

HIGH COURT OF TRIPURA
COMPETITIVE WRITTEN EXAMINATION FOR GRADE-I OF TRIPURA JUDICIAL SERVICE
2022

PAPER-II
TOTAL MARKS-100
DURATION- 3 (THREE) HOURS

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

PART-I

Answer any two of the following questions:

5x2=10 Marks.

1. Explain the provisions of the Transfer of Property Act, 1882 relating to transfer of property for the benefit of unborn person.
2. Explain the concept of 'Lis Pendence' under the Transfer of Property Act, 1882.
3. Discuss the provisions of the Transfer of Property Act relating to transfer of actionable claim.
4. Discuss the law relating to transfer by unauthorised person who subsequently acquires interest in the property transferred.

PART-II

Answer any two of the following questions:

5x2=10 Marks.

1. "Limitation bars the remedy not the right". Critically examine the statement.
2. Discuss the effect of part payment on the period of limitation.
3. What is the effect of adding or substituting a person to a suit on limitation? Discuss.
4. Explain legal disability under the Limitation Act, 1963 along with its effect on the period of limitation.

PART-III

Answer any two of the following questions:

10x2=20 Marks.

1. What do you mean by the mental elements of crime? Explain such elements which constitute crime..
2. What are the essential ingredients of murder? Describe the extent to which the plea of 'grave and sudden provocation' may mitigate the liability of an accused person for the offence of murder.
3. Explain 'criminal breach of trust' and distinguish it from offence of 'criminal misappropriation of property'.
4. What are the ingredients of offence of waging or attempt to wage war against the Govt. of India? How is it punishable?

PART-IV**Answer any two of the following questions:****10x2=20 Marks.**

1. How does an Executive Magistrate maintain public order and tranquillity under different provisions of Code of Criminal Procedure, 1973? Explain.
2. What are the grounds under which a Police Officer may arrest a person without a warrant? When can a private person arrest the offender?
3. State the procedure for preferring appeal in case of acquittal.
4. Discuss the provisions of Code of Criminal Procedure, 1973 relating to the jurisdiction of Criminal Courts in inquiries and trial.

PART-V**Answer any two of the following questions:****10x2=20 Marks.**

1. What is privileged communication? Discuss the cases where communication of a client and his advocate is regarded as privileged.
2. "Witnesses may lie but circumstances cannot". Discuss the statement in the light of importance of circumstantial evidence.
3. What is the order of examination of a witness? What are the various ways through which credit of a witness may be impeached?
4. Discuss the cases where opinion of third persons are relevant.

PART-VI**Answer any two of the following questions:****10x2=20 Marks.**

1. "A Civil Court has jurisdiction to try all suits of a civil nature unless they are barred". Discuss the jurisdiction and the principles governing the exclusion of jurisdiction of civil courts in the light of the above statement.
2. State and discuss the grounds on which a second appeal lies to the High Court.
3. What is ex-parte decree? State and explain the remedies available to the defendant against whom it is passed.
4. "A court which executes a decree cannot go beyond it". Discuss the statement with exceptions.