



BRAINWARE UNIVERSITY

Term End Examination 2021 - 22

Programme – Bachelor of Law

Course Name – Drafting, Pleading and Conveyancing

Course Code - LLB601

(Semester VI)

Time allotted : 1 Hrs.15 Min.

Full Marks : 60

[The figure in the margin indicates full marks.]

Group-A

(Multiple Choice Type Question)

1 x 60=60

Choose the correct alternative from the following :

- (1) The mortgagor in Indian law is the owner who had parted with some rights of ownership and the rights of redemption is a right which he exercises by virtue of his
 - a) pecuniary ownership
 - b) residuary ownership
 - c) conditional ownership
 - d) None of these
- (2) When the mortgagor's right to redeem accrues, the mortgagee has a right to enforce:
 - a) his security
 - b) his interest
 - c) only his interest is correct
 - d) None of these
- (3) Provisions of section 60A, i.e., obligation to transfer to third party instead of transference to mortgagee, do not apply in case of a mortgagee who:
 - a) is not in possession
 - b) is previously possession holder
 - c) is or has been in possession
 - d) None of these
- (4) These are some characteristics of a usufructuary mortgage under section 58 of the Transfer of Property Act, 1882: (1) There is no personal liability on the mortgagor. (2) No time limit is fixed. (3) Mortgagee takes the whole or part of the rent and profits. Choose the correct option from the following
 - a) only (1) is relevant
 - b) only (2) is relevant
 - c) only (3) is relevant
 - d) all are relevant
- (5) These are some requisites of an equitable mortgage: (1) a debt (2) a deposit of title deeds (3) an intention that the deeds shall be security for the debt Choose the correct option
 - a) only (2) is relevant requisite
 - b) only (1) is relevant requisite
 - c) only (3) is relevant requisite
 - d) all are relevant requisites
- (6) A gift of immovable property effected by a deed of gift but brought about by undue influence of the donee, though the donor acted voluntarily in making it:

- a) Is valid and binding
b) Is void
c) Is voidable at the donee's option
d) Is voidable at the donor's option
- (7) Within the meaning of section 55 of the Transfer of Property Act, 1882, the seller is:
a) bound to disclose to the buyer any material defect in the property or in seller's title of which the seller is and buyer is not aware and which the buyer could not with ordinary care discover
b) not bound to disclose anything
c) only not bound to disclose anything are correct
d) None of these
- (8) Which of the following statements is true regarding rights of the seller under the Transfer of Property Act, 1882?
a) He is entitled to the rents and profits of the property till he receives full payment for the same
b) Benefit of improvement in price before the property is delivered
c) To bear the loss on decrease of the value of property before receiving full payment
d) To the rents and profits of the property till the ownership of the property passes to the buyer
- (9) _____ is a transfer of ownership in exchange for a price paid or promised or part-paid and part-promised.
a) sale
b) gift
c) exchange
d) All of these
- (10) Sale is a transfer of ownership in exchange for
a) A price paid
b) A price promised to be paid
c) A price part paid
d) All of these
- (11) Legal Drafting generally implies:
a) Drafting of a deed, instrument or a Drafting of a deed, instrument or a document
b) Embodiment as an agreement between parties
c) Intended to regulate the legal relationship between those parties
d) All of these
- (12) Object of pleadings is to:
a) Ascertain the real dispute between the parties
b) Narrow down the area of conflict
c) Make each side aware of the questions to be argued;
d) All of these
- (13) The court may, at any stage in the proceedings, order to be struck-out or amended, any matter in any pleading
a) Order VI, Rule 16, CPC
b) Order VII, Rule 16, CPC
c) Order VI, Rule 18, CPC
d) Order VI, Rule 19, CPC
- (14) Rules..... of Order VII the CPC enjoin upon a Defendant to specifically deny each allegation of fact made in the Plaint:
a) 3
b) 4
c) 5
d) All of these
- (15) The purpose of the habendum is to define
a) the interest being conveyed to the transferee
b) the interest being conveyed to the transferor
c) the interest being conveyed to the legal heirs
d) None of these
- (16) The..... is the witnessing part of a deed, containing the intention of the parties

- c) Damage
d) Penalty
- (27) 'When an insufficiently stamped document is tendered in evidence, the court is obliged by S.33 of the Stamp Act, to impound it and to recover the stamp duty and penalty under
- a) Section 35
b) Section 36
c) Section 37
d) Section 38
- (28) The collateral transaction must not by itself be registrable.' is based on
- a) A.B. Saha & Sons Pvt. Ltd v. Development Consultant Ltd., (2008) 8 SCC 564
b) V.B. Saha & Sons Pvt. Ltd v. Development Consultant Ltd., (2008) 8 SCC 564
c) K.B. Saha & Sons Pvt. Ltd v. Development Consultant Ltd., (2008) 8 SCC 564
d) K.B. Saha & Sons Pvt. Ltd v. Development Consultant Ltd., (2009) 8 SCC 564
- (29) If the property being conveyed is encumbered, reference thereto should be made in the -
- a) habendum
b) recitals
c) covenant
d) parcel
- (30) Striking out or joining of parties has been discussed under
- a) Order II, Rule 10 (2), CPC
b) Order I, Rule 10 (3), CPC
c) Order I, Rule 11 (2), CPC
d) Order I, Rule 10 (2), CPC
- (31)cannot be claimed as a matter of right, and the power to either grant or refuse it is in the discretion of the Court
- a) Amendment
b) Summons
c) Notice
d) Writs
- (32) Interrogatories shall be answered by affidavit to be filed within _____ after the service of it.
- a) 30 days
b) 21 days
c) 10 days
d) 7 days
- (33) A statement given by Judge on the ground of decree or order is called _____.
- a) Complaint
b) Written statement
c) Judgment
d) Summons
- (34) Under order 7 Rule 11 of the Code. The plaint shall not be rejected—
- a) Where it is not filed in duplicate.
b) Where the suit appears from the statement in the plaint to be barred by any law.
c) Where the plaintiff fails to comply with the provision of Rule 9.
d) Where it discloses cause of action.
- (35) At the first hearing of the suit, the Court must
- a) Frame and record the issues
b) Ascertain upon what material propositions of fact or of law the parties are at variance
c) Record the evidence
d) None of the above
- (36) The provision of suit has been provided in
- a) Order 1 of CPC, 1908
b) Order 21 of CPC, 1908
c) Order 26 of CPC, 1908
d) Order 27-37 of CPC, 1908
- (37) Section 21A of CPC, 1908 deals with
- a) Territorial jurisdiction
b) Execution of Decree
c) Res Sub-Judice
d) Bar of suit
- (38) The primary purpose of temporary injunction is
- a) To provide an order for the preservation of
b) To grant interim relief for the preservation of

