  meter<sup>2</sup> has two cross roads in its middle. The road parallel to the length is 5 meter wide and the other road is 4 meter wide, both roads are perpendicular to each other. The cost of laying the bricks at the rate of Rs. 10 per m<sup>2</sup>, on the roads, will be

- A. Rs. 7000
- B. Rs. 8000
- C. Rs. 9000
- D. Rs. 10000

59 If selling price of 10 articles is equal to cost price of 11 articles, then gain is

- A. 8%
- B. 9%
- C. 8.5%
- D. 10%

60 Angles of a quadrilateral are in the ratio 3:4:5:8. The smallest angle is

- A. 54°
- B. 72°
- C. 36°
- D. 18°

### **GENERAL KNOWLEDGE AND CURRENT AFFAIRS**

61 The Headquarter of European Union is situated in

- A. England
- B. Germany
- C. France
- D. Belgium

62 India in 2008 successfully put CHANDRAYAAN-1 into its initial orbit by

- A. PSLV- C12
- B. PSLV- C11
- C. PSLV-14
- D. GSLV-D3

63 Vishwanathan Anand retained the World Chess Championship in 2012 by defeating Boris Gelfand. Mr. Gelfand belongs to

- A. Israel
- B. Russia
- C. Poland
- D. USA

64 Kapilvastu Relics (fragments of Lord Buddha's bone), for the second time in 114 years, recently travelled from India to

- A. China
- B. Sri Lanka
- C. Myanmar
- D. Japan

65 Dr. Norman Borlaugh is famous as father of the Green Revolution in 1960s. His initial goal was to create varieties of wheat adapted to the climate of

- A. Mexico
- B. India
- C. USA
- D. China

66 A feature 'Bluetooth' now common in mobile phones, gets its name from a

- A. Chinese 10th Century King
- B. UK Software Company
- C. Greek Goddess
- D. Danish 10th Century King

67 Which pair of states does not touch each other

- A. Meghalaya, Manipur

- B. Chhattisgarh, U.P.
- C. Rajasthan, Punjab
- D. J.K., H.P.

68 Baglihar dam, is constructed on river

- A. Ravi
- B. Chenab
- C. Indus
- D. Sutlej

69 Navjivan Trust was instituted with the objectives of propagating peaceful means of attaining third Swaraj, by

- A. Mohan Das Karam Chand Gandhi
- B. Lala Lajpat Rai
- C. Bal Gangadhar Tilak
- D. Dr. Ambedkar

70 World Cup Football 2014 and Olympics 2016 will be held in

- A. USA
- B. Brazil
- C. Russia
- D. South Africa

71 In 2012-13, India's target is to restrict the fiscal deficit to x % of the GDP, where x is

- A. 10
- B. 8.3
- C. 15
- D. 5.1

72 POSCO steel project to come up but being strongly protested by the people is located in

- A. Chhattisgarh
- B. Jharkhand
- C. Odisha
- D. Andhra Pradesh

73 Bharat Ratna and Padma Awards in our country were instituted in the year

- A. 1952
- B. 1954
- C. 1962
- D. 1964

74 Who was crowned the Miss World 2012 on August 18, 2012?

- A. Ms. Jessica Kahawaty
- B. Ms. Wenxia Yu
- C. Ms. Vanya Mishra
- D. Ms. Sophie Moulds

75 Vishwaroopam is a 2013 Tamil spy thriller film written, directed and co-produced by \_\_\_\_\_ who also enacts the lead role.

- A. Prakash Raj
- B. Rajni Kant
- C. Kamal Haasan
- D. Chiranjeevi

76 Vijay Kumar, who clinched a silver medal in London Olympics in 2012 is associated with

- A. Boxing
- B. Shooting
- C. Weight Lifting
- D. Wrestling

77 Sushil Kumar who won a silver medal in London Olympics in 2012 is associated with

- A. Shooting
- B. Boxing
- C. Wrestling
- D. Weight lifting

78 How many medals did India win in London Olympics 2012?

- A. 3
- B. 4
- C. 5
- D. 6

79 The present Pope chosen in March 2013 hails from which country?

- A. Brazil
- B. Mexico
- C. Argentina
- D. Panama

80 The first person to set foot on the moon on July 20, 1969 and who died on Aug. 25, 2012 was

- A. Nevil Armstrong
- B. Neil Armstrong

- C. Gagan Narang
- D. Michael Phelps

81 In which place, on Feb 21, 2013, two powerful explosive devices planted on bicycles had exploded in Andhra Pradesh?

- A. Dilrubnagar
- B. Dilsukhnagar
- C. Dilkushnagar
- D. Dilshaknagar

82 On which date Maha Kumbh Mela started in Prayag this year?

- A. 14-1-2013
- B. 1-1-2013
- C. 26-1-2013
- D. 4-1-2013

83 On which date International Women's Day is celebrated?

- A. 18th March
- B. 8th March
- C. 28th March
- D. 18th Feb

84 Duration of which Five Year Plan was 2007-2012

- A. X
- B. XII
- C. IX
- D. XI

85 As per census 2011, which State has the lowest sex ratio (877:1000)?

- A. Punjab
- B. Haryana
- C. Uttar Pradesh
- D. Bihar

86 Hugo Chavez who died on March 5, 2013 after losing his battle with cancer, was the President of which country?

- A. Argentina
- B. Cuba
- C. Brazil
- D. Venezuela

87 Carlos Slim, who tops the list of world's wealthiest people, for the fourth year in a row, belongs to which country?

- A. USA
- B. England
- C. Mexico
- D. Germany

88 In the name P. Chidambaram, the present Union Finance Minister, what does 'P' stands for?

- A. Palghat
- B. Pallakudi
- C. Palaniappan
- D. Perumal

89 The earlier name of which city was New Amsterdam?

- A. Chicago

- B. California
- C. Washington D.C.
- D. New York City

90 The grant of Diwani of Bengal, Bihar and Orissa is associated with

- A. Nawab Shuja-ud-Daula
- B. Nawab Asif-ud-Daula
- C. Shah Alam I
- D. Shah Alam II

