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

**LAW, PAPER-I**

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

**NOTE:** Attempt **FIVE** questions in all, including **QUESTION NO. 9** which is **COMPULSORY** carrying 20 marks. All other questions carry 16 marks each. Attempt at least **ONE** Question from each of the **PARTS A, B, and C.**

**PART - A: (CIVIL PROCEDURE CODE)**

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

**PART -B: (THE CONTRACT ACT)**

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

**PART -C: (LAW OF TORTS)**

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

**COMPULSORY QUESTION**

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  - (1) Can a party file a fresh suit on the subject matter in respect of which earlier suit was withdrawn:  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(c) Yes if the earlier suit was withdrawn with permission of the court.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

**LAW, PAPER-I:**

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

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

**LAW, PAPER-II**

**TIME ALLOWED: THREE HOURS**

**MAXIMUM MARKS: 100**

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

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

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

**PART -B: (THE CRIMINAL PROCEDURE CODE)**

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

**PART -C: (PAKISTAN PENAL CODE)**

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

**COMPULSORY QUESTION**

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

**LAW PAPER-II:**

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

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