LAHORE HIGH COURT, LAHORE
CIVIL JUDGES-CUM-MAGISTRATES
COMPETITIVE EXAMINATION, 2023 – [Fall]
PAPER - I
CIVIL LAW-I

TIME ALLOWED: 03 HOURS TOTAL MARKS:100

Instructions: **Attempt any FIVE questions**

Q.1 What does an 'express' and 'implied' authority of an agent means. Explain factors / circumstances where authority of the agent is said to be implied. Discuss circumstances envisaged by section 215 of the Contract Act, where principal may repudiate the transaction undertaken by the agent, dealing on his own account in the business of the agency.

[20 Marks]

Q.2 Define expressions 'Bailment', 'Bailor' and 'Bailee'. Illustrate respective obligations of 'Bailor' and 'Bailee' as discussed in the Contract Act.

[20 Marks]

Q.3 Agreements without consideration are void. What exceptions are provided in section 25 of the Contract Act 1872, discuss will illustrations.

[20 Marks]

Q.4 Explain the expressions 'Offer', 'Acceptance', 'Invitation to treat' and 'Revocation of Proposal(s) and Acceptance(s)'. Whether the bid(s) invited from potential bidders through advertisement constitutes an offer or simply an invitation to make an offer. Elucidate with illustrations.

[20 Marks]

Q.5 Agreeing to the condition in Nikah Nama that in case of divorce the husband would compensate the wife in monetary terms. Is such condition a clog on the right of divorce or mere agreement to compensate by way of alimony. Discuss this proposition in the context of Family Courts Act 1964.

[20 Marks]

Q.6 A perfunctory / cursory effort on the part of Family Court to facilitate reconciliation between the couples in fact encourages acrimony, affects welfare of the minor, and otherwise burdens courts with ancillary claims and counter claims. Discuss the significance and efficacy of 'pre-trial reconciliation' in terms of section 10 of the Family Courts Act 1964.

[20 Marks]

Q.7 One wrong or unreasonable decision regarding grant of custody of the minor would cause irreversible damage to the community. Discuss requisite qualifications and disqualifications, in the context where other and father have competing claims for guardianship, for adjudging cases for grant of custody, enunciated under the provisions of Guardian & Wards Act 1890.

[20 Marks]

Q.8 Describe kinds of dower and explain with illustrations that which kind of dower would become when payable. And what is the limitation for the recovery of each kind of dower.

[20 Marks]

Q.9 What constitutes Acknowledgment in writing in terms of section 19 of the Limitation Act and explain the effect of an undated acknowledgement in writing. Whether acknowledgement in writing has the effect of reviving the limitation, once expired.

[20 Marks]

Q.10 Who, other than the owner of the premises, is entitled to invoke the jurisdiction of the Rent Tribunal for the purposes of seeking the eviction of the tenant or payment of rental payable. Analyse the statement in the context of definition of the 'landlord' in section 2(d) of the Punjab Rented Premises Act 2009.

[20 Marks]

LAHORE HIGH COURT, LAHORE
CIVIL JUDGES-CUM-MAGISTRATES
COMPETITIVE EXAMINATION, 2023 – [Fall]
PAPER - II
CIVIL LAW-II

TIME ALLOWED: 03 HOURS TOTAL MARKS:100

Instructions: **Attempt any FIVE questions**

Q.1 What requisite conditions must exist and be pleaded for brining suit for cancellation of written instrument. What is a difference between suit for cancellation of Instrument and recession of contract, in the context of provisions of Specific Relief Act 1877.

[20 Marks]

Q.2 Which of the contracts are not specifically enforceable. Discuss in the context of relevant provisions of Specific Relief Act 1877.

[20 Marks]

Q.3 Discretion plays an important role in determining the success of the suits for specific performance of agreements, relating to immovable properties. Kindly elaborate principles regulating exercise of discretion by the court(s) in context of section 22 of the Specific Relief Act 1877.

[20 Marks]

Q.4 Discuss the procedure provided for partition of land under the provisions of Land Revenue Act 1967, and what guiding principles must be adhered to while partitioning the land. Is determination of question of title of holding amenable to the jurisdiction exercisable by the Revenue officer.

