

VIDHIGYA[®] CLAT PG 2026

MOCK TEST

**EXPERIENCE CLAT PG
BEFORE D-DAY**



- I. The Supreme Court examined whether the cancellation of a panchayat lease without affording the lessee an opportunity of hearing violated Article 14 and Article 300A. The cancellation was challenged under Rule 9 of the Madhya Pradesh Panchayat (Appeal and Revision) Rules, 1995, which requires that an appellate or revisional authority must afford a hearing before interfering with a subordinate authority's decision.

The Court emphasized that even in administrative contexts, when civil consequences ensue, the principles of natural justice—particularly audi alteram partem—must be respected unless expressly excluded by statute or overridden by compulsive necessity. It cited A.K. Kraipak, Swadeshi Cotton Mills, and Maneka Gandhi, observing that these decisions collectively eroded the rigid distinction between administrative and quasi-judicial acts.

Further, the Court clarified that while Article 300A protects property rights, such protection is limited to "lawful" deprivation through authority of law—not executive fiat or administrative expediency. The Court drew a distinction between "statutory silence" and "statutory exclusion" of natural justice, stating that silence does not imply exclusion unless compelling necessity can be shown.

The bench held that procedural fairness is not an empty ritual and that failure to adhere to it renders the administrative act vulnerable to judicial review under Articles 14 and 226. Importantly, the Court reaffirmed that the burden of proving that denial of hearing made no difference lies on the authority, not the affected party—a position consistent with S.L. Kapoor v. Jagmohan and Sudhir Kumar Singh v. UOI.

1. Which of the following is the correct legal position regarding when a hearing may be dispensed with under Indian administrative law?
 - (A) A hearing may always be bypassed in cases involving economic policy
 - (B) A hearing may be denied only when facts are undisputed and one conclusion is possible in law
 - (C) A hearing is mandatory only in quasi-judicial decisions, not administrative ones
 - (D) Courts must provide hearing only if the administrative authority chooses not to.
2. Which of the following decisions first established that failure to give a hearing before taking an adverse administrative action may vitiate that action in Indian law?
 - (A) Maneka Gandhi v. Union of India
 - (B) State of Orissa v. Dr. (Miss) Binapani Dei
 - (C) Swadeshi Cotton Mills v. Union of India
 - (D) A.K. Kraipak v. Union of India
3. In light of Krishnadatt Awasthy, which of the following best characterizes the legal consequence of "statutory silence" regarding hearing in administrative decisions?
 - (A) It authorizes authorities to dispense with procedural fairness, as no provision mandates hearing
 - (B) It implies that natural justice is excluded if the subject matter involves public policy
 - (C) It does not exclude audi alteram partem unless the exclusion is clearly intended or necessary by implication
 - (D) It converts administrative decisions into quasi-judicial acts irrespective of discretion.
4. The Court's approach to natural justice in administrative action aligns most closely with which of the following jurisprudential theories?
 - (A) Legal formalism: where text governs outcomes without regard to consequence
 - (B) Positivism: where procedural rights depend strictly on legislative command
 - (C) Jurisprudence of structure and purpose: where even silence of the law implies embedded constitutional values
 - (D) Separation of powers: where judiciary cannot scrutinize administrative discretion

5. Which of the following best reflects the doctrinal significance of *Ridge v. Baldwin* in the development of natural justice?
- (A) It established that only civil courts must observe fair procedure.
 - (B) It upheld that disciplinary bodies may act without giving reasons.
 - (C) It marked the recognition that administrative decisions are also subject to the rule of fair hearing.
 - (D) It abolished the concept of “at pleasure” dismissal in employment law.

II. The Supreme Court dismissed a writ petition filed under Article 226 against a private finance company on the grounds that it was not a “State” under Article 12. The Court reaffirmed the principle that for a writ to be maintainable against a non-governmental entity, the “public function” or “public duty” test must be satisfied. While *Muthoot Finance* was regulated by the RBI as an NBFC, the Court emphasized that regulatory oversight does not convert private commercial activity into a public function.

Citing *LIC v. Escorts Ltd.* and English authorities like *R v. Panel on Takeovers and Mergers*, the Court highlighted that writs are generally directed against entities that discharge public functions with a statutory, sovereign, or quasi-judicial character. It acknowledged exceptional cases where mandamus can lie against a private body, but only if it performs a statutory public duty affecting the rights of the public at large.

The Court clarified that mere RBI regulation or existence of arbitration clauses in contracts does not bring such entities under public law scrutiny unless they act under statutory authority or perform functions akin to government. The judgment summarized key principles: (i) commercial entities do not become public authorities merely by being regulated; (ii) public law remedies under Article 226 are limited to those performing public functions; (iii) contractual disputes with private companies fall within private law domain and must be pursued through civil suits or arbitration.

6. The principle that regulatory oversight does not transform private action into public function was derived by the Supreme Court in which of the following earlier cases?
- (A) *Zee Telefilms Ltd. v. Union of India*
 - (B) *A.K. Kraipak v. Union of India*
 - (C) *Binny Ltd. v. Sadasivan*
 - (D) *R.D. Shetty v. International Airport Authority*
7. In *Andi Mukta Trust v. V.R. Rudani*, which expanded the scope of mandamus to private entities, the Court relied on which of the following foundational principles?
- (A) Any organization performing essential services must be treated as a State under Article 12
 - (B) Mandamus lies against a body performing a public duty, regardless of its legal character
 - (C) All educational institutions come under Article 226 jurisdiction
 - (D) If an institution receives tax exemption, it is performing a public function
8. According to the Supreme Court's jurisprudence, which of the following entities has been excluded from the definition of “State” under Article 12?
- (A) Indian Olympic Association
 - (B) National Stock Exchange
 - (C) Institute of Chartered Accountants of India
 - (D) Bharat Petroleum Corporation Ltd.

9. After the ruling in *Zee Telefilms Ltd. v. Union of India* (2005), the Supreme Court distilled multiple indicia for Article 12 analysis. Which of the following propositions most closely reflects the operative test applied when a company is regulated but privately owned?
- (A) Deep administrative control alone suffices; ownership, public funding, and functional replacement are merely supporting details of minor weight.
 - (B) Receipt of financial concessions by itself is enough if the entity's business touches any sphere of fundamental rights protection.
 - (C) A cumulative instrumentality assessment—ownership, deep control, public importance, and functional substitution—must be satisfied; mere regulation, standing alone, is insufficient.
 - (D) Performance of any service that members of the public may use is always adequate, whatever the entity's ownership or statutory setting.
10. Under settled doctrine, when does the existence of arbitration or civil-suit remedies not bar a writ under Article 226?
- (A) When the controversy raises constitutional or significant public-law issues that transcend the four corners of the private contract between parties.
 - (B) When the pleadings show disagreement about wording of the arbitration clause and the governing seat selected by the parties.
 - (C) Whenever the disputed amount is exceptionally high, indicating that the public has an economic stake in the outcome of the litigation.
 - (D) When the contract stipulates that arbitration shall proceed under foreign law, making domestic remedies appear procedurally inconvenient.
- III. The Supreme Court examined allegations that senior State officials had wilfully disobeyed its 2017 absorption-and-arrears judgment for staff of a State-aided college. Four petitioners ultimately received the directed benefits, leaving only one claimant—whose original appointment the State now asserted was void ab initio because he had been a minor on the date of engagement. Noting the absence of any formal order cancelling that absorption or refusing pay-fixation, the Court observed that complex factual disputes over age, eligibility, and quantum of arrears could not be resolved within contempt jurisdiction, which is reserved for clear, wilful non-compliance. Relying on principles in *State of Bihar v. Bihar Rajya M.S.E.S.* (2005), the Court dismissed the contempt petition but directed the university's Registrar or Vice-Chancellor—assisted by State and college authorities—to decide all service-condition questions de novo within three months, with liberty to the aggrieved to seek redress before the High Court thereafter. The ruling reiterates that contempt powers demand proof of "wilfulness," that they are not a vehicle to adjudicate fresh service-law disputes, and that courts may remit contested factual matters to competent administrative fora while safeguarding their inherent authority to punish genuine defiance of judicial orders.
11. Under which constitutional permutation can a High Court initiate contempt proceedings suo motu against a District Judge for non-compliance with an administrative circular of the High Court?
- (A) Article 215 read with section 10 of the 1971 Act, because District Courts are "subordinate courts".
 - (B) Article 129, because all contempt of judicial bodies vests in the Supreme Court.
 - (C) Article 142, as the High Court's inherent power to secure "complete justice" in its territorial jurisdiction.
 - (D) Article 227, as supervisory jurisdiction supplants contempt power in matters of administrative instructions.

