

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for Recruitment of District Judges
by transfer through Limited Competitive Examination**

Paper-I
(Constitutional and Civil Laws)

Dated 17th August, 2019

Time: 3 Hours, from 10:00 am to 1:00 pm

Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 10 questions. Answer all the questions. Each question carries total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.
2. Questions must be answered only in English. If the answers are not legible, such answers will not be evaluated.
3. Write your hall ticket number only in the space provided in the first page of the main answer booklet. Do not write either your name, or hall ticket number, or any mark, anywhere in the main answer booklet/additional answer sheets.
4. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
5. No candidate will be permitted to leave the examination room/hall before 11:00 am.

1. "Let no woman give or take a son in adoption except with the consent of her lord". (Vashishtha)

(a) In the light of the above statement examine the power of a Hindu woman with regard to adoption. Do you think that the changes brought about by the Hindu Adoption and Maintenance Act, 1956 and further by the Personal Laws (Amendment) Act, 2010 have actually enlarged her power in this regard? Elaborate.

(5 marks)

(b) A married Hindu woman takes a son in adoption with the consent of her husband (who is physically and mental fit). The couple was issueless at the time of adoption. Decide the validity of this adoption.

(5 marks)

2. (a) Briefly state how to determine whether property is 'self acquired property', or 'joint family property'? (5 marks)

(b) Explain the changes brought about by the Limitation Act, 1963 with regard to filing of suits for recovery of possession of immoveable property based on previous possession and also based on title. (5 marks)

3. (a) When assigned lands covered by the A.P. Assigned Lands (Prohibition of Transfer) Act, 1977 are mortgaged to a bank/Financial institution, and there is a sale by the latter if default is committed in paying of purchase money, will the purchaser from the latter get lawful title? Substantiate your answer with reasons. (3 marks)

(b) Can a Court draw an inference of admission under Sections 17 to 21 of the Evidence Act, 1872 if a legal notice given by a party is not replied to by the other party that the other party accepts as true the allegations levelled against him in the said notice? Justify your answer with brief reasons. (3 marks)

(c) What is the distinction between sham/nominal transactions and a benami transaction? (4 marks)

4. (a) When a 'Hiba' cannot be revoked? (5 marks)

(b) Who can remove a 'Mutawalli'? Can the power as such be delegated? (5 marks)

5. (a) What do you understand by the concept of unequal bargaining power? Discuss its application to commercial contracts while referring to sections 23 and 28 of Contract Act. (5 marks)

(b) In a pool auction of large quantity of coffee by the State, the highest bid offered by A is accepted, but A failed to abide by certain terms and conditions of the contract. Government had to arrange for re-auction. In the re-auction, the

amount fetched is less than what was realized from *A*. The State files a suit for damages against *A* for recovering the loss suffered by it. Decide. (5 marks)

6. (a) What is the difference between a mortgage by conditional sale and a document of sale with a condition of re-purchase? (5 marks)

(b) What are the principles of *lis pendens*? Is there any exception to this principle? Explain with case law. (5 marks)

7. (a) Name some of the documents which are compulsorily registrable according to Transfer of Property Act, 1892 and the Registration Act, 1908, and state within what time a document compulsorily registrable can be presented for registration, from the date of its execution? (10 marks)

8. X filed a suit for permanent and mandatory injunction against Y alleging that Y was threatening to dispossess him from his premises, and had erected a wall in front of X's door thereby blocking his entry into his own house. X prays for interim mandatory injunction directing Y to remove that wall so that he may use his premises. Y opposes interim mandatory injunction on the main ground that its grant would amount to decreeing the suit. Discuss the law and deliver the order. (10 marks)

9. What is the difference between:

(1) Doctrine of limitation and prescription. (3 marks)

(2) Doctrine of limitation and laches. (3 marks)

(3) Doctrine of limitation and acquiescence. (4 marks)

10. (a) Discuss difference between Expression "sufficient cause" available under section 5 of Limitation Act and sub-section (3) of section 34 of the Arbitration and Conciliation Act, 1996. (5 marks)

(b) What is the difference between Section 5, and section 14 of the Indian Limitation Act? (5 marks)

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for Recruitment of District Judges
by transfer through Limited Competitive Examination**

Paper – II
(Criminal Laws)

Dated 17th August, 2019

Time: 3 Hours, from 2:00 pm to 5:00 pm

Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 10 questions. Answer all questions. Each question carries a total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.
2. Questions must be answered in English only. If the answers are not legible, such answers will not be evaluated.
3. Write your hall ticket number only in the space provided in the first page on the main answer booklet. Do not either write your name or hall ticket number or any mark, anywhere in the main answer booklet/additional answer sheets.
4. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
5. No candidate will be permitted to leave the examination room/hall before 3:00 pm.

1. As regards jurisdiction of a Court to enquire into and try a criminal case, the general rule is that every offence shall ordinarily be enquired into and tried by a Court within the local limits of whose jurisdiction the offence it was committed. Discuss the exceptions to this general rule. (10 marks)

2. (a) Whether the Sessions Judge can summon a person as an additional accused prior to recording of prosecution evidence. If yes, give reasons with relevant case law. If no, give reasons with relevant case law. (5 marks)

(b) What are the principles to be taken into consideration while dealing with the bail application in non-bailable offences? Elucidate with relevant case law. (5 marks)

3. (a) A is tried for causing hurt and convicted. The person injured afterwards dies. Can A be tried again for culpable homicide? (5 marks)

(b) What are the various parameters of rarest of rare cases for awarding death penalty? Support your answer with precedents. (5 marks)

4. (a) Explain with the help of case law (i) Facts of issue, (ii) Testimony of an accomplice, and (iii) Expert evidence. (5 marks)

(b) What are the essential conditions for a valid dying declaration? Give some illustrations of dying declaration which are not admissible in evidence? (5 marks)

5. (a) An accused, while in police custody, gives information to the Investigating Officer that he purchased the murder weapon from a particular dealer, and then takes the Investigating Officer and the Panchas to the place of the dealer and points him out. Whether the information given by the accused, and the evidence of the Investigating Officer and the Panchas are admissible? (5 marks)

(b) Distinguish between 'confession' and 'extra-judicial confession'; what is the evidentiary value of 'retracted confession'? (5 marks)

6. (a) What is the difference in respect of right relating to search of a house, and search of person under the provisions of N.D.P.S. Act? (4 marks)

(b) On the basis of a First Information Report lodged by X, the officer in charge of police station alleging that while he was posted as S.H.O., at the said police station, when he came out of the gate for arresting Y, he found two persons coming out at a fast speed on a scooter. They were stopped. They disclosed their identities. A search of their person was conducted, but nothing was found.

However, on search of the scooter, some black coloured liquid substance contained in six big plastic bag and one plastic bag were seen which were said to be containing Opium. The Sub Divisional Police Officer of the place was informed, and 5.890 kilograms of Opium was recovered.

Argument is advanced on behalf of the accused that search and seizure is vitiated in law as mandatory statutory requirements contained in Sections 50 and 42 of the N.D.P.S. Act were not complied with. It is also argued that the informant did not comply with the requirements of Section 57 of the N.D.P.S. Act. Sealing of the contraband material was also not carried out in accordance with law as no responsible officer fixed seal on the seized samples. Decide.

(6 marks)

7. (a) What is the requirement of previous sanction for prosecution of a public servant under the Prevention of Corruption Act?

(4 marks)

(b) *B*, the wife of *A*, a public servant, receives a diamond necklace from *X* for soliciting *A* to provide some Government land at cheaper rate (than the rate fixed) for establishing a hotel near an airport. *A* agrees and allots the said land to *X*.

Fix the liability of *A* in this case, under the provisions of the Prevention of Corruption Act, 1988. Also state the liability of *B*, if any. Give reasons for your answer.

(6 marks)

8. (a) Which Court has the power to try a case under Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and how such Court takes cognizance of the offence?

(4 marks)

(b) *A*, a higher caste girl, and *B*, a Schedule Caste boy were class fellows. They fell in love with each other and ultimately married in 2001. They were living in a village where *B* had some agricultural property in addition to his job as a teacher in Government School. In the absence of *B*, *A* used to take care of agricultural land. One day she had some altercation with *X*, an adjacent land

owner, who abused her with derogatory words relating to caste in which she has married. On the complaint of *A*, can *X* be prosecuted for offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Justify your answer. (6 marks)

9. *A* committed the murder of his son *S*, by his first marriage, as *S* used to quarrel with *A*'s second wife *W*. *A* dug up a big hole in the floor of the house and buried the dead body. *W* helped him in digging up the hole. After that, *W* burnt the blood stained clothes of *A*. When the police wanted to search the house, she refused to give them entry. She did not answer truthfully the questions put to her by the police. *W* is charged under sections 201 and 212 of the Indian Penal Code.

- (i) Could *W* be convicted under Section 201?
- (ii) Is she covered under the exception in Section 212?
- (iii) If *W* was not lawfully married to *A*, will she be given the benefit of exception?

(10 marks)

10. (a) Discuss as to when secondary evidence can be permitted under sub-sections (a), (b) and (c) of Section 65 of the Evidence Act. (5 marks)

(b) Discuss the requirements of Section 65B of the Evidence Act. Whether the certificate required under Section 65B is mandatory, or not? Discuss elaborately. (5 marks)

HIGH COURT FOR THE STATE OF TELANGANA

Written Examination for Recruitment of District Judges by transfer through Limited Competitive Examination

Paper – III (English Translation and Essay Writing)

Dated 18th August, 2019

Time: 3 Hours, from 10:00 am to 1:00 pm

Maximum Marks: 100

Instructions to the candidates

1. English translation is for 30 marks consisting of two questions of 15 marks each. Essay writing is for 70 marks consisting of two questions of 35 marks each.
2. Translation has to be made from English language to either Hindi or Telugu language only.
3. Essay writing must be written in English only.
4. If the answers are not legible, such answers will not be evaluated.
5. Write your hall ticket number only in the space provided in the first page of the main answer booklet. Do not write either your name or hall ticket number or any mark, anywhere in the main answer booklet/additional answer sheets.
6. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
7. No candidate will be permitted to leave the examination room/hall before 11:00 am.

