LAHORE HIGH COURT, LAHORE

CIVIL JUDGES-CUM-JUDICIAL MAGISTRATES RECRUITMENT EXAMINATION 2013

PAPER-I (CIVIL LAW)

Time allowed:- (Three Hours) **Total Marks:-100**

Attempt any five questions. All questions carry equal(20) marks.

1. Is there any difference between Actual Res-Judicata and Constructive Res-Judicata in the light of Section 11 of CPC?

2. Give a detailed account of the kinds of injunctions and indicate cases in which injunction cannot be granted?

3. What are essentials of a valid marriage? Draw a distinction between a void and an irregular marriage.

4. Write a short note on the following:-
   i. Pauper Suit
   ii. Caveat Emptor
   iii. Interrogatories
   iv. Substituted Service
   v. Contingent Contract

5. Explain and comment on the inherent powers of Civil Courts with special reference to the powers of the Court to amend judgments, decrees or orders?

6. What are the supplemental proceedings that Court is empowered to take to secure the ends of justice?

7. In what circumstances, a Civil Court can issue Commission? Can Court issue Commission only on the move of a Party to the Suit?

8. What matters are to be considered by a Court in the appointment of a Guardian?

9. What do you understand by 'Talabs' prescribed by Punjab Pre-emption Act, 1991? State the effect of non-performance of 'Talabs'.

10. Name the Suits in which preliminary decree must be passed? Also explain in detail the necessary steps needed for finalization of Partition Suit Proceedings.

LAHORE HIGH COURT, LAHORE

Civil Judges-cum-Judicial Magistrates Recruitment Examination 2006

QUESTION PAPER

Instructions:
* *All answers are to be written in English language.*
* *Answer five questions from each section.*
* *All questions carry equal marks.*
* *Time: 3 hours.*

Section-I: *Criminal Law*

1. Whether a criminal court has any jurisdiction to decide the matter relating to immovable property and, if so, under what circumstances can the person dispossessed be restored the possession?

2. Discuss in detail the procedure to be followed by a Magistrate for the trial of a case not punishable with death or imprisonment for life and irregularities which vitiate the trial?

3. What formalities must be observed by a Magistrate while recording the confession of an accused person? Also discuss the legal value of a confessional statement.

4. a) What is the difference between preparation to commit an offence and an attempt to commit an offence?
   b) What is the difference between common intention and common object as given in Pakistan Penal Code?

5. While playing with a revolver 'A' pulls the trigger without observing that the revolver is not empty and thereby causes the death of 'B' who was standing nearby. Whether 'A' has committed any offence and, if so, what would be the nature of the offence? Discuss in detail.

6. What do you understand by the word "Pardon", who can grant the same and under what circumstances? Also refer to the relevant provisions in Pakistan Penal Code as well as Criminal Procedure Code.

7. Define and distinguish "examination-in-chief", "cross-examination" and "re-examination" of witnesses. Also narrate the circumstances in which a person summoned to produce a document may be cross-examined.

8. Who is an "accomplice"? Whether his statement is worth reliance and, if so, under what circumstances?

9. Draw a line of distinction between primary evidence and secondary evidence in the context of a criminal case. Refer to case-law to illustrate the difference between the two.

10. When is an opinion of an expert relevant as evidence in criminal cases? Also quote the specific provisions of the relevant law.

Section-II: *Civil Law*

1. (i) Who should be joined as parties to a suit? Draw distinction between necessary and proper parties.
   (ii) How can a minor sue or be sued?
   Explain the above with reference to the relevant provisions of law.

2. (i) Under what provisions of CPC temporary injunctions are granted? State the principles to be kept in view by the court while granting/refusing temporary injunction.
   (ii) What do you understand by attachment before judgment?

3. What are the different modes of execution of a money decree, a decree for partition, a decree for pre-emption and a decree for specific performance?

4. Write short notes on:
   (i) Res judicata,
   (ii) Res sub judice,
   (iii) Ex-parte decree,
   (iv) Dismissal in default, and
   (v) Local commission.

5. "Civil courts are the courts of ultimate jurisdiction for trying cases of civil nature". Discuss briefly with reference to the relevant provisions of law. Give instances of suits of civil nature.