91 Where did Kuchipudi, an eminent dance form, originate?

- A. Kerala
- B. Andhra Pradesh
- C. Uttar Pradesh
- D. Tamil Nadu

92 Light Year is the unit of

- A. Time
- B. Distance
- C. Light
- D. None of these

93 The leaning tower of Pisa does not fall because

- A. It is tapered at the top
- B. It covers a large base area
- C. Its C.G. is inside the tower
- D. The vertical line passing through the C.G. of the tower falls within its base

94 "Paradise Regained" was written by

- A. John Milton
- B. Michel Angelo
- C. John Keats
- D. Lord Byron

95 Which is the richest temple in India?

- A. Balaji Temple of Tirupathi
- B. Padmanabha Swamy Temple of Thiruvananthapuram
- C. Shirdi Sai Baba Temple
- D. Jagannatha Temple of Puri

96 Who founded the Red Cross?

- A. Henry Dunant
- B. Alexander
- C. James Cook
- D. Bismark

97 World Literacy Day is celebrated on

- A. 5th September
- B. 6th September
- C. 8th September
- D. None of these

98 South African Paralympics icon Oscar Pistorius has been accused of killing

- A. Julia Kamp
- B. Reeva Steenkamp
- C. Pistorius Kamp
- D. Shakeera Kamp

99 In the month of March, 2013 the Supreme Court of India issued a notice that the ambassador of the following country shall not leave India without the permission of the Supreme Court

- A. Germany
- B. Maldives
- C. Italy
- D. Nepal

100 The Constitution (One Hundred Seventeenth Amendment) Bill, 2012 makes provisions regarding

- A. Reservation in matters of promotions for Scheduled Castes and Scheduled Tribes
- B. Reservation in matters of appointments for Scheduled Castes and Scheduled Tribes
- C. Reservation in matters of appointments and promotions for Scheduled Castes and Scheduled Tribes
- D. None of the above

101 The number of High Courts in India is

- A. 18
- B. 24
- C. 21
- D. 28

102 The last British Emperor of India was

- A. King George I
- B. King George III
- C. King George V
- D. King George VI

103 Palaeolithic period is also known as

- A. Mesolithic Age
- B. Late Stone Age
- C. Old Stone Age
- D. Neolithic Age

104 Capital of India was transferred from Calcutta to Delhi in the year

- A. 1901
- B. 1911
- C. 1921
- D. 1922

105 The chairman of Fundamental Rights Sub-Committee of the Constituent Assembly was

- A. Rajendra Prasad
- B. B.R. Ambedkar
- C. Jawaharlal Nehru
- D. J.B. Kripalani

106 The Environment Protection Act was passed by the Parliament of India in the year

- A. 1976
- B. 1986
- C. 1996
- D. 2006

107 International Year of Biodiversity is/was/will be

- A. 2010
- B. 2011

C. 2012

D. 2014

108 The first Shaka king in India was

A. Rudradaman

B. Menadar

C. Maues

D. Damanrudra

109 Potential Energy is described by the expression:

A.  $PE = mgh$

B.  $PE = ngh$

C.  $PE = oph$

D.  $PE = pph$

110 Where was 16th NAM Summit held?

A. Tehran

B. Mehran

C. Turban

D. Bagdad

## LOGICAL REASONING

**Direction for Questions 111 to 113:** Answer the following questions based on the statements given below:

i. There are 3 poles on each side of the road.

ii. These six poles are labelled A, B, C, D, E and F.

iii. The poles are of different colours namely Golden, Silver, Metallic, Black,

Bronze and White.

- iv. The poles are of different heights.
- v. E, the tallest pole, is exactly opposite to the Golden colours pole.
- vi. The shortest pole is exactly opposite to the Metallic coloured pole.
- vii. F, the Black coloured pole, is located between A and D.
- viii. C, the Bronze coloured pole, is exactly opposite to A.
- ix. B, the Metallic coloured pole, is exactly opposite to F.
- x. A, the White coloured pole, is taller than C but shorter than D and B.

111 What is the colour of the pole diagonally opposite to the Bronze coloured pole?

- A. White
- B. Silver
- C. Metallic
- D. Golden

112 Which is the second tallest pole?

- A. A
- B. D
- C. B
- D. Cannot be determined

113 Which is the colour of the tallest pole?

- A. Golden
- B. Silver
- C. Bronze
- D. None of these

**Directions for questions 114 and 115:** Answer the questions on the basis of the information given below:

The head of a newly formed Government desires to appoint five of the six elected ministers P, Q, R, S, T and U to portfolios of Foreign, Industry and Commerce, Agriculture, Rural Development and Human Resources. U does not want any portfolio if S gets one of the five. R wants either Foreign or Human Resources or no portfolio. Q says that if S gets Industry and Commerce or Rural Development then she must get the other one. T insists on a portfolio if P gets one.