12. The Supreme Court in *Debabrata Bandhopadhyaya v. State of West Bengal* articulated that for civil contempt, ...
- (A) mere disobedience, even if unintentional, suffices.
 - (B) wilfulness must be established beyond reasonable doubt, akin to criminal standard.
 - (C) wilfulness is judged on “preponderance of probabilities” but corroborated by surrounding conduct.
 - (D) impossibility of compliance is irrelevant; contemnor must apply for extension, else guilt is presumed.
13. Which combination of factors must a contemnor satisfy to invoke the “truth–public interest” shield under section 13(b) successfully post-2006 Amendment?
- (A) Verifiable truth + bona-fide motive + substantial public interest + proportional disclosure.
 - (B) Verifiable truth + express consent of the Chief Justice + lack of malice.
 - (C) Truth alone, if contemporarily reported, irrespective of motive.
 - (D) Truth + presence of media accreditation + absence of ongoing appeal.
14. *Sushila Ranjan v. State of Orissa* revisited the impossibility defence. Which of the following is not a recognised parameter for courts when evaluating “impossible compliance”?
- (A) Objective factual impossibility versus self-created difficulty.
 - (B) Bona fide steps taken promptly to comply.
 - (C) Public-interest cost of compliance outweighing benefits.
 - (D) Contemnor’s willingness to purge contempt by alternative performance.
15. Considering sections 12 & 19 of the 1971 Act and *Collector of Customs v. D. K. Karolia* (2000), arrange the sentencing options in ascending restrictiveness:
- (P) Conditional apology accepted; (Q) Nominal fine; (R) Simple imprisonment till rising of court; (S) Maximum six-month imprisonment.
- (A) $P \rightarrow Q \rightarrow R \rightarrow S$
 - (B) $Q \rightarrow P \rightarrow R \rightarrow S$
 - (C) $P \rightarrow R \rightarrow Q \rightarrow S$
 - (D) $Q \rightarrow R \rightarrow P \rightarrow S$

IV. “A transfer pendente lite is not per se void; it remains operative inter partes but is subordinated to any decree eventually passed in the pending litigation. Section 52 of the Transfer of Property Act, 1882 incorporates this doctrine of *lis pendens*. The Supreme Court in *Nagubai Ammal v. B. Shama Rao* clarified that such a transfer ‘is good except to the extent that it might conflict with rights decreed in the suit’. Likewise, in *Vinod Seth v. Devinder Bajaj* the Court reiterated that Section 52 only renders the transfer ‘inoperative’ against successful parties, without annulling it. Pendente-lite transferees are therefore vitally interested in the outcome of the suit: although not necessary parties, they may seek to be impleaded under Order I Rule 10 or Order XXII Rule 10 of the Civil Procedure Code, 1908, or later pursue an appeal with leave under Section 96 or 100. Further, Section 146 CPC permits ‘any person claiming under’ a party to continue proceedings, while Order XXI Rule 16 recognises the right of a decree-holder’s assignee to execute the decree. Jurisprudence from *Smt Saila Bala Dassi* to *Amit Kumar Shaw* emphasises that a transferee pendente lite, though bound by the decree, should ordinarily be given an opportunity to defend his interest, subject to judicial discretion and the bar against collusive or dilatory tactics. However, where an impleadment application is rejected and attains finality, a later prayer for leave to appeal will be scrutinised on the stricter touchstone of ‘person aggrieved’, delay, and bona fides. The court must balance the transferee’s equity against the plaintiff’s right to quiet title, the statutory command of Section 52, and the policy against re-litigation.”

16. Which proposition accurately states the legal effect of a conveyance executed after a suit for specific performance has been filed but before decree?
- (A) The conveyance is void ab initio and confers no rights even between transferor and transferee.
 - (B) The conveyance is valid inter se the parties but is subordinate to the rights declared in the eventual decree and the transferee is bound by such decree.
 - (C) The conveyance is enforceable against the decree-holder if the transferee had no actual notice of the litigation.
 - (D) The conveyance is automatically set aside once an injunction against alienation is proved to have been breached.
17. Under which statutory combination may a transferee pendente lite, whose earlier impleadment was refused, nonetheless seek leave to appeal against the final decree?
- (A) Order I Rule 10 CPC alone, because that provision survives all earlier refusals.
 - (B) Section 146 read with Order XXII Rule 10 CPC, enabling persons claiming under a party to continue or assail proceedings with the Court's leave.
 - (C) Section 96 CPC confers an absolute appeal as of right on any interested person irrespective of leave.
 - (D) Only Section 115 CPC (revision) is available; no appeal lies.
18. A transferee pendente lite pleads that the vendor fraudulently assured him the appeal was being prosecuted, causing 500 days' delay in filing his own appeal. Which provision and leading precedent principally govern whether such delay may be condoned?
- (A) Section 5 Limitation Act read with the 'sufficient cause' test in N. Balakrishnan v. M. Krishnamurthy.
 - (B) Section 17 Limitation Act automatically excludes periods of any alleged fraud.
 - (C) Section 14 Limitation Act concerning bona fide prosecution of a wrong forum.
 - (D) Delay-condonation is impermissible once lis-pendens notice exists.
19. Which case first authoritatively ruled that a purchaser pendente lite may be added as defendant to protect his interest, subject to court discretion?
- (A) Thomson Press (India) Ltd. v. Nanak Builders
 - (B) Amit Kumar Shaw v. Farida Khatoon
 - (C) A. Subash Babu v. State of A.P.
 - (D) Saila Bala Dassi v. Nirmala Sundari Dassi
20. Correct statement on injunction breach and contempt
- With respect to a sale executed in violation of a subsisting interim injunction against alienation, which statement aligns with Supreme Court doctrine?
- (A) The sale is void and unenforceable; contempt proceedings are unnecessary.
 - (B) The sale is enforceable inter partes but exposes the vendor (and possibly purchaser) to contempt; validity is separate from punitive sanction.
 - (C) The sale is valid and bars any contempt because civil remedies exist.
 - (D) The sale's validity depends solely on whether the purchaser was later impleaded.
- V. "Interim bail has no specific textual foundation in the Code of Criminal Procedure, yet constitutional courts have grafted it onto Indian bail jurisprudence as a pragmatic device for temporary release in 'compelling circumstances'. In Arvind Kejriwal v. Directorate of Enforcement (2024) the Supreme Court, citing the Delhi High Court decision in Athar Pervez, characterised interim bail as an exceptional relief when regular bail is either unavailable or still pending. By contrast, the 2025 split-verdict in Mohd. Tahir Hussain circumscribes the doctrine. Justice Mithal ruled that campaigning for elections is neither a fundamental right nor a statutory

entitlement warranting interim bail; indeed, Section 62(5) of the Representation of the People Act, 1951, statutorily disenfranchises prisoners, undermining any putative right to canvass. He warned that recognising “electoral canvassing” as a ground would open the flood-gates, given India’s perpetual election calendar. Justice Amanullah dissented, stressing Article 21 liberty, five-year pre-trial incarceration, and the principle in *Union of India v. K.A. Najeeb* that statutory embargoes melt when speedy-trial rights are threatened. Both judges agreed that a lis involving multiple serious offences—including rioting and PMLA charges—complicates the equity calculus. The majority of earlier bail factors (gravity, likelihood of tampering, parity with co-accused) remain relevant, but the Court reconfirmed that interim bail is disfavoured when other cases will keep the accused in jail, rendering release ‘academic’. The judgment thus juxtaposes statutory voting restrictions, constitutional liberty, and the evolving doctrine of purpose-based interim bail.”

- 21.** Section 62(5) RPA, 1951 bars persons “confined in a prison” from voting. Which appraisal aligns with the Supreme Court’s reasoning in *Anukul Chandra Pradhan v. Union of India*?
- (A) It violates Article 14 because it draws an over-inclusive classification between under-trials and free citizens.
 - (B) It is a reasonable restriction flowing automatically from lawful custody and survives Article 14 scrutiny.
 - (C) It is unconstitutional unless the State can show “compelling necessity” under the proportionality test.
 - (D) It is partly unconstitutional because it applies even to preventive-detention internees.
- 22.** Under Indian constitutional and statutory scheme, which statement is correct?
- (A) The right to contest elections is a fundamental right implicit in Article 19(1)(a).
 - (B) The right to contest elections is purely statutory under the RPA, 1951, and may be limited by reasonable electoral laws and bail jurisprudence.
 - (C) The right to contest elections is a human right recognised under ICCPR and hence overrides domestic bail restrictions.
 - (D) The right to contest elections is a constitutional right under Article 326 guaranteeing adult suffrage.
- 23.** Section 45(1) of the Prevention of Money-Laundering Act, 2002 (“PMLA”) imposes a twin-condition bail bar. In the aftermath of *Union of India v. K.A. Najeeb* (2021) and the dissent in *Mohd. Tahir Hussain* (2025), which statement best reflects the current constitutional position?
- (A) The twin-conditions are absolute; Article 21 liberty cannot dilute them even for protracted under-trial detention.
 - (B) Constitutional courts may grant regular or interim bail notwithstanding statutory bars where continued incarceration turns oppressive and defeats the right to speedy trial.
 - (C) Only the High Courts’ writ jurisdiction under Article 226 can relax the twin-conditions; the Supreme Court cannot under Article 136.
 - (D) The twin-conditions are automatically suspended if the trial court is yet to frame charges within 90 days of arrest.
- 24.** Assuming regular-bail refusal by a High Court, the most appropriate procedural route to seek purely time-bound interim bail from the Supreme Court is:
- (A) A curative petition under Article 137.
 - (B) A special-leave petition under Article 136 coupled with an IA seeking interim relief pendente lite.
 - (C) A writ petition under Article 32 alleging breach of Article 19(1)(a) electoral speech.
 - (D) An original suit invoking Article 131 to resolve a “dispute” between citizen and State.

25. Justice Mithal's fear of flood-gates evokes which leading Indian precedent where the Supreme Court denied a constitutional claim largely on manageability and potential flood-gate concerns?
- (A) People's Union for Civil Liberties v. Union of India (Phone-tapping case)
 - (B) Common Cause v. Union of India (Advance Medical Directives case)
 - (C) Saroj Rani v. Sudarshan Kumar Chadha (Restitution of conjugal rights)
 - (D) Sunil Batra v. Delhi Administration (Prisoners' rights)

VI. Section 482 of the Criminal Procedure Code preserves the High Court's inherent power to secure the ends of justice, but its exercise is tightly cabined. The Court cannot engage in a 'mini-trial' or weigh evidentiary sufficiency; it may intervene only when the uncontroverted allegations in the complaint and the material collected by the police, taken at their highest value, fail even prima facie to disclose the ingredients of an offence. Classic illustrations—culled from *R.P. Kapur*, refined in *Bhajan Lal*, and reaffirmed in *Indian Oil v. NEPC*—include cases where (i) the complaint is manifestly absurd or inherently improbable, (ii) the criminal proceeding is malafide or maliciously instituted to wreck vengeance, or (iii) an express legal bar pre-empts prosecution. At the same time the Court cautions against converting contractual or corporate disputes into criminal prosecutions unless the factual foundation reveals the mens rea elements of cheating, criminal breach of trust, or similar offences. In assessing charges under Sections 354 and 506 IPC, precedents such as *Rupan Deol Bajaj*, *Major Singh*, and *Sharif Ahmed* require courts to locate specific allegations of (a) criminal force or threat, (b) intent either to outrage modesty or to cause alarm, and (c) credible material suggesting such intent. Bald assertions or vague references to mental harassment, unaccompanied by concrete acts or surrounding circumstances, do not pass the prima-facie threshold. Further, statements recorded under Section 161 CrPC remain inadmissible at the quash-stage except for limited purposes under Sections 145 and 157 of the Evidence Act. Thus, inherent powers function as a safety-valve against abuse, but not as a forum to dissect disputed facts or settle private scores under the colour of penal law."