- property in dispute
- c) To provide a decree for the preservation of property in dispute.
- (39) An indigent person is defined as if
- a) he is not possessed of sufficient means to enable him to pay the fee prescribed by the law for the plain in such suit
- b) where no such fee is prescribed, he is not entitled to property worth one thousand rupees
- c) Both if he is not possessed of sufficient means to enable him to pay the fee prescribed by the law for the plain in such suit and where no such fee is prescribed, he is not entitled to property worth one thousand rupees
- d) Neither if he is not possessed of sufficient means to enable him to pay the fee prescribed by the law for the plain in such suit and where no such fee is prescribed, he is not entitled to property worth one thousand rupees
- (40) In case of emergency, a suit can be directly filed against the government without providing the notice under
- a) Section 79 of CPC, 1908
- b) Section 80 of CPC, 1908
- c) Section 80(2) of CPC, 1908
- d) Section 82 of CPC, 1908
- (41) Garnishee means
- a) Decree Holder's debtor
- b) Judgment debtor's debtor
- c) Third Party debtor
- d) Advocate's debtor
- (42) The 'Doctrine of Restitution' is based on the maxim
- a) Actionable Per se
- b) "Actus curiae neminem gravabit"
- c) Assentio Mentium.
- d) Pacta sunt servanda.
- (43) Registration of a Hindu Marriage has been provided under
- a) Section 12 of Hindu Marriage Act
- b) Section 10 of Hindu Marriage Act
- c) Section 8 of Hindu Marriage Act
- d) Section 6 of Hindu Marriage Act
- (44) Under section 13 of Hindu Marriage Act, 1955 the number of grounds which are common to husband and wife
- a) Seven
- b) Nine
- c) Ten
- d) Eleven
- (45) A Hindu Ceases to be a Hindu by
- a) Renunciation
- b) Abandonment
- c) Conversion
- d) Either renunciation or abandonment or conversion
- (46) Adoption is recognized under the
- a) Hindu Law
- b) Muhammadan Law
- c) Parsi Law
- d) All of these
- (47) In case of adoption of a son by a male Hindu,
- a) the son must be less than 21 years of age
- b) less than 18 years of age
- c) less than 15 years of age
- d) less than 19 years of age
- (48) A child can be given in adoption by
- a) The Father
- b) The Guardian
- c) The Mother
- d) Either (The Father) or (The Mother) or (The Guardian)
- (49) Zina in Mohammedan law means

- a) Sexual intercourse not permitted by law
c) both of these
- b) fornication or adultery
d) none of these
- (50) A divorce by khula means
- a) False accusation of adultery by husband
c) An agreement between husband and wife to dissolve marriage
- b) Apostasy from Islam by husband
d) None of these
- (51) Iddat in case of death of husband is:
- a) 3 months 10 days
c) 4 months 20 days
- b) 4 months 10 days
d) None of these
- (52) The Divorce Act, 1869 applies only to the members of the _____ community
- a) Christian
c) both of them
- b) Muslims
d) either of them
- (53) Section _____ The Divorce Act, 1869 allows parties to file for divorce with mutual consent.
- a) 15-A
c) 19
- b) 10-A
d) none of these
- (54) _____ deals with dissolution of marriage under the Divorce Act, 1869.
- a) Section 11
c) Section 15
- b) Section 12
d) Section 10
- (55) Will becomes effective
- a) After the death of the testator
c) Before the birth testator
- b) During the life time of the testator
d) None of these
- (56) Promissory Note is defined in
- a) The Negotiable Instrument Act
c) The Sales of Goods Act
- b) The Partnership Act
d) The Indian Contract Act
- (57) The parties to the gift is
- a) Donor, Donee
c) Lessor, Lessee
- b) Vendor, Vendee
d) Mortgagor, Mortgagee
- (58) Preliminary Decree can be passed in a
- a) For partition
c) suit For possession and mesne profits
- b) For partnership
d) All of these
- (59) Reply of plaint will be regarded as
- a) Written Statement
c) Review
- b) Order
d) Revision
- (60) General principles of pleadings
- a) Pleadings should state facts and not law and the facts should be material facts
c) are The facts should be stated in a concise form
- b) Pleadings should not state the evidence
d) All of these