

FEDERAL PUBLIC SERVICE COMMISSION

COMPETITIVE EXAMINATION FOR RECRUITMENT TO POSTS
IN BPS-17 UNDER THE FEDERAL GOVERNMENT, 2001.

LAW, PAPER-I

TIME ALLOWED: THREE HOURS

MAXIMUM MARKS: 100

NOTE: Attempt SIX questions in all, including question No.10 which is **OMPULSORY** and carries 20 marks. All other questions carry **EQUAL** marks i.e. 16 each. Attempt at least one question from each of the PARTS "A", "B" AND "C".

PART - "A" (CIVIL PROCEDURE CODE)

1. Give essentials of the principle of Res-judicata. What is the distinction between the principles of Res-judicata. What is the distinction between the principles of Res-judicata and Res-subjudice?
2. Write short notes on :-
 - (a) Legal Representative
 - (b) Mesne Profits of property
 - (c) Constructive Res-judicata.
3. What to you understand by the "Representative suit"?

PART - "B" (CONTRACT ACT)

4. Define "void contracts" and "voidable contracts". Explain the difference between the two by illustrating your answer.
5. On whom does the burden of proving undue influence lie? Discuss the subject with special reference to "parda-nashin" ladies.
6. Explain and define the following by giving illustrations and stating their effect on contracts:

(a) Fraud	(b) Coercion
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PART - "C" (LAW OF TORT)

7. What is the difference between:-

(a) a tort and a crime ;	(b) a tort and a breach of contract.
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8. How far a motive and malice are relevant in an action of tort ? What are various kinds of malice? Explain.
9. Explain the following:

(a) Malfeasance;	(b) Misfeasance;
(c) Non-feasance.	

10. Write TRUE OR FALSE. Do not reproduce the question.
- (1) Interpleader suit is a suit between pleaders – TRUE / FALSE
 - (2) All orders are appealable – TRUE / FALSE
 - (3) No appeal shall lie from an Original decree passed ex-parte - TRUE / FALSE
 - (4) Where the relief claimed by the plaintiff is under-valued, the Court can require the plaintiff to correct the same and if not corrected can reject the plaint - TRUE / FALSE
 - (5) Additional evidence can be allowed to be produced by an appellate Court - TRUE / FALSE
 - (6) A civil Court can reconsider and revise its own order, judgment and decree - TRUE / FALSE
 - (7) Only one appeal lies from the appealable orders – TRUE / FALSE
 - (8) A tort and a crime is one and the same thing and both can be tried by a civil Court - TRUE / FALSE
 - (9) All persons are entitled to sue and liable to be sued in tort - TRUE / FALSE
 - (10) The greater the truth, the greater is libel - TRUE / FALSE
 - (11) A Person cannot be liable in respect of wrongful acts or omissions of another under any circumstances - TRUE / FALSE
 - (12) Entry on the land of another person without his consent is not justifiable even on the ground of necessity - TRUE / FALSE
 - (13) A wife may, sue her husband for the protection and security of her own separate property but the husband has no such corresponding right against her – TRUE / FALSE
 - (14) Legal damage is the same as actual damage - TRUE / FALSE
 - (15) An agreement has no legal status but a contract is enforceable at law – TRUE / FALSE
 - (16) A contract entered into on account of mis-representation is - VOID / VOIDABLE
 - (17) All contracts are agreements but all agreements are not contracts – TRUE / FALSE.
 - (18) Agreements by way of wager are - VOID / VOIDABLE.
 - (19) "A" lost his purse containing Rs.10,000. He arranged publication of a reward of Rs.1,000 to the finder on its return. "B" found the purse but when he went to return it to "A", "A" refused to pay the reward. Can "B" sue for the reward and retain the purse until he receives the reward? YES / NO
 - (20) "Rescission" is the cancellation of a voidable contract – TRUE / FALSE

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LAW, PAPER-II

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PART "A" (PAKISTAN PENAL CODE)

- 1. When a person is accused of an offence the 'burden of proof is on the prosecution, what are the exceptions to this rule?
- 2. When does culpable homicide not amount to murder?
- 3. What do you understand by the term " mens rea "? Is it necessary element in criminal liability? How far is the principle of "mens rea " recognized in the Pakistan Penal Code?

PART "B" (CRIMINAL PROCEDURE CODE)

- 4. (a) Define:
Offence ; and
(b) distinguish between:
(i) bailable and non-bailable offence;
(ii) cognizable and non-cognizable cases
- 5. How long can a police officer keep an offender in custody by his own power and with the order of a Magistrate?
- 6. What preventive measures can a Magistrate take when a dispute concerning an immovable property is likely to cause breach of peace?

PART - "C" (QANOON-E-SHAHADAT)

- 7. Define and explain the following:
(a) Original and Hearsay evidence ;
(b) Primary and Secondary evidence ;
(c) Oral and Documentary evidence
- 8. What is meant by "character"? Discuss the admissibility and relevancy of "character " in criminal proceedings in Pakistan.
- 9. What do you understand by "Hostile Witness"? What is the advantage by the party by declaring its Witness hostile?