26. When a High Court quashes criminal proceedings on the ground that the dispute is purely civil, which *Bhajan Lal* category is chiefly attracted?
- (A) The allegations, even if completely accepted, fail to spell out any criminal offence and therefore attract the first *Bhajan Lal* ground for quashing.
 - (B) The allegations are so fanciful and implausible that no prudent person could believe an offence was committed, invoking the third *Bhajan Lal* category.
 - (C) The prosecution was launched with malicious intent to harass the accused and thus fits the fifth *Bhajan Lal* classification of malafide proceedings.
 - (D) The prosecution is barred by an express statutory prohibition, corresponding to the seventh *Bhajan Lal* situation concerning legal bars to jurisdiction.
27. Which constellation of elements correctly sustains liability under Section 354 IPC as clarified in *Rupan Deol Bajaj* and *Raju Pandurang Mahale*?
- (A) Any form of physical contact coupled with knowledge that modesty may be outraged satisfies the section regardless of the contact's trivial nature.
 - (B) Criminal force or assault plus intent to outrage modesty require proof that the victim actually felt alarm before liability under the section arises.
 - (C) Criminal force or assault combined with intent or knowledge to outrage modesty suffices when the act is objectively indecent to a reasonable woman.
 - (D) Offensive words motivated by malevolence are enough provided the woman subjectively perceives disgrace, even if no physical act accompanies them.

28. Which provision restricts the evidentiary use of a Section 161 CrPC statement and thereby influences quash-stage analysis?
- (A) Section 162.
 - (B) Section 154.
 - (C) Section 164.
 - (D) Section 173 (8).
29. For criminal intimidation under Sections 503/506 IPC, what requirement has the Supreme Court emphasised in *Sharif Ahmed v. State of U.P.*?
- (A) Criminal intimidation requires an immediate assault together with a threat that results in bodily injury being inflicted upon the complainant in reality.
 - (B) A communicated threat to person, reputation or property intended to alarm is enough; the prosecution need not prove the complainant was actually alarmed.
 - (C) Using abusive language that harms someone's social standing without an accompanying intent to alarm cannot amount to the offence of criminal intimidation.
 - (D) No conviction for intimidation can follow unless the threat is preserved in writing or digital form, purely oral threats being outside the statutory scope.
30. Which precedent most pointedly cautions that criminal prosecution should not be permitted to degenerate into a weapon of harassment and emphasises the High Court's duty to interdict such misuse under Section 482 CrPC?
- (A) *State of Karnataka v. L. Muniswamy*
 - (B) *State of Haryana v. Bhajan Lal*
 - (C) *Gian Singh v. State of Punjab*
 - (D) *Satish Mehra v. Delhi Administration*

VII. Section 34 IPC does not create a distinct offence; it enunciates a rule of constructive liability whereby, when a criminal act is done by several persons in furtherance of the common intention of all, each is liable as if he alone committed it. The prosecution must therefore establish two cumulative elements: (i) the existence of a prior meeting of minds—however brief—express or tacit, showing that the participants had shared intention to commit the particular crime; and (ii) participation in the action that effectuates that intent. Mere presence at the scene, or acting under hierarchical command, will not suffice unless the surrounding facts demonstrate conscious convergence. Appellate courts are slow to disturb an acquittal recorded by the trial court: as summarised in *Chandrappa*, interference is justified only where the view taken is patently perverse, ignores material evidence, or no two reasonable conclusions are possible save guilt. The presumption of innocence acquires double force after an acquittal. Consequently, in *Constable Surendra Singh v. State of Uttarakhand* (28 Jan 2025) the Supreme Court restored the trial judge's acquittal of three constables: the High Court had convicted them merely because they occupied the same police vehicle from which a senior officer fired the fatal shot. Finding no evidence of shared intent, the Court reiterated that constructive liability cannot be fastened through guilt by association, especially when subordinates act under a superior's sudden command without prior planning. The judgment also endorsed the principle that interference with an acquittal demands demonstration of the trial court's view being impossible rather than merely not preferable.

31. When courts evaluate common intention under Section 34 IPC, which proposition mirrors settled Supreme Court doctrine?
- (A) Presence at the scene and knowledge of the offence automatically supply the requisite shared intention for constructive liability.
 - (B) Prior concert may be inferred from conduct before, during, or after the act, but there must be evidence that all participants consciously approved the criminal objective.
 - (C) Common intention and similar intention are interchangeable; proving either suffices for Section 34.
 - (D) A subordinate's obedience to a sudden illegal command of a superior conclusively implies concurrence in the superior's design.
32. Which statutory route governs the State's appeal to a High Court against an acquittal recorded by a Sessions Court?
- (A) Section 372 CrPC subject to the proviso requiring victim's consent.
 - (B) Section 378(1)(b) CrPC, mandating leave of the High Court before the appeal is heard.
 - (C) Section 397 CrPC, providing revisional power that substitutes the need for an appeal.
 - (D) Section 384 CrPC, laying down the general power to dismiss appeals summarily.
33. In distinguishing Section 34 from Section 149 IPC, which statement is doctrinally accurate?
- (A) Section 149 requires proof of a specific common intention identical to Section 34 but applies only to non-cognisable offences.
 - (B) Both provisions are identical in mental element; the difference lies solely in the minimum number of offenders.
 - (C) Section 34 postulates pre-arranged plan, whereas Section 149 is satisfied if the offence is a probable outcome of the common object of an unlawful assembly.
 - (D) Section 34 demands at least five persons acting together, whereas Section 149 can attach even where fewer join in the act.
34. According to Chandrappa v. State of Karnataka and later line of cases, which ground does not by itself warrant appellate reversal of an acquittal?
- (A) The trial court preferred one of two reasonably possible conclusions.
 - (B) The trial court ignored material contradictions that strike at the root of the prosecution case.
 - (C) The trial court's view is found to be perverse and unsupported by evidence on record.
 - (D) The trial court omitted consideration of admissible documentary evidence that undermines its reasoning.
35. Under the Arms Act, 1959, why was separate prosecution of the shooter under Section 27(3) considered sustainable, whereas the constables could not be saddled vicariously?
- (A) Section 27(3) imposes strict liability on all persons present when a service weapon is discharged.
 - (B) Section 27(3) penalises the individual who uses a prohibited weapon or ammunition; its mens rea cannot be imputed through Section 34 unless active use or intentional aid is shown.
 - (C) Section 27(3) automatically incorporates the common-object rule of Section 149, making individual mens rea immaterial.
 - (D) Section 27(3) creates a non-bailable offence where collective intent is presumed from police hierarchy.

VIII. Article 136 of the Limitation Act, 1963 fixes twelve years for executing most decrees, yet its proviso explicitly withdraws any period for 'a decree granting a perpetual injunction'. Thus the cause of action to execute revives with each obstruction. Order XXI Rule 32 CPC supplies the execution apparatus: once the judgment-debtor, after having an opportunity to obey, wilfully violates the decree, the court may resort to attachment of property or detention in civil prison. Detention, however, is permissible only after meeting the safeguards in Section 51 and

its proviso—particularly a written finding that the judgment-debtor has means but refuses, or that disobedience is deliberate. Rule 11-A of Order XXI buttresses this by demanding that an application seeking arrest must itself, or an accompanying affidavit, state the grounds relied on; mere assertions are insufficient. The Supreme Court in *Bhudev Mallick v. Ranajit Ghoshal* (2025) held that the executing court committed a jurisdictional error by ordering thirty-day civil imprisonment and attachment without first recording such findings or examining material demonstrating wilful breach. The Court reaffirmed that High-Court supervisory review under Article 227 must correct orders that exceed jurisdiction—including those entered in ‘hot haste’ which ignore mandatory procedural preconditions. It emphasised that imprisonment remains a drastic, yet legitimate, enforcement tool but only when due process is strictly observed. Failure to follow sequential safeguards—notice, enquiry into wilfulness, and reasoned order—vitiates execution and offends natural-justice norms.