6. (i) What do you understand by a "consent decree"? Is such a decree appealable under the law?
   (ii) What are the different modes of service provided by CPC? What do you understand by "substituted service"?

7. (i) What do you understand by "sufficient cause" within the meanings of Section 5 of the Limitation Act, 1908 for extending the period of limitation for an appeal, application or review? State such possible causes.
   (ii) "The court is obliged to see whether the suit is within limitation". Elaborate with reference to the relevant provision of the Limitation Act, 1908.

8. (i) What are the essentials of a valid gift under the Muslim Law?
   (ii) In what matters the Family Court exercises exclusive jurisdiction?
   (iii) What is the limit of pecuniary jurisdiction of a Civil Judge 1st Class, Civil Judge 2nd Class and Civil Judge 3rd Class? Which law prescribes such jurisdictional limits?

9. (i) What are the main sources of the Islamic Law?
   (ii) What do you understand by "Khula"? On what grounds the court can grant a decree of Khula?
   (iii) What are the principles governing the grant of custody of a minor?
   (iv) What do you understand by pre-trial and post-trial conciliation proceedings by the Family Court?

10. (i) What do you understand by "Talabs" prescribed by the Punjab Pre-emption Act, 1991? State the effect of non-performance of Talabs.
    (ii) A landlord wants to get the rented premises vacated by the tenant. What remedy is open to him and before whom?

LAHORE HIGH COURT, LAHORE.

Civil Judges-cum-Judicial Magistrates
Recruitment Examination, 2009.

QUESTION PAPER

Instructions:
*All answers are to be written in English language.
* Answer any five questions.
* All questions carry equal marks.
* Time 3 hours.

CIVIL LAW

1. Explain the following remedies with reference to the relevant provisions of CPC stating circumstances in which these are to be availed:-
   (i) Regular Second Appeal.
   (ii) Revision.
   (iii) Review.

2. Explain the following concepts with reference to the relevant provisions of CPC and the West Pakistan Civil Courts Ordinance, 1962:-
   (i) Territorial jurisdiction.
   (ii) Pecuniary jurisdiction with reference to the courts of Civil Judges.

3. How will you proceed to execute the following decrees:-
   (i) For recovery of possession of immovable property.
   (ii) For specific performance of an agreement to sell.
   (iii) Recovery of money.

4. (i) Explain the term "Legal Disability" with reference to the relevant provisions of the Limitation Act, 1908 and state the manner of computation of limitation in such cases.
   (ii) Explain the terms "Acknowledgment" and "Promise to Pay" with reference to the relevant provisions of the Limitation Act, 1908, and their legal effect vis-à-vis limitation for filing of relevant suits.

5. (i) What contracts cannot be specifically enforced? Explain with reference to the relevant provisions of the Specific relief Act, 1877.
   (ii) State the conditions enabling a Court to cancel a written instrument.
   (iii) State the cases in which an injunction shall not be issued by a Court.

6. (i) What is a negative agreement and how it is to be enforced? Explain with reference to the relevant provisions of the Specific Relief Act, 1877.
   (ii) Against whom specific performance of a contract may be enforced?

(iii) Explain the rule underlying Section 9 of the Specific Relief Act, 1877?

7. (i) Which suits are exclusively triable by a Family Court established under the Family Courts Act, 1964?
(ii) In which cases an appeal shall not lie against a judgment and decree passed by a Family Court?
(iii) Explain the duty of a guardian of a person and property of a minor appointed with reference to the provisions of the Guardian and Wards Act, 1890.

8. Explain the following with reference to the relevant provisions of the Contract Act, 1872:-
(i) Doctrine of Frustration of Contract.
(ii) Novation of Contract.
(iii) A Contract of Guarantee.

9. (i) State the pre-requisites of an application to be filed and proceeded with under the Punjab Rented Premises Ordinance, 2007?
(ii) In a case falling under the Punjab Urban Rent Restriction ordinance, 1959, alleging default in payment of rent at the rate of Rs.1,000/- per month for a period of five months prior to the institution of the application, how will you frame an order in terms of section 13(6) of the said Ordinance?