(COMPULSORY QUESTION)

- 10. Write only the correct answer in the answer book. Do not reproduce the questions.
(1) An offender cannot, under any circumstances be kept in solitary confinement for-more than:
(a) Three months; (b) six months; (c) 12 months; (d) none of these.
- (2) What is the maximum duration of sentence of imprisonment in default of Payment of fine of Rs.5,000, for offences punishable with fine only:
(a) 3 months; (b) 6. Months; (c) 12 months; (d) none of these.

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- (3) Name the offense the commission of which is not punishable under Pakistan Penal Code, but the attempt to commit is punishable.
- (4) Fabricating false evidence and intentionally giving false evidence in any stage of judicial proceeding or for the purpose of being used in any stage of judicial proceeding are:
(a) Synonymous (b) different
- (5) Is giving a female in marriage a valid badl-i-sulh (qisas)? YES / NO.
- (6) Violation of an order by a Magistrate to a certain person to pay a certain amount of money for maintenance of his wife and children is punishable under the law - (TRUE / FALSE)
- (7) As a general rule, no complaint is required to be made in a cognizable case: (TRUE / FALSE)
- (8) Under no circumstances, a police officer can arrest a person without a warrant of arrest issued by a Magistrate - (TRUE / FALSE)
- (9) A person alleged to have committed " forgery " can be arrested by a police officer without a warrant of arrest - (TRUE / FALSE)
- (10) Qatl-i-amd is a compoundable offense - (TRUE / FALSE)
- (11) When an offender is absconding, the Court can record evidence in his absence: (TRUE / FALSE)
- (12) A Magistrate having passed an order of discharge can not subsequently take fresh proceedings against the accused in respect of the same offense - (TRUE / FALSE)
- (13) "Conclusive Proof " is a fact which can be rebutted by the either party by producing strong evidence to contradict it - (TRUE / FALSE)
- (14) All confessions are admissions but all admissions are not confessions: (TRUE / FALSE)
- (15) TWO witnesses are required to prove a fact in a case - (TRUE / FALSE)
- (16) Admissions are made in criminal cases while confessions are made in civil cases only - (TRUE / FALSE)
- (17) An approver is an accomplice in a case - (TRUE / FALSE)
- (18) A witness can be excused from answering a question on the ground that his answer to the question will incriminate him - (TRUE / FALSE)
- (19) A conviction can be based on the statement of the co-accused - (TRUE / FALSE)
- (20) The opinion of expert is not binding upon the judge - (TRUE / FALSE)

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COMPETITIVE EXAMINATION FOR RECRUITMENT TO POSTS
IN BPS-17, UNDER THE FEDERAL GOVERNMENT, 2002.

LAW, PAPER-I

TIME ALLOWED: THREE HOURS

MAXIMUM MARKS: 100

Note: Attempt any **SIX** questions in all, including **Question No.10** which is **COMPULSORY** and carries **20 marks**. All other questions carry **16 marks** each. Attempt at least **One** question from each of the PARTs 'A', 'B' and 'C'.

PART 'A' – CIVIL PROCEDURE CODE

1. Write brief notes on:
(a) Cause of Action (b) Issues (c) Suit of a civil nature
2. What is an APPEAL and what are the points of difference between the First Appeal and the Second Appeal?
3. What remedies are available to a decree-holder, if the judgement-debtor dies before the decree has been satisfied?

PART 'B' – THE CONTRACT ACT

4. Explain quasi contracts and the reasons for which the law recognises them.
5. Write short notes on:
(a) Contract (b) Special damages (c) Continuing guarantee
6. A woman lends some gold ornaments to her niece to be used in a marriage. What name is given to this transaction in the Contract Act and what are the duties of the niece in this case?

PART 'C' – LAW OF TORTS

7. "Battery includes assault". Elaborate and point out the distinction, if any, between the two.
8. What is negligence and how the onus of proof in actions of negligence is discharged?
9. Define :
(a) Libel (b) Slander (c) Malicious prosecution

COMPULSORY QUESTION

10. Write only the correct answer in the Answer Book. Do not reproduce the question.
 - (1) Mesne profits are those profits which:
(a) a person in wrongful possession of property actually receives.
(b) A person in wrongful possession of property receives due to improvements made in the property by him.
(c) An owner of property actually receives.
(d) None of these
 - (2) Exclusion of a member of a caste from ceremonies is violation of his:
(a) legal right (b) social right (c) None of these
 - (3) The rule of res sub judice relates to a matter which:
(a) is pending adjudication (b) has already been adjudicated
(c) has been admitted by the defendant (d) None of these