- 36.** Limitation for executing a decree of permanent injunction is governed by which statutory text?
- (A) No limitation period applies; each fresh breach constitutes a recurring enforceable claim, as confirmed by Article 136 proviso.
 - (B) Twelve years is the outer limit, but courts may condone delay if the decree-holder shows continuing possession was threatened only recently.
 - (C) Three years applies under Article 137 because execution of injunction is a miscellaneous application not otherwise provided for.
 - (D) Execution is barred after six months since Order XXI Rule 32(3) allows attachment sale only within that window.
- 37.** Under Section 51 proviso CPC, a court may order civil imprisonment for decree-breach only after finding which composite condition?
- (A) The judgment-debtor is likely to abscond, or has concealed property, and wilful disobedience is established through a speaking order.
 - (B) Mere non-compliance with the decree, regardless of means or intent, provided an affidavit under Rule 11-A accompanies the application.
 - (C) The decree-holder files an undertaking to compensate if detention is later found wrongful, satisfying fair-trial guarantees.
 - (D) The judgment-debtor failed to appear on the return-date of notice, rendering further factual enquiry unnecessary.
- 38.** The doctrine that each breach of a prohibitory injunction is a continuing cause of action primarily serves which procedural consequence?
- (A) It allows a fresh suit for damages after each violation, bypassing Section 47.
 - (B) It enables successive execution applications without attracting res judicata or limitation bars.
 - (C) It obliges decree-holders to seek contempt rather than execution for repeated infractions.
 - (D) It transforms the decree into a money decree once compensation is sought under Rule 32(3).
- 39.** Failure to comply with Order XXI Rule 11-A (grounds for arrest) is treated as:
- (A) A curable defect for which the decree-holder must be given an opportunity to file an affidavit before rejecting the application.
 - (B) A non-curable illegality mandating dismissal of execution and rendering further arrest action void ab initio.
 - (C) A mere irregularity that becomes immaterial once the High Court ratifies detention under Article 227.
 - (D) A defect relevant only to money decrees; injunction decrees fall outside the scope of Rule 11-A.

40. Before an executing court may sell property attached under Order XXI Rule 32 for breach of a perpetual-injunction decree, which statutory pre-requisite must it expressly satisfy?
- (A) It must first certify that attachment for six months has failed to secure obedience and that the judgment-debtor still wilfully resists compliance, recording reasons accordingly.
 - (B) It must obtain prior sanction from the District Collector confirming that the reserve price equals prevailing circle rates to protect government revenue.
 - (C) It must issue a separate notice under Order XXI Rule 66 regardless of any prior attachment, inviting objections within ninety days before proceeding to sale.
 - (D) It must convert the injunction decree into a money decree by quantifying damages, because sale is permissible only to satisfy a monetary liability.

IX. “Section 18 of the Micro, Small and Medium Enterprises Development Act 2006 prescribes a two-step, statutory ADR sequence: compulsory conciliation under sub-section (2) invoking sections 65-81 of the Arbitration and Conciliation Act 1996, followed—on failure—by arbitration under sub-section (3). Sub-sections (1) and (4) carry non-obstante clauses that override ‘any other law’, thereby displacing party autonomy and any conflicting contractual arbitration clause. Section 19 further conditions a buyer’s section 34 challenge to an award on a 75 per-cent pre-deposit. In *Jharkhand Urja Vikas* (2021) a two-judge bench held that conciliation and arbitration cannot be clubbed: if conciliation fails, the Council must freshly constitute or refer the arbitral tribunal, and an award rendered without that separation is a nullity open to writ scrutiny. A co-ordinate bench in *Gujarat Civil Supplies* (2023) reached the opposite conclusion, relying on the Act’s override to permit the same Council to act successively as conciliator and arbitrator despite section 80 of the 1996 Act. A subsequent three-judge bench in *India Glycols* (2023) ruled that writ petitions are barred because the MSMED Act supplies a complete statutory remedy, subject only to section 34 and the pre-deposit under section 19. The 2025 judgment in *Tamil Nadu Cements* notes this doctrinal conflict and referring the matter to a Constitution Bench, reiterates that article 226 remains a basic-structure safeguard; the self-imposed ‘alternative-remedy’ restraint yields in cases of jurisdictional error, violation of natural justice, or constitutional invalidity, but whether these carve-outs survive the stringent MSMED framework is the central question now reserved.”

41. The non-obstante clauses in section 18(1) and 18(4) MSMED Act primarily operate to:
- (A) Abrogate party-agreed arbitration clauses and permit statutory conciliation–arbitration despite any contrary contract terms.
 - (B) Repeal section 80 of the 1996 Act entirely in disputes involving micro- and small-enterprise suppliers.
 - (C) Confer exclusive original jurisdiction on the Supreme Court for all MSME payment disputes.
 - (D) Immunise Facilitation-Council awards from challenge under section 34 of the 1996 Act.
42. When an international-commercial arbitration seated outside India faces a section 9 interim-measure petition before an Indian court, the prevailing interpretation of section 29A’s time-limit is that:
- (A) The twelve-month limit is inapplicable because part I is excluded for foreign-seat arbitrations except where expressly attracted.
 - (B) The limit applies strictly, and Indian courts must terminate the tribunal’s mandate if the award is not rendered within twelve months.
 - (C) The limit applies only if the parties expressly incorporate it; otherwise, the tribunal’s procedural law governs exclusively.
 - (D) The limit is directory, so delay beyond twelve months may be condoned by the arbitral institution but still binds Indian courts.

43. When a party challenges an arbitrator's mandate by filing an application under section 13(5), which forum has exclusive jurisdiction to decide the issue?
- (A) The Court designated under section 11, because the appointment power carries residual supervisory authority over arbitrator bias challenges.
 - (B) The arbitral tribunal itself decides, and its decision is immune from immediate court review, subject only to a post-award section 34 challenge.
 - (C) The High Court exercises original jurisdiction under section 37, as appeals from interlocutory rulings are expressly listed there.
 - (D) The Supreme Court under Article 136, because section 13 contains no bar on special-leave oversight of partial awards.
44. Under section 12(5) and the Seventh Schedule, an arbitrator who is the consulting tax adviser of a party's parent company is:
- (A) Automatically ineligible unless the parties waive the conflict in writing after the dispute arises.
 - (B) Eligible because advisory roles to affiliates fall outside the Seventh-Schedule prohibitions.
 - (C) Eligible so long as the adviser discloses the relationship and continues only with the tribunal's unanimous consent.
 - (D) Ineligible only if the adviser has appeared as counsel in the same matter; routine advisory work is irrelevant.
45. An arbitral tribunal issues an interim order freezing funds in a third-party escrow account. If the losing party refuses compliance, which statutory mechanism is procedurally correct for enforcement?
- (A) Filing an execution petition under Order XXI CPC because section 17(2) expressly adopts the Code's execution machinery.
 - (B) Moving the same High Court for contempt under Article 215, because tribunal orders do not bind non-parties without court sanction.
 - (C) Applying directly to the civil court under section 17(2) for recognition and enforcement, treating the order as a deemed court order.
 - (D) Initiating a fresh arbitration claim for damages, because the Act provides no coercive power against disobedient parties.
- X. In appeals against conviction resting wholly on circumstantial evidence, the Supreme Court reiterated that every incriminating circumstance must be individually established and collectively form a chain 'so complete as to leave no reasonable ground for innocence'. The Court distinguished a 'may-be guilty' standard from the stricter 'must-be guilty' formulation, citing Sharad Birdhichand Sharda and Shivaji Bobade. It further clarified that the 'last-seen' circumstance is not a standalone proof: its probative force depends on proximity of time and the absence of plausible alternative hypotheses. Likewise, recovery under Section 27 of the Evidence Act is admissible only to the extent the accused's statement distinctly relates to a fact discovered; failure to prove the memorandum or to mark the accused's signature may erode its evidentiary value. On common-intention liability, the bench restated that Section 34 IPC requires prior concert—however short—plus active participation; obedience to a superior's sudden illegal command does not automatically supply shared intention. Finally, while examining High-Court interference with an acquittal, the Court reaffirmed the Chandrappa rule that an acquittal may be reversed only if the trial court's view is perverse or overlooks vital evidence; where two reasonable views are possible, the presumption of innocence is strengthened. Applying these principles, the Court set aside the High-Court confirmation of a death sentence, holding that motive was unproved, 'last-seen' testimony was fabricated, and Section 27 recoveries were legally infirm, thereby failing to complete the circumstantial chain.

46. Under Section 27 of the Evidence Act, which portion of an accused's custodial statement is admissible when a weapon is recovered?
- (A) The entire confession including motive and manner, because discovery makes the statement reliable in its totality.
 - (B) Only that part which distinctly relates to the fact discovered, such as the location and the accused's role in concealing the weapon.
 - (C) Only the physical recovery, while the accompanying oral statement is excluded as hit by Section 25 barring police confessions.
 - (D) The statement is inadmissible unless the prosecution proves the memorandum bears signatures of two independent witnesses and the magistrate.
47. In applying the "last-seen" doctrine, which factor weighs least in favour of drawing an adverse inference against the accused?
- (A) Very short time gap between last sighting and the estimated time of death, with no explanation by the accused.
 - (B) Presence of corroborative forensic evidence such as the deceased's blood on the accused's clothes recovered promptly.
 - (C) Existence of prior hostility but a substantial lapse of eight hours between last sighting and death with no further connecting facts.
 - (D) Accused's failure to disclose the whereabouts of the deceased despite special knowledge under Section 106 Evidence Act.
48. Regarding common intention under Section 34 IPC, which proposition is doctrinally sound?
- (A) Common intention can arise instantaneously, but passive presence without active aid does not satisfy participation.
 - (B) Obedience to a superior's unlawful order conclusively imports shared intent under the doctrine of agency.
 - (C) Common intention is presumed whenever co-accused are related by blood and a group offence is committed.
 - (D) Mere simultaneous acts with similar objective suffice; prior meeting of minds is unnecessary after Krishna Govind Patil.
49. Which proposition best captures the mandatory procedure prescribed by Section 366 of the Code of Criminal Procedure when a Court of Session imposes the death penalty?
- (A) The Sessions Court must forward the entire record to the High Court for confirmation, and the sentence remains inoperative until the High Court, after full evidence review, either confirms, alters, or orders a new trial.
 - (B) The Sessions Judge is required first to place the case before the Governor for possible clemency, following which the record is transmitted to the High Court only if mercy is refused.
 - (C) The Sessions Court may itself suspend execution pending a convict's appeal; if an appeal is filed, reference under Section 366 becomes optional because the appellate court will examine the case.
 - (D) The Sessions Court must transmit the proceedings directly to the Supreme Court since, under the Constitution, only that Court possesses authority to confirm or commute a capital sentence.

