

## Law Papers 2005

FEDERAL PUBLIC SERVICE COMMISSION  
COMPETITIVE EXAMINATION FOR RECRUITMENT TO POSTS  
IN BPS – 17 UNDER THE FEDERAL GOVERNMENT, 2005.

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. What is pleadings and what are the important rules relating to pleadings?
2. Write short notes on:
  - (a) Abatement
  - (b) Receiver
  - (c) Interpleader suit
3. Define 'issues'. How are they framed and by whom?

**PART – “B” (CONTACT ACT)**

4. Describe “Contract” and briefly explain its essentials.
5. Write short notes on:
  - (a) Tender
  - (b) Bailment
  - (C) Principle debtor
6. Discuss the normal remedy in all cases of breach of contract.

**PART – “C” (LAW OF TORT)**

7. What is false imprisonment and what defences are available in an action for false imprisonment?
8. Write short notes on:
  - (a) Statutory Negligence
  - (b) Public Nuisance
  - (c) Absolute liability
9. In what circumstances may assault and battery be justified?

**COMPULSORY QUESTION**

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

(1) Cause of action means:

- (a) Relief claimed in a suit
- (b) Subject matter of a suit
- (c) Nature of suit
- (d) None of these

(2) For breach of a contract, a suit may be filed:

- (a) Where the contract was made
- (b) Where the breach was made
- (c) Where money was payable
- (d) At any of the above places

(3) There is distinction between res judicata and res sub judice:

- (a) Yes
- (b) No
- (c) Same thing

(4) Plaintiff is the person who:

- (a) Files a suit
- (b) Defends a suit
- (c) Delays a suit
- (d) None of these

(5) Interrogators are administered to:

- (a) Parties to a suit
- (b) Witnesses
- (c) Lawyers
- (d) None of these

(6) Precept is issued by:

- (a) Plaintiffs to defendants
- (b) Oath commissioner to deponent
- (c) A court to another court
- (d) None of these

(7) Inherent power vests in:

- (a) Court
- (b) Parties
- (c) Witnesses
- (d) All of these

(8) Write jurisdiction is exercised by:

- (a) Every Court in Pakistan
- (b) The High Courts
- (c) None of these

(9) Interlocutory order determines substantive rights in a suit:

- (a) Correct
- (b) Incorrect

(10) All agreements are contract:

- (a) True
- (b) False

(11) A constructive contract is created by the:

- (a) Parties
- (b) Legal heirs of the parties
- (c) Witnesses to the contract
- (d) None of these

(12) An agreement to do an impossible act is a:

- (a) Void contract
- (b) Voidable contract
- (c) Void agreement
- (d) All of these

(13) A contracts to pay B, Rs. 100,000/- if his house is burnt. It is a:

- (a) Contingent contract
- (b) Contract of guarantee
- (c) Contract of indemnity
- (d) None of these

(14) A person who employs another person to represent him in dealings with third persons is called:

- (a) Master
- (b) Creditor
- (c) Principal
- (d) None of these

(15) The Contract Act is of the year?

- (a) 1972
- (b) 1975
- (c) 1895
- (d) None of these

(16) Law of torts is based on:

- (a) Stature law
- (b) Common law
- (c) Law of contract
- (d) All of these

(17) Malice is a necessary ingredient in Tort:

- (a) True
- (b) False
- (c) Neither 'a' and 'b'

(18) Misfeasance means:

- (a) Commission of an unlawful act
- (b) Doing of a lawful act in an illegal manner
- (c) Failure to perform a legal obligation
- (d) None of these

(19) Libel is a defamatory statement made:

- (a) Verbally
- (b) In writing
- (c) Both

- (20) Mere touching of another in anger is:  
(a) Assault  
(b) Battery  
(c) Both

**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” (PAKISTAN PENAL CODE)**

1. Briefly discuss the various punishments to which offenders are liable under P.P.C.
2. Write short notes on:
  - (a) Injury
  - (b) Robbery
  - (c) Shajjah
3. Write a summary of “General Exceptions” contained in P.P.C.

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

4. Under what circumstances, a police officer may arrest without a warrant in a non-cognizable case?
5. Write short notes on:
  - (a) Summons
  - (b) First information report
  - (c) Retracted confession
6. What is an appeal and what are powers of an Appellate Court in appeal from acquittal?

**PART – “C” (QANOON-E-SHAHADAT)**

7. What is “Burden of Proof” and on whom is it?
8. “The rules of evidence are generally the same in civil and criminal proceedings.” Comment and state if there are any exceptions to this rule.
9. Write short notes on:
  - (a) Competent witness
  - (b) Hearsay evidence
  - (c) Estoppel

**COMPULSORY QUESTION**

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

(1) An affray is committed in a:

- (a) Private place
- (b) Public place
- (c) Both
- (d) None of these

(2) Sedition means exciting bad feelings against:

- (a) Armed forces
- (b) Government
- (c) Political leaders
- (d) All of these
- (e) None of these

(3) In robbery there is:

- (a) Theft
- (b) Extortion
- (c) Either of the above
- (d) None of these

(4) The Pakistan Penal Code is as old as:

- (a) 1890
- (b) 1865
- (c) 1860
- (d) None of these

(5) Extradition is a:

- (a) Punishment
- (b) Offence
- (c) Law
- (d) None of these

(6) Standards of medical and legal sanity are:

- (a) Identical
- (b) Different
- (c) None of these

(7) A person is liable for his own wrongful acts:

- (a) Absolutely correct
- (b) Generally correct
- (c) Absurd
- (d) None of these

(8) Homicide is the killing of:

- (a) A human being
- (b) A living creature
- (c) Both
- (d) None of these

(9) In the Code of Criminal Procedure, offences are divided into:

- (a) Two categories
- (b) Five categories
- (c) Seven categories

(d) None of these

(10) Appeal is:

- (a) A natural right
- (b) A right given by law
- (c) A right given by the trial Court
- (d) None of these

(11) Appellate and revisional jurisdictions are:

- (a) Same
- (b) Inter-linked
- (c) Separate
- (d) None of these

(12) Trial is a judicial proceeding which ends in:

- (a) Conviction/acquittal
- (b) Discharge
- (c) Both
- (d) None of these

(13) The term offence has been defined in the Code of Criminal Procedure:

- (a) Yes
- (b) No
- (c) None of these

(14) A complaint is made to a:

- (a) Magistrate
- (b) Police officer
- (c) District Nazim
- (d) None of these

(15) Summary trial is:

- (a) No trial
- (b) Speedy trial
- (c) Both

(16) The Qanun-e-Shahadat Order, 1984 repealed:

- (a) The Evidence Act, 1872
- (b) The Ordinance of 1978
- (c) None of these

(17) Who decides whether a person is competent to testify?

- (a) Prosecutor
- (b) Defence lawyer
- (c) District attorney
- (d) None of these

(18) A fact is said not to be proved when it is:

- (a) No proved
- (b) Disproved
- (c) Both
- (d) None of these

(19) A lunatic is incompetent to give evidence:

(a) Yes

(b) No

(c) A court may decide

(20) The examination of a witness after his cross-examination is called:

(a) Examination-in-chief

(b) Leading examination

(c) Concluding examination

(d) None of these