

General and Commercial Laws – C.S. Executive Level – Objective Questions with Answers

1. The rule of _____ must be applied with great caution because; it implies a departure from the natural meaning of words.
2. _____ should not be given which would make other provisions redundant.
3. _____ is required for a criminal act.
4. The doctrine of _____ is really a doctrine for the interpretation of statutes, under which the court will presume that the legislature while granting a drastic power must intend that it should be fairly exercised.
5. Apart from the intrinsic aids, such as preamble and purview of the act, the Court can consider resources outside the Act, called the _____.
6. According to the rule of _____, the words of a statute must be construed ut res magis valeat quam pareat, so as to give sensible meaning to them.
7. Where the meaning of the statute is clear, there is no need for _____.
8. The essential purpose of a limitation period is to place a _____ on the period within which a party can commence legal proceedings.
9. Evidence under the act may be either _____ or _____.
10. If a limitation period has expired for a particular claim, the claim will be _____.
11. The period of _____ years under Section 6 of this Act has to be counted, not from the date of attainment of majority by the person under disability, but from the date of cessation of minority or disability.
12. The statute of limitation is not unconstitutional since it applies to _____ in future.
13. The Law of _____ bars the remedy in a court of law only when the period of limitation has expired, but it does not extinguish the right that it cannot be enforced by judicial process.

14. The time required for obtaining a copy of the award shall be _____
15. A period of _____ years is prescribed as a limitation period for various kinds of suits relating to immovable property, trusts and endowments.
16. Period of leave to appeal as a pauper from the date of the decree is _____ days when application for leave to appeal is made to the High Court.
17. An _____ is a declaration sworn or affirmed before a person competent to administer an oath.
18. _____ and admissibility are co-extensive or interchangeable terms.
19. Two fundamental rules on which the law of evidence is based are;
- no facts other than those _____ should be admitted in evidence and,
 - all facts having rational probative value are admissible in evidence unless _____ by a positive rule of paramount importance.
20. _____ means the document itself produced for the inspection of the Court.
21. _____ means every fact that it would be necessary for the plaintiff to prove in order to support his right to the judgement of the court.
22. _____ means a guilty mind.
23. A _____ means an offence which is shown as bailable in the First Schedule or which is made by any other law for the time being in force.
24. _____ means an offence for which, and “_____ case” means a case in which, a police officer may, in accordance with the First Schedule or under any other law for the time being in force, arrest without warrant.
25. ‘Non-cognizable’ offence means an offence for which, and ‘non-cognizable’ case means a case in which, a police officer has no authority to arrest without _____
26. An _____ is granted by the High Court or a Court of Session, to a person who apprehends arrest for having committed a non-bailable offence, but has not yet been arrested.

27. A _____ is issued either for appearance or for producing a document or thing which may be issued to an accused person or witness.
28. For the purpose of enabling the police to start investigation, it is open to the Magistrate to direct the police to register an _____
29. Where a case relates to two or more offences of which at least one is cognizable, the case shall be deemed to be a cognizable case, notwithstanding _____
30. Continuing offence – In the case of a continuing offence, a fresh period of limitation begins to run at every moment during _____
31. _____ means every fact that it would be necessary for the plaintiff to prove in order to support his right to the judgement of the Court. In other words, a 'judgement' is the decision of a Court of justice upon the respective rights and claims of the parties to an action in a suit submitted to it for determination.
32. The doctrine of _____ that is, bar or restraint on repetition of litigation of the same issues. It is a pragmatic principle accepted and proved in law that there must be a limit or end to litigation on the same issues.
33. If the defendant fails to file the written statement within the prescribed period of _____ days, he is allowed to file the same on such other days as specified by the Court for reasons to be recorded in writing but not later than ninety days from the date of service of summons.
34. If the plaintiff is absent and the defendant is present at the hearing of the suit, the Court shall make an order for the dismissal of the suit, unless the defendant admits the claim of the plaintiff in thereof in which case the Court shall pass a decree in favour of the plaintiff in accordance with the admission of the defendant and shall dismiss the suit to the extent _____
35. An affidavit is a written statement of the deponent on oath duly affirmed before any _____ or Magistrate or any Oath Commissioner appointed by the Court or before the _____
36. _____ is the enforcement of decrees or orders of the Court.

37. The defendant is _____ entitled to defend the suit unless he enters an appearance within _____ days from the service of summons in case of a summary suit.
38. The summary suit must be brought within _____ year from the date on which the debt becomes due and payable whereas the period of limitation for suits for ordinary cases under negotiable instrument is three years.

Solutions:

1. ejusdem generis
2. Interpretation
3. Guilty mind
4. natural justice
5. extrinsic/external aids
6. Reasonable Construction
7. presumptions
8. time limit
9. oral, personal
10. statute-barred
11. three years
12. right of action
13. limitation
14. excluded
15. 12 years
16. 60 days
17. affidavit
18. Relevancy
19. a. having rational value; b. excluded
20. Primary evidence
21. Cause of action
22. Mens rea
23. bailable offence
24. Cognizable offence, cognizable
25. warrant
26. anticipatory bail
27. Summon
28. FIR (First Information Report)
29. that the other offences are non-cognizable
30. which the offences continues
31. Cause of action
32. Res Judicata
33. 30 days
34. of the remainder
35. Court, Notary Public
36. Execution
37. not, 10
38. one