50. During a Sessions trial, the judge omits to question the accused on a crucial prosecution witness's testimony that directly implicates him. Which statement most accurately reflects the legal consequence under Section 313 of the Code of Criminal Procedure, 1973 and related precedent?
- (A) The omission is an incurable illegality that vitiates the conviction outright, requiring mandatory retrial regardless of demonstrated prejudice.
 - (B) The defect is material only if the appellate court finds that the accused was in fact prejudiced; the court may cure the omission by putting supplemental questions or by considering the entire record.
 - (C) The flaw is irrelevant because an accused may, at his option, give evidence on oath under Section 315 to explain incriminating circumstances, thereby waiving any right to be questioned.
 - (D) The omission is cured automatically once the defense chooses not to lead evidence; silence amounts to implicit admission of prosecution facts, validating the conviction.

XI. In *State of Rajasthan v. Aarif Khan*, the Supreme Court clarified the doctrine of "last seen together" in cases hinging on circumstantial evidence. Aarif Khan was convicted of the murder of a minor, based largely on eyewitness accounts placing him as the last person seen with the victim. The trial court and High Court both relied heavily on this doctrine, rejecting the defense's claim of mistaken identity.

The apex court reaffirmed that the "last seen" doctrine is not a standalone proof of guilt but rather a link in the chain of circumstances. The bench noted that where the time gap between the accused being last seen with the deceased and the time of death is narrow, the burden shifts to the accused to explain the circumstances. However, where a significant time gap exists, the doctrine's evidentiary value diminishes.

The judgment emphasized that for the doctrine to apply, the prosecution must prove the following: (1) the accused and the deceased were last seen together, and (2) no plausible explanation from the accused exists regarding the death. It also underscored the importance of corroborating evidence like forensic reports, motive, and opportunity to strengthen the case. The Court held that mere suspicion is not proof and acquitted the accused due to lack of corroborative material.

51. Which provision of the Indian Evidence Act deals with the burden of proof in circumstances where the accused is "last seen" with the deceased?
- (A) Section 106 (B) Section 114 (C) Section 101 (D) Section 113-B
52. In the context of the judgment, what principle governs the shifting of burden of proof once "last seen" is established?
- (A) Res gestae
(B) Reverse burden under Section 105
(C) Doctrine of proximity
(D) Legal presumption under Section 106
53. In which of the following landmark judgments did the Supreme Court hold that "last seen" can form the basis of conviction only if supported by other circumstantial evidence?
- (A) *Sharad Birdhichand Sarda v. State of Maharashtra*
(B) *Nirbhaya Case – Mukesh v. State (NCT of Delhi)*
(C) *Ramreddy Rajesh Khanna Reddy v. State of Andhra Pradesh*
(D) *Bachan Singh v. State of Punjab*

54. Which one of the following best describes the standard of proof required in cases based purely on circumstantial evidence?
- (A) Preponderance of probabilities
 - (B) Beyond all reasonable doubt
 - (C) Doctrine of balance of convenience
 - (D) Prima facie satisfaction

55. What principle did the Court invoke when stating that “mere suspicion cannot be a substitute for proof”?
- (A) Nemo moriturus praesumitur mentire
 - (B) Innocent until proven guilty
 - (C) Falsus in uno, falsus in omnibus
 - (D) Actus non facit reum nisi mens sit rea

XII. The CJI-led bench exposed a “classic nexus among politicians, bureaucrats and builders” facilitating conversion of reserved forest at Kondhwa Budruk, Pune. Despite an 1879 notification under section 34 of the 1878 Forest Act, 11.89 hectare were allotted to members of the Chavan family in 1998. No Central Government approval under section 2 of the Forest (Conservation) Act 1980 was obtained. Within a year, rights were transferred to Richie Rich CHS for a high-rise project.

Invoking the public-trust doctrine, the Court cancelled the allotment, quashed MoEF’s 2007 environmental clearance, and ordered possession to be restored to the Forest Department. Crucially, it directed every State/UT to set up Special Investigation Teams to audit whether any Revenue-department forest parcels have been allotted for non-forest purposes; if retrieval is impossible, market value must be recovered and utilised for afforestation. The bench dismissed Richie Rich’s plea as a bona-fide purchaser, stressing that revenue entries confer no title and that doctrine of desuetude cannot negate explicit forest notifications. It relied on Ambica Quarry Works (1987) & Goa Foundation (2014) to reiterate that post-1980, no forest-land diversion is permissible without Central nod.

Nagrik Chetna Manch v. State of Maharashtra (2025)

56. Which Article embodies the State’s duty to protect and improve forests?
- (A) Article 39(b) (B) Article 48A (C) Article 51A (g) (D) Both (B) and (C)
57. The public-trust doctrine was first adopted in India in:
- (A) M.C. Mehta v. Kamal Nath (1997)
 - (B) Indian Council for Enviro-Legal Action v. Union of India (1996)
 - (C) Vellore Citizens Welfare Forum v. Union of India (1996)
 - (D) Sachidanand Pandey v. State of West Bengal (1987)
58. Under the 1980 Forest (Conservation) Act, violation of section 2 requires prior approval of which authority?
- (A) State Forest Department
 - (B) Chief Minister
 - (C) Central Government (MoEFCC)
 - (D) National Green Tribunal
59. Which principle bars acquisition of title by long user against Government land classified as forest?
- (A) Doctrine of adverse possession
 - (B) Doctrine of inalienability of sovereign property
 - (C) Doctrine of easement of necessity
 - (D) Doctrine of lis pendens

60. Ambica Quarry Works dealt with renewal of mining leases under which constitutional ground?

- (A) Article 32 (B) Article 136 (C) Article 226 (D) Article 142

XIII. The Court dealt with the constitutional validity of the preventive detention order issued under the National Security Act (NSA), 1980 against a journalist who had published allegedly inflammatory posts during a communal riot. The petitioner challenged the order under Article 32, arguing that it violated Articles 14, 19, and 21 as the detention was preventive, indefinite, and based on vague grounds.

The Court, while emphasizing that preventive detention laws are exceptional in nature, scrutinized the procedural safeguards under Articles 22(4) and 22(5). It reiterated that even in matters of national security, the detention must be based on “real and proximate” grounds, and must satisfy the test of “subjective satisfaction” of the detaining authority, which is open to limited judicial review.

Importantly, the Court invoked the doctrine of proportionality and held that in light of the petitioner’s actions not causing direct incitement or violence, the invocation of NSA was disproportionate and violative of Article 21. It held that preventive detention, though constitutionally permissible, must be narrowly tailored and is not to be used as a substitute for criminal law.

61. Which of the following is a key distinction between punitive and preventive detention as discussed in Ajmal Khan and prior precedent?

- (A) Punitive detention is anticipatory in nature while preventive detention follows adjudication.
(B) Preventive detention is based on future conduct and does not require proof of past criminality, whereas punitive detention follows from a judicial conviction and entails penal consequences.
(C) Preventive detention follows from a court’s order and entails indefinite imprisonment, while punitive detention is executive in nature.
(D) Punitive detention is subject to the President’s assent under Article 22(4), while preventive detention is exempt from constitutional safeguards.

62. According to the Supreme Court, the subjective satisfaction of the detaining authority:

- (A) Is absolute and not open to judicial scrutiny due to national security considerations.
(B) Can be challenged on limited grounds such as mala fides, non-application of mind, or lack of real proximity between conduct and detention.
(C) Must always be accompanied by a formal judicial hearing under Article 22(2).
(D) Can be substituted by the views of the Advisory Board appointed under Article 22(5).

63. Which constitutional safeguard was interpreted to require that the grounds of detention be “specific, proximate and real” rather than vague, generic or remote?

- (A) Article 20(1) (B) Article 19(2) (C) Article 22(5) (D) Article 21

64. What role does the doctrine of proportionality play in judicial review of preventive detention orders?

- (A) It prohibits preventive detention in all cases involving speech unless violence has occurred.
(B) It ensures that any restriction on liberty is narrowly tailored, necessary, and not excessive in relation to the goal of preventing harm.
(C) It mandates that detention be for a minimum period of one year, ensuring fair treatment of all detenus.
(D) It permits preventive detention only if the detaining authority belongs to the judiciary.

65. Which of the following statements reflects the Court's position regarding misuse of preventive detention statutes like NSA?
- (A) NSA can be invoked to preemptively arrest individuals suspected of potential speech-related misconduct, even without proximate harm.
 - (B) Preventive detention laws must be interpreted liberally to protect public order over individual liberty.
 - (C) Detention orders under NSA must strictly comply with constitutional and statutory safeguards and cannot be used as a substitute for ordinary criminal law.
 - (D) Judicial review is impermissible in matters involving national security, even if liberty is curtailed indefinitely.

XIV. The maxim *res ipsa loquitur* ("the thing speaks for itself") is used to infer negligence when the facts strongly indicate that the harm would not have occurred in the ordinary course without negligence, and the instrumentality was under the defendant's control. While the doctrine provides an evidentiary presumption of negligence, it does not shift the legal burden of proof.

This doctrine often overlaps in application with strict liability, particularly in industrial accidents or cases involving inherently dangerous activities. However, strict liability does not require proof of fault or negligence; it is rooted in *Rylands v. Fletcher*, which imposes liability for escape of a dangerous substance from one's land. Indian jurisprudence has gone further through the principle of "absolute liability" laid down in *MC Mehta v. Union of India*, which holds hazardous industries strictly liable for any harm without exceptions.

