Prepp
Your Personal Exams Guide

AIBE 14 Unofficial Answer Key PDF (Sep 15, 2019)

Q1. **Correct Answer: D**

In India, consideration may move from the promisee or any other person under Section 2(d) of the Indian Contract Act.

Q2. **Correct Answer: D**

Collateral transactions to wagering agreements are valid because only wagering agreements are void under Section 30 of the Indian Contract Act.

Q3. **Correct Answer: D**

The term "holder" includes payee, bearer, and endorsee under the Negotiable Instruments Act.

Q4. **Correct Answer: B**

Under the Dissolution of Muslim Marriage Act, 1939, failure of marital obligations for 3 years is a ground for dissolution.

Q5. **Correct Answer: A**

The concept of Curative Petition was introduced in *Rupa Ashok Hurra v. Ashok Hurra*.

Q6. **Correct Answer: B**

M.H. Hoskot v. State of Maharashtra recognized free legal aid as a Fundamental Right under Article 21.

Q7. **Correct Answer: D**

The case relates to acknowledgement of paternity under Muslim law.

Q8. **Correct Answer: A**

In *Shayara Bano v. Union of India (2017)*, Triple Talaq was declared unconstitutional.

Q9. **Correct Answer: A**

Mesne profits are profits actually received or which might have been received by wrongful possession together with interest.

Q10. **Correct Answer: C**

A creditor is not treated as a legal representative under CPC.

Q11. **Correct Answer: B**

Public Interest Litigation relaxes the rule of *locus standi*.

Q12. **Correct Answer: A**

Kesavananda Bharati v. State of Kerala was not a Public Interest Litigation case.

Q13. **Correct Answer: A**

A Senior Advocate may make concessions on behalf of the client on instructions from a junior advocate.

Q14. **Correct Answer: A**

"Ubi Jus Ibi Remedium" means where there is a right, there is a remedy.

Q15. **Correct Answer: A**

"Injuria Sine Damnum" means infringement of a legal right without actual damage.

Q16. **Correct Answer: A**

Sections 165–175 of the Motor Vehicles Act deal with Claims Tribunals.

Q17. **Correct Answer: D**

Rule of Law includes equality before law, supremacy of law, and predominance of legal spirit.

Q18. **Correct Answer: C**

The writ of Quo Warranto is used to remove an illegal occupant from a public office.

Q19. **Correct Answer: A**

Writ of Certiorari is issued against judicial and quasi-judicial bodies.

Q20. **Correct Answer: C**

In *Parmanand Katara v. Union of India*, the Supreme Court held that every doctor must provide immediate medical aid to injured persons.

Q21. **Correct Answer: (C)**
In *Parmanand Katara v. Union of India*, the Supreme Court held that every doctor must provide immediate medical aid to injured persons without waiting for legal formalities.

Q22. **Correct Answer: (A)**
The term "decree" under Section 2(2) CPC means the formal expression of an adjudication conclusively determining the rights of parties.

Q23. **Correct Answer: (B)**
Under the Code of Civil Procedure, an appeal generally lies from every original decree passed by a competent court unless expressly barred.

Q24. **Correct Answer: (D)**
Temporary injunctions are granted to prevent irreparable injury and maintain status quo until final disposal of the suit.

Q25. **Correct Answer: (C)**
A caveat is filed to ensure that no order is passed by the court without hearing the caveator.

Q26. **Correct Answer: (A)**
The doctrine of res judicata prevents re-litigation of matters already decided by a competent court.

Q27. **Correct Answer: (B)**
A review petition may be filed when there is discovery of new evidence or an apparent error on the face of the record.

Q28. **Correct Answer: (D)**
An ex parte decree may be set aside if the defendant shows sufficient reason for non-appearance before the court.

Q29. **Correct Answer: (A)**
Order 39 CPC deals with temporary injunctions and interlocutory orders.

Q30. **Correct Answer: (C)**
A mandatory injunction directs a person to perform a legal duty or restore a previous condition.

Q31. **Correct Answer: (B)**
Specific performance is an equitable remedy that compels a party to fulfill contractual obligations.

Q32. **Correct Answer: (D)**
Under the Limitation Act, limitation generally bars the remedy but not the right itself.

Q33. **Correct Answer: (A)**
Legal aid aims to provide equal justice and free legal services to weaker sections of society.

Q34. **Correct Answer: (C)**
Public Interest Litigation allows any public-spirited individual to approach the court for protection of public rights.