114 Which of the following is a valid assignment

- A. P- Foreign, Q- Industry and Commerce, R- Agriculture, S- Rural Development, T- Human Resources
- B. R- Foreign, S- Industry and Commerce, P- Agriculture, Q- Rural Development, T- Human Resources
- C. P- Foreign, Q- Industry and Commerce, T- Agriculture, S- Rural Development, U- Human Resources
- D. Q- Foreign, U- Industry and Commerce, T- Agriculture, R- Rural Development, P- Human Resources

115 If P gets Foreign and R gets Human Resources, then which is NOT a valid assignment of Agriculture and Rural Development

- A. S- Agriculture, Q- Rural Development
- B. U- Agriculture, Q- Rural Development
- C. Q- Agriculture, T- Rural Development
- D. Q- Agriculture, S- Rural Development

**Direction for Questions 116 to 120:** In each of the following questions, a related pair of words is followed by four pairs of words or phrases. Select the pair that best expresses a relationship similar to the one expressed in the question pair.

116 Action : Reaction

- A. Introvert : Extrovert
- B. Assail : Defend
- C. Diseased : Treatment
- D. Death : Rebirth

117 Sorrow : Misery

- A. Love : Obsession
- B. Amity : Harmony
- C. Happiness : Joy
- D. Enemy : Hatred

118 Drama : Audience

- A. Brawl : Vagabonds
- B. Game : Spectators
- C. Art : Critic
- D. Movie : Actors

119 Nuts : Bolts

- A. Nitty : Gritty
- B. Bare : Feet
- C. Naked : Clothes

D. Hard : Soft

120 Book : Author

A. Rain : Flood

B. Light : Switch

C. Symphony : Composer

D. Song : Music

**Directions for questions 121 to 125:** Each question contains a statement on relationship and a question regarding relationship based on the statement. Select the correct option.

121 Moni is daughter of Sheela. Sheela is wife of my wife's brother. How Moni is related to my wife?

A. Cousin

B. Niece

C. Sister

D. Sister-in-law

122 Annu is daughter of my mother's brother Abahi. Pari is grand daughter of my mother. Pari should call Annu as

A. Maternal Aunt

B. Sister

C. Cousin

D. Niece

123 Markandey is Rajiv's mother's father. Markandey has three brothers. One of them has grandson Abahi. Rajan is son of Abahi. Rajan is related to Rajiv as

A. Brother

- B. Nephew
- C. Cousin
- D. Uncle

124 Deepak said to Nitin, "That boy playing with the football is the younger of the two brothers of the daughter of my father's wife". How is the boy playing football related to Deepak?

- A. Son
- B. Brother
- C. Cousin
- D. Brother-in-law

125 Pointing to a woman in the photograph, Rajesh said, "The only daughter of her grandfather is my wife". How is Rajesh related to that woman?

- A. Uncle
- B. Father
- C. Maternal Uncle
- D. Brother

**Direction for Questions 126 to 130:** Read the information given below to answer the questions.

- i. Kareena's dieting schedule consists of having only one fruit on a given day of the week.
- ii. Dietician has prescribed banana, papaya, pomegranate, apple and grape from Sunday to Friday, one day being a fasting day. Kareena cannot eat any fruit on Saturday.
- iii. Pomegranate day is neither on the first day nor on the last day but earlier than the papaya day.

- iv. Apple day is on the immediate next day of papaya day.
- v. Banana day is on the immediate previous day of the fasting day.
- vi. Apple day and grape day must have a gap of two days between them.
- vii. Grape day is the day immediately following the fasting day.

126 Which of the following is the fasting day?

- A. Monday
- B. Tuesday
- C. Wednesday
- D. Thursday

127 Banana day and apple day have a gap of how many days between them?

- A. One
- B. Two
- C. Three
- D. Four

128 Which day is grape day?

- A. Monday
- B. Tuesday
- C. Thursday
- D. Sunday

129 Which day is pomegranate day?

- A. Sunday
- B. Monday
- C. Tuesday
- D. Wednesday

130 Which of the following is the correct statement?

- A. Apple day is after papaya day.
- B. Banana day is on Wednesday.
- C. Fasting day is on Tuesday.
- D. Papaya day is earlier than banana day.

**Direction for Questions 131 to 135:** Each question contains one statement and two courses of action I and II. Assuming the statements to be true, decide which of the two courses of action most logically follows.

**Code:**

- A. If only I follows.
- B. If only II follows.
- C. If either I or II follows.
- D. If neither I nor II follows.

131 Statement: Indian children are very talented but are instead weak in science and mathematics.

I: Teaching and textbooks are not available in mother language.

II: Education based on experiments in both the subjects is lacking.

131-A

132 Statement: Despite of child labour laws, children can be seen working in hotels, shops, houses, very frequently.

I: The government should not make such laws which cannot be enforced.

II: A proper education system for the primary level particularly for lower caste community may eradicate this problem.

132-B

133 Statement: Kyoto protocol on environment is signed by almost every country of the world.

I: As a result air, water and soil pollution have come down.

II: Increasing production of automobiles, refrigerators and fertilisers do not affect our environment.

133-D

134 Statement: School dropout rate is very high in the rural areas as children support their parents in income earning activities.

I: Public awareness programme on primary education should be expanded immediately to educate parents.

II: Compensation is not a remedy.

134-A

135 Statement: Smoking is one of those human weaknesses which tend to test the will power of the smoker of the edge.

I: It is very difficult for the smoker to give up smoking even if they want to do so.