I. English Translation – 30 marks – Two questions (15) marks each.

1. In his famous play, Hamlet, Shakespeare advises “Neither a lender, or borrower be”. But who listens to such sane advice. Establishing a business is no easy enterprise. Thus, a businessman is bound to borrow capital from the financial institutions. But the market forces may prevent the businessman from repaying the loan amount. Hence, begins a tug of war between the Financial creditor and

the Corporate debtor. It could also be that the supplier of the goods cannot be paid by the Corporate debtor. Thus, begins a skirmish between the Operational Provider and the Corporate debtor. Even an individual may become insolvent as he is unable to discharge his financial liabilities. Hence, the dispute between the lender and the borrower. Debt recovery and insolvency riddle the business world. The issue is how do we solve this intractable problem?

Various potions were tried, tested, but failed. Taking its cue from the Bankrupts (England) Act, 1825, the English enacted the Presidency Towns Insolvency Act, 1909, and the Provincial Insolvency Act, 1920. We enacted The Recovery of Debts Due to Banks and Financial Institutions Act, 1993, and the SARFAESI Act, 2002. But they failed to achieve the desired goals. Hence, we have enacted the Insolvency and Bankruptcy Code, 2016. (The Code, for short).

The Code has brought a sea change into the relationship between the creditor and the debtor: i) The Code has consolidated multiple outdated laws on insolvency and bankruptcy, by repealing the British laws mentioned above, and in amending eleven major legislations. ii) Creating multiple bodies and professionals for managing and facilitating the entire insolvency process in a structured and time bound manner including Insolvency and Bankruptcy Board of India, the Information Utilities, Insolvency Professionals, the Insolvency Professional Entities, and the Insolvency Professional Agency. iii) It has provided a time bound resolution of insolvency within a period of 180 days to maximum of 270 days. In the case of **Arcellor Mittal India Pvt. Ltd. V Satish Kumar Gupta**[(2019) 2 SCC 1], the Hon'ble Supreme Court has already opined that the time bound process is an essential feature of IBC. Therefore, the Code provides a minimal role to the Judiciary. iv) It has enabled the Financial creditors, the operational creditors, and the corporate debtors to initiate the insolvency process before the NCLT. v) The mere presence of default in payment of debt is essential for initiating the Corporate Insolvency Resolution Process (CIRP, for short). In the case of **Innoventive Industries Ltd. V ICICI Bank** [(2018) 1 SCC 407], the Apex Court has held that "even non-payment of a disputed financial debt when due would constitute a default under the Code". In other words, "as long as the

debt is due it does not matter if the same is disputed.” vi) the object of the Code is to balance the rights of the Creditors to recover their dues and to ensure the survival of the debtor as an ongoing concern. vii) the Code provides for two stages for recovery of debts due to the creditors, the Insolvency Resolution process, and upon its failure the Liquidation process.

2. Having undergone the agony of social suppression and economic exploitation, having been denied political rights during the colonial period, the Founding Fathers were eager to give Justice--Social, economic and Political--a pre-eminent position in our Constitution. Justice is, thus, prominently placed in the preamble of the Constitution. But mere mentioning is not enough. It is elaborately stated in Part III, and explained in detail in Part IV of the Constitution of India. While the former guarantees social, economic and political rights as fundamental rights, the latter places a constitutional duty on the State to strive to implement the concept of Justice in its different avatars through different means. A co-joint reading of these two parts of the Constitution reveals the depth of the Constitution: the Constitution is not just limited to defining the different functions of the three branches of the State, but is most importantly concerned with transporting the country from the feudal age to post-modern era. However, this transformation is not possible until Justice, in its varied form, reaches the common man. Till then, the concept is merely ephemeral.

Access to justice is pivotal to the Constitutional scheme of justice. Without access to the courts, justice is illusory. Hence, Dr. B. R. Ambedkar called Art. 32 of the Constitution, "the soul of the Constitution". In order to facilitate easy access to justice, multi-pronged strategy is employed: an elaborate web of courts from the Supreme Court to the Gram Nyayalaya is woven; jurisprudentially, the concept of locus standi is diluted by creating Public Interest Litigation; Alternative Dispute Resolution mechanism is invented in order to supplement the traditional judicial structure. The plethora of litigation is a clear indication of people's zeal to access justice, of their faith in the Judiciary.

The ultimate consequence of the failure of the judiciary in securing justice for the people is the popular perception that the state machinery has failed to protect the common man. Thus, people turn to the anti-social elements, to the local goons who masquerade as the local politician, for protection. This leads to criminalisation of our politics. This criminalisation further leads to the breakdown of Rule of Law. For the very political leaders, who are supposed to uphold the law, end up violating it. Eventually, the people are disillusioned with democracy; they support anarchy.

II. English Essay Writing not less than 1500 words: 70 marks. Two questions (35) marks each.

1. Investigating and Impartiality.
2. Human Trafficking in India – Challenges and Solutions.

2021

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
under Direct Recruitment**

Paper-I
(Constitutional and Civil Laws)

Date: 20th March, 2021

Time: 3 Hours, from 10:00 am to 1:00 pm

Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 10 questions. Answer all the questions. Each question carries total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.
2. Questions must be answered only in English. If the answers are not legible, such answers will not be evaluated.
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1. (a) What are the considerations to be kept in mind by a Court in the matter of grant of custody of minor children to one or the other spouse?

(5 marks)

- (b) What are the principles governing recognition of a foreign court judgment in a matrimonial dispute relating to divorce and child custody?

(5 marks)

2. Briefly state what are the principles governing proof of Wills with special reference to what can be termed 'suspicious circumstances' in the context of execution of Wills?

(10 marks)

3. Highlight the important changes brought about by the Right to Fair Compensation, Rehabilitation and Resettlement Act, 2013 in the procedures to be followed for acquisition of land from the earlier Land acquisition Act, 1894.

(10 marks)

4. Discuss some of the important principles governing the exercise of judicial review under Article 226 of the Constitution of India with reference to leading cases.

(10 marks)

5. What are the various principles of natural justice? Give an overview on each of those principles with reference to the leading cases.

(10 marks)

6. (a) What is the purpose of Law of Limitation? Can a time barred claim be filed, by taking recourse to Section 5 of the Limitation Act? Explain the exception to the said Limitation period with reference to Section 5 of the Indian Limitation Act.

(5 marks)

(b) What is meant by condonation of Delay under the Limitation Act? What is the difference between Sec 5 and Sec. 14 of the Limitation Act; Explain with examples.

(5 marks)

7. "A" enters into an oral agreement of sale with "B" for purchase of property for a total consideration of Rs.10,00,000/- and pays Rs. 8,00,000/- as advance on 01/01/2021. Thereafter to avoid any differences, the terms of agreement are reduced into writing and the parties sign the document of agreement of sale on 15/01/2021. One of the clauses in the agreement of sale is that time is not an essence of the contract. The time stipulated in the contract is that the balance sale consideration should be paid in 2 months from the date of entering into contract and get the sale deed executed in favour of "A" or his nominees. "A" intimates "B" through a Legal Notice dated 10/03/2021 that he is ready with the balance sale consideration and asks "B" to come receive the balance sale consideration and register the property in his name. "B" gives a Reply Notice that he is no longer interested in selling the property to "A", as he has a better offer from "C" and going to sell the property to "C" only. Can "B" rescind from the agreement of sale at this stage and sell the property to "C"? What are the legal remedies available to "A"? If "A" files a suit against "B", will "A" succeed in the suit? If the answer is yes, give reasons.

(10 Marks)

8. Who is an Ordinary Tenant and Protected Tenant under the provisions of the Telangana Tenancy and Agricultural Lands Act, 1950. Can a Protected Tenant be evicted from the said land? If Yes, under what conditions and provisions of the Act? How can a Protected Tenant become an absolute owner of the Land by operation of Law under the Act and the essential conditions required for becoming a statutory owner?

(10 Marks)

9. What are the various alternative dispute resolution methods recognized in law? Cite relevant provisions of the statutes with the case law where some of the said provisions have been discussed.

(10 marks)

10. a) Is it necessary for a party in a civil suit to prove a document through a witness, when the document is more than 30 years old. If possible, cite provision of law under the Evidence Act and state under what circumstances the concerned Court can treat the document as admissible in evidence.

(4 marks)

b) What are the requirements for admissibility of electronic records under Section 65-B of the Evidence Act.?

(3 marks)

c) If a message is received in a "whatsapp group" origin of which is not known, can it be received as secondary evidence under Section 65 of the Indian Evidence Act? Give explanation with or without illustrations.

(3 marks)

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
Under Direct Recruitment**

**Paper – II
(Criminal Laws)**

Date: 20th March, 2021

Time: 3 Hours, from 2:00 pm to 5:00 pm

Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 10 questions. Answer all questions. Each question carries a total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.
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1. (a) Distinguish between the following:-

- (i) Kidnapping and Abduction
- (ii) Murder and Culpable Homicide not amounting to murder
- (iii) Criminal Misappropriation and Criminal Breach of Trust

(6 marks)

- (b) Write short notes on any two of the following:-

- (i) Mens Rea
- (ii) Mischief
- (iii) Cheating
- (iv) Forgery

(4 marks)

2. Answer the following:

- (i) What is the Test Identification of accused and its evidentiary value? Discuss with reference to the relevant provisions of the Criminal Procedure Code, 1973 and the Indian Evidence Act, 1872. (2 marks)
- (ii) What do you understand by 'inculpatory statement' and 'exculpatory statement' of confession? What is the law relating to admissibility of such statements? (2 marks)
- (iii) 'A' while in police custody, makes statement of admission of a fact. During trial, the Public Prosecutor produced evidence of his admission. 'A' objects the admissibility of evidence on the ground of rule laid down in Section 26 of the Indian Evidence Act, 1872. Decide. (2 marks)
- (iv) Discuss the evidentiary value of retracted confession with an illustration. (2 marks)
- (v) Stolen or looted goods are recovered from the possession of the accused just few days after the theft/dacoity. What presumptions, if any, can be drawn against him? (2 marks)

3. (a) Section 300 of the Criminal Procedure Code provides that a person once convicted or acquitted is not to be tried again for the same offence. What shall be the correct position in the following cases?