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- (4) The rule of res judicata applies to:
(a) suits (b) execution proceedings
(c) appeals (d) all the above
- (5) A decree may not agree with judgement:
(a) correct (b) incorrect (c) None of these
- (6) Issues are:
(a) points of agreement in a suit
(b) points of interrogatories in a suit
(c) points of discovery in a suit
(d) None of these
- (7) A garnishee is a:
(a) judgement-debtor (b) judgement-debtor's debtor
(c) decree-holder (d) None of these
- (8) An interpleader suit is between:
(a) pleaders (b) defendants
(c) judgement-debtors (d) None of these
- (9) An interlocutory order:
(a) determines the substantive right (b) terminates a suit
(c) protects the subject matter of the suit (d) None of these
- (10) A precept is issued by a Court to:
(a) a witness of high status
(b) a party who by reason of illness is unable to appear
(c) another court (d) None of these
- (11) Proposal and its acceptance create:
(a) agreement (b) contract (c) None of these
- (12) All agreements are contracts:
(a) correct (b) incorrect (c) None of these
- (13) Tender means:
(a) rates for supply of articles (b) refusal to perform
(c) anticipatory breach (d) None of these
- (14) No consideration is necessary to create an Agency:
(a) Correct (b) incorrect (c) None of these
- (15) The Contract Act is:
(a) exhaustive (b) incomplete
(c) retrospective (d) None of these
- (16) The Law of Torts is based on:
(a) common law (b) statutory law
(c) procedural law (d) None of these
- (17) In tort motive is:
(a) relevant (b) irrelevant (c) None of these
- (18) Damnum means loss of:
(a) money (b) comfort and service (c) health
(d) all the above (e) None of the (a), (b) and (c).
- (19) When anything authorised by law is done carelessly it is called:
(a) constructive negligence (b) vacarious negligence
(c) nuisance (d) None of these
- (20) Kinds of nuisance are:
(a) two (b) three (c) four (d) None of these

FEDERAL PUBLIC SERVICE COMMISSION

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COMPETITIVE EXAMINATION FOR RECRUITMENT TO POSTS
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LAW, PAPER-II

TIME ALLOWED: THREE HOURS

MAXIMUM MARKS: 100

Note: Attempt any SIX questions in all, including Question No.10 which is COMPULSORY and carries 20 marks. All other questions carry 16 marks each. Attempt at least One question from each of the PARTs 'A', 'B' and 'C'.

PART 'A' – QUNUN-E-SHAHADAT ORDER, 1984

1. When a previous statement of a witness can be used?
2. "Dying Declaration is a weaker type of evidence". Discuss.
3. Explain the following terms:-
(a) Hearsay evidence (b) Estoppel (c) Document

PART 'B' – CODE OF CRIMINAL PROCEDURE

4. Describe "First Information Report" and "Complaint" and state the differences between them.
5. Define the following terms:-
(a) Summary Trial (b) Composition of offences (c) Revision
6. Under what circumstances can the accused be granted bail in bailable and non-bailable cases?

PART 'C' – PAKISTAN PENAL CODE

7. Describe the different stages of the commission of an offence and state whether each of them is punishable.
8. Generally, a person is liable for his own acts, but some times he is liable for the acts of others. Comment.
9. Explain the following terms:-
(a) Injury (b) Illegal omission (c) Joint offenders

COMPULSORY QUESTION

10. Write only the correct answer in the Answer Book. Do not reproduce the question.
(1) A Minister is a public servant:
(a) True (b) False
(2) Arsh and daman are:
(a) kinds of hurt (b) kinds of qisas
(b) commutation of sentence of imprisonment (d) None of these
(3) Cowries are:
(a) Coins (b) medals
(c) Unstamped copper (d) None of these
(4) Damiyah (دَامِيَاہ) and hashimah (هَاشِمَاہ) are:
(a) hurts (b) punishments
(c) names of persons (d) None of these

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- (5) Medical and legal standards of sanity are:
(a) identical (b) different from each other
(c) None of these
- (6) When five or more persons disturb the public peace by fighting on a public road they are said to commit the offence of:
(a) unlawful assembly (b) riot
(c) affray (d) None of these
- (7) Isqat-l-janin is miscarriage:
(a) with consent (b) in good faith
(c) None of these
- (8) Punishment for qatl-i-khata is:
(a) diyat (b) qisas
(c) imprisonment (d) None of these
- (9) The Code of Criminal Procedure is:
(a) substantive law (b) administrative law
(c) special law (d) None of these
- (10) An accused person has been described as:
(a) father of law (b) child of law
(c) mother of law (d) None of these
- (11) Charge and offence are:
(a) distinct from each other (b) the same (c) None of these
- (12) An inquiry is conducted by:
(a) the Police (b) the prosecution
(c) the Court (d) None of these
- (13) An Additional Sessions Judge can pass:
(a) a sentence of imprisonment
(b) any sentence authorised by law including death sentence
(c) any sentence authorised by law excluding death sentence
(d) None of these.
- (14) F.I.R. means:
(a) Final Investigation Report (b) First Information Report
(c) Factual Information Report (d) None of these
- (15) Approver is a person:
(a) who approved the crime plan (b) who participated in the crime
(c) who retracted confession (d) None of these
- (16) Refreshing of memory is allowed to:
(a) plaintiffs (b) defendants (c) both (d) None of these
- (17) Irrelevant questions may be asked by:
(a) defence counsel (b) prosecution
(c) the Court (d) None of these
- (18) Hearsay evidence is:
(a) no evidence (b) good evidence (c) None of these
- (19) Leading questions are generally asked in:
(a) examination-in-chief (b) cross examination
(c) re-examination (d) None of these
- (20) The plea of alibi is raised by:
(a) witnesses (b) complainants
(c) accused persons (d) All the above