66. Which of the following is correct about the doctrine of *res ipsa loquitur*?
- (A) It shifts the legal burden of proof onto the defendant
 - (B) It creates an irrebuttable presumption of negligence
 - (C) It allows courts to infer negligence where direct evidence is absent, but only creates a rebuttable presumption
 - (D) It applies only in criminal negligence cases involving bodily harm
67. Which element is not necessary to invoke the principle of *res ipsa loquitur*?
- (A) The injury would not have occurred in the ordinary course of things without negligence
 - (B) The thing causing the injury was under the defendant's exclusive control
 - (C) The plaintiff must prove the exact mechanism of injury
 - (D) The occurrence is such that it points to a probable breach of duty by the defendant
68. Which of the following is incorrect regarding strict liability under *Rylands v. Fletcher*?
- (A) Liability arises even if there is no fault or negligence
 - (B) The rule includes exceptions such as acts of God and plaintiff's consent
 - (C) It applies to all activities carried out by State authorities
 - (D) It relates to non-natural use of land leading to escape of harmful substances
69. Which Indian case replaced the strict liability rule with the rule of absolute liability for hazardous industries?
- (A) *Union Carbide Corporation v. Union of India* (1989)
 - (B) *Indian Council for Enviro-Legal Action v. Union of India* (1996)
 - (C) *MC Mehta v. Union of India* (Oleum Gas Leak Case, 1987)
 - (D) *Gujarat State Road Transport Corporation v. Ramanbhai* (1987)

70. Which of the following best reflects the rationale for the doctrine of absolute liability under Indian tort law?
- (A) Deterrence against minor torts in private disputes
 - (B) Immunity of State actors from civil liability
 - (C) Imposing liability without exceptions for enterprises engaged in hazardous activities
 - (D) Limiting compensation to statutory caps for industrial accidents

XV. In a matter, the Supreme Court examined the interplay between India's extradition obligations and its constitutional protections. The Government of Maldives sought extradition of a political dissident residing in India under the 2011 Extradition Treaty. The individual had been granted refugee status by the Indian authorities. The Centre refused extradition, citing risks of political persecution and potential breach of international human rights norms. The petitioner NGO argued that India had violated its bilateral treaty obligations. The Court ruled that even valid treaties must yield to Article 21, and that customary international law—especially the "non-refoulement" principle—can inform constitutional interpretation under Article 51(c).

While India has not ratified the 1951 Refugee Convention, the Court reiterated that norms such as non-refoulement are part of jus cogens or peremptory international law norms. The judgment reaffirmed that municipal courts may apply unincorporated international norms if they advance constitutional values.

71. Which of the following principles most accurately explains the Court's use of international law norms like non-refoulement in this case?
- (A) Monism: International law is superior to domestic law
 - (B) Dualism: Treaty law is binding only after legislative incorporation
 - (C) Harmonious construction: International norms may guide constitutional interpretation even if not legislatively enacted
 - (D) Sovereign immunity: The State cannot be bound by foreign norms unless voluntarily submitted
72. Which international principle is most closely related to India's refusal to extradite in fear of persecution?
- (A) Principle of pacta sunt servanda
 - (B) Principle of non-refoulement
 - (C) Principle of diplomatic protection
 - (D) Principle of effective control
73. Under Article 51(c) of the Indian Constitution, which of the following obligations is imposed?
- (A) All treaties must be ratified through Parliament
 - (B) India must submit to international tribunals in all disputes
 - (C) The State shall foster respect for international law and treaty obligations
 - (D) The President must approve all extradition treaties
74. Which of the following is incorrect in the context of extradition under customary international law?
- (A) States have discretion to deny extradition for political offences
 - (B) Dual criminality is a universally accepted requirement
 - (C) Refugee status automatically grants immunity from prosecution
 - (D) Extradition can be refused if it leads to violation of human rights
75. Which doctrine did the Court apply when allowing international human rights principles to influence Article 21 interpretation?
- (A) Doctrine of implied repeal
 - (B) Doctrine of transformative constitutionalism
 - (C) Doctrine of political thicket
 - (D) Doctrine of sovereign necessity

- XVI.** Following a drone strike by India across the Line of Control in April 2025 targeting insurgent camps, debate ensued over the lawfulness of anticipatory self-defence under international law. India justified the action citing Article 51 of the UN Charter, the "unwilling or unable" test, and emerging State practice. Opponents argued that Article 2(4) of the Charter prohibits all uses of force unless strictly within the scope of self-defence or Security Council authorization. The ICJ's jurisprudence in *Nicaragua v. United States* and the Wall Advisory Opinion has interpreted Article 51 narrowly. However, several States, notably the U.S. and U.K., have embraced a broader interpretation in practice. The Court acknowledged that anticipatory self-defence, especially against non-State actors, occupies a grey zone. It reaffirmed that any such use of force must meet necessity, immediacy, and proportionality.
- 76.** Which of the following is the correct interpretation of Article 51 of the UN Charter?
- (A) It permits preventive force against any perceived threat
 - (B) It authorizes self-defence only in the event of an armed attack
 - (C) It requires prior Security Council permission for all defensive actions
 - (D) It nullifies Article 2(4) in cases of national emergency
- 77.** Which of the following statements reflects the ICJ's stance in *Nicaragua v. United States* (1986)?
- (A) Self-defence is available against imminent threats if the UNGA is notified
 - (B) Military support to rebel groups constitutes lawful intervention
 - (C) Any armed response must comply with necessity and proportionality; indirect use of force violates international law
 - (D) Use of drones against terrorists is automatically justified if proportional
- 78.** Which of the following legal doctrines supports India's position under customary international law for targeting non-State actors in foreign territory?
- (A) Doctrine of humanitarian necessity
 - (B) Doctrine of operational control
 - (C) Doctrine of unwilling or unable
 - (D) Doctrine of regional enforcement
- 79.** Which is a key limitation on the "unwilling or unable" doctrine under international law?
- (A) It only applies to Security Council members
 - (B) It cannot be invoked unless the host State consents
 - (C) It is not codified and lacks universal acceptance as customary international law
 - (D) It is limited to naval piracy only
- 80.** Which principle from the *Caroline* case (1837) underpins the requirement for anticipatory self-defence?
- (A) The necessity of self-defence must be instant, overwhelming, and leaving no choice of means or moment for deliberation
 - (B) All disputes must be settled by arbitration before military action
 - (C) Force must only be exercised by the Security Council or regional organizations
 - (D) Nations may act in self-defence for economic harm and cyberattacks
- XVII.** "Section 125 of the Code of Criminal Procedure, 1973 creates a summary, social-justice remedy to stave off destitution of wives, minor children and parents. Sub-section (4) carves three disqualifications: living in adultery, refusal to live with the husband without sufficient reason, and separation by mutual consent. The 2025 decision in *Rina Kumari v Dinesh Kumar* clarifies that a civil decree for restitution of conjugal rights, though relevant, is not per-se conclusive of the wife's 'refusal' for purposes of § 125(4). The Magistrate must independently assess

whether subsequent facts establish ‘sufficient reason’. Mental cruelty—including persistent dowry demands, denial of dignity, or disregard during miscarriage—may constitute such reason. The Court distinguished prior High-Court views that treated the disobeyed decree as an automatic bar and endorsed the liberal interpretation earlier adopted in *Kirtikant Vadodaria* and *Rohtash Singh*. It also observed that non-compliance with a restitution decree does not foreclose maintenance because even a divorced wife qualifies under Explanation (b) to § 125(1) once marriage is dissolved. Further, the decision reiterates the evidentiary rule that judgments in personam (such as restitution) are only relevant but not conclusive in collateral criminal proceedings, per Sections 40–43 of the Evidence Act. Finally, while § 125 orders are civil in nature, willful non-payment may attract penal consequences under § 128 read with § 125(3), underscoring that maintenance law blends civil relief with coercive enforcement to achieve the constitutional directive of protecting economically vulnerable spouses.”

- 81.** Under Section 125(4) CrPC, which test is applied to decide whether a wife’s refusal to live with her husband is “without sufficient reason”?
- (A) The court examines all surrounding circumstances to see if a reasonable woman in her position would decline cohabitation, considering mental and physical cruelty.
 - (B) The court treats any non-compliance with a restitution decree as conclusive proof of unjustified refusal, irrespective of subsequent events.
 - (C) The court applies the matrimonial-offence standard from Section 13 HMA, requiring proof of ground sufficient for divorce.
 - (D) The court presumes refusal to be unjustified unless the wife first files a police complaint under Section 498-A IPC within three months of leaving.
- 82.** Which statement accurately describes the interplay between civil decrees and maintenance proceedings under Sections 40–43 of the Evidence Act as applied in *Rina Kumari*?
- (A) A restitution decree is a judgment in rem and therefore conclusively binds the Magistrate deciding maintenance.
 - (B) A restitution decree is relevant but not conclusive; the Magistrate may differ after assessing fresh evidence on sufficiency of reasons.
 - (C) Civil decrees are inadmissible in criminal courts because of the different standard of proof.
 - (D) Section 42 makes every matrimonial decree conclusive proof of the facts it states, leaving no discretion to the criminal court.
- 83.** In light of Explanation (b) to Section 125(1) CrPC and the ruling in *Rohtash Singh v Ramendri*, when does a divorced woman lose the right to claim maintenance?
- (A) When she remarries after the divorce, ending her dependency on the former husband.
 - (B) When she voluntarily forgoes alimony during divorce proceedings, even if she later becomes destitute.
 - (C) When the divorce decree is ex parte, because such dissolution is deemed wrongful.
 - (D) When the divorce is granted on the ground of her adultery, regardless of economic need.
- 84.** If a maintenance order under Section 125 remains unpaid, which procedural route is statutorily authorised for coercive enforcement?
- (A) The Magistrate may issue a warrant for levying the amount by attachment and may sentence the defaulter to imprisonment up to one month for each month’s default.
 - (B) The wife must institute execution proceedings under Order XXI CPC in the civil court that passed the restitution decree.
 - (C) The Magistrate must first secure contempt sanction from the High Court before ordering any penal steps.
 - (D) The only remedy is filing a fresh complaint under Section 498-A IPC alleging cruelty due to non-payment.