- (i) 'A' is tried for causing grievous hurt and convicted. The person injured dies afterwards.
- (ii) 'A' is tried for culpable homicide of 'B' by the Sessions Court and is convicted. Can 'A' be tried on the same facts for the murder of 'B'?

(5 marks)

(b) Write a short note on the significance of cruelty or harassment to woman "soon before her death" and the fact that death has taken place "within seven years of her marriage". Discuss in the context of Section 304-B of the Indian Penal Code, 1860 and Section 113-B of the Indian Evidence Act, 1872.

(5 marks)

4. a) Discuss the law relating to 'Rape' as laid down in the Indian Penal Code.
(5 marks)
- (b) Discuss the term 'sexual harassment' in the light of the recent judgments delivered by the Hon'ble Supreme Court in the case of **Vishaka and others v. State of Rajasthan and others**, reported in 1997 (7) Supreme 323 and in the case of **Medha Kotwal Lele and others v. Union of India and others**, reported in 2012 (7) Supreme 321.
(5 marks)
5. (a) 'X', a scheduled caste employee subordinate to 'Y', a higher caste employee, alleges that 'Y' called him to his cabin and abused him in filthy language, referring to him by his caste name. 'X' lodges a complaint with the police who in turn registers a case against 'Y' for the offences under the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Does it amount to an offence under the provisions of the said Act? Discuss with relevant provisions of Act and precedents.
(5 marks)
- (b) Under what circumstances the bar created by Section 18 and 18A (1) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 would not apply for the purpose of granting anticipatory bail to an accused against whom a case is registered for the offences under the said Act. Elucidate with case law.
(5 marks)
6. (a) What are the twin conditions to be satisfied by an accused arrested for the offences under the provisions of the Narcotic Drugs and Psychotropic Substances Act, 1985 for grant of post arrest bail? Discuss with specific reference to Section 37 of NDPS Act with relevant case law.
(5 marks)
- (b) Whether the procedure laid down under Sections 52 and 57 of the Narcotic Drugs and Psychotropic Substances Act, 1985 is mandatory and whether non compliance of the same will vitiate the entire proceedings initiated by the prosecution against an accused?
(5 marks)
7. (a) 'A' issued a cheque to 'B' signed by him on behalf of a partnership firm. On dishonour of the same, after completing legal formalities such as issuing notice etc, 'B' filed a complaint against 'A' under Section 200 Cr.P.C., for the offence under Section 138 of The Negotiable Instruments Act, 1881 without making the firm as an accused. Is the said complaint maintainable against 'A' in the absence of the firm? Elaborate with specific reference to Section 141 of NI Act with relevant case law.
(5 marks)

(b) Is it mandatory for the Appellate Court to direct the appellant-accused convicted for the offence under Section 138 of the Negotiable Instruments Act, 1881 to deposit minimum 20% of the fine or compensation as awarded by the trial court? If so, what is the time frame? Elaborate.

(5 marks)

8. On the complaint lodged by 'X', ACB officials have laid a trap on 'Y' and recovered tainted currency notes from the possession of 'Y'. After completion of pre and post trap proceedings, chemical tests and investigation, a charge sheet was filed against 'Y' for the offences under the provisions of the Prevention of Corruption Act, 1988. Despite giving statement under Section 164 Cr.P.C., 'X' turned hostile during trial. It is contended by the prosecution that though 'X', the complainant turned hostile, his deposition to the extent relevant can be used as the prosecution has examined the mediator, who accompanied 'X' at the time of trap and recovery of tainted currency notes, and insisted for convicting 'Y' on the basis of the said evidence. Whether mere recovery of tainted currency notes is sufficient to prove the guilt of an accused? What are the other requirements under law, the prosecution has to prove to record conviction against 'Y' under the Prevention of Corruption Act, 1988? Discuss with relevant case law with specific reference to evidentiary value of hostile witness.

(10 marks)

9. (a) Discuss the relevance and evidentiary value of 'Alibi' under Section 11 of the Indian Evidence Act, 1872.

(5 marks)

(b) Discuss the relevancy and admissibility of electronic records under Section 65B of the Indian Evidence Act, 1872.

(5 marks)

10. (a) What is the concept of Observation Home, Special Home, Children's Home, Special Juvenile Police Unit and Open Shelter under the Juvenile Justice (Care and Protection of Children) Act, 2015?

(6 marks)

(b) Who are the children in need of care and protection? How can the children in need of care and protection be rehabilitated in a family? What are the prescribed procedures laid down for it?

(4 marks)

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
Under Direct Recruitment**

Paper – III

(English Translation, Essay Writing and Grammar)

Date: 21st March, 2021

Time: 3 Hours, from 10:00 am to 1:00 pm

Maximum Marks: 100

Instructions to the candidates

1. **English translation** is for 30 marks consisting of two questions of 15 marks each. **Essay writing** is for 40 marks consisting of two questions of 20 marks each. **English Grammar** is for 30 marks consisting of 5 questions.
2. Translation has to be made from English language to either Hindi or Telugu language only.
3. Essay writing must be written in English only.
4. If the answers are not legible, such answers will not be evaluated.
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7. No candidate will be permitted to leave the examination room/hall before 11:00 am.

I. English Translation – 30 marks – Two questions (15) marks each.

1. Authenticity of a document; its integrity – that it has not been tampered with or modified or altered in any manner, and its non-repudiation primarily ensure its admissibility, as evidence. Laws across jurisdictions provide modes and methods for accepting such authenticated documents in evidence, such as the originals of documents, in evidence without further processes for proving the

same. Laws also provide alternative methodologies for submitting secondary evidence of originals of such of those documents, which may not benefit from the secure levels of authenticity or integrity, as would originals. The rule that permeates global laws of evidence is to not shut out relevant evidence for fear of ease with which its authenticity or integrity may be tampered with.

The UNCITRAL Model Law on electronic signatures, which the Indian draftsman drew heavily from whilst formulating the laws for proving electronic records, placed substantial weightage to provide for acceptability of electronic documents in the same manner as article-based evidence. Standard forms of proving documents including by identifying creator of a document in the act of signing and association of that person with the content of a document was a *sine qua non* are scenarios that the model law took note of. Processes evolved at the beginning of the decade appear inchoate in the present digitally driven world of internet everywhere.

India's Information Technology Act, which also amended the Evidence Act, despite its late start in codifying laws for the digital domain, restricted its vision to the immediate need for enabling e-commerce. It was no wonder that the enactment required an overhaul within eight years of its inception. Such overhaul unfortunately did not encompass a review of the special provisions under the Evidence Act and the complexities built into the processes mandated therein.

2. It is premised on the principle that law can be general in its application, but it is rarely universal. There is so much diversity in every respect in every sphere of life that categorisation of people, things or events becomes a sheer necessity. Freedom of contract is considered the hallmark of a civilised and free society, but only adult persons who are of sound mind can be given this right. We have an adult franchise law whereunder adult citizens are voters but prisoners do not have the facility to cast their votes. Examples can be multiplied. However, though the lawmaker has the power to classify, his act of classification must fulfil two conditions: first, the basis of classification must be intelligible and should not have been specifically prohibited under the Constitution. Second, the basis of

classification should be relevant to the purpose of law. In judicial terminology, it is said that there should be some intelligible differentia between those who are part of the group and those that are left out, and the differentia should have rational relation with the object of the law. This requires some elaboration which is given below.

While describing the components of the reasonable classification, of which two of them have been mentioned above, that is, the basis of classification and the object of the law or that of the classification. But there is a third element as well, that is, the special treatment of favour or disfavour meted out to the classified people. A learned writer has called this the “what” element, whereas the other two are respectively called the “whom” and the “why” elements. Every classification involves a special treatment to a class of people to achieve an object. For example, when persons who are not adults or are not of sound mind, are deprived of the right to contract. Here is a classification between adult persons of sound mind and those who are not of that variety. People belonging to these two categories constitute the “whom” element. Adult people of sound mind are given a facility that they can enter into contract while the others are denied this facility. This is the “what” element. Lastly, all this is done to ensure that only those persons be given the right to take vital decisions about themselves and their fortunes who have the necessary mental capacity to understand the implications of their decisions or promises.

II. English Essay Writing not less than 1000 words – 40 marks. Two questions (20) marks each.

1. Human rights – Police investigation.
2. Legal aid and access to justice.

III. English Grammar – 30 marks. 5 questions (Marks given against each question).

A. Choose the correct Antonyms (words with opposite meaning) for the words given below: (10 x 1 = 10 marks)

1. Jubilation:

- a) Mourning
- b) Celebration
- c) Praising
- d) Enjoying

2. Extraordinary:

- a) great
- b) immense
- c) generous
- d) ordinary

3. Vigorous:

- a) energetic
- b) lively
- c) sprightly
- d) lethargic

4. Feasible:

- a) achievable
- b) vulnerable
- c) unachievable
- d) payable

5. Bewildering:

- a) puzzling
- b) confusing
- c) complex
- d) understandable

6. Constant:

- a) regular
- b) irregular
- c) continuous
- d) continual

7. Background:

- a) backdrop
- b) history
- c) foreground
- d) vintage

8. Facile:

- a) easy
- b) clear
- c) simplistic
- d) complex

9. Juvenile:

- a) mature
- b) young
- c) youthful
- d) childish

10. Proper:

- a) Good
- b) Correct
- c) Apt
- d) Unsuitable

B. Choose the correct sentence in the following sets: (5x1=5 marks)

1. a) Are you how?
 b) You are how?
 c) How are you?
 d) How you are?

2. a) He went to the market to sell land his.
 b) He to the market went to sell his land.
 c) To the market he went sell to land his.
 d) He went to the market to sell his land

3. a) I did not went yesterday.
 b) I not went yesterday.
 c) I did not go yesterday.
 d) I not did go yesterday.

4. a) He always do's like that.
 b) He always like that do's.
 c) He always dos like that.
 d) He always does like that.

5. a) I'm loving this coffee.
 b) I love this coffee.
 c) This coffee is loving.
 d) I this love coffee.