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COMPETITIVE EXAMINATION FOR RECRUITMENT TO POSTS
IN PBS-17, UNDER THE FEDERAL GOVERNMENT, 2003

LAW-I

TIME ALLOWED: THREE HOURS **MAXIMUM MARKS: 100**

NOTE: Attempt any SIX questions in all, including QUESTION NO. 9 which is **COMPULSORY** and carries 20 marks. All other questions carry 16 marks each. Attempt at least ONE question from each of the PARTS 'A', 'B' and 'C'. Write clearly.

PART-A: (CIVIL PROCEDURE CODE)

1. Write a detailed note on the doctrine of restitution.
2. Explain the meaning and scope of "Inherent Powers" of the Court.
3. Write short notes on:
 - (a) Judgement debtor
 - (b) Ex parte decree

PART-B: (THE CONTRACT ACT)

4. "Law does not countenance an agreement whereby it is sought to oust the jurisdiction of law courts". Discuss and state whether there are any exceptions to this rule.
5. Write short notes on the following:
 - (a) Consideration
 - (b) Contract of Guarantee

PART-C: (LAW OF TORTS)

6. "No action lies for a wrong, which is authorised by the Legislature".
Comment.
7. Explain the maxim "Actio Personalis Maritur cum Persona".
8. Write short notes on:
 - (a) Abuse of legal process
 - (b) Vicarious liability

COMPULSORY QUESTION

9. Write only the correct answer in the Answer Book. Do not reproduce the question.
 - (1) The Civil Procedure Code was enacted in:
 - (a) 1908
 - (b) 1809
 - (c) 1947
 - (d) None of these
 - (2) When a decision of a civil court is a decree:
 - (a) No appeal lies therefrom
 - (b) An appeal invariably lies therefrom
 - (c) None of these
 - (3) Cause of action means:
 - (a) Subject matter of a suit.
 - (b) Relief claimed in a suit.
 - (c) Parties to a suit.
 - (d) None of these
 - (4) Written statement is a statement of:
 - (a) plaintiff
 - (b) defendant
 - (c) witness
 - (d) None of these

- (6) Amount of money payable under a decree may be paid:
- into the Court which passed the decree
 - to the decree holder out of the Court
 - both of these
 - None of these
- (7) A suit comes to an end on the death of the plaintiff:
- false
 - true
- (8) A commission is appointed under the Civil Procedure Code by:
- The parties
 - the Provincial Government
 - the Court
 - None of these.
- (9) A receiver is representative of:
- the Court
 - plaintiff
 - defendant
 - None of these.
- (10) Issues in a civil suit are framed by:
- the parties
 - Advocates of the parties
 - witnesses
 - None of these
- (11) In a contract of guarantee there are:
- Two parties
 - Three parties
 - Four parties
 - None of these.
- (12) Remedy of injunction is:
- negative
 - positive
 - mitigation of damages
 - None of these
- (13) Performance of a contract:
- cannot be avoided
 - may be avoided in certain circumstances
- (14) A proposal when accepted becomes:
- An agreement
 - a contract.
 - None of these
- (15) An agreement to do an impossible act is:
- Voidable
 - valid
 - None of these
- (16) The word tort is derived from:
- Latin
 - Roman
 - English
 - None of these.
- (17) Malice is necessary ingredient in tort:
- True
 - False
- (18) Wrongfully setting the law in motion is:
- defamation
 - fraud
 - nuisance
 - None of these
- (19) Where a person having right to enforce a claim abstains from enforcing it for a long time, it is called:
- Release
 - acquiescence
 - negligence
 - None of these
- (20) Trespass to person without lawful justification involves:
- assault
 - battery
 - false imprisonment
 - All of these.
 - None of these.

FEDERAL PUBLIC SERVICE COMMISSION

COMPETITIVE EXAMINATION FOR RECRUITMENT TO POSTS
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LAW-II

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PART-A: (THE QANUN-E-SHAHADAT ORDER, 1984)

1. Explain the different stages in which evidence of a witness is recorded in a case.
2. "All relevant facts are not admissible, but all admissible facts are relevant". Discuss.
3. Write short notes on:
(a) Refreshing memory (b) Privileged communication

PART-B: (CODE OF CRIMINAL PROCEDURE)

4. Describe confession and state the procedure laid down in the Code for recording it.
5. Explain the appellate jurisdiction and revisional jurisdiction of a High Court indicating points of difference between them.
6. Write short notes on the following:
(a) Approver (b) Compoundable offences

PART-C: (PAKISTAN PENAL CODE)