[20 Marks]

Q.5 Jurisdiction to demarcate the land vests with the Revenue Officer. What requisite details must be provided in the application for seeking demarcation in terms of Rule 67-A of Land Revenue Rules 1968.

[20 Marks]

Q.6 Whether the court to which precept is sent enjoys equal powers as the court, which had passed the decree originally. If precept has been sent to Civil Court at Hyderabad by the Civil Court at Lahore, where would the application under section 12(2) of Code of Civil Procedure 1908 would lie, either before the Court at Lahore or Hyderabad. Support your answer with reasoning.

[20 Marks]

Q.7 Explain the term *'Guardian Ad Litem'*. Whether the court, before whom lis is brought involving minor, is competent to decide the dispute regarding factum of minority of the minor. Discuss the effect of any decree passed, affecting the rights of the minor, without the appointment of guardian, in the context of Order XXXII of Civil Procedure Code 1908.

[20 Marks]

Q.8 Suits under Order XXXVII of the Civil Procedure Code 1908 envisages regular trail after leave to appear and defend is granted, upon finding need to adjudicate triable question(s). Whether assertion of denial of consideration by the defendant constitutes a triable question of law, and on whom the onus lies to prove absence of consideration.

[20 Marks]

Q.9 Explain the scope of review, revision, appeal and 'second appeal, with illustrations. Highlight the differences amongst each of the remedy mentioned above in the context of relevant provisions of Civil Procedure Code 1908.

[20 Marks]

Q.10 How Court Fees is determined in respect of following suit(s):-

a) Suit for money.
b) Suit for maintenance and annuities.
c) Suit for movable property having market value.
d) Suit for movable property having no market value.
e) Suit seeking declaratory decree with consequential relief.

[04 Marks each]

LAHORE HIGH COURT, LAHORE

COMPETITIVE EXAMINATION, 2023

FOR THE POST OF CIVIL JUDGE CUM JUDICIAL MAGISTRATE

Paper-III

CRIMINAL LAW

TIME ALLOWED: 03 HOURS **TOTAL MARKS:100**

NOTE: Attempt all questions, which carry equal marks.

1.Describe any four of the following: -

i. Classes of Criminal Courts and Magistrates.
ii. Sentences which Magistrates may pass.
iii. Different modes by the criminal courts, for attendance of an accused.
iv. Circumstances, under which Proclamation for appearance of an accused may be issued and procedure.
v. Arrest of an accused by private person and procedure on such arrest.
vi. Period during which an accused must be produced before the competent court and consequences for failure.

2.Write short note on any four of the following: -

i. Circumstances, under which a search warrant may be issued.
ii. Joinder of charges.
iii. Consequences, if an accused dies during the trial.
iv. Procedure to record confession of an accused.
v. Stage of examination of an accused, under section 342 Cr.P.C.
vi. Recording evidence in absence of accused.

3.Answer any four of the following: -

i. What are the different kinds of "Jurh-Ghayr-Gaifah".
ii. Who would be "Wali", in case of hurt.
iii. What are the necessary ingredients for offence of theft.
iv. Consequences, if a criminal act is done by a child, under seven years of age.
v. Define "Ikrah-e-tam" and "Ikrah-e-naqis".
vi. What will be "Arsh" of organs in pair.

4.Diffrentiate any four of the following: -

i. Cognizable offense and cognizable case.
ii. Statement under section 161 and 162 Cr.P.C.
iii. Physical Remand and Judicial Remand.
iv. Complaint case and State case .
v. Bailable offense and non-bailable offense.
vi. Wrongful gain and wrongful loss.

5.Explain any four of the following: -

i. Procedure for determination of age, of an accused who claims himself to be juvenile.
ii. Trial of juvenile accused with adult person.
iii. Criminal Justice Co-ordination Committee.
iv. Penalty for misconduct by a police officer.
v. Diet of accused person.
vi. Death of an accused in police custody.

