## PROVISIONAL ANSWER KEY

Various related Acts (Paper II) Paper: Date of Test 02-11-2022 Question1:-Limitation period for sale of movables under order 21, Rule 68 of C.P.C A:-7 days B:-90 days C:-30 days D:-60 days Correct Answer:- Option-A Question2:-The dictum of Mary Fathima Sophy v. Santhosh V Prabhu is A:-Refund of court fee where court reverse former decision B:-Refund of court fee paid by mistake or inadvertence C:-Refund of court fee in cases of delay on presentation of plaint D:-Refund of court fee in cases of remand Correct Answer:- Option-D Question3:-section 73A of Kerala Court Fees Act was inserted in the A:-Amendment Act 1991 B:-Amendment Act 1976 C:-Amendment Act 2003 D:-Amendment Act 2017 Correct Answer:- Option-C Question4:-The words "except the State of Jammu and Kashmir" was omitted from the limitation Act by A:-Act 36 of 2018 B:-Act 34 of 2019 C:-Act 46 of 2019 D:-Act 56 of 2018 Correct Answer:- Option-B Question5:-Redistribution of proceedings of civil courts done A:-On applications of the petitioner B:-On application of both parties to the suit C:-Cannot be consider D:-Judicial officer concerned Correct Answer:- Option-D Question6:-Place of a civil court shall be altered by A:-The Government without consultation with High court B:-High court without consultation with Government C:-Government in consultation with High court D:-High court in consultation with Government Correct Answer:- Option-C Question7:-Definition of court under court fees Act is applicable to A:-Civil courts **B:-Criminal courts** C:-Tribunals D:-All the above Correct Answer:- Option-D Question8:-Which of the following section deals with pecuniary jurisdiction of a Munsiff's court A:-Section 9 of Kerala Civil courts Act B:-Section 13 of Kerala Civil courts Act C:-Section 10 of Kerala Civil courts Act D:-Section 11 of Kerala Civil courts Act Correct Answer:- Option-D Question9:-Which of the following section is applicable, when the main document of title has been valued and court fee paid on that basis, no additional court fee shall be leviable on documents of title which are subsidiary title deeds A:-Section 10 B:-Section 12 C:-Section 23 D:-Section 24 Correct Answer:- Option-D Question10: What are the functions of the committees constituted under Section 20B of civil courts Act A:-Decide on grievances of the Bar and bench B:-Bringing to the notice of the Government on the corruption of the staff of the court C:-Rules regarding the function of the committee shall be prescribed the High court D:-All the above Correct Answer:- Option-B Question11:-The general control of all civil courts in any district is vested with A:-District court B:-Principal subordinate judge C:-High court D:-Government Correct Answer:- Option-A Question12:-Court fee for suits of rendition of accounts in partnership A:-Plaintiff is free to value his share B:-Reasonable valuation of shares C:-Court can direct payment of court fee D:-All the above Correct Answer:- Option-A Question13:-Party who has acted fraudulently should not gain the benefit of limitation running in his favour by virtue of such fraud A:-Anandilal v. RamNarain B:-Pallav Seth v. custodian C:-Saketh India Ltd v. India securities Ltd D:-Union of India v. Manager, Jain and Associates Correct Answer:- Option-B Question14:-In the case of continued breach of contract, the limitation period shall be commenced from

A:-First breach of contract B:-Each breach of contract C:-Last breach of contract D:-Any time from the first breach of contract Correct Answer:- Option-B Question15:-Power of the principal subordinate judge or the principal Munsiff to make arrangements for the distribution of the business of the court A:-Judicial function B:-Quasi-judicial function C:-Administrative function D:-Constitutional function Correct Answer:- Option-C Question 16:-If the court of Appeal decided that fee paid in the Munsiff court is not sufficient, the appeal court shall require the party liable to pay the deficit fee within such time A:-Section 10 B:-Section 11 C:-Section 12 D:-Section 17 Correct Answer:- Option-C Question17:-The term bond under stamp Act includes A:-Mere acknowledgement of per-existing liability B:-Promissory Note attested by witness C:-Agreement of sell property