C. Fill in the blanks with an appropriate word from those given below each sentence: (5x1=5 marks)

1. There is a post office _____ my house.
 a. Besides b. Beside c. side to d. next

2. There is kindness _____ his nature.
 a. be b. on c. in d. inside

3. He has been suffering _____ pneumonia.
 a. By b. with c. from d. off

4. We must adapt ourselves _____ the changing circumstances.
 a. with b. to c. for d. by

5. She could not come because _____ fever.
 a. off b. of c. to d. by

D. Fill in the blanks with their meanings.**(5 x 1 = 5 marks)**

1. I am an optimist means _____
2. You are not a pessimist means _____
3. Theist is someone who _____
4. Atheist is someone who _____
5. The expression 'A to Z' means _____

E. Form correct sentences of your own with the following phrases:**(5 x 1 = 5 marks)**

1. pass by
2. give up
3. look into:
4. get into:
5. get across:

HIGH COURT FOR THE STATE OF TELANGANA

Written Examination for recruitment to the post of District Judge (Entry Level)
under Accelerated Recruitment Quota

Paper-I
(Constitutional and Civil Laws)

Date: 21st August, 2021

Time: 3 Hours, from 10:00 am to 1:00 pm

Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 10 questions. Answer all the questions. Each question carries total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.
2. Questions must be answered only in English. If the answers are not legible, such answers will not be evaluated.
3. Write your hall ticket number only in the space provided in the first page of the main answer booklet. Do not write either your name, or hall ticket number, or any mark, anywhere in the main answer booklet/additional answer sheets.
4. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
5. No candidate will be permitted to leave the examination room/hall before 11:00 am.

1. "No person shall be deprived of his property save by authority of law": Explain under what provision of law the said right is conferred on a party, with case law? What are the exceptions to the said rule?

(10 marks)

2. Give any five types of documents, whose registration is compulsory under the Registration Act, 1908? If a party wants to cancel a registered document what are the legally available options for getting the registered document cancelled and on what grounds?

(10 Marks)

3. (a) Briefly explain what is 'precedent' and what constitutes a 'binding precedent'? Differentiate between *Per incuriam*, *ratio decidendi* and *obiter dicta*.

(5 marks)

(b) In case of sale of mortgage property for realization of loan by foreclosure of mortgage, can a mortgagee participate in the auction sale? If so, what are the legal formalities required.

(5 marks)

4. (a) What factors does a party need to prove in order to establish that he acquired title by adverse possession under Indian Law?

(5 marks)

(b) What are the principles governing grant of an anti-suit injunction in relation to proceedings in a foreign court under Section 38 and Section 41 (a) and (b) of the Specific Relief Act, 1963?

(5 marks)

5. (a) What is meant by expert evidence under the Indian Evidence Act? What is the weightage that can be given to the evidence given by an expert witness?

(5 marks)

(b) In what circumstances can the State not take recourse to provisions of the Land Encroachment Act, 1905 to evict an encroacher?

(5 marks)

6. (a) Explain the doctrine of *Res Judicata* and *Sub Judice*.

(5 marks)

(b) Briefly explain about an Appeal and Review under the Civil Procedure Code. What is the difference between the two?

(5 marks)

7. (a) What is the difference between Section 5 and Section 14 of the Limitation Act? Explain with examples.

(5 marks)

(b) Under what circumstances is a surety discharged from his obligations towards a creditor?

(5 marks)

8. (a) What are the criteria to be applied for award of maintenance/permanent alimony to a wife under various statutes dealing with the said aspect?

(5 marks)

(b) Briefly discuss the principles governing proof of Wills under Indian Law?

(5 marks)

9. (a) What are the various modes of valid transfer of property? Discuss briefly about each one of them.

(5 marks)

(b) What is 'Rule against perpetuity' in the matter of transfer of property?

(5 marks)

10. 'A' has one son 'X' and one daughter 'Y'. 'A' died in the year 1995. 'Y' files a suit for partition of estate/properties of 'A' as per amendment to Section 6 of the Hindu Succession Act (Act 39 of 2005) in the year 2005. 'X' resists the suit claim stating that he being the only son succeeded to the entire estate of 'A' prior to 20.12.2004, by survivorship and the suit is not maintainable.

(a) What are the legal issues arising out of such suit claim and written statement. Frame the issues.

(b) Pass a judgment on such issues.

(10 marks)

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
Under Accelerated Recruitment quota**

**Paper – II
(Criminal Laws)**

Date: 22nd August, 2021

Time: 3 Hours, from 10:00 am to 1:00 pm

Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 10 questions. Answer all questions. Each question carries a total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.
2. Questions must be answered in English only. If the answers are not legible, such answers will not be evaluated.
3. Write your hall ticket number only in the space provided in the first page on the main answer booklet. Do not either write your name or hall ticket number or any mark, anywhere in the main answer booklet/additional answer sheets.
4. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
5. No candidate will be permitted to leave the examination room/hall before 3:00 pm.

1. Discuss the law relating to 'grave and sudden provocation' as laid down in the Indian Penal Code and state the extent to which it can be treated as a mitigating factor in respect of the accused for the offence of murder. Refer the case laws to illustrate your answer.

(10 marks)

2. (a) What precaution is the Investigating Officer required to take while making entry into a building, for conducting a search, seizure and arrest as per the requirement of Section 42 of the Narcotic Drugs and Psychotropic Substances Act, 1985?

(5 marks)

(b) What conditions of law should an Investigating Officer abide by while making search of a person, as per the requirement of Section 50 of the Narcotic Drugs and Psychotropic Substances Act, 1985?

(5 marks)

3. (a) Discuss fully the evidentiary value of a retracted confession. Illustrate your answer.

(5 marks)

(b) How far have the recent amendments in the Negotiable Instruments Act have strengthened the object of the Negotiable Instruments Act, 1889 in respect of dishonour of cheques?

(5 marks)

4. (a) What is the mechanism provided for prevention and detection in respect of offences under Wild Life (Protection) Act, 1972?

(5 marks)

(b) Discuss the various orders that can be passed by the Magistrate in accordance with the provisions of the Protection of Women from Domestic Violence Act, 2005?

(5 marks)

5. (a) An advocate has produced false and fabricated documents by creating an accident in the Motor Vehicle Accident Claims Tribunal to claim compensation from the insurance company. During inquiry, the Tribunal comes to a conclusion that it is a created accident, documents are false and fabricated and gives a finding to the said effect. What are the steps to be taken by the Tribunal under law to take action against the said advocate? Discuss elaborately with precedents.

(5 marks)

(b) Can an accused be directed by the investigating officer to produce incriminating documents as against the law of testimonial compulsion guaranteed under the Constitution? Elucidate with relevant case law.

(5 marks)

6. Whether registration of multiple crimes on the very same set of allegations is permissible in law on the ground that the accused remained silent during the course of investigation? Give reasons with relevant case law with reference to the right of an accused enshrined under the constitution of India to remain silent.

(10 marks)

7. Explain the importance of DNA technology for providing guidance to the Investigating Officer in respect of identification of criminals with specific reference to Section 53-A and 164-A of the Cr.P.C.

(10 marks)

8. What are the various parameters of rarest of rare cases for awarding death penalty? Support your answer with precedents.

(10 marks)

9. (a) Whether the Sessions Judge can summon a person as an additional accused prior to recording of prosecution evidence. If yes, give reasons with relevant case law. If no, give reasons.

(5 marks)

(b) Can conviction be recorded solely based on the circumstantial evidence? If so, what are the principles? Elucidate with precedents.

(5 marks)

10. (a) Explain the difference between 'child in need of care and protection' and 'child who is in conflict with law'. How the children in need of care and protection can be rehabilitated in a family and what are the prescribed procedures for it?

(5 marks)

(b) What are the offences against children under the Juvenile Justice (Care and Protection of Children) Act, 2015?

(5 marks)

HIGH COURT FOR THE STATE OF TELANGANA

Written Examination for recruitment to the post of District Judge (Entry Level) Under Direct Recruitment

Paper – III (English Translation, Essay Writing and Grammar)

Date: 21st August, 2021

Time: 3 Hours, from 2:00 am to 5:00 pm

Maximum Marks: 100

Instructions to the candidates

1. **English translation** is for 30 marks consisting of two questions of 15 marks each. **Essay writing** is for 40 marks consisting of two questions of 20 marks each. **English Grammar** is for 30 marks consisting of 5 questions.
2. Translation has to be made from English language to either Hindi or Telugu language only.
3. Essay writing must be written in English only.
4. If the answers are not legible, such answers will not be evaluated.
5. Write your hall ticket number only in the space provided in the first page of the main answer booklet. Do not write either your name or hall ticket number or any mark, anywhere in the main answer booklet/additional answer sheets.
6. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
7. No candidate will be permitted to leave the examination room/hall before 11:00 am.

I. English Translation – 30 marks – Two questions (15) marks each.

1. One of the main objectives behind issuing notice in the present Writ Petition, and the various orders that have been passed time to time by this Court, was to ensure that criminal prosecutions against elected representatives (MPs and MLAs) are concluded expeditiously. The Court was of the opinion that such special consideration was required not only because of the rising wave of criminalization that was occurring in the politics in the country, but also due to the power that elected representatives (sitting or former) wield, to influence or hamper effective prosecution. Additionally, as legislators are the repositories of the faith and trust of their electorate,

there is a necessity to be aware of the antecedents of the person that is/was elected. Ensuring the purity of democratically elected institutions is thus the hallmark of the present proceedings.

The learned Chief Justices are also requested to give their comments on the other suggestions of the learned amicus, as extracted by us in our order dated 10.09.2020 and this order. They are also requested to send us additional suggestions, if any, for the purpose of expedient disposal of pending criminal cases against legislators. The action plan, with the comments and suggestions of the learned Chief Justices of the High Courts, are to be sent to the Secretary General of this Court, preferably within a week. A copy may also be sent to the learned amicus curiae by way of email.

We further request the learned Chief Justices of all the High Courts to list forthwith all pending criminal cases involving sitting/former legislators (MPs and MLAs), particularly those wherein a stay has been granted, before an appropriate bench comprising of the learned Chief Justice and/or their designates. Upon being listed, the Court must first decide whether the stay granted, if any, should continue, keeping in view the principles regarding the grant of stay enshrined in the judgment of this Court in *Asian Resurfacing of Road Agency Private Limited v. CBI*. In the event that a stay is considered necessary, the Court should hear the matter on a day-to-day basis and dispose of the same expeditiously, preferably within a period of two month, without any unnecessary adjournment. It goes without saying that the Covid19 condition should not be an impediment to the compliance of this direction, as these matters could be conveniently heard through video conferencing.

