

HIGH COURT OF TRIPURA

COMPETITIVE WRITTEN EXAMINATION FOR GRADE-I OF TRIPURA JUDICIAL SERVICE

2020

Paper-II

Total Marks : **100**

Duration : **3(Three) Hours**

(Note : The candidates are expected to refer to the case law of the Apex Court and the High Court while writing their answers to the questions)

(Part-I)

Answer any two of the following

5x2=10 Marks

1. What factors are required to be borne in mind while considering the application for condonation of delay?
2. In computing the period of limitation, time consumed *bona fide* in court without jurisdiction is to be excluded. Please explain the concept.
3. What is the effect of acknowledgment in writing of a liability on the period of limitation? Please explain.

(Part-II)

Attempt any two of the following

5x2=10 Marks

1. Explain the concept of contingent interest.
2. Explain the concept of Election under the Transfer of Property Act.
3. Write a short note on Right of mortgager to redeem the mortgaged property.
4. How is 'gift' defined under the Transfer of Property Act? What is an onerous gift?

(Part-III)

Attempt any two of the following 10x2=20 Marks

1. What is the difference between culpable homicide and murder?
2. Explain the term 'Unlawful Assembly' as contained in Indian Penal Code. Explain the difference between 'common object' and 'common intention' with reference to the provisions under the Indian Penal Code.
3. What is abetment? When can a person be said to have abetted an offence?
4. Write a short note on right of private defense. When can the right of private defense extend to causing death?

(Part-IV)

Attempt any two of the following 10x2=20 Marks

1. Explain the difference between cognizable and non-cognizable offences and bailable and non-bailable offences.
2. Discuss the provisions contained in the Code of Criminal Procedure 1973, pertaining to order for maintenance wives, children and parents.
3. Write a short note on cancellation of bail. Under which circumstances, bail once granted by the court, is liable to be cancelled?
4. What is a charge? What should be the contents of the charge? What is the effect of defective charge on trial?

(Part-V)

Attempt any two of the following 10x2=20 Marks

1. As per the Indian Evidence Act, 1872, which are the facts which need not be proved? Give reference to the relevant sections.

2. Explain the terms 'Fact', 'Relevant Fact' and 'Facts in Issue' as per the Indian Evidence Act.
3. What is secondary evidence? When is secondary evidence admissible?
4. Who is a hostile witness? What is the evidentiary value of the testimony of a hostile witness?

(Part-VI)

Attempt any two of the following 10x2=20 Marks

1. Explain the concept of *res-judicata* with reference to the relevant provision under the Code of Civil Procedure, 1908.
2. Which are the cases in which the Civil Court may grant temporary injunction? Which are the factors the Court should consider while deciding an application for temporary injunction? Under what circumstances such temporary injunction can be granted without giving notice to the opposite party?
3. Write a short note on the powers of a Court to review its own judgment. When can such powers be exercised?
4. Write a short note on the execution of a decree.