LAHORE HIGH COURT, LAHORE
CIVIL JUDGES-CUM-MAGISTRATES
COMPETITIVE EXAMINATION, 2023 – [Fall]
PAPER - IV
GENERAL LAW

TIME ALLOWED: 03 HOURS TOTAL MARKS:100

Instructions: **Attempt any FIVE questions**

Q.1 Article 95 of Qanun-e-Shahadat Order 1984 extends presumption to the powers-of-attorney. What requirements must be met to render the execution, authenticity, and admissibility of powers-of-attorney lawful for the purposes of supporting the presumption.

[20 Marks]

Q.2 Explain with illustrations the expressions "evidence" "proved' 'disproved', 'not proved' and 'judicial notice" in terms of Qanun-e-Shahadat Order 1984.

[04 Marks for each expression]

Q.3 Explain constituents of 'admission' and 'confession' and highlight distinction between them in the context of provisions of Qanun-e-Shahadat Order 1984.

[20 Marks]

Q.4 Explain the procedure provided for requiring production of documents or certified copies in books of account from the Banks. What steps need to be taken when documents required are not traced – Part-D of Chapter 5 of Volume-1 of High Court Rules & Orders.

[20 Marks]

Q.5 Explain procedure provided for service of processes to defendant residing at a place beyond Pakistan, in the context of Part-F, Chapter-7 of Volume-IV of High Court Rules and Orders.

[20 Marks]

Q.6 Our Constitution provides for the proclamation of financial emergency in terms of Article 235 of the Constitution of Pakistan. Highlight circumstances which justify financial emergency. And discuss the measures prescribed therein and effect thereof in the context of constitutional principle of provincial autonomy.

[20 Marks]

Q.7 Describe procedure / mechanism for amending the constitution in terms of Article 239 of the Constitution of Pakistan.

[20 Marks]

Q.8 A conflict between two constitutional principles of parliamentary sovereignty and rule of law, if not resolved, would result in constitutional crisis. Critically analyse statement in the context of principles embodied in Article 4 of the Constitution of Pakistan.

[20 Marks]

Q.9 Whether failure to hold general elections within the timelines prescribed in the constitution tantamount to abrogation, subversion, and suspension of the constitution of Pakistan, if so, discuss this statement in the context of scope of Article 6 of the Constitution of Pakistan and indicate that which authority is empowered under the constitution to provide for punishment for such unconstitutional act, if it is so.

[20 Marks]

Q.10 Is it lawful for a Civil Judge to act as District Court for the purposes of appeal(s) preferred against the decree / order passed in any original suit by any Civil Judge. Discuss in the context of provisions of Punjab Civil Courts Ordinance 1962.

[20 Marks]

LAHORE HIGH COURT, LAHORE
COMPETITIVE WRITTEN EXAMINATION, 2023
FOR THE POST OF CIVIL JUDGE CUM JUDICIAL MAGISTARTE

Paper-V **ENGLISH**

Time allowed: 03 HOURS Total marks: 100

Note: Attempt all questions

Q: 1 Read the following passage and answer the questions given at the end:

The Industrial Revolution, which began in the late 18th century, brought about significant changes in society. It marked a transition from agrarian and handcraft-based economies to industrial and mechanized ones. This transformation had far-reaching effects on the economy, culture, and everyday life of people. One of the key innovations of the Industrial Revolution was the steam engine, which powered factories, ships, and trains. This invention revolutionized transportation and allowed goods to be transported more quickly and efficiently. It also led to the growth of urban centres as factories sprang up in industrialized regions, attracting a workforce from rural areas. The factory system, characterized by the division of labour and the use of machinery, became a hallmark of this era. Workers, many of whom were previously engaged in agriculture, found themselves in factories working long hours under often harsh conditions. This led to the rise of labour movements and the demand for workers' rights. The Industrial Revolution also had a profound impact on society's class structure. A new middle class emerged, consisting of factory owners, managers, and professionals, while the working class faced challenging conditions and limited rights. This class divide gave rise to social and political tensions, leading to reforms and changes in governance. Cultural changes accompanied these economic shifts. Literature, art, and philosophy reflected the societal upheaval. Romanticism, for example, emerged as a reaction to the rapid industrialization, emphasizing emotion, nature, and individualism. The Industrial Revolution's influence on culture is still studied and discussed today.