D:-All the above Correct Answer:- Option-B Question18:-Stamp affixed on the petition can be cancelled by A:-Presiding officer of court B:-Advocate engaged C:-Recognised advocate clerk D:-Office of the court Correct Answer:- Option-A Question19:-Rate of stamp Duty applicable to a particular document is A:-At the time of execution of the document B:-At the time of registration of the document C:-Registering authority shall decide D:-At the time of option of the parties Correct Answer:- Option-A Question20:-Any person who with intent to defraud the government executes any instrument in which facts and circumstances are not fully and truly set forth are publishable with A:-Fine of Five thousand rupees B:-Fine of Ten thousand rupees C:-Fine of Twenty-five thousand rupees D:-Fine of Two thousand rupees Correct Answer:- Option-A Question21:-Section four of the limitation Act says A:-Extent the period of limitation B:-partially extent the limitation period C:-Not Extent the period of limitation D:-Discretion of the court Correct Answer:- Option-C Question22: If a person is added as successor of the defendant at evidence stage of suit, can he plead the questions related payment of court fee A:-Successor cannot plead questions of payment of court fee B:-Successor can plead questions of payment of court fee C:-Discretion of the court to allow such question D:-Section 10 of the court Fees Act applicable Correct Answer:- Option-A Question23:-In a suit for damages the court fee shall be computed on A:-Damage occurred B:-Amount claimed C:-Insured Sum D:-Sum permitted by court Correct Answer:- Option-B Question24:-Suits to set aside summary decision of a revenue court, the court fee shall be A:-Market value **B:-Rupees Five hundred** C:-Half of the market value D:-One-fourth of market value Correct Answer:- Option-D Question25:-If the plaintiff is entitled to relinquish part of the claim to avoid payment of additional court fees as directed by the court A:-Plaint shall be amended B:-Cannot relinquish C:-Against the principle of justice D:-Plaint shall be re-submitted Correct Answer:- Option-A Question 26:-Right to institution of suit for possession of property shall be extinguished on the basis of period of limitation under Limitation Act A:-Section 6 B:-Section 27 C:-Section 30 D:-Section 31 Correct Answer:- Option-B Question27:-Mortgage includes A:-Mortgage by deposit of title deed B:-No written instrument is necessary C:-Intention to secure a loan D:-All the above

Correct Answer:- Option-D Question28:-In a suit for validity of adoption before the district court, court fee shall be A:-Fifty rupee of value of property is Rs. 5000 or less B:-One hundred rupees if value of property is Rs. 15,000 or less C:-One hundred and fifty rupees is value of property is above Rs. 15,000 D:-Rupees Five hundred Correct Answer:- Option-D Question29:-For the purpose of determining the stamp duty, real nature of the instrument has to be ascertained. It shall not be on the basis of description given in the instrument by the parties A:-Madras refineries Ltd v. Chief controlling Revenue Authority, Board of Revenue B:-M/s Lifetime Realty (P) Ltd v. M/s Poddar Udyog Limited C:-Member, Board of revenue v. Arthur Paul D:-Board of Revenue v. Managing Director, Santhi Plantations Pvt. Ltd Correct Answer:- Option-A Question30:-Word conveyance under stamp Act includes A:-Title of the property is being conveyed B:-Government allowing a company to draw water from river in future on certain annual payment C:-Right having been vested in a certain person D:-All the above Correct Answer:- Option-A Question31:-Limitation period to obtain an order from the court on an invalid adoption is A:-Three years B:-Twelve years C:-One-years D:-Ninety days Correct Answer:- Option-A Question32: Which of the following case says that, Additional district judge has all powers of the district judge while discharging an execution petition assigned to him A:-Murlimohan CK v. Asok Finance Corporation B:-Chinna Kunju Kunju v. KuttiNeelakantan C:-Vijayappankurup D v. Padmanabhan D:-Ramanan v. Chitrasenan Correct Answer:- Option-A Question33:-In an agreement of pledge worth Rupees 50 Lakh, the stamp duty shall be A:-Maximum of Rupees Five thousand B:-Maximum of