Q35. **Correct Answer: (B)**
Judicial review enables courts to examine the constitutional validity of legislative and executive actions.

Q36. **Correct Answer: (D)**
The doctrine of separation of powers distributes authority among legislature, executive, and judiciary.

Q37. **Correct Answer: (A)**
Natural justice includes fair hearing and absence of bias in decision-making.

Q38. **Correct Answer: (C)**
Audi Alteram Partem means "hear the other side" and is a basic principle of natural justice.

Q39. **Correct Answer: (B)**
The writ of Habeas Corpus is issued to release a person who is unlawfully detained.

Q40. **Correct Answer: (D)**
Article 14 of the Constitution guarantees equality before law and equal protection of laws.

Q41. **Correct Answer: (A)**
A second appeal under Section 100 of the CPC is maintainable only on a substantial question of law formulated by the High Court.

Q42. **Correct Answer: (D)**
Unauthorized use of a registered trademark, misleading advertisement, or use as a business name all amount to trademark infringement.

Q43. **Correct Answer: (A)**
Under Section 307 IPC, a life convict attempting murder and causing hurt may be punished with death or imprisonment for life.

Q44. **Correct Answer: (A)**
Residuary legislative powers in India are vested in Parliament under Article 248 of the Constitution.

Q45. **Correct Answer: (D)**
The IPC prescribes punishments including death, imprisonment for life, rigorous imprisonment, simple imprisonment, forfeiture of property, and fine.

Q46. **Correct Answer: (B)**
The M'Naghten Rules are the basis of the law relating to insanity as a defence in criminal law.

Q47. **Correct Answer: (C)**
Authentication by use of asymmetric crypto systems and hash functions is known as a digital signature.

Q48. **Correct Answer: (C)**
Section 66F of the Information Technology Act provides punishment for cyber terrorism with imprisonment which may extend to life imprisonment.

Q49. **Correct Answer: (D)**
Section 2(j) of the Industrial Disputes Act defines industry broadly to include business, trade, manufacture, service, employment, and industrial occupation.

Q50. **Correct Answer: (A)**
Section 13(1) of the Hindu Marriage Act incorporates the fault theory of divorce by providing matrimonial fault-based grounds.

Q51. **Correct Answer: (C)**
A dependent can enforce maintenance rights against a transferee if the transfer was gratuitous or the transferee had notice of such rights.

Q52. **Correct Answer: (C)**
The Central Administrative Tribunal cannot entertain Public Interest Litigation because its jurisdiction is limited to service matters.

Q53. **Correct Answer: (B)**
Preventing a person from leaving a building by threats amounts to wrongful confinement under the IPC.

Q54. **Correct Answer: (C)**
Using a dog to attack or threaten another person intentionally amounts to use of criminal force.

Q55. **Correct Answer: (A)**
Causing cattle to enter another person's field and damage crops constitutes mischief under the IPC.

Q56. **Correct Answer: (C)**
The Constitution of India borrowed the concept of judicial review from the Constitution of the United States of America.

Q57. **Correct Answer: (B)**
Articles 20 and 21 remain enforceable even during a national emergency.

Q58. **Correct Answer: (C)**
Section 36(2) of the Advocates Act empowers the Bar Council of India to withdraw disciplinary proceedings from a State Bar Council.

Q59. **Correct Answer: (B)**
The High Court has the authority to punish for contempt of the National Company Law Tribunal.

Q60. **Correct Answer: (C)**
A vested interest is not dependent on an uncertain condition. Marriage to a specific person is uncertain; therefore, it is not a vested interest.

Q61. **Correct Answer: (C)**
Copyright subsists even in government works under the Copyright Act. Therefore, the statement that there is no copyright in government work is incorrect.

Q62. **Correct Answer: (C)**
In civil cases, character evidence is generally irrelevant unless the character itself is directly in issue.

Q63. **Correct Answer: (A)**
Primary evidence means the original document itself produced before the court for inspection.

Q64. **Correct Answer: (D)**
The Consumer Protection Act, 1986 came into force on 24th December 1986.

Q65. **Correct Answer: (D)**
Section 2(1)(d) of the Consumer Protection Act, 1986 defines the term "Consumer."

Q66. **Correct Answer: (A)**
Article 265 of the Constitution provides that no tax shall be levied or collected except by authority of law.

Q67. **Correct Answer: (D)**
Sections 60 to 65 of the Income Tax Act deal with inclusion of income of other persons in the assessee's total income.