II: Human beings have other weaknesses as well

135-D

**Direction for Questions 136 to 140:** Complete the series by choosing the correct option.

136 0, 1, 1, 2, 3, 5, 8, 13, 21, ?

A. 34

B. 35

C. 33

D. 36

137 A -10, E -15, I -20, M -25,.....

- A. Q-5
- B. Q-30
- C. P-30
- D. R-30

138 17, 36, 74, 150, ? , 606

- A. 250
- B. 303
- C. 300
- D. 302

139 2, 1, 4, 3, 6, 5, 8, ?

- A. 9
- B. 10
- C. 7
- D. 8

140 1, 4, 27, 256. ?

- A. 625
- B. 3125
- C. 3025
- D. 1225

**Direction for Questions 141 to 145:** In each question below are given two statements numbered I and II.

You have to take the two given statements as true even if they seem to be at variance with commonly known facts. Read all the conclusions and then

decide which of the given conclusions logically follow from the given statements, disregarding commonly known facts.

141 I: All vegetables have gravy.

II: All lunch has vegetable.

- A. All lunch has gravy.
- B. All gravy has lunch.
- C. Both (A) and (B).
- D. None of the above

142 I: Karan Johar is a good director.

II: Directors are intelligent.

- A. All intelligent are directors.
- B. Karan Johar is intelligent.
- C. Both (A) and (B).
- D. None of the above

143 I: Some blues are green.

II: Pink is green

- A. Some blue is pink.
- B. Some green is pink.
- C. If either (A) or (B) follows.
- D. Some pinks are blues.

144 I: All boys are tall.

II: All Punjabi are tall.

- A. All boys are Punjabi.
- B. Some boys are Punjabi.

- C. Both of the above.
- D. None of the above.

145 I: All girls go to the college.

II: Rina does not go to the college.

- A. Rina is not a girl.
- B. Going to college is not essential to be a girl.
- C. Rina is a girl.
- D. None of the above.

**Direction for Questions 146-150:** Read the information given below to answer the questions. A, B, C, D, E, F, G and H want to have a dinner on a round table and they have worked out the following seating arrangements.

- i. A will sit beside C
- ii. H will sit beside A
- iii. C will sit beside E
- iv. F will sit beside H
- v. E will sit beside G
- vi. D will sit beside F
- vii. G will sit beside B
- viii. B will sit beside D

146 Which of the following is wrong?

- A. A will be to the immediate right of C
- B. D will be to the immediate left of B
- C. E will be to the immediate right of A
- D. F will be to the immediate left of D

147 Which of the following is correct?

- A. B will be to the immediate left of D
- B. H will be to the immediate right of A
- C. C will be to the immediate right of F
- D. B will be to the immediate left of H

148 A and F will become neighbours if:

- A. B agrees to change her sitting position
- B. C agrees to change her sitting position
- C. G agrees to change her sitting position
- D. H agrees to change her sitting position

149 During sitting:

- A. A will be directly facing C
- B. B will be directly facing C
- C. A will be directly facing B
- D. B will be directly facing D

150 H will be sitting between:

- A. C and B
- B. A and F
- C. D and G
- D. E and G

## **LEGAL APTITUDE**

This section consists of fifty (50) questions. Each question consists of legal propositions/ principles (hereinafter referred to as 'principle') and facts.

These principles have to be applied to the given facts to arrive at the most

reasonable conclusion. Such principles may or may not be true in the real sense, yet you have to conclusively assume them to be true for the purposes of this section. In other words, in answering the following questions, you must not rely on any principles except the principles that are given herein

The objective of this section is to test your interest towards study of law, research aptitude and problem solving ability even if the “most reasonable conclusion” arrived at may be unacceptable for any other reason. It is not the objective of this section to test your knowledge of law.

151:

Principle: When an offer is accepted by a person to whom it is made, it becomes a promise. But this promise will become legally binding only when the acceptance of the offer is unconditional.

Facts: Ram makes an offer to sell his house to Shyam for Rs.50 lacs. Shyam accepts this offer but wants to pay the price of the house in five quarterly instalments. Ram does not agree to it. Thereafter Shyam agrees to pay the price of the house in the way as originally desired by Ram. But Ram does not reply to it. Can Shyam compel Ram to sell his house to him?

- A. Shyam can compel Ram to sell his house because Shyam ultimately agrees to pay the price as originally desired by Ram
- B. Shyam can compel Ram to sell his house because Shyam in the first instance substantially complied with the desire of Ram
- C. Shyam can compel Ram to sell his house because Ram’s offer does not exclude the payment of price in instalments
- D. Shyam can not compel Ram to sell his house because Shyam imposes a new condition about payment of price of the house while accepting the offer which is not ultimately accepted by Ram.

152:

Principle: Generally an agreement without consideration is not valid.

Therefore, in order to make a valid agreement, some consideration which may have some value in the eyes of law, is essentially required.

Facts: William has an old car of which he makes seldom use. He voluntarily enters into an agreement with Smith to sell this car for rupees ten thousand. Thereafter one Anson approaches William and offers to buy that car for rupees one lac as the car was one which Anson has been searching for long. Now William wants to cancel his agreement with Smith and refuses to deliver the car to him saying that consideration (price) for the car promised by Smith is negligible and, therefore, agreement with him can not be said to be valid one.