Rupees Ten thousand C:-Maximum of Rupees Twenty thousand D:-0.25 percent of pledged amount Correct Answer:- Option-B Question34:-Ministerial officers of the court shall perform such duties imposed upon them by A:-The presiding officer of the court B:-The Presiding officer of the principal court C:-The High Court D:-The Government Correct Answer:- Option-A Question35:-What is the validity of an unstamped award under stamp Act A:-Cannot be admitted in evidence B:-Direction to pay penalty C:-Invalidate the award D:-All the above Correct Answer:- Option-A Question36:-Broker of an association sold under a contract note for his client, who is not a member of the association, under Article 40 of Stamp Act A:-Stamp duty shall be Fifty Rupees for every Rupees one Crore B:-Stamp duty shall be Ten Rupees for every Rupees one Crore C:-Stamp duty shall be One Rupees for every Rupees one Crore D:-Need not pay stamp duty Correct Answer:- Option-D Question37:-What is the limitation period to set aside a sale by a civil court A:-One year B:-Three years C:-Twelve years D:-Ninety days Correct Answer:- Option-A Question 38: The definition of "easement" under limitation Act is applicable to cases arising in the territories to which the Indian Easement Act is extended A:-True B:-False C:-Central government shall decide D:-State government shall decide Correct Answer:- Option-B Question39:-In case of several instruments, parties may determine which of the instrument shall be deemed to be the principal instrument, in the same transaction, for determining the stamp duty A:-Section 2 B:-Section 5 C:-Section 4 D:-Section 6 Correct Answer:- Option-C Question40:-When the Government issued notification for remitting stamp duty on unattested instruments of hypothecation of movables A:-Court order for payment of stamp duty on such instrument is not sustainable B:-Court order for payment of stamp duty on such instrument is sustainable C:-Government cannot issue notification for remitting stamp duty on unattested instrumenst of hypothetication of movables D:-None of the statement is correct Correct Answer:- Option-A Question41:-Jurisdiction of appellate court is decided on the basis of A:-Section 11 of Kerala Civil courts Act

B:-Section 13 of Kerala Civil courts Act C:-Section 52 of Kerala courts fees Act D:-All the above Correct Answer:- Option-B Question42:-Who is liable to pay the expense of proper stamp in a counterpart of lease? A:-Lessor B:-Lessee C:-Equally divided by parties D:-Beneficiary Correct Answer:- Option-A Question43:-What is the judicial interpretation on imposing maximum penalty for documents not duly stamped? A:-Maximum penalty can be imposed B:-Maximum penalty shall be ten times of the stamp duty C:-Maximum penalty shall be four times of the stamp duty D:-Maximum penalty shall be double the amount of stamp duty Correct Answer:- Option-D Question44:-Limitation period for counter claim in a civil case shall be calculated on A:-Date of the suit of the plaintiff B:-Date of the written statement C:-Date of the first hearing D:-Date of the institution of Appeal Correct Answer:- Option-B Question45: When a contract or agreement is effected by correspondence consisting of two or more letters and one of the letters bears the proper stamp, the contract or agreement shall be deemed to be duly stamped . A:-Section 31 B:-Section 28(A) C:-Section 34 D:-Section 41 Correct Answer:- Option-C Question46:-In the matter of penalty on deficient stamp duty, discretion is given to A:-Collector B:-Court C:-Government D:-Registering authority Correct Answer:- Option-A Question47:-Collector can purchase the land if the fair value of the property paid is less than A:-Five percent of the fair value fixed by the government B:-Ten of the fair value fixed by the government C:-Fifteen percent of the fair value fixed by the government D:-Less than fair value fixed under Section 28A of stamp Act Correct Answer:- Option-C Question48:-Travancore-Cochin civil courts Act was passed in the year A:-1873 B:-1951 C:-1957 D:-1948 Correct Answer:- Option-B Question49:-In case of an error was crept in the document executed by the parties and in view of such errors the intended purpose could not be achieved, the petitioner is entitled to allowance