FEDERAL PUBLIC SERVICE COMMISSION
COMPETITIVE EXAMINATION FOR
RECRUITMENT TO POSTS IN BPS-17 UNDER
THE FEDERAL GOVERNMENT, 2010

LAW, PAPER-I

Roll Number

TIME ALLOWED:	**(PART-I) 30 MINUTES**	**MAXIMUM MARKS:20**
	(PART-II) 2 HOURS & 30 MINUTES	**MAXIMUM MARKS:80**

NOTE: (i) **First** attempt **PART-I (MCQ)** on separate **Answer Sheet** which shall be taken back after **30 minutes.**
(ii) Overwriting/cutting of the options/answers will not be given credit.

PART – I (MCQ)
(COMPULSORY)

Q.1. Select the best option/answer and fill in the appropriate box on the Answer Sheet. (20)

(i) A suit for the recovery of property may be instituted in the court:
(a) Where the defendant resides (b) Where the plaintiff resides
(c) Where the property situates (d) Where the cause of action arises

(ii) A decree may be executed by a court:
(a) in whose jurisdiction the defendant resides (b) having criminal jurisdiction
(c) in whose jurisdiction the subject matter situates (d) Which passed the decree

(iii) In the execution of a decree the court may attach and sell:
(a) all saleable, moveable or immoveable property (b) necessary wearing apparel
(c) property surrendered by the judgment debtor (d) Any of these

(iv) A revisional jurisdiction of a High Court may be invoked:
(a) where the judgment of the subordinate court is based on error
(b) if the subordinate court has acted without jurisdiction
(c) on merits of the case
(d) for permission to file, an appeal

(v) Amendments of pleadings may be allowed by the court:
(a) before framing the issues (b) before close of the evidence
(c) at any stage of the proceedings (d) None of these

(vi) A minor can sue:
(a) Himself (b) Through next friend
(c) Upon attaining the age of majority (d) Any of these

(vii) A tender for the sale or purchase of goods is:
(a) proposal (b) an invitation to make an offer (c) acceptance (d) None of these

(viii) The communication of an acceptance is complete:
(a) when it comes to the knowledge of the proposer
(b) when the proposee is informed by the proposer of its receipt
(c) when its transmission is out of the control of the proposee
(d) Any of these

(ix) An agreement made by a minor is:
(a) enforceable (b) unenforceable
(c) enforceable upon minor's attainment of age of majority (d) enforceable if beneficial to minor

(x) An agreement in restraint of legal proceedings is:
(a) void (b) voidable (c) unlawful (d) None of these

(xi) An agreement may be performed:
(a) by the parties (b) by the legal representatives of the parties
(c) by the assignor and the assignee of the contract (d) All of these

(xii) Novation of contract means:
(a) rescission (b) breach (c) modification (d) None of these

(xiii) A promise to be liable for a debt conditionally on the principal debtor making default is a contract of:
(a) indemnity (b) guarantee (c) pledge (d) None of these

(xiv) The term pawn is used in the contract of:
(a) indemnity (b) guarantee (c) agency (d) None of these

(xv) A tort is an infringement of:
(a) a private civil right (b) a public right
(c) both private and public rights (d) None of these

(xvi) In order to establish tort, the victim must show the presence of:
(a) Legal damage (b) actual damage (c) pecuniary damage (d) Any of these

(xvii) A battery is:
(a) an attempt to do a corporeal hurt to another
(b) a bodily harm whereby a man is deprived of the use of any member of his body or sense
(c) the actual striking of another person
(d) None of these

(xviii) In order to constitute false imprisonment the confinement of the person must be:
(a) actual i.e. physical
(b) constructive i.e. mere show of authority
(c) restraining the movement of the person against his will
(d) Any of these

(xix) Dismissal of a servant by the master is justifiable on:
(a) grave misconduct
(b) a proof of habitual negligence of serious character
(c) misconduct on one occasion only if sufficiently gross
(d) Any of these

(xx) A person is guilty of public nuisance if he does acts leading to:
(a) wrongful disturbances of easement or servitude
(b) wrongful escape of deleterious substances into another's property
(c) an illegal omission causing any common injury or annoyance to the people in general
(d) None of these

PART – II

NOTE:	**(i)** **PART-II** is to be attempted on the separate **Answer Book.** **(ii)** Attempt **ONLY FIVE** questions from **PART-II** selecting at least **ONE** question from **EACH SECTION.** All questions carry **EQUAL** marks. **(iii)** Extra attempt of any question or any part of the attempted question will not be considered.

SECTION – I (Civil Procedure Code)

Q.2. Explain the principle of resjudicate. How does it differ from the principle of res-subjudice? **(16)**

Q.3. State the grounds on which an appeal from a judgement, decree or final order of a High Court may be made to the Supreme Court. Is there any bar on certain appeals? If so, explain. **(16)**

Q.4. What is meant by Temporary Injunctions? Discuss the law governing the grant of injunctions. **(16)**

SECTION – II (The Contract Act)

Q.5. Define proposal and distinguish it from an invitation to proposal. How is it revoked? **(16)**

Q.6. Explain the term damages. Discuss the rules governing the award of damages upon breach of contract. **(16)**

Q.7. What is an act of ratification? State the conditions necessary for ratification. **(16)**

SECTION – III (Law of Torts)

Q.8. Write a detailed note on discharge of tort. **(16)**

Q.9. What is negligence? Discuss fully the essentials of negligence. **(16)**

Q.10. What judicial remedies are available in tort? Discuss fully. **(16)**

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FEDERAL PUBLIC SERVICE COMMISSION
COMPETITIVE EXAMINATION FOR
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THE FEDERAL GOVERNMENT, 2010

LAW, PAPER-II

Roll Number

TIME ALLOWED:	**(PART-I) 30 MINUTES**	**MAXIMUM MARKS:20**
	(PART-II) 2 HOURS & 30 MINUTES	**MAXIMUM MARKS:80**

NOTE: (i) **First** attempt **PART-I (MCQ)** on separate **Answer Sheet** which shall be taken back after **30 minutes.**
(ii) Overwriting/cutting of the options/answers will not be given credit.