10. (i) How will you proceed to deal with an objection raised to the admissibility of a document on the ground of its being under stamped and finding the same to be so? Explain with reference to the relevant provisions of he Stamp Act, 1899.
(ii) Under what circumstances an unregistered document will take effect as against a registered document? Explain with reference to the relevant provisions of the Registration Act, 1908.

LAHORE HIGH COURT, LAHORE

EXAMINATION FOR THE POSTS OF CIVIL JUDGES-CUM-JUDICIAL MAGISTRATE, 2009

TIME ALLOWED: THREE HOURS MAXIMUM MARKS: 100

NOTES: i) Attempt in English Language only.

ii) Attempt seven questions only, selecting two questions each from Part.I, II, III and one from Part.IV

PART-I

Q.1. Discuss Section 302 PPC in full detail and the sentences provided in murder cases and illustrate in what circumstances each sentence can be awarded? 15

Q.2. What is difference between cheating, misappropriation and theft? Discuss in detail. 15

Q.3. Define and explain "Qisas", "Badl-i-Sulah", Diyat, "Arsh" and "Daman" 15

Q.4. Give salient features of Juvenile Justice System Ordinance, 2000, who can and under what circumstances declare an accused as juvenile? 15

PART-II

Q..1 What is remand? Under what circumstances custody of an accused can be given to Police? 15

Q.2. What order can be passed by a Magistrate if any apprehension of breach of peace is brought to his notice regarding immoveable property? 15

Q.3. What do you understand the word 'case property'? Discuss Provisions regarding its disposal during the trial and at the conclusion of trial? 15

Q.4. What is confession? How it can be recorded? Whether the statement under Section 164 Cr.P.C can be used against an accused and under what circumstances? 15

PART-III

Q.1. Illustrate what precautions can be taken by a Magistrate at the time of holding Identification Parade and also discuss evidentiary value of the Identification Parade. 10

Q.2. What are public and private documents, differentiate them and explain the mode of proof of said documents? 10

Q.3. Discuss with illustrations the value of evidence that may have become available because of modern devices and techniques. 10

Q.4. Write a short note on examination-in-chief, cross-examination and re-examination? 10

PART-IV

Q.1. 'Hadd" as punishment, introduction, implication and consequence in Pakistan? 20

Q.2. What is 'Terrorism'? Illustrate its root causes. Give suggestions for its eradication. 20

Q.3. 'Power failure', who is chiefly responsible and give suggestions for improvement. 20

LAHORE HIGH COURT, LAHORE

CIVIL JUDGES-CUM-JUDICIAL MAGISTRATES RECRUITMENT EXAMINATION 2013

PAPER-II (ENGLISH ESSAY AND CRIMINAL LAW)

Time allowed:- (Three Hours)

Marks:-

Part-I	**30**
Part-II	**100**
Total Marks	**130**

Note: (i) Attempt six questions in all.

(ii) Attempt one question from Part-I (question carries 30 marks) and five questions from Part-II (each question carries 20 marks).

PART-I

Write an essay on any one of the following:-

(i) Load-shedding

(ii) Independence of Judiciary

(iii) Peace in the modern world

(iv) Foreign aid-a blessing or a curse?

(v) Problems of over population in Pakistan

PART-II

Q.No.1 When right of private defence of a person and property commences and till what time it continues?

Q.No.2. Define and illustrate extortion and distinguish between extortion and theft?

Q.No.3. Write detailed note on "Defamation" including exceptions to the charge of "Defamation"?

Q.No.4 An accused pleads certain circumstances brining his case within general exceptions of PPC. On whom the burden of proof lies to prove the existence of such circumstances?

Q.No.5. What are the condition precedent for recording confession?

Q.No.6. Is there any provision of law under which a criminal Court can put an end to the proceedings even without concluding trial and can acquit the accused? Please discuss.

Q.No.7. What is charge? What is its objective? What particulars are required to be stated in the charge?

Q.No.8. What is Judge's power to ask questions to any witness or parties to discover truth?

Q.No.9. What are the various ways of proving handwriting of a person?

Q.No.10. Who may testify as a witness and how a Court can determine the competence of a witness?