- A. William can cancel his agreement with Smith as the consideration involved in that is really inadequate.
- B. William can not cancel his agreement with Smith as the sale of car for rupees ten thousand was voluntary and this price has some value in the eyes of law.
- C. William can cancel his agreement with Smith as he was ignorant about the value / price of the car for which it could be sold.
- D. William can cancel his agreement with Smith as he is entitled to get full market value/price of his car.

153

Principle: In order to be illegible to appear in the semester examination, a student is required to attend, under all circumstances, at least 70% of the total classes held in that semester as per University rules.

Facts: Anand, an economically poor but a very brilliant student of LL.B. final semester, while going to his University by cycle received some leg injuries in

road accident. Consequently Anand could not attend his classes for one week as he was advised rest by his doctor for that period. Due to this absence from the University, Anand failed to have 70% attendance essential to appear in the examination and, therefore, he was debarred from appearing in the examination by the University authorities. Anand challenges this decision in the court of law

- A. Anand will succeed in the court of law as the accident was beyond his control
- B. Anand will definitely get favour of the court on humanitarian ground as he comes from a economically poor family and may not afford to take readmission
- C. Anand will not succeed as he could very easily fulfill eligibility criteria for appearing in the examination by being reasonably regular in the class throughout the semester.
- D. Anand will succeed as requirement of 70% attendance may be declared arbitrary and, therefore, unreasonable by the court of law.

154

Principle: A seller of goods cannot transfer better rights than he himself possesses in the goods sold to the buyer.

Facts: Komal leaves his watch by mistake on a seat in the park. Sonal finds that watch and immediately sells the same for good price to Monal who without inquiring whether Sonal is its owner or not. Komal later on claims that watch from Monal. Decide whether Komal can succeed?

- A. Komal cannot succeed as Monal has paid good price of the watch.
- B. Komal cannot succeed as Monal is unaware of the fact that Sonal is not its owner.
- C. Komal can not succeed as it was his carelessness and nothing else which

enabled Sonal to sell the watch to Monal.

D. Komal can not succeed as Sonal is merely finder of the watch and, therefore, cannot transfer ownership rights thereon to Monal.

155

Principle: All citizens shall have the Fundamental Right to carry on any occupation, trade or business. But reasonable restrictions on the exercise of such rights can be imposed by law in the interest of the general public.

Facts: A large number of persons had been carrying on the business of dyeing and printing in Rajkot area for the last 25 years providing employment to about 30000 families. From these business places untreated dirty water was being discharged on the roads thereby causing damage to the public health. A notice, therefore, was given to close this business till necessary measures to protect public health as provided under the environmental statutes were taken by those business men.

A. Notice can not be justified as it will cause loss of employment to 30000 families.

B. Notice can not be justified as it amounts to violation of the fundamental right of the persons who have been carrying on the business for the last 25 years.

C. The notice can not be justified on the ground of damage to public health as the persons in that area have been voluntarily residing for long and have become used to that environment.

D. The notice can be justified as the right to business is not absolute and reasonable restriction can be imposed by law in the interest of the public.

156.

Principle: A Contract can not be enforced by or against a person who is not a party to it. However, where some benefit is conferred on third party by the

contract itself, there third party can be allowed to enforce that contract to get such benefit.

Facts: Dinesh is liable to pay Rs. 50000/- to Suresh. In order to discharge this liability Dinesh enters into a contract with Ramesh by which Dinesh sells his car to Ramesh for Rs. 1 lac. Ramesh takes the delivery of the car and promises/ assures to pay its price at the earliest. Dinesh separately informs Suresh about this contract for his satisfaction. Ramesh fails to pay the car's price. Suresh wants to join Dinesh in filing suit against Ramesh for the recovery of price of the car. Whether Suresh is entitled to do so?

- A. Suresh is entitled to do so because the contract was made for his benefit.
- B. Suresh is entitled to do so because Dinesh is liable to him and discharge of this liability depends upon the payment of the price of the car by Ramesh.
- C. Suresh is not entitled to do so because liability of Dinesh does not depend upon any assurance of Ramesh
- D. Suresh is not entitled to do because he is not a party to the contract between Dinesh and Ramesh.

157

Principle: If a contract is made by post between two persons living in two different cities, then the contract is said to be complete as soon as the letter of acceptance is properly posted, and the place of completion of the contract is that city where acceptance is posted. It is worth mentioning here that in every contract there is always an offer from one party and the acceptance of the offer from the other party.

Facts: Sani, a resident of Patna, gives an offer by post to sell his house for Rs. 25 lacs to Hani, a resident of Allahabad. This offer letter is posted on 1st January 2013 from Patna and reaches Allahabad on 7th January 2013. Hani accepts this offer and posts the letter of acceptance on 8th January 2013

from Allahabad which reaches Patna on 16th January 2013. But Sani presuming that Hani is not interested in accepting his offer, sells his house to Gani at same price on 15th of January, 2013. Hani files a suit against Sani for the breach of contract in the competent court of Allahabad. Whether Hani will succeed?

- A. Hani can not succeed as Sani can not be compelled by law to wait for the answer from Hani for an indefinite period of time.
- B. Hani can not succeed as he could use some other effective and speedy mode for communicating his acceptance in minimum possible time
- C. Hani can succeed as he properly posted the letter of acceptance and the delay was beyond his control
- D. Hani can succeed as contract became complete in the eyes of law on the date of posting the letter of acceptance

158

Principle: He, who goes to the court of law to seek justice, must come with clean hands.