7. Explain the principle of "mens rea". How far this principle is recognised in P.P.C.?
8. Write short notes on:
(a) Harbours an offender (b) Criminal intimidation

COMPULSORY QUESTION

9. Write only the correct answer in the Answer Book. Do not reproduce the question.
 - (1) An arbitrator is also a Court:
(a) correct (b) incorrect
 - (2) An oral statement made by a person which suggests any inference as to any fact in issue under certain circumstances is:
(a) Admission (b) confession
(c) None of these
 - (3) Oral evidence is:
(a) Best evidence (b) no evidence
(c) bad evidence (d) None of these
 - (4) Generally documents are to be proved by:
(a) primary evidence (b) secondary evidence
(c) None of these

LAW-II

- (5) Irrelevant questions may be asked by the:
(a) prosecution (b) defence
(c) presiding judge (d) None of these
- (6) Ambiguities in documents are:
(a) Latent (b) patent
(c) Both (a) and (b) (d) None of these
- (7) When a fact is neither proved nor disproved, it is said to be:
(a) not proved (b) proved
(c) None of these
- (8) A cognizable offence is usually:
(a) no offence (b) serious offence
(c) minor offence (d) None of these.
- (9) There is no difference between a complaint and FIR.
(a) correct (b) incorrect
- (10) An investigation is made by:
(a) a Police Officer (b) a Magistrate
(c) Both (d) None of these
- (11) After a charge has been framed against an accused, he may be:
(a) Discharged (b) acquitted
(c) both of these (d) None of these.
- (12) A person, who has committed a serious offence may be arrested by:
(a) a private person (b) Police Officer
(c) Magistrate (d) All of the above
(e) None of these
- (13) Retracted confession is a confession made before:
(a) A Police Officer (b) a Magistrate
(c) a private person (d) None of these
- (14) Where there is a conviction, there is an appeal:
(a) False (b) True
- (15) A signs his own name to a bill of exchange, intending that it may be believed that the bill was drawn by another person of the same name. A has committed:
(a) forgery (b) fraud
(c) mischief (d) None of these
- (16) Whoever does anything with the intention of causing wrongful gain to one person or wrongful loss to another person is said to do that thing:
(a) fraudulently (b) gaining or losing wrongfully
(c) dishonestly (d) None of these.
- (17) Preparation to commit an offence is:
(a) Not punishable (b) punishable in certain cases
(c) None of these
- (18) Bigamy means:
(a) adultery
(b) taking away with criminal intention a married woman.
(c) Concealment of a marriage.
(d) None of these
- (19) Jurh (جرح) is a hurt, its kinds are:
(a) Two (b) three
(c) four (d) None of these
- (20) Prosecution is bound to prove motive for the crime:
(a) correct (b) incorrect

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NOTE:

1. Asif and "Asif & on the t previous suits of judgment enforce that his dissolution confirm to destruction?
2. "The La member statement the reality
3. Aftab su which s substant to Bilal omitted because are now Compar situation
4. How is a
5. Arif pur ever been never seen quickly accident. although there had Ltd. and raised th and had constituted
6. Compare

FEDERAL PUBLIC SERVICE COMMISSION
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LAW, PAPER-I

TIME ALLOWED: THREE HOURS **MAXIMUM MARKS: 100**

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PART - A: (CIVIL PROCEDURE CODE)

1. "The Doctrine of Resjudicate is of Universal application and a fundamental concept in the organization of every jural society". Comment. Also quote the relevant provisions.
2. "The worries of the Decree Holder start after he obtains the decree". Elucidate.
3. Write notes on:
(a) Principles of Natural justice (b) Review as enshrined in the provision of C.P.C.

PART -B: (THE CONTRACT ACT)

4. "Fraud vitiates most solemn proceedings" Elucidate.
5. When time is of the essence of the Contract? Give examples.
6. Write notes on:
(a) Doctrine of frustration. (b) Contingent Contract.

PART -C: (LAW OF TORTS)

7. Quote four pleas which may be taken as defence against an action for Torts.
8. Write notes on:
(a) Quasi judicial acts (b) Joint tort feorsors

COMPULSORY QUESTION

9. Write only the correct answer in the Answer Book. Do not reproduce the question.
 - (1) Can a party file a fresh suit on the subject matter in respect of which earlier suit was withdrawn:
(a) Yes (b) No
(c) Yes if the earlier suit was withdrawn with permission of the court.
 - (2) The provisions of Law ousting jurisdiction of a court should be construed
(a) liberally (b) strictly
(c) According to facts of a case (d) None of these
 - (3) Are the right to take out procession or the right of franchise of civil nature permissible/accepted:
(a) Yes (b) No
(c) Yes the right of franchise but not the right to take out procession.
(d) Yes the right to take out procession but not the right of franchise.
 - (4) A resides at Murree, B at Lahore and C at Karachi. They all get together at Bahawalpur. B and C make a joint Promissory note payable on demand and deliver it to A with leave of the court. A may sue B and C at:
(a) Murree only (b) Lahore only (c) Karachi only
(d) Murree Lahore and Karachi (e) Bahawalpur or Lahore or Karachi
 - (5) The Code of Civil Procedure is:
(a) Act V of 1908 (b) Act IV of 1908
(c) Act V of 1912 (d) Act I of 1930