2. After discussing in detail certain judgments of this Court, the learned Single Judge held that the agreement and the arbitration clause cannot be enforced against persons who are non-signatories, even though such non-signatories may participate in the arbitration, as no acquiescence or estoppel can apply to issues relatable to jurisdiction. However, turning down a "public policy plea" by DMC, the learned Single Judge held that the Award would be enforceable against DMC as it was a party to the agreement.

A side skirmish took place as to whether an appeal could be filed from the learned Single Judge's judgment, and arguments were raised based on the application of Section 3 of the Maharashtra High Court (Hearing of Writ Petitions by Division Bench and Abolition of Letters Patent) Act, 1986, to arrive at the conclusion that an appeal against the learned Single Judge's order would be maintainable

The Division Bench of the High Court, after stating the facts and after observing that the foreign award in this case had not been challenged in the USA, then held that the award could only be challenged under Section 48 if the Delaware law has not been followed on the alter ego principle. Being satisfied that the Arbitrator had properly applied the Delaware law on the facts of this case, the Court held that none of the grounds contained in Section 48 would apply so as to resist enforcement of the foreign award in this case.

A reading of Section 44 of the Arbitration and Conciliation Act, 1996 would show that there are six ingredients to an award being a foreign award under the said Section. First, it must be an arbitral award on differences between persons arising out of legal relationships. Second, these differences may be in contract or outside of contract, for example, in tort. Third, the legal relationship so spoken of ought to be considered "commercial" under the law in India. Fourth, the award must be made on or after the 11th day of October, 1960. Fifth, the award must be a New York Convention award – in short it must be in pursuance of an agreement in writing to which the New York Convention applies and be in one of such territories. And Sixth, it must be made in one of such territories which the Central Government by notification declares to be territories to which the New York Convention applies

II. English Essay writing not less than 1000 words – 40 marks. Two questions (20) marks each.

1. Dispensation of Justice during Covid-19 Pandemic.
2. Right to privacy.

III. (a) Read the following text and fill in the blanks with the appropriate words from the list given below the text.

(10 marks)

Ambiguity is an inevitable and _____ (1) part of our lives and thinking. The state of ambiguity is natural for most of us most of the time. But this becomes _____ (2) for the computer because it can function only when these ambiguities are _____ (3) and it is given very _____ (4) instructions as to what is to be done. But should issues always be defined clearly? And even if it can be done, don't they often _____ (5) their critical edge? Considering the _____ (6) perspective, issues have to be unambiguously _____ (7) to make the computer work but it also means that we are forced to _____ (8) to the computer when we use it. From the view of the man-machine _____ (9), the victims of inequality here are the human beings. This problem cannot be _____ (10) unless the computer is developed enough to be able to handle ambiguity. (Practical, interface, indispensable, critical, precise, conform, defined, solved, resolved, lose)

(b) Read each sentence to find out whether there is any error * in any underlined part. If there is no error, tick * on No error.

(5 marks)

(i) She insisted on my agreeing to meet her in the evening to discuss about the new topic. No error.

a b c d e

(ii) Who could deny that he had a remarkably kindly disposition that won him friends wherever he went? No error

a b c d e

(iii) One of the conditions laid down are related to the extra expenditure he keeps talking about. No error.

c d e

(iv) At college I had many choices but I did not hesitate to offer Mathematics and Music. No error.

a b c d e

(v) Giving the examination at such a short notice will at best get me a third. No error.

a b c d e

(c) Write the letter of the correct answer in each of the blanks in the following sentences:

(10 marks)

(i) After dinner when we had cleared _____ and washed up, we went for a walk.

A. up B. in C. out D. into

(ii) I insisted _____ a contract that gave me some kind of security.

A. on B. in C. at D. by

(iii) They pleaded _____ us to pull them out of water.

A. to B. at C. with D. over

(iv) He alone stood out _____ the hunting of whales.

A. at B. against C. on D. off

(v) They were painted so that they would appear to merge _____ the landscape.

A. in B. into C. over D. on

(vi) He was determined to root _____ corruption in his department.

A. away B. out C. over D. into

(vii) Finally at the time of conflict, the daughters sided _____ their mother.

A. on B. within C. with D. at

(viii) Marx plunged deeply _____ political work.

A. in B. at C. over D. into

(ix) The government is planning to pump _____ funds to improve technology.

A. in B. out C. over D. off

(x) The show was a perfect sell _____.

A. out B. across C. in D. away

V. Write a brief letter to the High Court requesting to provide suitable infrastructure and latest software for better dispensation of justice.

(5 marks)

2022

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
by Direct Recruitment and by transfer through Limited Competitive Examination**

Paper-I
(Constitutional and Civil Laws)

Date: 3rd September, 2022

Time: 3 Hours, from 10:00 am to 1:00 pm

Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 13 questions. Answer any 10 questions. Each question carries total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.
2. Questions must be answered only in English. If the answers are not legible, such answers will not be evaluated.
3. Write your hall ticket number only in the space provided in the first page of the main answer booklet. Do not write either your name, or hall ticket number, or any mark, anywhere in the main answer booklet/additional answer sheets.
4. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
5. No candidate will be permitted to leave the examination room/hall before 11:00 am.

Answer any 10 questions

1. (a) Discuss the scope of judicial review under Article 226 of the Constitution of India.

(5 marks)

- (b) Briefly discuss the Fundamental Rights and distinguish the same from Directive Principles of State policy.

(5 marks)

2. Answer any two of the following:

- (a) Define “evidence” and explain various types of evidence.
- (b) Explain *Resjudicata* and Constructive *Resjudicata*.
- (c) Explain the principles of estoppel.

(5 marks x 2)

3. Explain the various types of Alternative Dispute Resolution methods prescribed under Section 89 of the Civil Procedure Code with special reference to the leading case on this subject.

(10 marks)

4. (a) Define and explain the essentials of the Rule of Law as applied in India.

(5 marks)

(b) Explain *audi alteram partem*.

(5 marks)

5. (a) Rights of a protected tenant are heritable. Explain the statement with reference to relevant provisions of the Telangana State Tenancy and Agricultural Lands Act, 1950.

(5 marks)

(b) A protected tenant was issued Section 38-E ownership certificate, thereafter he lost possession over the land. What are the remedies available to him for recovery of possession? Explain whether the bar of jurisdiction under Section 99 of the Telangana State Tenancy and Agricultural Lands Act, 1950 applies to the facts of the case.

(5 marks)

6. (a) What is an easement? Under what circumstances do the easementary rights extinguish?

(5 marks)

(b) Explain 'Tort'. Give illustrations of torts affecting person and immovable property and its remedy before a Civil Court or a Criminal Court.

(5 marks)

7. What is "adverse possession"? What are the essential conditions necessary for claiming adverse possession? What is the time prescribed for claiming adverse possession as against a private property vis-à-vis Government property.

(10 marks)

8. (a) Can a plaint be rejected? Under what provision of law and on what grounds can the plaint be rejected?

(5 marks)

(b) Can a written statement be amended? If yes, under which provision? What is the period fixed for filing the written statement? Can the Court extend the period for filing the written statement?

(5 marks)

9. Explain “Void marriage”, “voidable marriage”, “judicial separation”, “divorce” and “restitution of conjugal rights” under the provisions of Hindu Law.

(10 marks)

10. What are the documents which are compulsorily registerable under the Registration Act? What are the consequences of non-registration? Can a document which is compulsorily registerable but not registered be admitted in evidence? If yes, for what purpose?

(10 marks)

11. Explain what is an *ex parte* decree? What are the legal remedies available under law to an aggrieved party against an *ex parte* decree? Enumerate the provision of law by citing case law.

(10 marks)

12. What is an injunction? What are the necessary requirements for granting interim injunction? What is the difference between temporary injunction, permanent injunction and mandatory injunction?

(10 marks)

13. a) What is the difference between Section 5 and Section 14 of the Limitation Act?

(5 marks)

b) Is any application required to be filed for taking benefit under Section 14 of the Limitation Act? Write a brief summary.

(5 marks)

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
Under Accelerated Recruitment quota**

**Paper – II
(Criminal Laws)**

Date: 4th September, 2022

Time: 3 Hours, from 10:00 am to 1:00 pm

Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 13 questions. Answer any 10 questions. Each question carries a total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.
2. Questions must be answered in English only. If the answers are not legible, such answers will not be evaluated.
3. Write your hall ticket number only in the space provided in the first page on the main answer booklet. Do not either write your name or hall ticket number or any mark, anywhere in the main answer booklet/additional answer sheets.
4. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
5. No candidate will be permitted to leave the examination room/hall before 11:00 am.

Answer any 10 questions

1. Explain: (Answer any two of the following):
 - a) Corpus delicti
 - b) Circumstantial evidence.
 - c) Suspicion and proof.

(5 marks x 2)
2. What is the difference between: (Answer any two of the following):
 - a) 'Outraging modesty' and 'attempt to rape'.
 - b) 'Causing grievous hurt' and 'attempt to murder'.
 - c) 'Misappropriate' and 'theft'.

(5 marks x 2)

3. Section 37 of the Narcotic Drugs and Psychotropic Substances Act requires the Court granting bail to reasonably believe that the person is not guilty of offence alleged.

a) What are the categories under which the satisfaction has to be recorded?

b) How does the satisfaction of the Court differ while adjudicating a bail under Section 37 of the Narcotic Drugs and Psychotropic Substances Act and while hearing a discharge application under Section 227 or 239 of the Criminal Procedure Code?

(10 marks)

4. Discuss:

a) Confessions and types of confessions.

b) Dying declaration and its evidentiary value.

(5 marks x 2)

5. a) Explain the Doctrine of Mens Rea.

b) Explain the Doctrine of Rarest of Rare case.