by way of refund of the value of the stamp A:-Section 52 B:-Section 46 C:-Section 47 D:-Section 53 Correct Answer:- Option-C Question 50:-Vendor executed a document, giving up the right of reconveyance by the vendee in his favour is A:-Convevance B:-Gift C:-Settlement D:-Release Correct Answer:- Option-D Question51:-Stamp duty for partition instrument, other than family members A:-Rupees five for every hundred rupees B:-Rupees six for every hundred rupees C:-Rupees one for every hundred rupees D:-Rupees ten for every hundred rupees Correct Answer:- Option-B Question52:-Valuation of suits for the purpose of jurisdiction under Civil Courts Act is A:-Valuation of the suit is applicable B:-Valuation of the suits and counter claim can be taken together C:-Fair value of the land D:-All the above Correct Answer:- Option-B Question53:-The Scheme of Limitation Act is to govern proceedings before A:-Court B:-Quasi-judicial Tribunal C:-Executive Authority D:-All the above Correct Answer:- Option-A Question54:-Collector need not endorse any instrument under stamp Act, executed or first executed out of India and brought to him after the expiration of three months after it has been first received in the State A:-Section 31 B:-Section 32 C:-Section 33 D:-Section 34 Correct Answer:- Option-B

Question55:-What is the legal validity of a document styled as 'Vivahamochanam' executed by parties on a stamp paper worth Rupees Five hundred A:-Registering authority cannot deny B:-Competent court has to decide C:-Both (a) and (b) are correct D:-None of the above are correct Correct Answer:- Option-C Question56:-While considering the period of limitation for an application to set aside an award, the time taken for obtaining a copy the judgement shall be excluded under limitation Act A:-Section 5 B:-Section 8 C:-Section 12 D:-Section 15 Correct Answer:- Option-C Question 57:-What is the liability of a person who signed the copy of the 'Chitty Variola' as token of his acceptance of the terms and conditions A:-Does not pay stamp duty B:-Liable to pay stamp duty C:-Joint liability D:-Proportionate liabity Correct Answer:- Option-A Question58:-Concessional court-fee granted under Hindu Religious and Charitable Endowments (Administration) department is available based on A:-Lawful leased out B:-Unlawful leased out C:-Government notification D:-All the above Correct Answer:- Option-D Question59: The person who is aggrieved with the order of the Registering authority to pay the fair value shall make an appeal to the Collector within A:-Thirty days B:-Sixty days C:-Forty five days D:-Ninety days Correct Answer:- Option-A Question60:-What is the penalty for failure to cancel an adhesive stamp A:-Rupees one thousand B:-Rupees one hundred C:-Rupees five thousand D:-Rupees five hundred Correct Answer:- Option-B Question61:-Right to appeal is A:-Substantive right B:-Statutory right C:-Right under Section 13 of civil court Act D:-All the above Correct Answer:- Option-D Question62:-Court fee for special and general description is A:-Same as to special description B:-sames as to general description C:-Total of general and special description D:-Discretion of the court Correct Answer:- Option-A Question63:-Section 73 A of Court Fees Act is applicable to A:-Central Government **B:-Local Self Governments** C:-Government of Kerala D:-Both (a) and (c) Correct Answer:- Option-C Question64: Determination of court fee payable on a written statement under the Act shall be on A:-Section 10 B:-Section 11 C:-Section 12 D:-Section 15 Correct Answer:- Option-C Question65:-Court fee payable on suits filed under Section 91 of the Code of Civil procedure is A:-Ten Rupees B:-One hundred Rupees C:-One thousand Rupees D:-Fifty Rupees Correct Answer:- Option-A Question66:-If the share warrant is issued without being duly stamped, principal officer shall be punished with fine of A:-Rupees Ten thousand B:-Rupees one thousand C:-Rupees five hundred D:-Rupees one hundred for each share warrant Correct Answer:- Option-C Question67:-Application for refund of stamp value should be submitted within a period of A:-Three months B:-Six months C:-One year D:-Two years Correct Answer:- Option-B Question68:-Valuation of suits for the purpose of determining jurisdiction of the court is not possible then the court fee shall be decided by A:-Court **B:-Plaintiff** C:-Need not pay court fee D:-Rupee One hundred