LAW, PAPER-I:

- (6) Are the following properties liable to attachment and sale in execution of a decree
(i) full salary (ii) Cooking vessels:
(a) Yes (b) No
- (7) An injunction in respect of collection of Public revenues ceases to have effect on the expiry of:
(a) Three Months (b) Six Months (c) One year
- (8) The court may at any time before passing a decree amend the issues or frame additional issues.
(a) Correct (b) Incorrect
- (9) A promises to obtain for B an employment in the public service and B promises to pay ten thousand rupees to A. Is the agreement void:
(a) Yes (b) No
- (10) A delivers a rough diamond to B, a jeweler, to be cut and polished which is accordingly done. Is B entitled to retain the Diamond:
(a) Yes till he is paid for the services he has rendered.
(b) No he has to return the diamond and claim only remuneration:
- (11) A promises to deliver goods at B's Warehouse on the first July. On that day A brings the goods to B's warehouse but after the usual hour for closing it, and they are not received. Has A performed the promise!
(a) Yes (b) No
- (12) Which of the statement is correct:
(a) A contract may be express only
(b) It may be express or implied or of mixed character
- (13) Can a Minor enter into a lawful contract to which the other contracting party does not object:
(a) Yes (b) No being void ab-initio
- (14) When consent to an agreement is caused by coercion, the agreement is a contract:
(a) Void ab-initio (b) Voidable at the option of the other party.
- (15) The remedies available to a person for nuisance are:
(a) Abatement, damages and injunction (b) only damages
(c) only injunction
- (16) During a cricket match in an open ground a batsman hits a ball which injured the plain-tiff standing on the Highway road. The plain-tiff brought an action for damages. Is the cricket club liable?
(a) Yes (b) No, being a case of contributory negligence (c) None of these
- (17) Damnum Sine Injuria means:
(a) damage without infringement of any legal right
(b) damage and infringement of any legal right.
- (18) Is the employer liable for the negligent act of a contractor:
(a) Yes where there is an implied warranty by the employer
(b) No
- (19) One of the distinguishing features between Libel and Slander is that:
(a) Libel is written defamation while slander is spoken defamation.
(b) Libel is spoken defamation and Slander is written defamation.
- (20) Is it correct that a civil injury for which an action will not lie is not a tort:
(a) Yes (b) No, infliction of all civil injury is a tort?

FEDERAL PUBLIC SERVICE COMMISSION
COMPETITIVE EXAMINATION FOR RECRUITMENT TO POSTS
IN BPS-17, UNDER THE FEDERAL GOVERNMENT, 2004

LAW, PAPER-II

TIME ALLOWED: THREE HOURS

MAXIMUM MARKS: 100

NOTE: Attempt **SIX** questions in all, including **QUESTION NO. 10** which is **COMPULSORY** and carries 20 marks. All other questions carry 16 marks each. Attempt at least **ONE** Question from each of the **PARTS A, B, and C.**

PART - A: (THE QANUN-I-SHAHADAT ORDER)

1. Who are competent to testify and how the court shall determine the competence of a witness?
2. How can credit of a witness be impeached? Quote instances.
3. Write notes on:
(a) Shahada ala al Shahada (b) Burden of proof.

PART -B: (THE CRIMINAL PROCEDURE CODE)

4. What measures you suggest for speedy trial of a criminal case without compromising the principles of Natural justice?
5. What irregularities vitiate proceedings? Quote some instances.
6. Write notes on:
(a) Importance of Precedents of Superior Courts (b) Warrant trial

PART -C : (PAKISTAN PENAL CODE)

7. Define 'Document'. Give illustrations.
8. A picks up a cheque on a banker signed by B, payable to bearer but without a sum having been inserted in the cheque. A fraudulently fills up the cheque by inserting the sum of ten thousand rupees and attempts to withdraw it. What offence is it? Also give another illustration of this offence.
9. Write notes on:
(a) Offences by foreigner (b) Form of charges

COMPULSORY QUESTION

10. Write only the correct answer in the Answer Book. Do not reproduce the question.
 - (1) Civil court can review its order under Section 114 C.P.C. Has a Criminal Court the similar power:
(a) Yes (b) No (c) Yes, in some cases.
 - (2) To prove terms of a contract contained in six letters should:
(a) All the letters be produced
(b) More important among them be produced.
 - (3) Can a court allow to be produced any evidence made available through recorded cassette talk between accused and another person:
(a) Yes (b) No (c) Yes if the court considers appropriate.
 - (4) Can Caricature and an inscription on a metal plate be categorized as a document:
(a) Yes (b) No
 - (5) An accomplice is a competent witness against an accused.
(a) Yes but not in a Hadd case (b) No
 - (6) Can witness to character may be cross examined and reexamined:
(a) Yes (b) No
(c) Yes, may be cross examined but not re-examined.
 - (7) Bailable offence means an offence shown as bailable:
(a) In the Second Schedule (b) In the First Schedule
(c) In the Second schedule or any other Law for the time being in force