Q68. **Correct Answer: (A)**
Under Article 249, Parliament can legislate on matters in the State List in national interest if the Rajya Sabha passes a resolution.

Q69. **Correct Answer: (B)**
In *Gian Kaur v. State of Punjab*, the Supreme Court held that the right to life under Article 21 does not include the right to die.

Q70. **Correct Answer: (D)**
The Speaker of the Lok Sabha decides whether a bill is a Money Bill or not.

Q71. **Correct Answer: (D)**
Under the Tenth Schedule, decisions regarding disqualification on grounds of defection are taken by the Presiding Officers of the Houses.

Q72. **Correct Answer: (B)**
In *Bharat Aluminium Company v. Kaiser Aluminium Technical Services Inc.*, the Supreme Court held that an international commercial arbitration has its juridical seat outside India.

Q73. **Correct Answer: (D)**
Section 29 of the Hindu Succession Act, 1956 deals with escheat.

Q74. **Correct Answer: (B)**
A foreign award is an award passed in an arbitration seated outside India.

Q75. **Correct Answer: (B)**
Section 18(a) of the Hindu Marriage Act provides punishment for marriage within prohibited relationship when custom does not permit it.

Q76. **Correct Answer: (D)**
Section 16 of the Hindu Marriage Act declares children from void marriages as legitimate.

Q77. **Correct Answer: (B)**
Section 50 CrPC obligates the police officer to inform the arrested person about the grounds of arrest and right to bail.

Q78. **Correct Answer: (D)**
The court may order attachment of property if the absconding person is disposing of or removing any part of his property.

Q79. **Correct Answer: (C)**
The inherent powers under Section 482 CrPC can only be exercised by the High Court.

Q80. **Correct Answer: (B)**
Under Section 108 of the Indian Evidence Act, if a person has not been heard of for seven years, the presumption is that the person is dead.

Q81. **Correct Answer: (A)**
Under the Indian Evidence Act, evidence given by a dumb witness through writing or signs in open court is treated as oral evidence.

Q82. **Correct Answer: (A)**
Bank books are private records and therefore are not public documents under the Indian Evidence Act.

Q83. **Correct Answer: (D)**
The Land Acquisition Act, 1894 came into force on the first day of April, 1894.

Q84. **Correct Answer: (D)**
A Court of Session may pass any sentence authorized by law, but a death sentence must be confirmed by the High Court.

Q85. **Correct Answer: (D)**
For a foreign judgment to be conclusive, it should not be from a court in an enemy country lacking competent jurisdiction.

Q86. **Correct Answer: (C)**
The primary purpose of the Factories Act, 1948 is to ensure safety, health, and welfare of workers employed in factories.

Q87. **Correct Answer: (D)**
In *Sunderambal v. Government of Goa*, the Supreme Court held that teachers are not workmen under the Industrial Disputes Act.

Q88. **Correct Answer: (A)**
Under Section 2(cc) of the Industrial Disputes Act, closure means permanent closing down of a place of employment or part thereof.

Q89. **Correct Answer: (A)**
A reference is made when a subordinate court seeks the opinion of the High Court on a question of law during pendency of a case.

Q90. **Correct Answer: (D)**
A review petition may be filed in all the circumstances mentioned under Order 47 Rule 1 CPC.

Q91. **Correct Answer: (D)**
Revision is not available where first appeal, second appeal, or interlocutory orders are involved.

Q92. **Correct Answer: (B)**
The effect of "not negotiable" crossing is provided under Section 130 of the Negotiable Instruments Act.

Q93. **Correct Answer: (C)**
Section 16 of the Negotiable Instruments Act defines indorsement in full and indorsement in blank.

Q94. **Correct Answer: (A)**
Liability under Section 138 of the Negotiable Instruments Act is based on strict liability.

Q95. **Correct Answer: (D)**
The Land Acquisition Act, 1894 was enacted to amend the law relating to acquisition of land for public purposes and companies.

Q96. **Correct Answer: (B)**
Section 41 CrPC empowers police officers to arrest a person without warrant in specified circumstances.

Q97. **Correct Answer: (C)**
Under the Criminal Procedure Code, a murder case is triable by a Court of Session.

Q98. **Correct Answer: (B)**
Articles of Association deal with the internal management and affairs of a company.

Q99. **Correct Answer: (A)**
The Public Liability Insurance Act was enacted in 1991.

Q100. **Correct Answer: (D)**
Environmental Impact Assessment (EIA) is mandatory under the Environment Protection Act.