PART – I (MCQ)
(COMPULSORY)

Q.1. Select the best option/answer and fill in the appropriate box on the Answer Sheet. (20)

(i) A police officer may arrest a person without warrant if the offence is:
(a) cognizable (b) non-cognizable (c) bailable (d) None of these

(ii) Any offence defined under the Pakistan Penal Code may be tried by:
(a) The High Court (b) The Court of session
(c) Magisterate of 1st Class (d) Any of these

(iii) An order u/s 144 of Criminal Procedure Code to prevent nuisance or apprehended danger in urgent cases may be made by:
(a) the High Court (b) Court of session (c) District Magistrate (d) None of these

(iv) A statement by a witness to a police officer u/s 161 of the Criminal Procedure Code shall be made:
(a) On Oath (b) Without Oath (c) as directed by the police officer (d) None of these

(v) Where a magistrate of the second or third class is of the opinion that the accused deserves more severe punishment than he is empowered to inflict, he may forward the accused to:
(a) the court of session (b) district magistrate (c) magistrate of 1st class (d) may try himself

(vi) An appeal against the conviction passed by a magistrate of the second or third class may be made to the:
(a) magistrate of the 1st class (b) district magistrate (c) court of session (d) high court

(vii) The right of private defence of property extends to death in cases of:
(a) robbery (b) house breaking by night
(c) mischief by fire committed on human dwelling place (d) Any of these

(viii) A child is not criminally liable if he is:
(a) under 18 years of age
(b) under 7 years of age
(c) above 7 and under 12 years of age but has attained sufficient maturity
(d) None of these

(ix) An abettor is a person who:
(a) actively participates in the commission of an offence
(b) does not have any relation with the commission of the offence
(c) instigates another person to commit an offence
(d) None of these

(x) Diyat can be awarded in case of:
(a) Qatl Shibh (b) Qatl Khata (c) Qatl bis Sabah (d) Any of these

(xi) The act of obstructing another person so as to prevent him from moving lawfully in a direction is said to be:
(a) wrongful detention (b) wrongful confinement (c) wrongful restraint (d) None of these

(xii) Theft becomes robbery if during the commission of the offence the offender causes or attempts to cause:
(a) death or fear of instant death (b) hurt or fear of instant hurt
(c) wrongful restraint or fear of wrongful restraint (d) Any of these

(xiii) The Quanun-e-Shahadat Order 1984 does not apply to proceedings before:
(a) a court martial (b) a tribunal (c) an arbitrator (d) None of these

(xiv) Privileged communication means that the witness may be:
(a) compelled to give answers (b) excused from giving answers
(c) exempted from attending the court (d) None of these

(xv) An accomplice is:
(a) an incompetent witness (b) a competent witness
(c) a competent witness of permitted by the court of law (d) None of these

(xvi) A fact in issue is a fact:
(a) asserted by one and denied by the other party (b) relevant to the proceedings
(c) necessary to explain or introduce a relevant fact (d) None of these

(xvii) Hearsay evidence is:
(a) no evidence (b) inadmissible
(c) admissible where provided by law (d) None of these

(xviii) The contents of a document may be proved by:
(a) oral evidence (b) secondary evidence (c) primary evidence (d) None of these

(xix) A fact to which a judicial notice has been taken by the court:
(a) must be proved by evidence (b) need not be proved
(c) may be proved with the permission of the court (d) None of these

(xx) A leading question may be asked in:
(a) examination in chief (b) cross-examination (c) re-examination (d) None of these

PART – II

NOTE:	**(i)** **PART-II** is to be attempted on the separate **Answer Book.** **(ii)** Attempt **ONLY FIVE** questions from **PART-II** selecting at least **ONE** question from **EACH SECTION.** All questions carry **EQUAL** marks. **(iii)** Extra attempt of any question or any part of the attempted question will not be considered.

SECTION – I (Qanun-e-Shahadat Order)

Q.2. Who is a competent witness? State the number of witness in a case fixed under the order if any. **(16)**

Q.3. Define a confession stating its kinds. What are the conditions subject to which a confession may be admissible or inadmissible? **(16)**

Q.4. Explain the doctrine of Estoppel: what are its various kinds? Discuss. **(16)**

SECTION – II (Criminal Procedure Code)

Q.5. Examine the powers vested in a magistrate or a police officer under Criminal Procedure Code for the dispersion of Unlawful Assemblies in order to maintain public peace and security. **(16)**

Q.6. Define a Charge. What particulars it must contain? Discuss fully. **(16)**

Q.7. Explain the term Bail. When bail may be taken in case of un-bailable offences? **(16)**

SECTION – III (Pakistan Penal Code)

Q.8. What elements are necessary to constitute criminal liability? State some of the leading exceptions from criminal liability provided under Pakistan Penal Code. **(16)**

Q.9. Define criminal conspiracy. State the punishment provided for it Under Pakistan Penal Code. **(16)**

Q.10. Write notes on the following. **(16)**

(a) Qatl-i-amd
(b) Extortion
(c) Criminal Breach of Trust

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