85. Which doctrinal principle did the Supreme Court invoke to justify a liberal reading of Section 125 in favour of economically vulnerable spouses?
- (A) Article 15(3) read with Article 39 directs the State to adopt special provisions for women and children, informing the social-justice character of maintenance law.
 - (B) Article 20(1) forbids retrospective penal legislation, requiring maintenance provisions to be narrowly construed.
 - (C) The rule of strict construction of penal statutes must prevail because non-payment may lead to imprisonment.
 - (D) Separation-of-powers doctrine prevents courts from enlarging statutory maintenance rights beyond literal words.

XVIII. In this climate litigation, youth petitioners sought judicial review of a government clearance granted for coal expansion in an ecologically sensitive zone without an updated climate impact assessment. They invoked Articles 21, 48A, and international commitments under the Paris Agreement. The government contended that national energy needs outweigh projected climate concerns and that the clearance complied with prevailing EIA norms. The Court examined whether international environmental obligations could be enforced through domestic constitutional interpretation. It reaffirmed that Article 21 includes a right to a clean and stable climate, and that sustainable development must integrate intergenerational equity and precautionary principle. Drawing upon *Vellore Citizens Welfare Forum v. Union of India* and *MC Mehta v. Kamal Nath*, the Court held that domestic environmental governance must align with international soft law standards if consistent with constitutional goals. The clearance was quashed for lack of specific climate projections and failure to apply the "polluter pays" principle.

86. Which of the following correctly reflects the precautionary principle in Indian environmental jurisprudence?
- (A) The burden is on the affected party to show actual environmental damage
 - (B) Scientific certainty must be established before action can be taken
 - (C) Environmental measures can be deferred until long-term data is available
 - (D) Where there are threats of serious environmental damage, lack of full scientific certainty is not a reason to postpone preventive measures
87. Under which provision does the Environment (Protection) Act, 1986 empower the Central Government to take necessary measures to protect the environment?
- (A) Section 2 (B) Section 3(1) (C) Section 15 (D) Section 6
88. Which doctrine, as affirmed in *MC Mehta v. Kamal Nath*, holds that the government acts as a trustee of natural resources?
- (A) Polluter pays (B) Strict liability
(C) Public trust doctrine (D) Deep pockets principle
89. Which of the following statements is incorrect in the context of *Centre for Climate Justice v. Union of India*?
- (A) Article 21 has been judicially interpreted to include environmental protection
 - (B) India's Paris Agreement commitments were held directly enforceable as binding law
 - (C) Environmental clearances must integrate intergenerational equity
 - (D) Courts may read international norms into constitutional interpretation if consistent with domestic principles

90. Which of the following judgments first recognized the precautionary principle and polluter pays principle as part of Indian environmental law?
- (A) Indian Council for Enviro-Legal Action v. Union of India (1996)
 - (B) MC Mehta v. Union of India (1986, Oleum Gas Leak)
 - (C) Vellore Citizens' Welfare Forum v. Union of India (1996)
 - (D) A.P. Pollution Control Board v. M.V. Nayudu (1999)

XIX. In this case, the appellant was convicted under Section 302 IPC for stabbing his neighbour in the chest with a kitchen knife during a verbal altercation. The defense argued that the act was sudden and lacked intention to kill, qualifying as culpable homicide not amounting to murder under Exception 4 of Section 300 IPC.

The Supreme Court examined whether the act fell under any exceptions to Section 300. The Court restated the distinction between culpable homicide and murder and the significance of "intention to cause death" versus "knowledge that the act is likely to cause death." It emphasized that Exception 4 to Section 300 applies only if the act was (i) committed without premeditation, (ii) in a sudden fight, (iii) in the heat of passion, and (iv) without the offender having taken undue advantage or acted in a cruel or unusual manner.

The Court held that repeated stabbing in a vital part with a sharp knife showed excessive cruelty and intention. It upheld the conviction under Section 302, distinguishing it from cases where scuffles escalated into fatal blows without intention to kill.

(This extract has been taken from State of Maharashtra v. Zahid Hussain)

91. Which of the following elements must be cumulatively present for Exception 4 to Section 300 IPC to apply?
- (A) Sudden fight, grave provocation, intention to kill, use of deadly weapon
 - (B) Sudden fight, heat of passion, no undue advantage, no cruelty, absence of premeditation
 - (C) Lack of knowledge, use of blunt force, consent of victim, absence of motive
 - (D) Prior enmity, grievous hurt, intention to kill, opportunity of retreat
92. Which of the following best captures the difference between Section 299 and Section 300 IPC?
- (A) Section 299 applies only when the death is unintentional, while Section 300 applies when the act is reckless
 - (B) Section 299 defines all culpable homicide, while Section 300 defines when culpable homicide amounts to murder
 - (C) Section 299 is used for accident cases, while Section 300 applies to conspiracy and group violence
 - (D) Section 299 requires proof of mens rea, Section 300 does not
93. Which precedent first clarified the difference between "culpable homicide" and "murder" under Indian law?
- (A) State of Andhra Pradesh v. R. Punnayya (1976)
 - (B) K.M. Nanavati v. State of Maharashtra (1961)
 - (C) Kehar Singh v. Union of India (1989)
 - (D) State of West Bengal v. Babu Chakraborty (1996)
94. Which of the following is not a recognized exception to Section 300 IPC?
- (A) Grave and sudden provocation
 - (B) Private defense exceeding its limits
 - (C) Consent of the deceased to die in a duel
 - (D) Killing to prevent destruction of one's property

95. Which of the following best describes the mens rea requirement for murder under the IPC?

- (A) Intention to cause death, or bodily injury sufficient in the ordinary course of nature to cause death
- (B) Motive arising from revenge or hatred alone
- (C) Mere negligence resulting in fatal injury
- (D) Absence of intention but presence of harm

XX. FutureTech failed to deliver high-performance servers to Commercial Credit Corp. due to restrictions imposed on Chinese imports and a sudden revocation of their BIS certification. The contract had a force majeure clause that included “regulatory bans or government-imposed import embargoes.” The buyer sought damages for breach; the supplier claimed frustration under Section 56 of the Indian Contract Act.

The Court examined whether the contract was rendered void due to impossibility or whether the supplier could have arranged alternate imports at higher costs. It held that the doctrine of frustration applies only if the foundation of the contract is destroyed and not where performance has merely become burdensome or expensive.

The Court also reaffirmed that where a contract contains a force majeure clause, parties must first rely on that clause rather than general frustration under Section 56. The performance was found to be commercially onerous, not impossible, and the contract was not discharged.

(Based on Concept of Frustration of Contract and Force Majeure)

96. Under Indian law, the doctrine of frustration of contract is codified in:

- (A) Section 39 of the Indian Contract Act
- (B) Section 56 of the Indian Contract Act
- (C) Section 73 of the Indian Contract Act
- (D) Section 28 of the Indian Contract Act

97. Which of the following correctly distinguishes force majeure from statutory frustration?

- (A) Force majeure applies only in oral contracts; frustration applies only in writing
- (B) Force majeure is a contractual clause; frustration is a doctrine under statute applied irrespective of parties' intention
- (C) Frustration requires notice to the other party; force majeure does not
- (D) Force majeure results in damages; frustration results in specific performance

98. Which case established that mere increase in cost or commercial hardship does not amount to frustration?

- (A) Naihati Jute Mills Ltd. v. Khyaliram Jagannath (1968)
- (B) Ganga Saran v. Ram Charan (1952)
- (C) Alopi Parshad v. Union of India (1960)
- (D) Boothalinga Agencies v. V.T.C. Poriaswami (1969)

99. Which of the following is not true regarding the application of Section 56 IPC?

- (A) It applies only to executory contracts
- (B) It does not apply where alternative modes of performance are available
- (C) It applies even when the parties have explicitly agreed on force majeure in the contract
- (D) It requires the impossibility to be fundamental and not temporary

100. In Indian law, when a force majeure clause exists in a contract:

- (A) Courts will disregard it and apply Section 56 automatically
- (B) Parties must rely on the force majeure clause first; Section 56 applies only residually
- (C) Damages are automatically payable irrespective of clause content
- (D) The clause becomes void if not registered with a court

XXI. The appellant, Serene Constructions Ltd., was accused of fraudulently diverting funds through a network of shell companies owned by relatives of the managing director. The SFIO report revealed that none of these entities had independent offices or staff and that the MD signed most of their resolutions. The Registrar moved for disqualification and penal action under the Companies Act, 2013.

The Supreme Court held that although companies are separate legal persons, the corporate veil may be lifted where the entity is a mere façade used to evade legal obligations or perpetrate fraud. Referring to Sections 2(60), 447, and 212, the Court emphasized that natural persons behind fraudulent acts can be held liable under the Act. The Court also discussed the liability of shadow directors—persons in accordance with whose directions the board is accustomed to act. It held that controlling individuals, even if not formally appointed as directors, may be liable if they exert decisive influence over corporate decisions. This extends the principle of vicarious liability in fraud.