Facts: P enters into a contract with S under which S has to construct a house for P and has to complete the same within one year from the date of the contract. This contract includes two very important terms. According to first term if there is price hike of the materials to be used in the construction, then the escalation charges at a particular rate shall be payable by P to S. According to second term if the construction of the house is not completed within the period prescribed for it, then S will have to pay penalty at a particular rate to P. Before the completion of the construction work the workers of S go on strike and strike continues up to three months even after the expiry of one year. After that period workers return and the construction work again starts. During the last three months period of strike

there was a considerable rise in the price of the building material. S claimed escalation cost from P. P did not agree to it. S filed a suit in the court of law either to order the payment of the price of the building material on the basis of escalated price or to allow him to stop the work without incurring any penal liability towards P.

A. S will succeed as strike by his workers was unexpected and beyond his control.

B. S can succeed as there is an escalation clause in the contract

C. S can not succeed as he has failed to complete the construction work in time and strike can not be treated as a valid excuse for delay in work.

D. S can succeed if he pays penalty to P for delay.

159

Principle: If the object of an agreement is or becomes unlawful or immoral or opposed to public policy in the eyes of law, then the courts will not enforce such agreements. Law generally prohibits Child labour.

Facts: P enters into an agreement with T by which P has to let his house to T for two years and T has to pay Rs. 20000.00 per month to P as rent. T starts a child care centre in that house. But after some time in order to earn some money for the maintenance of the centre, T starts sending the children of the centre on the rotation basis to work for four hour a day in some nearby chemical and hazardous factories. When P comes to know about this new development, he asks T either to stop the children from working in factories or to leave his house immediately. T neither agrees to leave the house nor to stop the children from working in the factories. P files a suit in the court of law for appropriate relief/ action

A. P can not succeed as the agreement was for the two years and it can not be terminated before the expiry of that period

- B. P can not succeed as the object at the time of making of the agreement was not clear
- C. P will succeed as the object of the agreement has become unlawful.
- D. P will not succeed if T agrees to share the wages of the children with P

160

Principle: whosoever by his act or omission causes environmental pollution shall be held liable for any loss caused by such pollution. It shall be no defence in such cases that all due diligence or reasonable care was taken while carrying out the act or omission in question.

Facts: Hari is carrying on a chemical and fertilizer industry near a bank of a river. In order to prevent and control any kind of harm to the environment, suitable waste treatment and disposal plants were installed in the factory. Due to some sudden mechanical/ technical problem, these plants ceased to work properly and, therefore, caused environmental pollution, which ultimately caused substantial harm to the environment and to the people living around the factory. Victims of such pollution file a suit for suitable remedy.

- A. Victims can not succeed as necessary precautions to prevent any harm were taken by Hari.
- B. Victims can not succeed as the mechanical/ technical problem was sudden and, therefore, beyond the control of Hari.
- C. Victims can succeed as it is the duty of Hari to see that no harm is caused to the environment/ people due to his activity under any circumstances.
- D. Victims could succeed if treatment/ disposal plant were not installed in the factory

161

Principle: If a person transfers movable or immovable property with its full

ownership and without any consideration to some other person, then it is called a gift.

Facts: S, who has no child of his own, makes a gift of his house worth Rs. 25 lacs to his nephew R. After completing all the legal formalities required for a valid gift, S says to R that in case of need R will provide that house to S for use without any questions. R does not react to it. After one year of this gift, S really needs that house and request R to make the house available to him, but R refuses to do so.

- A. R cannot refuse as he got the house without paying any consideration for that.
- B. R cannot refuse as S is without children.
- C. R can refuse as he has become full owner of the house.
- D. R can refuse as he himself may be in need of that house.

162

Principle: An agreement to do an act impossible in itself cannot be enforced by a court of law.

Facts: Ramesh agrees with his girl friend Shilpa to pluck stars from the sky through his extraordinary will power, and bring them down on earth for her within a week. After the expiry of one week, Shilpa filed a suit for damages against Ramesh for the breach of contract as Ramesh failed to perform his promise.

- A. Shilpa can succeed in getting damages as Ramesh has deceived her.
- B. Ramesh cannot be held liable as he honestly believes that his love for Shilpa is true and, therefore, he will succeed in his endeavour.
- C. The court cannot entertain such suits as the act promised under the agreement is impossible in itself.
- D. Ramesh can be held liable for making an absurd promise.

163

Principle: An agreement may be oral or written. However, if a law specifically requires that an agreement must be in writing then the agreement must be in writing. A law specifically requires that the agreements relating to transfer of the copyright in novel between an author of a novel and the producer of a motion picture must be in writing.

Facts: The author of a novel, Love at Lost Sight, had several rounds of discussion with a producer of motion picture regarding making of a motion picture based on Love at Lost Sight. During the last discussion, they decided to make a motion picture on Love at Lost Sight. The producer made a motion picture on Love at Lost Sight after making a payment of Rs. 10, 00,000/- (Ten Lac Only) in cash to the author who happily accepted this amount as full and final payment. Later on, on the advice of his lawyer, the author brought a case in a court of law against the producer on the ground that there is no written agreement between the producer and him.

- A. The author is likely to succeed in the case as the agreement is not in accordance with the law
- B. The author cannot succeed in the case as he has given his consent to the agreement
- C. The author is not likely to succeed in the case because he has already accepted the amount of Rs. 10,00,000/- as full an final payment
- D. The author can succeed in the case as the consideration is not adequate

164

Principle: A person is said to be of sound mind for the purpose of making a contract if, at the time when he makes it, he is capable of understanding it and of forming a rational judgment as to its effect upon his interest.