Correct Answer:- Option-B Question69:-When the manager of a Hindu undivided family, governed by the Mitakshara Law, filed a suit for execution of a decree, then time under limitation Act will run against A:-Kartha B:-All members of the family C:-Persons claiming benefit under the decree D:-None of the above Correct Answer:- Option-B Question70: In the case of undervaluation of an instrument, which is the competent authority to enquire the matter A:-Officer in charge of Registration B:-Secretary to Government C:-Collector of stamps D:-All the above Correct Answer:- Option-C Question71:-Counter claim shall be charged with court fee same as to A:-Set off in the Written Statement **B:-Plaint schedule** C:-Market value D:-All the above Correct Answer:- Option-D Question72:-Market value of the agriculture land shall be calculated under court fees Act is A:-Same as to the annual gross profit B:-Double the annual gross profit C:-Four times of the annual gross profit D:-Ten times of the annual gross profit Correct Answer:- Option-D Question 73: Value for the purpose of determining the jurisdiction of courts shall be the amount of debt, or the sum of money or the market value of other property to which the suit relates is explained A:-Section 22 B:-Section 35 C:-Section 39 D:-Section 48 Correct Answer:- Option-D Question74:-Which of the following case the court observed that, when a statutory provision is challenged, the prayer should be for a declaration that the provision is unconstitutional A:-George ML v. High Court of Kerala B:-Antony v. Lukose C:-TV Idicheria v. TV Chako D:-Viswanathan v. District Judge Correct Answer:- Option-A Question75:-If a person is excluded from a joint family property to enforce a right to share therein, limitation period starts from A:-Date of dispossession B:-When the plaintiff is first refused the enjoyment of the right C:-When the exclusion becomes known to the plaintiff D:-All the above Correct Answer:- Option-C Question 76: If the debt is paid before the expiration of the prescribed period by the person liable to pay the debts, the period of limitation shall be calculated A:-From the date of the payment B:-From the date of the prescribed period C:-From the date of the contract D:-None of the above Correct Answer:- Option-A Question 77:-Which of the following case deals with the purpose of section 45A and Section 45B of stamp Act? A:-Karunakara Menon v. District Collector, Kozhikode B:-R. Sai Bharati v. Jayalalitha C:-R. Umaprasad v. Deputy Commissioner D:-State of Kerala v. Jino Joseph Correct Answer:- Option-D Question78:-Section 3 of limitation Act is A:-Mandatory **B:-Discretionary** C:-Inherent power of the court D:-Based on circumstance of the litigation Correct Answer:- Option-A Question79:-Appeal petition filed by the government allowed, respondent filed review petition. What is the liability to pay court fee A:-No court fee shall be paid B:-Court fee shall be paid C:-Shall be paid only review petition allowed D:-Court can exempt from payment of court fee Correct Answer:- Option-B Question80:-In the case acquisition of property for public purpose , the court fee on memorandum of appeal shall be based ion A:-Award passed by the acquisition officer B:-Compensation amount claimed C:-Difference between the award amount and compensation claimed D:-Discretion of court Correct Answer:- Option-C Question81:-Which of the following case court observed that, court-fee can be determined by the court at any stage even after the completion of evidence A:-Cheria Elias v. Surendra Chit Fund B:-Cherootty v. Purushothaman C:-Ganga Prasad v. Ganesh lal D:-Beena Roy v. Abdul Rahim Correct Answer:- Option-B Question82:-Appeal to any civil court from any decree or order under civil procedure Code shall be filed within