LAW PAPER-II:

- (8) Can a person be tried again for an offence for which he was acquitted by a court not competent to try the case:
(a) Yes (b) No
- (9) Can a criminal court order disposal of property of a pending case if it consists of fruit and vegetables:
(a) No (b) Yes
- (10) Is the offence of cheating (Sec 417):
(a) Non Bailable and Not Compoundable
(b) Non Bailable and Compoundable
(c) Bailable and Compoundable with permission of Court
- (11) Is the provincial legislature competent to amend, modify or repeal the code of criminal procedure:
(a) Yes (b) No
- (12) Is a previously convicted woman accused entitled to Bail under Section 497 Cr.P.C.:
(a) Yes (b) No
- (13) A is wounded within jurisdiction of court X, and dies within jurisdiction of court Z. The offence may be tried by:
(a) Court X alone (b) Court Z alone (c) Court X or Z
- (14) A and B mutually agree to fence with each other for amusement. A while playing fairly causes grievous hurt to B. Has A committed offence:
(a) Yes (b) No
- (15) A enters into the house of B at midnight and is challenged by B and during ensuing scuffle causes death of B. Which of the following offences have been committed by A:
(a) Section 452 and 302 (b) Section 460 and 302
(c) Section 448 and 302
- (16) A, being executor to the will of the deceased person disobeys the law which directs him to divide the effects according to the will and appropriates them to his own use. Which of the following offences has A committed:
(a) Cheating (b) Criminal breach of trust
(c) Forgery
- (17) Can a judge of High Court and an Arbitrator appointed by a Court categorized as "Public Servant".
(a) Yes (b) No
(c) judge is a public servant but not the Arbitrator
- (18) A, a surgeon, knowing that a particular operation is likely to cause death of Z but in good faith and in Z's benefit performs that operation on Z with his consent. Has he committed any offence:
(a) Yes (b) No
- (19) A, a public servant, induces Z, erroneously to believe that A's influence with the government has obtained a title for Z and thus induces Z to give A money as a reward for this service. A has committed the offence of:
(a) Cheating (b) Taking gratification other than legal remuneration
- (20) Apprehending injury to him, A confined B in a house but escape is open through a door. Is A guilty of the offence of:
(a) Wrongful confinement (b) Wrongful restraint (c) None of these

(15)

FEDERAL PUBLIC SERVICE COMMISSION
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LAW, PAPER-I

TIME ALLOWED: THREE HOURS **MAXIMUM MARKS: 100**

NOTE: Attempt **SIX** questions in all, including **QUESTION NO.10**, which is **COMPULSORY** and carries **20** marks. All other questions carry **16** marks each. Attempt at least **ONE** question from each of the **PARTS A, B and C**.

PART - A: CIVIL PROCEDURE CODE

1. What is meant by PLEADINGS and what are the important rules relating to PLEADINGS?
2. Write short notes on:
(a) Abatement (b) Receiver (c) Interpleader suit
3. Define "Issues". How are they framed and by whom?

PART - B: THE CONTRACT ACT

4. Describe "CONTRACT" and briefly explain its essentials.
5. Write short notes on:
(a) Tender (b) Bailment (c) Principal debtor
6. Discuss the normal remedy in all cases of breach of contract.

PART - C: LAW OF TORTS

7. What is false imprisonment and what defences are available in an action for false imprisonment?
8. Write short notes on:
(a) Statutory Negligence (b) Public Nuisance (c) Absolute liability
9. In what circumstances may assault and battery be justified?

COMPULSORY QUESTION

10. Write only the correct answer in the Answer Book. Do not reproduce the question.
 - (1) Cause of action means:
(a) relief claimed in a suit (b) subject matter of a suit
(c) nature of a suit (d) None of these
 - (2) For breach of a contract, a suit may be filed:
(a) where the contract was made (b) where the breach was made
(c) where money was payable (d) at any of the above places
 - (3) There is distinction between res judicata and res sub judice:
(a) Yes (b) No (c) Same thing
 - (4) Plaintiff is the person who:
(a) files a suit (b) defends a suit
(c) delays a suit (d) None of these
 - (5) Interrogatories are administered to:
(a) parties to a suit (b) witnesses
(c) lawyers (d) None of these