(5 marks x 2)

6. When does culpable homicide is not murder? Explain the exceptions under Section 300 of the Indian Penal Code.

(10 marks)

7. Discuss:

a) Procedure for trial before a Sessions Court.

b) Revision powers of the High Court or Sessions Court under Section 397 of the Criminal Procedure Code.

(5 marks x 2)

8. a) Distinguish between "Tort" and "Crime".

b) What is vicarious liability and explain whether it is applicable in Criminal Law.

(5 marks x 2)

9. Answer any two of the following:

a) Is there any correlation between Section 498-A and Section 304-B of the Indian Penal Code? Give a brief summary.

b) Explain the difference between 304 Part-I and Part-II of the Indian Penal Code.

c) What is the difference between Section 107 and Section 145 of the Criminal Procedure Code?

(5 marks x 2)

10. What is the difference between criminal conspiracy under Section 120B of the Indian Penal Code and common intention under Section 34 of the Indian Penal Code? Can a person be prosecuted for a solitary offence of criminal conspiracy?

(10 marks)

11. What is the evidentiary value of a statement under Section 164 of the Criminal Procedure Code as compared to a statement under Section 161 of the Criminal Procedure Code? Explain.

(10 marks)

12. 'A' woman belonging to the Scheduled Caste community marries 'B' man belonging to non-scheduled caste community. Marital disputes arose between 'A' and 'B' after three years of marriage. 'A' withdrew from the company of 'B' and alleging that she was forcibly removed from the house and abused in the name of caste in the presence of all the family members in the house, lodged a complaint against 'B' for the offences under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 as amended by Act 27 of 2018? Is the complaint filed by 'A' maintainable and what are the ingredients necessary to be satisfied for 'A' to prosecute 'B' for the offences under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 as amended by Act 27 of 2018?

(10 marks)

13. a) What is hostility of a witness? What is the admissibility or reliability of evidence of a hostile witness?

(5 marks)

b) What are the pre-requisites of investigation and trial of a person under the Prevention of Corruption Act, 2018?

(5 marks)

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
Under Accelerated Recruitment quota**

**Paper – II
(Criminal Laws)**

Date: 4th September, 2022

Time: 3 Hours, from 10:00 am to 1:00 pm

Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 13 questions. Answer any 10 questions. Each question carries a total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.
2. Questions must be answered in English only. If the answers are not legible, such answers will not be evaluated.
3. Write your hall ticket number only in the space provided in the first page on the main answer booklet. Do not either write your name or hall ticket number or any mark, anywhere in the main answer booklet/additional answer sheets.
4. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
5. No candidate will be permitted to leave the examination room/hall before 11:00 am.

Answer any 10 questions

1. Explain: (Answer any two of the following):
 - a) Corpus delicti
 - b) Circumstantial evidence.
 - c) Suspicion and proof.

(5 marks x 2)
2. What is the difference between: (Answer any two of the following):
 - a) 'Outraging modesty' and 'attempt to rape'.
 - b) 'Causing grievous hurt' and 'attempt to murder'.
 - c) 'Misappropriate' and 'theft'.

(5 marks x 2)

3. Section 37 of the Narcotic Drugs and Psychotropic Substances Act requires the Court granting bail to reasonably believe that the person is not guilty of offence alleged.

a) What are the categories under which the satisfaction has to be recorded?

b) How does the satisfaction of the Court differ while adjudicating a bail under Section 37 of the Narcotic Drugs and Psychotropic Substances Act and while hearing a discharge application under Section 227 or 239 of the Criminal Procedure Code?

(10 marks)

4. Discuss:

a) Confessions and types of confessions.

b) Dying declaration and its evidentiary value.

(5 marks x 2)

5. a) Explain the Doctrine of Mens Rea.

b) Explain the Doctrine of Rarest of Rare case.

(5 marks x 2)

6. When does culpable homicide is not murder? Explain the exceptions under Section 300 of the Indian Penal Code.

(10 marks)

7. Discuss:

a) Procedure for trial before a Sessions Court.

b) Revision powers of the High Court or Sessions Court under Section 397 of the Criminal Procedure Code.

(5 marks x 2)

8. a) Distinguish between "Tort" and "Crime".

b) What is vicarious liability and explain whether it is applicable in Criminal Law.

(5 marks x 2)

9. Answer any two of the following:

a) Is there any correlation between Section 498-A and Section 304-B of the Indian Penal Code? Give a brief summary.

b) Explain the difference between 304 Part-I and Part-II of the Indian Penal Code.

c) What is the difference between Section 107 and Section 145 of the Criminal Procedure Code?

(5 marks x 2)

10. What is the difference between criminal conspiracy under Section 120B of the Indian Penal Code and common intention under Section 34 of the Indian Penal Code? Can a person be prosecuted for a solitary offence of criminal conspiracy?

(10 marks)

11. What is the evidentiary value of a statement under Section 164 of the Criminal Procedure Code as compared to a statement under Section 161 of the Criminal Procedure Code? Explain.

(10 marks)

12. 'A' woman belonging to the Scheduled Caste community marries 'B' man belonging to non-scheduled caste community. Marital disputes arose between 'A' and 'B' after three years of marriage. 'A' withdrew from the company of 'B' and alleging that she was forcibly removed from the house and abused in the name of caste in the presence of all the family members in the house, lodged a complaint against 'B' for the offences under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 as amended by Act 27 of 2018? Is the complaint filed by 'A' maintainable and what are the ingredients necessary to be satisfied for 'A' to prosecute 'B' for the offences under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 as amended by Act 27 of 2018?

(10 marks)

13. a) What is hostility of a witness? What is the admissibility or reliability of evidence of a hostile witness?

(5 marks)

b) What are the pre-requisites of investigation and trial of a person under the Prevention of Corruption Act, 2018?

(5 marks)

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
by Direct Recruitment and by transfer through Limited Competitive Examination**

Paper – III

(English Translation, Essay Writing and Grammar)

Date: 3rd September, 2022

Time: 3 Hours, from 2:00 pm to 5:00 pm

Maximum Marks: 100

Instructions to the candidates

1. **English translation** is for 30 marks consisting of two questions of 15 marks each. **Essay writing** is for 40 marks consisting of two questions of 20 marks each. **English Grammar** is for 30 marks consisting of 5 questions.
2. Translation has to be made from English language to either Hindi or Telugu language only.
3. Essay writing must be written in English only.
4. If the answers are not legible, such answers will not be evaluated.
5. Write your hall ticket number only in the space provided in the first page of the main answer booklet. Do not write either your name or hall ticket number or any mark, anywhere in the main answer booklet/additional answer sheets.
6. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
7. No candidate will be permitted to leave the examination room/hall before 3:00 pm.

I. English Translation – 30 marks – Two questions (15) marks each.

(I) When a repeal of an enactment is followed by a fresh legislation such legislation does not effect the substantive rights of the parties on the date of suit or adjudication of suit unless such a legislation is retrospective and a Court of appeal cannot take into consideration a new law brought into existence after the judgment appealed from has been rendered because the rights of the parties in an appeal are determined under the law in force on the date of suit. However, the position in law would be different in the matters which relate to procedural law but so far as substantive rights of parties are concerned they remain unaffected by the amendment in the enactment.

Therefore, where a repeal of provisions of an enactment is followed by fresh legislation by an amending Act such legislation is prospective in operation and does not effect substantive or vested rights of the parties unless made retrospective either expressly or by necessary intendment. Further there is a presumption against the retrospective operation of a statute and further a statute is not to be construed to have a greater retrospective operation than its language renders necessary, but an amending Act which affects the procedure is presumed to be retrospective, unless amending Act provides otherwise.

A reading of substituted provision would show that the words used therein are plain and simple and there is no ambiguity in them. The words used in the section do not give rise to more than one meaning. It is also not possible to find that the amending Act either expressly or by necessary implication is retrospective. If it is held that the amending Act is retrospective in operation, it would be re-legislating the enactment by adding words which are not to be found in the amending Act either expressly or by necessary intendment and it would amount doing violence with the spirit of the amending Act. For these reasons, the application of rule of benevolent construction is wholly inapplicable while construing substituted provision. There is no such rule of construction that a beneficial legislation is always retrospective in operation, even though such legislation either expressly or by necessary intendment is not made retrospective.”

(II) “The prosecution for perjury should be sanctioned by courts only in those cases where the perjury appears to be deliberate and conscious and the conviction is reasonably probable or likely. No doubt giving of false evidence and filing false affidavits is an evil which must be effectively curbed with a strong hand but to start prosecution for perjury too readily and too frequently without due care and caution and on inconclusive and doubtful material defeats its very purpose. Prosecution should be ordered when it is considered expedient in the interests of justice to punish the delinquent and not merely because there is some inaccuracy in the statement which may be innocent or immaterial. There must be prima facie case of deliberate falsehood on a matter of substance and the court should be satisfied that there is reasonable foundation for the charge. In the present case we do not think the material brought to our notice was sufficiently adequate to justify the conclusion that it is expedient in the interests of justice to file a complaint.

The approach of the High Court seems somewhat mechanical and superficial: it does not reflect the requisite judicial deliberation: it seems to have ignored the fact that the

appellant was a Sarpanch and authorised to act as such and his explanation was not implausible. The High Court further appears to have failed to give requisite weight to the order of the District Magistrate which was confirmed by the Sessions Judge, in which it was considered inexpedient to initiate prosecution on the charge of alleged false affidavit that the appellant had not acted as Sarpanch during the period of the stay order.

The subject-matter of the charge before the District Magistrate was substantially the same as in the present case. Lastly, there is also the question of long lapse of time of more than ten years since the filing of the affidavit which is the subject-matter of the charge. This factor is also not wholly irrelevant for considering the question of expediency of initiating prosecution for the alleged perjury. In view of the nature of the alleged perjury in this case this long delay also militates against expediency of prosecution. And then by reason of the pendency of these proceedings since 1962 and earlier similar proceedings before the District Magistrate also the appellant must have suffered both mentally and financially. In view of all these circumstances we are constrained to allow the appeal and set aside the order directing complaint to be filed.”

II. English Essay writing not less than 1000 words – 40 marks. Choose any two questions. (20) marks each

- (1) Live-in relationship: Social Realities and Legal Framework in India.
- (2) Concepts of seat of arbitration and venue of arbitration in India.
- (3) Public interest litigation: a boon or a bane.
- (4) Law relating to death penalty in India: how the jurisprudence has evolved.

