

## Law Papers 2002

**FEDERAL PUBLIC SERVICE COMMISSION  
COMPETITIVE EXAMINATION FOR RECRUITMENT TO POSTS  
IN BPS – 17 UNDER THE FEDERAL GOVERNMENT, 2002.**

**LAW, PAPER - I**

**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 EQUAL marks i.e. 16 each. Attempt at least one question from each of the parts.**

**PART – “A” (CIVIL PROCEDURE CODE)**

1. Write brief notes on:
  - (a) Cause of Action
  - (b) Issues
  - (c) Suit of a civil nature
2. What is an APPEAL and what are the points of difference between the First Appeal and the Second Appeal?
3. What remedies are available to a decree-holder, if the judgment-debtor dies before the decree has been satisfied?

**PART – “B” (CONTRACT ACT)**

4. Explain quasi contracts and the reasons for which the law recognizes them.
5. Write short notes on:
  - (a) Contract
  - (b) Special damages
  - (c) Continuing guarantee
6. A woman lends some gold ornaments to her niece to be used in a marriage. What name is given to this transaction in the Contract Act and what are the duties of the niece in this case?

**PART – “C” (LAW OF TORT)**

7. “Battery includes assault”. Elaborate and point out the distinction, if any, between the two.
8. What is negligence and how the onus of proof in actions of negligence is discharged?
9. Define:
  - (a) Libel
  - (b) Slander
  - (c) Malicious prosecution

### COMPULSORY QUESTION

10. Write only the correct answer in the Answer Book. Do not reproduce the questions..

(1) Mesne profits are those profits which:

- (a) A person in wrongful possession of property actually receives.
- (b) A person in wrongful possession of property receives due to improvements made in the property by him.
- (c) An owner of property actually receives
- (d) None of these

(2) Exclusion of a member of a caste from ceremonies is violation of his:

- (a) Legal right
- (b) Social right
- (c) None of these

(3) The rule of res sub judice relates to a matter which:

- (a) Is pending adjudication
- (b) Has already been adjudicated
- (c) Has been admitted by the defendant
- (d) None of these

(4) The rule of res judicata applies to:

- (a) Suits
- (b) Execution proceedings
- (c) Appeals
- (d) All of these

(5) A decree may not agree with judgment:

- (a) Correct
- (b) Incorrect
- (c) None of these

(6) Issues are:

- (a) Points of agreement in a suit
- (b) Points of interrogatories in a suit
- (c) Points of discovery in a suit
- (d) None of these

(7) A garnishee is a:

- (a) Judgment-debtor
- (b) Judgment-debtors' debtor
- (c) Decree holder
- (d) None of these

(8) An interpleader suit is between:

- (a) Pleadings
- (b) Defendants
- (c) Judgment-debtors
- (d) None of these

(9) An interlocutory order:

- (a) Determines the substantive right
- (b) Terminates a suit

- (c) Protects the subject matter of the suit
- (d) None of these

(10) A precept is issued by a court to:

- (a) A witness of high status
- (b) A party who by reason of illness is unable to appear
- (c) Another court
- (d) None of these

(11) Proposal and its acceptance create:

- (a) Agreement
- (b) Contract
- (c) None of these

(12) All agreements are contracts:

- (a) Correct
- (b) Incorrect
- (c) None of these

(13) Tender means:

- (a) Rules for supply of articles.
- (b) Refusal to perform
- (c) Anticipatory breach
- (d) None of these

(14) No consideration is necessary to create an Agency:

- (a) Correct
- (b) Incorrect
- (c) None of these

(15) The Contract Act is:

- (a) Exhaustive
- (b) Incomplete
- (c) Retrospective
- (d) None of these

(16) The Law of Tort is based on:

- (a) Common law
- (b) Statutory law
- (c) Procedural law
- (d) None of these

(17) In tort motive is:

- (a) Relevant
- (b) Irrelevant
- (c) None of these

(18) Damnum means loss of:

- (a) Money
- (b) Comfort and service
- (c) Health
- (d) All of the above
- (e) None of these

(19) When anything authorized by law is done carelessly it is called:

- (a) Constructive negligence
- (b) Vicarious negligence
- (c) Nuisance
- (d) None of these

(20) Kinds of nuisance are:

- (a) Two
- (b) Three
- (c) Four
- (d) None of these

### 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 EQUAL marks i.e. 16 each. Attempt at least one question from each of the parts.**

#### **PART – “A” (QANOON-E-SHAHADAT ORDER 1984)**

1. What a previous statement of a witness can be used?
2. “Dying Declaration is a weaker type of evidence.” Discuss.
3. Explain the following terms:
  - (a) Hearsay evidence
  - (b) Estoppels
  - (c) Document

#### **PART – “B” (CRIMINAL PROCEDURE CODE)**

4. Describe “First Information Report” and “Complaint” and state the differences between them.
5. Define the following terms:
  - (a) Summary Trial
  - (b) Composition of offences
  - (c) Revision
6. Under what circumstances can the accused be granted bail in bailable and non bailable cases?

#### **PART – “C” (PAKISTAN PANEL CODE)**

7. Describe the different stages of the commission of an offence and state whether each of them is punishable.
8. Generally, a person is liable for his own acts, but sometimes he is liable for the acts of others. Comment.
9. Explain the following terms:

- (a) Injury
- (b) Illegal omission
- (c) Joint offenders

**COMPULSORY QUESTION**

10. Write only the correct answer in the Answer Book. Do not reproduce the questions.

(1) A minister is a public servant:

- (a) True
- (b) False

(2) Arsh and daman are:

- (a) Kind of hurt
- (b) Kinds of qisas
- (c) Commutation of sentence of imprisonment
- (d) None of these

(3) Cowries are:

- (a) Coins
- (b) Medals
- (c) Unstamped copper
- (d) None of these

(4) Damiyah and hashimah are:

- (a) Hurts
- (b) Punishments
- (c) Names of persons
- (d) None of these

(5) Medical and legal standards of sanity are:

- (a) Identical
- (b) Different from each other
- (c) None of these

(6) When five or more persons disturb the public peace by fighting on a public road they are said to commit the offence of:

- (a) Unlawful assembly
- (b) Riot
- (c) Affray
- (d) None of these

(7) Isqat-i-janin is miscarriage:

- (a) With consent
- (b) In good faith
- (c) None of these

(8) Punishment for qatl-i-khata is:

- (a) Diyat
- (b) Qisas
- (c) Imprisonment
- (d) None of these

(9) The Code of Criminal Procedure is:

- (a) Substantive law
- (b) Administrative law
- (c) Special law
- (d) None of these

(10) An accused person has been described as:

- (a) Father of law
- (b) Child of law
- (c) Mother of law
- (d) None of these

(11) Charge and offence are:

- (a) Distinct from each other
- (b) The same
- (c) None of these

(12) An inquiry is conducted by:

- (a) The police
- (b) The prosecution
- (c) The Court
- (d) None of these

(13) An Additional Session Judge can pass:

- (a) Any sentence of imprisonment
- (b) Any sentence authorized by law including death sentence
- (c) Any sentence authorized by law excluding death sentence
- (d) None of these

(14) FIR means:

- (a) Final Investigation Report
- (b) First information report
- (c) Actual information report
- (d) None of these

(15) Approver is a person:

- (a) Who approved the crime plan
- (b) Who participated in the crime
- (c) Who retracted confession
- (d) None of these

(16) Refreshing of memory is allowed to:

- (a) Plaintiffs
- (b) Defendants
- (c) Both
- (d) None of these

(17) Irrelevant questions may be asked by:

- (a) Defence counsel
- (b) Prosecution
- (c) The court
- (d) None of these

(18) Hearsay evidence is:

- (a) No evidence
- (b) Good evidence
- (c) None of these

(19) Leading questions are generally asked in:

- (a) Examination-in-chief
- (b) Cross examination
- (c) Re-examination
- (d) None of these

(20) The plea of alibi is raised by:

- (a) Witnesses
- (b) Complaints
- (c) Accused persons
- (d) All of these

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The Me you have always known, the Me that's a stranger still.