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LAW, PAPER-I

- (6) Precept is issued by:
(a) plaintiffs to defendants (b) oath commissioner to deponent
(c) a Court to another Court (d) None of these
- (7) Inherent power vests in:
(a) Court (b) parties
(c) witnesses (d) All of the above
- (8) Writ jurisdiction is exercised by:
(a) every Court in Pakistan (b) the High Courts
(c) None of the above
- (9) Interlocutory order determines substantive rights in a suit:
(a) Correct (b) incorrect
- (10) All agreements are contracts:
(a) True (b) False
- (11) A constructive contract is created by the:
(a) parties (b) legal heirs of the parties
(c) witnesses to the contract (d) None of these
- (12) An agreement to do an impossible act is a:
(a) void contract (b) voidable contract
(c) void agreement (d) All of the above
- (13) A contracts to pay B, Rs.100,000/- if his house is burnt. It is a:
(a) contingent contract (b) contract of guarantee
(c) contract of indemnity (d) None of these
- (14) A person who employs another person to represent him in dealings with third persons is called:
(a) Master (b) Creditor
(c) Principal (d) None of these
- (15) The Contract Act is of the year:
(a) 1972 (b) 1875
(c) 1895 (d) None of these
- (16) Law of Torts is based on:
(a) Statute Law (b) Common law
(c) Law of Contract (d) All of the above
- (17) Malice is a necessary ingredient in Tort:
(a) True (b) False (c) neither (a) nor (b)
- (18) Misfeasance means:
(a) commission of an unlawful act
(b) doing of a lawful act in an illegal manner
(c) failure to perform a legal obligation (d) None of these
- (19) Libel is a defamatory statement made:
(a) verbally (b) in writing
(c) both
- (20) Mere touching of another in anger is:
(a) assault (b) battery
(c) both

FEDERAL PUBLIC SERVICE COMMISSION
COMPETITIVE EXAMINATION FOR RECRUITMENT TO POSTS
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LAW, PAPER-II

TIME ALLOWED: THREE HOURS **MAXIMUM MARKS: 100**

NOTE: Attempt **SIX** questions in all, including **QUESTION NO.10**, which is **COMPULSORY** and carries **20** marks. All other questions carry **16** marks each. Attempt at least **ONE** question from each of the **PARTS A, B and C**.

PART - A: PAKISTAN PANEL CODE

1. Briefly discuss the various punishments to which offenders are liable under P.P.C.
2. Write short notes on:
(a) Injury (b) Robbery (c) Shajjah
3. Write a summary of "General Exceptions" contained in P.P.C.

PART - B: THE CODE OF CRIMINAL PROCEDURE

4. Under what circumstances, a Police Officer may arrest without a warrant in a non-cognizable case?
5. Write short notes on:
(a) Summons (b) First Information Report (c) Retracted confession
6. What is an appeal and what are the powers of an Appellate Court in appeal from acquittal?

PART - C: THE QANUN-E-SHAHADAT ORDER

7. What is "Burden of proof" and on whom it lies?
8. "The rules of evidence are generally the same in civil and criminal proceedings". Comment and state if there are any exceptions to this rule.
9. Write short notes on:
(a) Competent witness (b) Hearsay evidence (c) Estoppel

COMPULSORY QUESTION

8. Write only the correct answer in the Answer Book. Do not reproduce the question.
 - (1) An affray is committed in a:
(a) private place (b) public place
(c) both (d) None of these
 - (2) Sedition means exciting bad feelings against:
(a) Armed forces (b) Government
(c) Political leaders (d) All of these (e) None of these
 - (3) In robbery there is:
(a) theft (b) extortion
(c) either of the above (d) None of these
 - (4) The Pakistan Panel Code is as old as:
(a) 1890 (b) 1865
(c) 1860 (d) None of these

LAW, PAPER-II

- (5) Extradition is a:
(a) punishment (b) offence
(c) law (d) None of these
- (6) Standards of medical and legal sanity are:
(a) identical (b) different
(c) None of these
- (7) A person is liable for his own wrongful acts:
(a) absolutely correct (b) generally correct
(c) absurd (d) None of these
- (8) Homicide is the killing of:
(a) a human being (b) a living creature
(c) both (d) None of these
- (9) In the Code of Criminal Procedure, offences are divided into:
(a) two categories (b) five categories
(c) seven categories (d) None of these
- (10) Appeal is:
(a) a natural right (b) a right given by law
(c) a right given by the trial Court (d) None of these
- (11) Appellate and revisional jurisdictions are:
(a) same (b) inter-linked
(c) separate (d) None of these
- (12) Trial is a judicial proceeding which ends in:
(a) conviction/acquittal (b) discharge
(c) both (d) None of these
- (13) The term offence has been defined in the Code of Criminal Procedure:
(a) Yes (b) No (c) None of these
- (14) A complaint is made to a:
(a) Magistrate (b) Police Officer
(c) District Nazim (d) None of these
- (15) Summary trial is:
(a) no trial (b) speedy trial
(c) both
- (16) The Qanun-e-Shahadat Order, 1984 repealed:
(a) the Evidence Act, 1872 (b) the Ordinance of 1978
(c) None of these
- (17) Who decides whether a person is competent to testify?
(a) Prosecutor (b) Defence lawyer
(c) District Attorney (d) None of these
- (18) A fact is said not to be proved when it is:
(a) not proved (b) disproved
(c) both (d) None of these
- (19) A lunatic is incompetent to give evidence:
(a) Yes (b) No (c) a Court may decide
- (20) The examination of a witness after his cross-examination is called:
(a) examination-in-chief (b) leading examination
(c) concluding examination (d) None of these