(a). Write a precis of the above passage and assign a suitable heading to it.

(15 Marks)

(b). Translate the above passage into Urdu

(15 Marks)

Q:2 Write an essay on any ONE of the following topics:

(i). Consumer Behaviour and the Energy Crises (ii) The Significance of Critical Thinking in 21st Century (iii) Morality in Business: Corporate Social Responsibility and Ethics (iv) Poverty Alleviation Strategies in Pakistan (v)Educational Reforms in Pakistan: Enhancing Access and Quality (vi) Urbanization: Challenges and Opportunities

(20 Marks)

Q: 3 Write a letter to the editor of a newspaper discussing the role of media in shaping public opinion and social issues (Please make sure that Name, Roll No. etc. is not given).

(20 Marks)

Q: 4 Write sentences illustrating the use of FIVE of the following idiomatic expressions:

(i) Check by jowl (ii) A close shave (iii) Nip the evil in the bud (iv) A snake in the grass (v) A leap in the lock (vi) Back to square one (vii) Null and void (viii) Live by one's wits

(10 Marks)

Q: 5 Construct sentences to distinguish between meanings of any FIVE of the following pair of words: (No credit will be given for single correct sentence)

(i) Amoral, Immoral (ii) Concede, Accede (iii) Tenor, Tenure (iv) Ceremonious, Ceremonial (v) Imperious, Impervious (vi) Loath, Loathe (vii) Meet, Mete (viii) Official, Officious

(10 Marks)

Q:6 Punctuate the following paragraph:

That familiarity produces neglect has been long observed the effect of all external objects however great or splendid ceases with their novelty the courtier stands without emotion in the royal presence the rustic tramples under his foot the beauties of spring with little attention to their colours or their fragrance and the inhabitant of the coast darts his eye upon the immerse diffusion of waters without awe wonder or terror.

(10 Marks)

LAHORE HIGH COURT, LAHORE
CIVIL JUDGES CUM JUDICIAL MAGISTRATES
COMPETITIVE EXAMINATION, 2023

PAPER-VI URDU

TIME ALLOWED: 3 HOURS **TOTAL MARKS: 100**

سوال نمبر 1۔ مندرجہ ذیل اقتباس کی تلخیص کیجیے اور ایک عنوان تجویز کیجیے۔ **20**

امن کا فروغ، انسانی حقوق کا تحفظ اور مشترکہ ترقی کی جستجو لیکن ان مقاصد کا حصول صرف اسی صورت ممکن ہے جب بڑے ممالک اقوام متحدہ کی مرکزی حیثیت کو تسلیم کریں گے اور اسے مضبوط کرتے ہوئے دنیا کو درپیش مسائل کے حل کیلئے مشترکہ کوششیں کریں گے۔ کووڈ 19 جیسے صحتِ عامہ سے متعلق مسائل ہوں یا پھر عدم مساوات، غیر متوازن اقتصادی ترقی، بڑھتے ہوئے تنازعات، موسمیاتی تبدیلی کا چیلنج ان سب سے کوئی بھی ملک تنہا نہیں نمٹ سکتا ہے اور نہ ہی کوئی قوم یا ملک دیگر ممالک سے کٹ کر پائیدار ترقی و خوشحالی پر گامزن کر سکتا ہے۔ کووڈ 19 کے ساتھ ساتھ دنیا میں تحفظ پسندی، یکطرفہ پسندی اور بالادستی کے نظریات بھی پروان چڑھ رہے ہیں۔ بڑے اور ذمہ دار ممالک کی جانب سے دیگر ممالک سے معاشی طور پر علیحدگی کی خبریں بھی سامنے آرہی ہیں۔ ایک دوسرے پر الزام تراشی کی جارہی ہے۔ اہم طاقتوں کے مابین تجارتی تناؤ میں اضافہ دیکھنے میں آیا ہے جبکہ امریکہ جیسا اہم ملک کئی عالمی معاہدوں اور تنظیموں سے بھی دستبردار ہو چکا ہے ایسے رویے کسی بھی اعتبار سے عالمی امن، استحکام، مشترکہ ترقی اور علمگیریت کے فروغ کیلئے سودمند نہیں ہے۔ دنیا کی اہم طاقتوں کو تو اپنی سیاسی اور اقتصادی مفادات سے بالاتر ہو کر سوچنے کی ضرورت ہے اور اجتماعی فکر اپنانے کی ضرورت ہے جس میں پسماندہ اور ترقی پذیر ملکوں کے عوام کی فلاح اور ان کو درپیش مسائل کا ادراک کیا جا سکے۔ بلاشبہ کووڈ 19 اقوام متحدہ کی تاریخ میں صحتِ عامہ کا سب سے بڑا چیلنج ہے اس عالمی وباء نے دنیا کو باور کروایا ہے کہ تمام ممالک کے مفادات ایک دوسرے سے جُڑے ہوئے ہیں۔ دنیا بھر کے عوام ایک برادری کی مانند ہے جن کے دکھ سکھ مشترکہ ہیں۔