101. Which of the following is the correct legal basis for lifting the corporate veil under Indian company law?

- (A) Every company is a separate legal entity and therefore cannot be made liable for fraud committed by directors
- (B) Courts may disregard corporate personality if the company is used as a sham or cloak to perpetrate fraud
- (C) Lifting the veil is permitted only if the company is a government enterprise
- (D) Corporate personality is automatically lost if there is a related-party transaction

102. Under the Companies Act, 2013, a “fraud” is defined in which provision?

- (A) Section 12
- (B) Section 212
- (C) Section 447
- (D) Section 2(68)

103. A shadow director is best described as:

- (A) A person appointed by the shareholders to manage daily affairs of the company
- (B) An auditor who fails to detect fraudulent financial statements
- (C) A person in accordance with whose directions or instructions the Board of Directors is accustomed to act
- (D) A member of the board who abstains from all voting but signs the annual return

104. Which of the following judgments forms the Indian precedent for lifting the corporate veil?

- (A) Salomon v. Salomon & Co. (1897)
- (B) LIC v. Escorts Ltd. (1986)
- (C) Tata Engineering v. State of Bihar (1965)
- (D) State of UP v. Renusagar Power Co. (1988)

105. Which of the following statements is incorrect in the context of corporate criminal liability?

- (A) A company can be held liable for mens rea offences if the guilty mind is attributable to a senior officer
- (B) Liability can extend to persons who are not formally directors but exercise control
- (C) A company cannot be imprisoned but can be fined or deregistered
- (D) Only individuals and not companies can be prosecuted under the Companies Act

XXII. The historical evolution of legal philosophy reflects the transition from metaphysical reasoning to institutional critique. Classical natural law theory posited that law must be grounded in morality and reason. Thinkers like Aquinas and Grotius held that unjust laws were not true laws (*lex iniusta non est lex*). In contrast, legal positivism, especially as formulated by John Austin and H.L.A. Hart, emphasized that law is valid by virtue of its source, not its moral content.

Critical Legal Studies (CLS) emerged in the 1970s, challenging the neutrality of law and exposing its role in perpetuating hierarchy. Drawing from Marxism and post-structuralism, CLS argued that law masks political choices and is indeterminate in nature. This contrasts with Realism, which accepts law’s indeterminacy but seeks to understand judicial behavior empirically.

The passage of jurisprudence into postmodern and feminist legal theories further interrogated how law marginalizes specific identities. Indian jurisprudence has seen intersections of these themes, particularly in constitutional interpretation post-Kesavananda Bharati and Navtej Singh Johar.

- 106.** Which of the following statements best distinguishes legal positivism from natural law?
- (A) Legal positivism holds that only divine laws are valid; natural law allows moral discretion
 - (B) Legal positivism emphasizes the source of law; natural law emphasizes the content and justice of law
 - (C) Legal positivism is derived from customs; natural law is based only on written codes
 - (D) Legal positivism rejects parliamentary laws; natural law accepts only codified law
- 107.** Who among the following legal philosophers is most associated with the concept of the “rule of recognition”?
- (A) Jeremy Bentham
 - (B) Ronald Dworkin
 - (C) H.L.A. Hart
 - (D) Gustav Radbruch
- 108.** Which of the following statements is incorrect about Critical Legal Studies (CLS)?
- (A) CLS views law as politically neutral and objective in content
 - (B) CLS challenges traditional liberal legalism and exposes structural inequalities
 - (C) CLS rejects formalism in favor of context-sensitive critique
 - (D) CLS was influenced by Marxist and postmodern theories
- 109.** In the Indian context, which of the following cases demonstrated a shift towards moral reasoning over strict legalism in constitutional interpretation?
- (A) A.K. Gopalan v. State of Madras (1950)
 - (B) ADM Jabalpur v. Shivkant Shukla (1976)
 - (C) Kesavananda Bharati v. State of Kerala (1973)
 - (D) Sajjan Kumar v. CBI (2018)
- 110.** Who among the following argued that “law is not logic, but experience”?
- (A) John Austin
 - (B) Oliver Wendell Holmes Jr.
 - (C) Roscoe Pound
 - (D) Hans Kelsen

XXIII. Section 482 CrPC embodies the High Court’s inherent power to prevent abuse of the criminal process, yet quashing at the charge-sheet stage is exceptional. The Supreme Court in *Marippan v. State* (2025) restated the Bhajan Lal taxonomy, underscoring that allegations must disclose the essential ingredients of the putative offence: for cheating under Sections 415/417 IPC there must be deception at the inception, an inducement, and a resulting or likely legal harm; for abetment under Section 109 IPC the prosecution must show instigation, conspiracy, or intentional aid. Bare relationship with the principal offender, or mere parental presence, does not satisfy those statutory elements. Importantly, an adult complainant’s consensual intimacy premised on an unfulfilled promise of marriage does not, without more, automatically translate into deception unless mens rea contemporaneous with the promise is prima-facie established. The Court also reiterated that judgments in personam (such as restitution of conjugal rights) are only evidentiary and not conclusive in criminal matters, invoking Sections 40–43 of the Evidence Act. High-Court comments affecting non-parties were expunged, following *Anu Kumar*, to caution that inherent jurisdiction must not prejudice absent persons. Finally, the Court emphasised that the presence of a civil remedy does not bar prosecution, but where the factual narrative evidences, at most, breach of promise without fraudulent intent, continuation of criminal proceedings constitutes abuse,

warranting ‘nipping in the bud’. Thus, a cautious, element-based scrutiny—not moral indignation—governs Section 482 dismissal or continuation of cheating-cum-abetment prosecutions.”

- 111.** For an offence of cheating under Section 415 IPC, which combination of elements must the prosecution ultimately prove?
- (A) Deception at the very origin of the transaction, inducement flowing from that deception, and resultant or probable harm to the person deceived.
 - (B) Promise subsequently broken, loss suffered by complainant, and civil breach sufficient to infer dishonest intention at any later stage.
 - (C) Any false representation, even if made after the property is delivered, provided the accused later refuses payment or restitutio in integrum.
 - (D) Mere concealment of future intention without accompanying act, because Explanation to Section 415 treats all omissions as deceit.
- 112.** In assessing abetment liability under Section 109 IPC, the Supreme Court’s settled approach is that:
- (A) Presence at the scene plus familial relationship with the principal automatically constitutes “intentional aid” to the offence.
 - (B) Instigation requires proof of active suggestion or encouragement; passive acquiescence or parental silence is insufficient for constructive guilt.
 - (C) Liability attaches even where the principal offence is not committed, provided conspiracy is broadly alleged in the FIR.
 - (D) The abettor’s mens rea may be presumed once the principal offender is convicted of a cognisable offence.
- 113.** Which Bhajan Lal category is invoked when the High Court quashes proceedings because the uncontroverted allegations, even if true, fail to establish the basic ingredients of the offence alleged?
- (A) Category 1: Allegations do not constitute any offence or make out a case against the accused.
 - (B) Category 3: Allegations are absurd or inherently improbable prompting prudent disbelief.
 - (C) Category 5: Proceeding is manifestly malafide and intended for vengeance.
 - (D) Category 7: There exists a specific statutory bar to lodging or continuing the prosecution.
- 114.** Under Sections 40–43 of the Evidence Act, a civil decree for restitution of conjugal rights is treated in criminal cheating proceedings as:
- (A) A judgment in rem that conclusively proves unjustified refusal to cohabit.
 - (B) A relevant but non-conclusive fact, admissible for such weight as the criminal court assigns after considering additional evidence.
 - (C) An inadmissible private document, excluded because criminal courts apply a higher proof threshold.
 - (D) Conclusive proof under Section 42, compelling the Magistrate to accept the civil court’s findings verbatim.
- 115.** The Supreme Court expunged High-Court remarks against a non-party, applying which procedural-constitutional principle?
- (A) Audi alteram partem requires that no adverse observation be made against a person unheard, preserving natural justice and fair trial.
 - (B) Res judicata bars the High Court from reopening findings about individuals absent from the criminal petition.
 - (C) Doctrine of eclipse mandates that unconstitutional comments vanish without formal deletion.
 - (D) Separation of powers forbids judicial criticism of private citizens, reserving such oversight to the legislature alone.

XXIV. A PIL challenged the procedure adopted by a regulatory authority in penalizing online content creators under IT intermediary rules without affording them an oral hearing or access to evidence. The authority claimed that the action was merely regulatory, not quasi-judicial.

The Supreme Court disagreed and held that where an action affects rights, even of non-citizens, principles of natural justice—particularly audi alteram partem—must be followed unless explicitly excluded. The Court held that classification of functions as “administrative” or “quasi-judicial” is not determinative; rather, the impact on rights and the presence of discretion are key.

The judgment also emphasized that delegated legislation must not override primary legislation or violate constitutional guarantees. It reaffirmed that rules made under delegated powers are subject to judicial review if they are ultra vires, arbitrary, or exclude natural justice without strong justification.

116. Which of the following best reflects the principle of audi alteram partem?

- (A) Only the authority should be heard in administrative matters
- (B) No one shall be condemned unheard
- (C) The government may act without notice in tax matters
- (D) Only judicial bodies, not regulators, must hear parties

117. A university student is expelled for alleged misconduct. The university sends a notice of the charges but does not allow the student to present witnesses or submit a written defense before making its decision. Which principle of natural justice is primarily violated?

- (A) Nemo judex in causa sua
- (B) Audi alteram partem
- (C) Delegated legislation
- (D) Doctrine of precedent

118. Which of the following is not a valid ground for judicial review of delegated legislation?

- (A) Ultra vires the parent Act
- (B) Exclusion of personal liberty without procedure
- (C) Conflict with Directive Principles of State Policy
- (D) Violation of fundamental rights

119. Which case laid down that natural justice may be excluded only by necessary implication?

- (A) A.K. Kraipak v. Union of India (1969)
- (B) Maneka Gandhi v. Union of India (1978)
- (C) Union of India v. Tulsiram Patel (1985)
- (D) S.P. Gupta v. Union of India (1981)

120. Which of the following best describes delegated legislation?

- (A) Laws enacted by Parliament to implement treaties
- (B) Rules or regulations made by an authority under powers conferred by primary legislation
- (C) Ordinances passed by the President during recess
- (D) Judicial directions binding on executive authorities