

# FEDERAL PUBLIC SERVICE COMMISSION



## COMPETITIVE EXAMINATION FOR RECRUITMENT TO POSTS IN BS-17 UNDER THE FEDERAL GOVERNMENT, 2013 LAW, PAPER-I

Roll Number

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<b>TIME ALLOWED:</b>	<b>(PART-I MCQs) 30 MINUTES</b>	<b>MAXIMUM MARKS: 20</b>
<b>THREE HOURS</b>	<b>(PART-II) 2 HOURS &amp; 30 MINUTES</b>	<b>MAXIMUM MARKS: 80</b>
<b>NOTE: (i) First attempt PART-I (MCQs) on separate OMR Answer Sheet which shall be taken back after 30 minutes.</b>		
<b>(ii) Overwriting/cutting of the options/answers will not be given credit.</b>		

### PART-I ((MCQs) (COMPULSORY)

**Q.1. (i) Select the best option/answer and fill in the appropriate Circle ● on the OMR Answer Sheet. (20x1=20)**  
**(ii) Answers given anywhere, other than OMR Answer Sheet, shall not be considered.**

1. Presumption upon the production of any certified copy of a foreign judgment mean:  
(a) Judgement was pronounced by a court of competent jurisdiction.  
(b) Foreign judgment needs to be proved in evidence.  
(c) Both (a) and (b) (d) None of these
2. Every suit shall be instituted in the court of:  
(a) Civil Judge (b) Lowest grade competent to try (c) Court of higher grade (d) None of these
3. A decree may be executed by the court:  
(a) Which passed it. (b) Which sent it for execution. (c) Both (a) and (b) (d) None of these
4. The court on the application of the decree holder, order execution of the decree by:  
(a) Delivery of any property specifically decreed.  
(b) Attachment and sale or by sale without attachment of any property.  
(c) Both (a) and (b) (d) None of these
5. Subject to conditions and limitation as prescribed any court may state a case and sent to the High Court for its opinion called:  
(a) Review (b) Revision (c) Reference (d) None of these
6. Nothing in CPC deemed to limit or affect the inherent power of the court to make such orders as may be necessary:  
(a) For the ends of justice or to prevent abuse of the process of court.  
(b) To maintain the power and hierarchy of the court.  
(c) To secure the plaintiffs right. (d) None of these
7. The plaint shall be rejected:  
(a) Where it does disclose a cause of action.  
(b) Where the relief claimed is under valued and plaintiff, failed to correct the valuation within prescribed time fixed by court.  
(c) Both (a) and (b) (d) None of these
8. Where a judge has vacated office after pronouncing judgment but without signing of decree, a decree drawn up in accordance with such judgment may be signed by:  
(a) Sending the same to the same judge who pronounced judgment.  
(b) His successor or if the court ceased to exist by, the Judge of any court to which such court was subordinate.  
(c) Both (a) and (b) (d) None of these
9. Every promise and every set of promises, forming the consideration of each other is:  
(a) Contract (b) Agreement (c) Offer (d) None of these
10. Acceptance of the proposal is said to be when/or:  
(a) Acceptance of any consideration for a reciprocal promise which may be offered with a proposal.  
(b) Performance of the conditions of a proposal. (c) Both (a) and (b) (d) None of these
11. In a contract of reciprocal promises no promisor need to perform his promise unless:  
(a) The promisee is ready and willing to perform his promise.  
(b) The promisor has to show his good intention and perform his promise.  
(c) The promisee and promisor has to sign a surety bond in order to fulfil their promises.  
(d) None of these
12. The original contract between the parties need not to be performed when the parties to a contract:  
(a) Agree to substitute a new contract. (b) Agree to rescind (c) Both (a) and (b) (d) None of these

## **LAW, PAPER-I**

13. When anything delivered to a person by mistake, he must:  
(a) Sell it and pay the proceed to sender. (b) Return it to the sender  
(c) Wait for the sender to contact him, if not, can keep it. (d) None of these
14. When a contract has been broken, the party who suffers by such breach is entitled for:  
(a) Damages (b) Compensation for loss or damage  
(c) Renewed contract along with damages (d) None of these
15. A sufficient consideration to the surety for giving the guarantee is considered, when for the benefit of principal debtor.  
(a) Anything is done (b) Any promise is made (c) Both (a) and (b) (d) None of these
16. A tort is a civil wrong, for which the remedy is an action for:  
(a) Compensation (b) Un liquidated damages (c) Both (a) and (b) (d) None of these
17. Maxim Ubi Jus Ibi remedium mean:  
(a) Wrong with remedy. (b) Action of wrong with remedy.  
(c) There is no wrong without a remedy. (d) None of these
18. Corporation is an artificial Juristic person, against it certain torts cannot be committed, such as:  
(a) Assault or false imprisonment (b) Capacity to sue and be sued  
(c) Negligence and misrepresentation (d) None of these
19. Release of one joint tort feisor:  
(a) May not have actionable affect on others (b) Releases all others  
(c) Both (a) and (b) (d) None of these
20. Extinction of liability in tort may take place on:  
(a) Waiver, Accord and Satisfaction, Death (b) Release, Judgement and Statutes of the Limitation  
(c) Both (a) and (b) (d) None of these

## **PART-II**

- NOTE:** (i) **Part-II** is to be attempted on the separate **Answer Book**.  
(ii) Candidate must write **Q. No.** in the **Answer Book** in accordance with **Q. No.** in the **Q. Paper**.  
(iii) Attempt **ONLY FIVE** questions from **PART-II**, selecting at least **ONE** question from **EACH SECTION. ALL questions carry EQUAL marks**.  
(iv) Extra attempt of any question or any part of the attempted question will not be considered.

### **SECTION-A (CIVIL PROCEDURE CODE)**

- Q.2. Write notes on the following:- (4 each) (16)  
(a) Code and Rule (b) SET OFF  
(c) Preliminary and final decree (d) Precept
- Q.3. Explain the term "Garnishee". What is Garnishee Order? (16)
- Q.4. What does inherent power of the court mean with reference to section 151 of CPC? (16)

### **SECTION-B (THE CONTRACT ACT)**

- Q.5. Write notes on the following:- (4 each) (16)  
(a) Proposal and Acceptance (b) Promise  
(c) Agreement (d) Voidable contract
- Q.6. Explain with Illustration about "undue influence" used in contract act. (16)
- Q.7. What is fraud? Explain the essentials of fraud. (16)

### **SECTION-C (LAW OF TORT)**

- Q.8. Write notes on the following:- (4 each) (16)  
(a) Tort and crime (b) Private Nuisance  
(c) Contributory Negligence (d) Damnum sine Injuria
- Q.9. What is Assault and Battery? Describe its main distinctions. (16)
- Q.10. Explain with illustrations, "Publication of a defamatory statement". (16)

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