سوال نمبر 2۔ درج ذیل عنوانات میں سے کسی ایک پر مضمون تحریر کیجیے۔ **40**

(i) اقبال کا مردِ مومن۔

(ii) رہ گئی رسمِ اذاں روحِ بلالی نہ رہی۔

(iii) سوشل میڈیا رحمت یا زحمت۔

سوال نمبر 3۔ درج ذیل قانونی اصلاحات میں سے صرف پانچ کے معنی لکھیں اور اردو کے جملے میں استعمال کیجیے۔ **10**

i. Dicta ii. Pleading iiii. A fortiori iv. Overrule v. Counterfeit

vi. Ex gratia vii Foreclosure

سوال نمبر 4۔ اسم کی تعریف کریں۔ اسم کی ساخت کے اعتبار سے اقسام کی وضاحت مثالوں سے کریں۔ **10**

یا

جملے کی تعریف کریں نیز جملے کے عناصر بھی بیان کریں۔

سوال نمبر 5۔ تازہ ترین فیصلہ عدالت عظمیٰ پاکستان سے لیے گئے اس اقتباس کا اردو ترجمہ کیجیے۔ **20**

It is true that the provisions of a procedural law are ordinarily directory in nature and are construed liberally to advance the cause of justice, as their main purpose is to facilitate the administration of justice. The same purposive approach is to be adopted while construing and applying a procedural provision which provides a timeframe for doing a certain act necessary to the further progress of the case. The main purpose of providing a timeframe in procedural rules is to expedite the hearing and conclusion of the case and to avoid unnecessary adjournments. Such rules are, therefore, to be

adhered to for giving effect to the purpose of their making, else the non-compliance therewith would frustrate the objective of expeditious decision of the cases sought to be achieved by the legislature or the rule-making authority, as the case may be. The procedural rule prescribing the timeframe for doing a certain act in the course of the proceedings of a case should, therefore, be followed as a rule and the departure therefrom can be made only as an exception in exceptional circumstances beyond the control of the party concerned. The court may also ask for the filing of an affidavit or the necessary documents, depending on the facts and circumstances of the case, in support of those exceptional circumstances.

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LAHORE HIGH COURT, LAHORE
CIVIL JUDGES CUM JUDICIAL MAGISTRATES
COMPETITIVE EXAMINATION, 2023

PAPER-VII GENERAL KNOWLEDGE

TIME ALLOWED: 03 HOURS **TOTAL MARKS: 100**

NOTE:

I. All questions of Part-I are compulsory.
II. Attempt two questions from Part-II.
III. Attempt one question from Part-III.

PART-I

Question No.1: Write only correct answer in the answer book. Do not reproduce the question (20x1=20)

I. Which is the largest Surah of Holy Quran?
   a) Surah Al-Imran b) Surah Al-Baqarah
   c) Surah Yasin d) None of these.