III. (a) Match the words in column A with their opposite meanings given in column B:

(5) marks

Column A

Column B

a. calm	1. rude
b. gentle	2. clear
c. hazy	3. commotion
d. naive	4. regular
e. inconsistent	5. guilty

(b) Fill in the blanks using “a”, “an”, “the”, or “no article”:

(5) marks

- Can you get to _____ airport in _____ hour?
- _____ instrumentalist mentioned in your story must be _____ wizard.
- Is this _____ person you were speaking to when you had _____ fall?
- It is said that _____ orange _____ day builds your immunity.
- I like _____ coffee in _____ evenings.

(c) Match the words in column A with the meanings given in column B:

(5) marks

Column A

Column B

1. recognition	a) fringe
2. explanation	b) accolade
3. core	c) distorted
4. joy	d) pleasure
5. blurry	e) reasoning

(d) Fill in the blanks using suitable prepositions:

(10) marks

- We live _____ a flat that is _____ the fourth floor.
- I went _____ the mall _____ that street.
- My friend told me _____ the person who sits _____ the park every evening.
- My father found _____ the table the ring which was dropped _____ my mother.
- _____ all vegetables, I love potatoes, _____ I consume them often. .

(e) Write a brief letter to the Officer of the Provident Fund Section requesting him/her to allow you to draw part payment of your Provident Fund for conducting a ceremony at home.

(5) marks

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
by Direct Recruitment and by transfer through Limited Competitive Examination**

Paper-I
(Constitutional and Civil Laws)

Date: 22nd July, 2023

Time: 3 Hours, from 10:00 am to 1:00 pm

Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 10 questions. Answer all 10 questions. Each question carries total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.
2. Questions must be answered only in English. If the answers are not legible, such answers will not be evaluated.
3. Write your hall ticket number only in the space provided in the first page of the main answer booklet. Do not write either your name, or hall ticket number, or any mark, anywhere in the main answer booklet/additional answer sheets.
4. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
5. No candidate will be permitted to leave the examination room/hall before 11:00 am.

1. What are factors required to be examined before passing an order under Order 38 Rule 5 of the Code of Civil Procedure?
(10 marks)
2. Discuss the provision of Order 26 of the Code of Civil Procedure. Explain whether an Advocate-Commissioner can be appointed to gather evidence or not. Cite relevant case law.
(10 marks)
3. (a) Whether amendment of plaint can be ordered after trial is over?
(5 marks)
(b) What is the difference between 'mortgage by conditional sale', 'usufructory mortgage', 'English mortgage' and 'mortgage by deposit of title deeds'?
(5 marks)
4. What relief can be sought under the Specific Relief Act? When specific relief can be denied and compensation can be awarded in certain cases? Discuss elaborately with case law.
(10 marks)

5. (a) Explain the difference between 'agreement of sale' and 'sale deed'. Whether immovable property can be transferred without registration? (5 marks)

(b) What is the difference between Section 5 and Section 14 of the Limitation Act? (5 marks)

6. Write brief summary of judicial review of administrative action. (10 marks)

7. Define federalism and powers of the Centre and the State with illustrations. (10 marks)

8. Whether tenancy is inheritable or not? If so, what rights will be passed on to the legal heirs? (10 marks)

9. Explain the difference between revision power of the High Court under Section 115 of the Code of Civil Procedure and Article 227 of the Constitution of India. (5 marks)

(b) Under what circumstances Section 115 of the Code of Civil Procedure or Article 227 of the Constitution of India can be invoked by an aggrieved party. (5 marks)

10. (a) What is the difference between Section 47, Order 21 Rule 97 and Order 21 Rule 99 of the Code of Civil Procedure? (2 ½ marks)

(b) Write a brief summary on the scope of enquiry in a petition filed under Section 47 of the Code of Civil Procedure. (2 ½ marks)

(c) Can a person, who is a pendente lite purchaser from the defendant/Judgment debtor, file an application under Order 21 Rule 97 and Rule 99 of the Code of Civil Procedure, to resist execution of a decree? Explain with the relevant provisions of the Code of Civil Procedure. (2 ½ marks)

(d) Can a person, who is a pendente lite purchaser from the plaintiff/decreed holder, be entitled to file Execution Petition though not a party to a suit? Explain with the relevant provisions of the Code of Civil Procedure. (2 ½ marks)

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
by direct recruitment and by transfer through Limited Competitive Examination**

**Paper – II
(Criminal Laws)**

Date: 23rd July, 2023

Time: 3 Hours, from 10:00 am to 1:00 pm

Maximum Marks: 100

Instructions to the candidates

1. Question paper consists of 10 questions. Answer all 10 questions. Each question carries a total of 10 marks. If a question has sub-questions or parts, the marks carried by each sub question or part are indicated.
2. Questions must be answered in English only. If the answers are not legible, such answers will not be evaluated.
3. Write your hall ticket number only in the space provided in the first page on the main answer booklet. Do not either write your name or hall ticket number or any mark, anywhere in the main answer booklet/additional answer sheets.
4. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
5. No candidate will be permitted to leave the examination room/hall before 11:00 am.

1. When can a private complaint be made to the Magistrate and under what circumstances? Explain with relevant provisions.

(10 marks)

2. (a) Define 'simple hurt' and 'grievous hurt' and the punishment prescribed for both the offences. Give four instances of 'grievous hurt'.

(5 marks)

-
- (b) What is the effect of giving false evidence, fabricating evidence and the consequences thereof? Explain with relevant provisions and case law.

(5 marks)

3. (a) 'A' driving a car hit motorcyclist 'B' from behind. 'B' fell down and died on the spot. The police registered FIR against 'A' for the offence under Section 304 Part-I of the Indian Penal Code. 'A' filed discharge petition contending that the offence under Section 304 Part-I of the Indian Penal Code is not attracted. The prosecution opposed the discharge petition contending that whether the offence under Section 304 Part-I attracts or not is a matter to be decided in the main trial and not way of discharge petition. Give brief summary by citing relevant provisions of law.

(5 marks)

(b) Give four instances of what can constitute trafficking of a person under Section 370 of the Indian Penal Code.

(5 marks)

4. (a) What is the difference between 'kidnapping' and 'abduction'?

(5 marks)

(b) What is the difference between 'wrongful restraint' and 'wrongful confinement'?

(5 marks)

5. (a) What commercial quantity of drug is defined under the Narcotic Drugs Psychotropic Substances Act and what consequences would follow if a person possesses quantity more than prescribed?

(5 marks)

(b) State the penalties provided for various offences under the Narcotic Drugs Psychotropic Substances Act.

(5 marks)

6. (a) Which court can exercise the power to recall a warrant and under which provision of law? Explain with relevant case law.

(5 marks)

(b) Can a person charged for an offence and put to trial be convicted for another offence? Illustrate the answer by examples and relevant case law.

(5 marks)

7. Define 'burden of proof'. Initial burden of proof lies on whom in cheque bounce cases and whether burden of proof shifts which side when there is rebuttal. Discuss with case law.

(10 marks)

8. What is 'defamation' and 'criminal defamation'? Explain the difference between the two? Discuss elaborately with relevant case law.

(10 marks)

9. Discuss elaborately the provision under Section 125 of the Code of Criminal Procedure? Who is entitled to maintenance under the said provision? Explain with relevant case law.

(10 marks)

10. (a) What constitutes an offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and whether anticipatory bail is available or not? Explain in detail.

(5 marks)

(b) Briefly state the requirement of prior sanction from the Government for prosecution of a public servant under the Prevention of Corruption Act, with relevant case law.

(5 marks)

HIGH COURT FOR THE STATE OF TELANGANA

**Written Examination for recruitment to the post of District Judge (Entry Level)
by Direct Recruitment and by transfer through Limited Competitive Examination**

Paper – III

(Translation, Essay Writing and Grammar)

Date: 22nd July, 2023

Time: 3 Hours, from 2:30 pm to 5:30 pm

Maximum Marks: 100

Instructions to the candidates

1. **English to Telugu translation** is for 15 marks and **Telugu to English translation** is for 15 marks. **Essay writing** is for 40 marks consisting of two questions of 20 marks each. **English Grammar** is for 30 marks consisting of 4 questions.
2. Translation has to be made from English language to Telugu and Telugu to English language only.
3. Essay writing must be written in English only.
4. If the answers are not legible, such answers will not be evaluated.
5. Write your hall ticket number only in the space provided in the first page of the main answer booklet. Do not write either your name or hall ticket number or any mark, anywhere in the main answer booklet/additional answer sheets.
6. Any attempt by the candidate to disclose his/her identity in any manner in the answer sheets will disqualify him/her.
7. No candidate will be permitted to leave the examination room/hall before 3:30 pm.

I. English to Telugu Translation – 15 marks.

Criminal trial is meant for doing justice not only to the victim but also to the accused and the Society at large. Every criminal trial is a voyage of discovery in which truth is the quest. The primary object of criminal trial is to ensure fair trial which is guaranteed under Art.21 of the Constitution of India. A fair trial has, therefore, two objects in view. It must be fair to the accused and must also be fair to the prosecution. The trial must be judged from this dual point of view. It is, therefore, necessary to remember that a judge does not preside over a criminal trial merely to see

that no innocent man is punished. A judge also presides to see that a guilty man does not escape. One is as important as the other. Both are public duties which the judge has to perform. The object of criminal trial is thus to render public justice by punishing the criminal. It is also important to remember that the trial should be concluded expeditiously before the memory of the witnesses fades out. The recent trend is to delay the trial and threaten the witnesses or to win over the witnesses by promise or inducement. These malpractices need to be curbed and public justice can be ensured to the satisfaction of all concerned only when trial is conducted expeditiously. The public interest demands that criminal justice is swift and sure, that the guilty is punished while events are still fresh in the public mind and that the innocent is absolved as early as is consistent with a fair and impartial trial. If unmerited acquittals become the general rule, they tend to lead to a cynical disregard of the law. A miscarriage of justice may arise from the acquittal of the guilty no less than from the conviction of the innocent.