Facts: X who is usually of sound mind, but occasionally of unsound mind enters into a contract with Y when he (X) is of unsound mind. Y came to know about this fact afterwards and now wants to file a suit against X.

- A. X cannot enter into contract because he is of unsound mind when he entered into contract.
- B. X can enter into contract but the burden is on the other party to prove that he was of unsound mind at the time of contract.
- C. X can enter into contract but the burden is on X to prove that he was of sound mind at the time of contract.
- D. None of these.

165

Principle: Whosoever commits any act forbidden by the Indian Penal code with a view to obtain the consent of any person to enter into an agreement, he cannot get the agreement enforced by law but the person whose consent has been so obtained may get the agreement enforced by law. The Indian Penal code defines various offences and prescribes punishments therefor.

Facts: A obtains the consent of B to enter into an agreement by an act amounting to criminal intimidation under the Indian Penal Code. A brings a case against B for performance of agreement.

- A. A will succeed in the case
- B. A may succeed in the case
- C. B will succeed in the case
- D. B will not succeed in the case

166

Principle: A contract between the father and his son is a contract of utmost good faith. In such a type of contract law presumes that at the time of entering into the contract

the father was in a position to dominate the will of his son. Where one of the parties was in position to dominate the will of the other party, the contract is enforceable only at the option of the party whose will was so dominated.

Facts: Ram had advanced a sum of Rs. 10,000/- to his minor son Shyam. When Shyam became major, his father Ram misused his parental position and entered into an agreement with Shyam and obtained a bond from him for a sum of Rs. 30,000 in respect of the advance. Whether this agreement is enforceable?

- A. The agreement is enforceable against Shyam only for Rs. 10,000/-, the actual amount of money advanced to him
- B. The agreement is enforceable against Shyam for Rs. 30,000/- because he has signed the bond
- C. The agreement is enforceable against Shyam because he was major at the time of agreement.
- D. The agreement is not enforceable against Shyam because Ram has misused his position as father to obtain an unfair advantage.

167

Principle: When at the desire of one person, any other person has done or abstained from doing something, such act or abstinence or promise is called a consideration for the promise. Only a promise coupled with consideration is enforceable by law.

Facts: X, the uncle of Y, made a promise to pay him an amount of Rs. 10,000/- as reward if Y quits smoking and drinking within one year. X also deposited the above mentioned amount in a bank and informed Y that the said amount will be paid to him if he quits smoking and drinking within one year. Within a period of six months of making the promise X died. After the expiry of one year of making the promise by X, Y made a request to the

legal heirs of X demanding the promised money. The legal heirs of X declined the request of Y.

- A. The promise of X to Y is enforceable by law because Y has quit smoking and drinking
- B. The promise of X to Y is not enforceable by law because Y has benefited by quitting smoking and drinking
- C. The promise of X to Y is enforceable by law because the amount of Rs. 10, 000/- has been deposited in a bank
- D. The promise of X to Y is enforceable by law because X has died within a period of six months of making the promise

168

Principle: 'Work' means literary work, artistic work, dramatic work, musical work, cinematographic film and sound recording but does not include acting in a cinematographic film. Only the works, as enumerated above, can be protected under copyright law.

Facts: A very famous actor acted in a cinematographic film. The actor was also the producer and director of cinematographic film.

- A. The acting of the actor can be protected under copyright law
- B. The acting of the actor can be protected under copyright law only as an artistic work
- C. The acting of the actor cannot be protected under copyright law
- D. The acting of the actor cannot be protected under copyright law as a cinematographic film

169

Principle: In case where the government is a party, the government shall be the first owner of the copyright in the work unless there is an agreement to the contrary.

Facts: The Government of the State of X entered into an agreement with a retired Professor of Botany. The Professor agreed to write a text book on Botany. The Government agreed to pay a sum of Rs. Ten Lacs to the Professor for this work.

- A. The Government of the State of X shall be first owner of copyright in the text book
- B. The Professor shall be first owner of copyright in the text book
- C. Both the Government of the State of X and the Professor shall be the joint owners of copyright in the text book
- D. The Professor shall be first owner of copyright in the text book only if he refuses to accept the amount of Rs. Ten Lacs from the Government

170

Principle: Licence is an agreement whereby the owner of the copyright agrees to grant an interest in the copyright to the licensee. Assignment is an agreement whereby the owner of the copyright transfers all the property rights to the assignee. Property right is a bundle of rights consisting of right to possess, right to use, right to alienate, and the right to exclude others.

Facts: A, an owner of copyright in a cinematographic film enters into an agreement with B, a film distributor. B agrees to distribute the film only in Mumbai. A also enters into many such agreements with other distributors for distribution of his film in other cities.

- A. The agreement between A and B is more in the nature of assignment than in the nature of licence
- B. The agreement between A and B is more in the nature of licence than in the nature of assignment
- C. The agreement between A and B is both in the nature of assignment and licence

D. The agreement between A and B is neither in the nature of assignment nor in the nature of licence

171

Principle: Qui facit per alium facit per se, i.e. he who does things through others does it himself.

Facts: Nisha, the owner of a car, asked her friend Saurabh to take her car and drive the same to her office. As the car was near her office, it hit a pedestrian Srikant on account of Saurabh's negligent driving and injured him seriously. Now Srikant files a suit for damages against Nisha.

- A. Nisha is not liable as it was the negligence of Saurabh.
- B. Saurabh is solely liable as Nisha was not driving the car.
- C. Nisha is liable as Saurabh was driving under her authority and for her purpose.
- D. Saurabh will be exempted from liability under the principle of inevitable accident.

