

**Uttarakhand Higher Judicial Service Examination 2008 (II)**  
**PAPER-3**

**Time allowed-Two hours**

**Maximum Marks : 100**

Note- The question paper is divided in four parts. Each Part carries 30 marks, except Part D, which carries 10 marks. All questions are required to be attempted.

**Part-A**  
**Indian Evidence Act, 1872**

1. How would you define 'admissions'? When oral admissions as to contents of documents are relevant?  
15 marks
2. What is doctrine of "Standing by"? How is it different from abandonment?  
15 marks

**Part-B**  
**Code of Civil Procedure, 1908**

3. Explain the expression "Legal representative". What is the extent of liability of a legal representative of a judgment debtor in execution of a decree?  
15 marks
4. What are the powers of Court with regard to passing a decree for sale or a like decree in a suit for foreclosure?  
15 marks

**Part-C**  
**Code of Criminal Procedure 1973**

5. How warrants of arrest are required to be forwarded, in respect of a person living outside the jurisdiction of a court? In what manner the same are required to be executed?  
15 marks
6. Whether a near relative of a convict can continue with appeal after the death of the convict? If so, within what period, by whom and in what kind of cases, can it be done?  
15 marks

**Part-D**  
**Drafting**

7. (a) Draft a charge of one head relating to offence punishable under Section 396 of Indian Penal Code, 1860.

05 marks

- (b) Draft an interim order granting a temporary injunction in favour of plaintiff, in a suit for prohibitory injunction, relating to land in dispute.

05 marks