A:-Thirty days B:-Sixty days C:-Ninety days D:-One year Correct Answer:- Option-A Question83:-Section 15(4) is applicable to A:-Suits B:-Applications C:-Both (a) and (b) D:-Possession of a person Correct Answer:- Option-A Question84:-If the decree or other document is such that the liability under it cannot be split up and the relief claimed relates only to a particular item of property belonging to the plaintiff or to the plaintiff's share in any such property, court fee shall be computed on the value of such property or share or on the amount of the decree, whichever is less A:-Section 37 B:-Section 51 C:-Section 38 D:-Section 40 Correct Answer:- Option-D Question85:-Calculate court fee to set aside an award, for Rupees Ten Thousand, under Arbitration and Conciliation Act A:-Rupees one hundred B:-Rupees One hundred and Fifty C:-Rupees Two hundred D:-Rupee four hundred Correct Answer:- Option-B Question86:-Powers of collector under Chapter VI of Kerala Court Fees Act are subject to the control of A:-Secretary to Government, Revenue Department B:-High Court of Kerala C:-Board of Revenue D:-Chief Secretary to Government Correct Answer:- Option-C Question87:-Section 12(2) of Limitation Act is applicable to A:-Appeals B:-Application for leave to appeal C:-Application for review of judgement D:-All the above Correct Answer:- Option-D Question88: The period of two months of statutory notice under Section 80 CPC can be added to after three years, as period of notice with the general period of limitation, under part 1 of first division of the schedule of the limitation Act A:-True B:-False C:-Discretion of the court D:-Discretion of the parties to the suit Correct Answer:- Option-B Question89:-If some money is deposited with the bank at instance of court on account of auction of goods and no written trust deed is created in respect of said money. What is the liability under limitation Act A:-Bank is a Trustee B:-Bank is not a Trustee C:-Bank has limited liability D:-None of the above Correct Answer:- Option-B Question90:-Court fee examiners are deputed by A:-Government **B:-District Judge** C:-High court D:-Secretary, Law Department Correct Answer:- Option-C Question91:-Section 27 of limitation shall be interpreted as A:-General principle **B:-Special principle** C:-Discretionary principle D:-Exceptional principle Correct Answer:- Option-D Question92:-Legal representative of a decease defendant shall be impleaded as party within a period of A:-Sixty days B:-Ninety days C:-Thirty days D:-One year Correct Answer:- Option-B Question93:-Which of the following instrument is stamped with adhesive stamps A:-Copies of plans B:-Instruments under Article 25 pf the schedule C:-Printed copies using computer system D:-All the above Correct Answer:- Option-D Question94:-If the court fee of a document falling within two or more descriptions are different, the fee chargeable shall be A:-Total of the all descriptions B:-Average of all descriptions C:-Highest of all descriptions D:-Lowest of all descriptions Correct Answer:- Option-C Question95:-Which of the following case, court observed that, 'term sufficient cause explained the limitation Act shall be construed in a liberal manner to advance substantial justice. The discretion shall not exercised in an arbitrary manner'. A:-GMG Engineering Industries v. Issa Green Power Solution B:-National Coal Development Corporation Ltd v. Union of India

C:-Consolidated Engg. Enterprises and Hatti Gold Mines Co. Ltd v. Principal Secy. irrigation Department D:-D. Prakash v. State of M.P. Correct Answer:- Option-A Question96:-In discharging the power vested with the Board of Revenue under section 54(3) of the stamp Act, the Board has to act as A:-Judicial body B:-Quasi-judicial body C:-Executive authority D:-Legislative authority Correct Answer:- Option-B Question97:-Provision of Kerala Civil courts Act permit A:-Retrospective operation B:-No retrospective operation C:-Judicial discretion D:-Executive discretion Correct Answer:- Option-B Question98:-When an instrument is admitted in evidence under Stamp Act, it can be challenged under A:-Section 47 B:-Section 56 C:-Section 59 D:-Section 70 Correct Answer:- Option-C Question99:-Court fee for suits under section 14 of the religious Endowments Act, 1863 is A:-Rupees Ten B:-Rupees Fifty C:-Rupees one hundred D:-Rupees two hundred Correct Answer:- Option-A Question100:-In the case of transfer of shares of a company, who is liable to pay stamp duty A:-Vendor B:-Vendee C:-Officer in charge of company D:-Managing Director Correct Answer:- Option-A