172

Principle: Words describing quality of things cannot be registered as trade mark. However, such words may be registered as trade mark if they acquire a secondary meaning. Words acquire secondary meaning when people start associating the descriptive words with a person specific.

Facts: A hatchery located in Raipur is owned by 'X'. X has been using the slogan "new laid eggs sold here" since 1970 to describe the quality of eggs sold in his hatchery. Over a period of time because of continuous use of this slogan, people started associating this slogan with X. X filed an application for registration of the words "new laid eggs" as trade mark in the year 1970.

- A. The words will be registered as trade mark
- B. The words will not be registered as trade mark

- C. The words may be registered as trade mark
- D. The words may not be registered as trade mark

173.

Principle: Whoever takes away anything from the land of any person without that person's consent is said to commit theft. A thing so long as it is attached to the earth is not the subject of theft; but it becomes capable of being the subject of theft as soon as it is severed from the earth.

Facts: Y cuts down a tree standing on the land of X with the intention of dishonestly taking the tree out of X's possession without the consent of X. But Y is yet to take away the tree out of X's possession.

- A. Y has committed theft as soon as he came to the land of X
- B. Y has committed theft as soon as the tree has been completely cut down by him
- C. Y has committed theft as soon as he has started cutting down the tree
- D. Y has not committed theft because he is yet to take away the tree out of X possession

174

Principle: *res ipsa loquitur* i.e. the thing speaks for itself.

Facts: Seema got herself operated for the removal of her uterus in the defendant's hospital, as there was diagnosed to be a cyst in one of her ovaries. Due the negligence of the surgeon, who performed the operation, abdominal pack was left in her abdomen. The same was removed by a second surgery.

- A. Surgeon cannot be held responsible because it is merely a human error.
- B. Surgeon can be held responsible but Seema will have to prove in the court of law that the surgeon was grossly negligent.
- C. Surgeon will be responsible and Seema need not to prove surgeon's

negligence because presence of abdominal pack in her abdomen is sufficient proof therefor.

D. None of the above

175

Principle: Whoever takes away with him any minor person less than sixteen years of age if a male, or less than eighteen years of age if a female out of the keeping of parents of such minor person without the consent of such parent, is said to kidnap such minor person.

Facts: A female born on January 01, 1995 got admitted to an undergraduate program of a reputed University on July 01, 2012. She became friendly with one of the boys, born on June 01, 1994, of her class. The boy and the girl decided to marry. The parents of the boy agreed but the family of the girl did not agree. On December 15, 2012 the girl made a call from her Blackberry to the boy.

The girl told the boy to come in his car at a particular place and time. The boy reached the stipulated place before the stipulated time. He waited there for about half an hour. The girl reached the stipulated place. She opened the door of the car and sat beside the boy who was on the driving seat. Without exchanging any pleasantries, the boy drove the car to an unknown place. The father of the girl lodged an FIR in the nearest police station on January 20, 2013.

- A. The boy has committed the offence of kidnapping
- B. The boy has not committed the offence of kidnapping
- C. The boy has not committed the offence of kidnapping for there is a delay in filing the FIR
- D. The boy has not committed the offence of kidnapping because the girl was his classmate

176

Principle: Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal shall be punished.

Facts: Two adult men were found engaged in carnal intercourse by the police. The police arrested the men and produced them before the Court.

- A. Court will punish the police officer who arrested the men
- B. Court will not punish the men for they were adults
- C. Court will punish the men
- D. Court may be requested to declare the law unconstitutional.

177

Principle: Wherever the causing of a certain effect, or an attempt to cause that effect, by an act or by an omission, is an offence, it is to be understood that the causing of that effect partly by an act and partly by an omission is the same offence.

Facts: A intentionally omitted to give food to his father. He also used to beat his father. Consequently A's father died.

- A. A did not commit any offence
- B. A committed only the offence of omitting to give food to his father
- C. A committed only the offence of beating of his father
- D. A committed the offence of killing of his father

178

Principle: Nothing is an offence which is done by a child under seven years of age.

Facts: A, a child born on January 01, 2005 killed another child 'B' on December 30, 2011.

- A. A has committed no offence.
- B. A has committed the offence as it is heinous crime

C. Killing of one child by another child is not an offence

D. A has not committed the offence for on the date of killing of B, A was a minor

179

Principle: A pact, other than a pact to commit suicide, to suffer any harm is not an offence, provided the age of the person who has given his consent to suffer harm is above eighteen years.

Facts: A enters into a pact with B, a boy of less than 18 years of age, to fence with each other for amusement. They agreed to suffer any harm which, in the course of such fencing, may be caused without foul play.

A. A, while playing fairly, hurts B, A commits no offence

B. A, while playing only unfairly, hurts B, A commits an offence

C. A, while playing fairly, hurts B, A commits an offence

D. A, while playing unfairly, hurts B, A commits no offence

180

Principle: When an act, which would otherwise be an offence, is not that offence by reason of the youth, the want of maturity of understanding, the unsoundness of mind or the intoxication of the person doing that act, every person has the same right of private defence against that act which he would have if the act were that offence. Nothing is an offence which is done in the exercise of the right of private defence.

Facts: A, under the influence of madness, attempts to kill B. B in order to save his life causes grievous hurt to A.

A. A has committed an offence

B. A has not committed an offence

C. B has committed an offence

D. B has not committed any offence