In getting the true fruits of the real object of criminal trial, it must always be kept in view that a criminal trial is not like a fairy tale wherein one is free to give flight to one's imagination and fantasy. It concerns itself with the question as to whether the accused arraigned at the trial is guilty of the crime with which he is charged. Crime is an event in real life and is the product of interplay of different human emotions. In arriving at the conclusion about the guilt of the accused charged with the commission of a crime, the court has to judge the evidence by the yardstick of probabilities, its intrinsic worth and the animus of the witnesses.

(II) Telugu to English Translation – 15 marks.

హిందూ వివాహ చట్ట ప్రకారం దాఖలైన దరఖాస్తుల విచారణ జరిగి డిక్రీ ఇచ్చినప్పుడు గానీ ఆ తరువాత గానీ కోర్టులు దంపతుల్లో ఎవరికైనా శాశ్వత మనోవర్తిని మంజూరు చేయవచ్చు. కోర్టు ముందు ఎలాంటి పిటీషన్ పరిశీలనలో లేనప్పుడు లేక పరిశీలనలో వున్న పిటీషన్లు కొట్టివేయబడినప్పుడు ఎలాంటి శాశ్వత భృతిని మంజూరు చేయడానికి అవకాశం లేదు. ఈ భృతిని భార్యగానీ భర్తగానీ ఎవరైనా కోరవచ్చు. ఈ భృతిని పొందిన వ్యక్తి తిరిగి వివాహం చేసుకోనంత వరకు మాత్రమే పొందుతారు. మళ్ళీ వివాహం చేసుకున్న తరువాత ఈ భృతి పొందడానికి వీలేదు. క్రిమినల్ ప్రొసీజర్ కోడ్ సె.125 ప్రకారం గానీ సివిల్ కోర్టులో దావా వేసి మనోవర్తి పొందడానికి గానీ ఈ నిబంధన ఎట్టి ఆటంకం కాదు.

ఈ భృతిని అది పొందిన వ్యక్తి మరణించు వరకు ఇవ్వవలసి ఉంటుంది. దంపతుల జీవన సరళిలో ఏవైనా మార్పులు సంభవించినప్పుడు, వాటికి అనుగుణంగా తమ ఉత్తర్వులను కోర్టు మార్పు చేయవచ్చు లేక రద్దు చేయవచ్చు. భృతిని పొందే వ్యక్తులు వ్యభిచారానికి పాల్పడినా, తిరిగి వివాహం చేసుకున్నా కోర్టు తమ ఉత్తర్వులను మార్పు చేయవచ్చు. అయితే దంపతుల్లోని వ్యక్తులు ఈ విషయాన్ని కోర్టు దృష్టికి తెచ్చి కోర్టుని ఈ విషయంలో సంతృప్తి పరచాల్సి ఉంటుంది.

భర్త దాఖలు చేసిన దాంపత్య జీవన హక్కుల దరఖాస్తు కొట్టివేసినప్పుడు భార్యకు ఎలాంటి శాశ్వత భృతిని మంజూరు చేయడానికి అవకాశం లేదని

రాజస్థాన్ హైకోర్టు అభిప్రాయపడింది. కోరిన ఉపశమనానికి విరుద్ధంగా డిక్రీ మంజూరు చేసినప్పుడు శాశ్వత భృతిని ఇవ్వడానికి వీల్లేదని కోర్టు అభిప్రాయపడింది. అయితే ఆంధ్రప్రదేశ్ హైకోర్టు ఈ విషయాన్ని ఆమోదించ లేదు. కొన్ని కారణాల వల్ల పిటీషన్ కొట్టివేసినప్పటికీ సందర్భాన్ని బట్టి పార్టీలకు భృతిని మంజూరు చేయాల్సి ఉంటుందని ఆంధ్రప్రదేశ్ హైకోర్టు అభిప్రాయపడింది. దాంపత్య జీవన హక్కుల డిక్రీ పొందిన భార్య అదే నిబంధన క్రింద శాశ్వత భృతిని కోరవచ్చు.

దాంపత్య జీవన హక్కుల డిక్రీ కోర్టు భర్తకు మంజూరు చేసినప్పటికీ భార్య దాన్ని మన్నించి అతనితో జీవించనప్పుడు, ఆ కారణంగా భర్త విడాకులు కోరి మంజూరైనప్పుడు కూడా భార్య శాశ్వత భృతి కోరవచ్చునని కోర్టులు అభిప్రాయ పడుతున్నాయి. అయితే శాశ్వత భృతి మంజూరు చేసేప్పుడు కోర్టులు పార్టీ నడవడికను కూడా దృష్టిలో పెట్టుకోవాల్సి ఉంటుంది.

ఈ చట్ట ప్రకారం దాఖలైన పిటీషన్లపై తీర్పులు చెప్పినప్పుడు అదే తీర్పు శాశ్వత భృతి గురించి కూడా కోర్టులు తీర్పు చెప్పవచ్చు. లేదా శాశ్వత భృతి కోసం, తరువాత దాఖలైన దరఖాస్తులపై శాశ్వత భృతి మంజూరు చేయవచ్చు.

III. English Essay writing not less than 1000 words – 40 marks. Choose any two questions. (20) marks each

- (1) Doctrine of constitutional tort.
- (2) Artificial Intelligence in the field of legal profession.
- (3) Doctrine of legitimate expectation.
- (4) Doctrine of ratio decidendi.

IV. GRAMMAR:(30 MARKS)

1. Read the sentences given below. Decide if there is an error in any of the parts 1, 2, and 3. If yes, mark that. If there is no error, mark 4.

(1 x 10 = 10 marks)

1	I was mentioned that 1	the man in the blue shirt 2	was Irish. 3	No error. 4
2	There was a sudden 1	loud bang on the door 2	waking me up. 3	No error. 4
3	We had an old car 1	that wouldn't start on cold mornings 2	unless we got out and pushed it. 3	No error. 4
4	Rohith wants to know 1	if you would like 2	a slice of her home-made cheese cake. 3	No error. 4
5	Have you watched 1	the film <i>The God's Must Be Crazy</i> 2	last night on the HBO? 3	No error. 4
6	I think they've promoted Rahul, 1	but he didn't mention 2	having been promoted. 3	No error. 4
7	Thanks for the invite; 1	I'd love seeing you 2	tonight, at the Plaza. 3	No error. 4
8	We thought we had started 1	early our hike, but 2	already other people had left the campsite. 3	No error. 4
9	Most of the Europe 1	will have 2	sunny weather tomorrow. 3	No error. 4
10	He would neither 1	study at home 2	nor would he go to school. 3	No error. 4

2. Read the passage below and fill in the blanks with the words given in the table that follows. Choose the correct form of the word from the four options 1, 2, 3, and 4.

(1 x 5 = 5 marks)

A man and a woman ___11___ in a car that had been circling the same area for a half hour. The woman was saying, "Why don't we just *ask* someone?" The man was saying, not for the first time, "I'm sure it's ___12___ here somewhere. I'll just try this street."

Why are so many men reluctant to ask directions? Why aren't women? And why ___13___ women understand why men don't want to ask? The explanation, for this and ___14___ that women and men ___15___ when they talk to each other, lies in the different ways that they use language—differences that begin with how girls and boys use language as children growing up in different world. Little girls play in small groups or in pairs. They learn to use language to negotiate intimacy—to make connections and feel close to each other.

11	were seating 1	were seated 2	have seated 3	have been seated 4
12	around 1	near 2	by 3	through 4
13	won't 1	aren't 2	can't 3	don't 4
14	minor and major countless frustrations 1	countless frustrations minor and major 2	major and minor frustrations countless 3	countless minor and major frustrations 4
15	encountering 1	encounter 2	encounters 3	encountered 4

3. Read the passage below and, from the table that follows, pick the closest meaning of the word in bold, as suitable to context, from the options marked 1, 2, 3, and 4.

(1 x 10 = 10 marks)

Adolescents give the **impression** (16) of being great experimenters. They experiment with hair styles, music, religions, **fad** (17) diets, part-time jobs, part-time relationships, and part-time philosophies of life. In fact, it seems that teenagers' commitments are made on a part-time basis. They are busily trying things out, doing things their way, off on a **grand**(18) search for Truth.

This **perception** (19) of adolescents as experimenters is not without **foundation** (20). It is consistent with the view that one of the major tasks of adolescence is the **resolution** (21) of an *identitycrisis*—the struggle to define and **integrate** (22) the sense of who one is, what one is to do in life, and what one's attitudes, beliefs, and values should be. During adolescence, we **come to grips** (23) with many questions" "Who am I?" "What am I going to do with my life?" Needless to say, these are not **trivial** (24) questions. A person's search for his or her identity may lead to **conflicts** (25). Some of these conflicts may be resolved very easily, some continue into adulthood.

16	idea 1	consequence 2	effect 3	reaction 4
17	style 1	innovative 2	fancy 3	change 4
18	superb 1	noble 2	dignified 3	ambitious 4
19	attention 1	attitude 2	understanding 3	image 4
20	reason 1	infrastructure 2	base 3	root 4
21	sincerity 1	solving 2	courage 3	purpose 4
22	associate 1	concentrate 2	combine 3	organize 4
23	get a hold on 1	seize with both hands 2	take into one's hands 3	face an issue to solve it 4
24	small 1	incidental 2	negligible 3	valueless 4
25	competitions 1	struggles 2	rivalries 3	battles 4

4. In each of the following sentences one word has been italicized. Under each sentence four alternative words, marked 1, 2, 3, and 4 are given. Select the word that is closest in meaning to the word that is italicized in the sentence.

(1 x 5 = 5 marks)

26. Oh dear, you look *ghastly*, what's the matter?

1. weak

2. terrible

3. horrible

4. cunning

27. I was very *excited* when I saw the buffet and took more than I could eat.
1. enthusiastic 2. annoyed 3. delighted 4. eager
28. Apart from one minor *snag* everything went according to the plan.
1. inconsistency 2. barrier 3. inconvenience 4. drawback
29. The *menial* summer job was an exercise in humbling self-discipline.
1. low 2. routine 3. unskilled 4. plentiful
30. I learnt a lot from your report—it was *illuminating*.
1. instructive 2. educational 3. comprehensive 4. detailed