II. The number of OIC members States is:
   a) 55 b) 57
   c) 59 d) None of these

III. What is the name of first Pakistani who got a Nobel Prize:
   a) Dr. Ashfaq Ahmad b) Dr. Abdul Salam
   c) Dr. Samar Mand d) Abdul Sattar Edhi

IV. Patronas Towers are located in:-
   a) Singapore b) Chicago
   c) Kuala Lumpur d) Holand

V. Who was the first Chief Justice of Pakistan:
   a) Mian Abdul Rasheed b) Alvin R. Cornellius
   c) Muhammad Munir d) Muhammad Shahab-ud-Din

VI. Deficiency of Vitamin A results in:
   a) Night blindness b) Rickets.
   c) Scurvy d) Goitre

VII. Which of the Pakistani was named as "Flying Horse":
   a) Shoaib Akhtar b) Jahangir Khan
   c) Sami Ullah Khan d) Imran Khan

VIII. 2023 FIFA Women's World Cup held in:
   a) Australia b) New Zealand
   c) Brazil d) Both a & b

IX. Who was the first Muslim musician in subcontinent:
   a) Wali Dakni b) Qulli Qutab Shah
   c) Amir Khusro d) None of these

X. Who was first Civil Martial Law administrator of Pakistan?
   a) Ayub Khan b) Sikandar Mirza
   c) Zulfiqar Ali Bhutto d) Yahya Khan

XI. Who was the first Governor of Punjab province after independence?
   a) Francis Mudie b) Sikandar Hayat Khan
   c) Herbard William d) None of these

XII. Which tube among the following joins kidneys and bladder:
   a) Urethra b) Ureter
   c) Suprapubic tube d) None of these.

XIII. What is the life span of red blood cells?

a) 110 days b) 120 days
c) 140 days d) 170 days

XIV. Katas Raj temples are revered Hindu Temples in Pakistan situated in:

a) Jhelum b) Mianwali
c) Chakwal d) Jacobabad

XV. Which is the largest country by area:-

a) China b) USA
c) Russia d) Canada

XVI. Which is the shortest of the Solar System:-

a) Venus b) Neptune
c) Mercury d) Earth

XVII. Panama Canal links:

a) China and Japan b) Russia and America
c) North and South America d) None of these

XVIII. The average of blood in human body is:

a) 5 Ltrs b) 6 Ltrs
c) 7 Ltrs. d) 8 Ltrs.

XIX. Which Governor General of Pakistan has shortest tenure?

a) Quaid-e-Azam b) Ghulam Muhammad
c) Sikandar Mirza d) Khwaja Nazim-ud-Din

XX. Who is the current Chairman of Islamic Ideology Council of Pakistan?

a) Ahmad Riaz b) Qibla Ayaz
c) Haseeb Umar d) None of these.

Question No.2 Explain briefly any four of the following:- (2.5x4=10)

i. Teleprinter ii. Seismograph iii. Chronometer
iv. Epidemic v. Hallucination vi. Vaccnication

Question No.3: What do the following abbreviations stand for: (10x1=10)

i. COMECON ii. WHO iii. APP iv. BCL v. NAM
vi. LHC vii. UNICEF viii. AGU ix. CENTCOM x. PDF

PART-II

(20x2=40)

Question No.4: Minto Marloae Reform was a tool of change in the political system of India. Discuss in detail.

Question No.5: Pakistan is a federation in form and unitary in spirit. Discuss it keeping in view the strengths and weaknesses of Federation of Pakistan.

Question No.6: The issue of central importance about corruption and accountability in Pakistan is the increase in corruption despite six decades of efforts to eradicate it. Analyze and comment on the root cause of rampant corruption in the society.

Question No.7: Briefly describe the genuine factors which were responsible for the demand of separate homeland by the Muslims of sub-continent.

PART-III

(20x1=20)

Question No.8: Describe the Islamic concept of peace in the light of Quran and Sunnah.

Question No.9: Give a comparative review on the role of woman in Islam and modern society.

ETHICS FOR NON-MUSLIM CANDIDATES

i. Explain the scope, nature and objectives of ethics.

ii. Culture of tolerance can help in bringing interfaith harmony.