

# HIGH COURT OF SINDH, KARACHI

جناح جوڈیشل اکیڈمی  
302 صادق سنٹر 35، ٹیمن روڈ لاہور  
0300-0047057

## P A P E R

### WRITTEN TEST FOR THE POST OF CIVIL JUDGES

**TIME 2 ½ hours.**

**Dated 14.3.1998**

- Q.1 Write an essay of about 70 lines on one of the following subjects:
- (i) Justice must not only be done but seems to be done.
  - (ii) How to curtail delay in disposal of civil suits.
  - (iii) If I would have been a Judge.
- Q.2 Draft a memo of Complaint in a suit for "dissolution of Marriage" on ground of Khula.
- Q.3 Draft a bail application for the accused facing trial in an offence punishable u/s 420 PPC.
- Q.4 Define the following terms:
- (i) Set off
  - (ii) Res judicata
  - (iii) Diyat
  - (iv) Confession
  - (v) English Mortgage
- Q.5 What is the scope and object of the following?
- (i) Nemo debet Esse Judex in Propria  
(No one can be Judge in his own cause)
  - (ii) Audi Alteram Partem  
(No one shall be condemned unheard)
  - (iii) Actus Non Facit, Nisi Mens Sit Rea  
(An act does not make a man guilty unless he be so in intention)
  - (iv) Res Ipsa Loquitur  
(The thing speaks for itself)

جناح جوڈیشل اکیڈمی  
302 صادق سنٹر 35، ٹیمن روڈ لاہور  
0300-0047057

**HIGH COURT OF SINDH, KARACHI**  
**P A P E R**

جناح جوڈیشل اکیڈمی  
302 صادق سنٹر 35 بلڈن روڈ لاہور  
0300-0047057

**FOR WRITTEN TEST OF CANDIDATES FOR APPOINTMENT  
TO THE POSTS OF CIVIL JUDGE/JUDICIAL MAGISTRATE.**

**Dated: 26.02.2000**

**Time 2.00 p.m. to 5.00 p.m.**

Note: Attempt any six questions (three from each section). Question Nos. 1 & 5 are compulsory.

**SECTION-I (Civil)**

1. Draft a plaint on behalf of wife seeking dissolution for her marriage through KHULA.
2. In what circumstances the court can reject a Plaint.
3. What is meant by RESJUDICATA? Elucidate.
4. Write short notes on any three of the following:  
(i) Section 12(2)CPC (ii) Gift (iii) Will  
(iv) Decree (v) Mesne Profits

**SECTION-II**

**(Criminal)**

5. Write a complaint against an accused trespassing the premises of a Complainant in urban area.
6. What is meant by preventive proceedings? Explain by citing an instance.
7. How the Magistrate trial proceeds and reaches the finality?
8. Write short notes on any three of the following:  
(i) Investigation (ii) Offence  
(iii) Non-Cognizable offence (iv) Court  
(v) Diyat.

جناح جوڈیشل اکیڈمی  
302 صادق سنٹر 35 بلڈن روڈ لاہور  
0300-0047057

**HIGH COURT OF SINDH, KARACHI**

**P A P E R**

**FOR WRITTEN TEST OF CANDIDATES FOR APPOINTMENT TO THE POSTS  
OF CIVIL JUDGE/JUDICIAL MAGISTRATE.**

**Dated: 05.03.2000**

**Time 2.00 p.m. to 5.00 p.m.**

**SECTION-I**

1. Draft a plaint with necessary particulars for recovery of money paid by the plaintiff to defendant.
2. In what circumstances court exercises its powers under rules 10 & 11 of Order 7 CPC? Explain in detail.
3. What are the grounds which a wife can take in a suit seeking dissolution of her marriage?
4. Write short notes on any three of the following:  
(i) Hiba (ii) Mesne Profits  
(iii) Pleader (iv) Preliminary decree  
(v) Resjudicata

**SECTION-II**

5. Write an application for grant of bail to an accused involved in a crime of use of criminal force while attempting to commit theft of property being carried by a person.
6. Explain circumstances which require framing of a formal charge by Magistrate against an accused. Also mention what particulars are stated in a charge?
7. What are the kinds of punishments provided by Pakistan Penal Code?
8. Write short notes on any three of the following:  
(i) Extortion (ii) Judge  
(iii) Offence (iv) Rioting  
(v) Wrongful gain.

Note: Questions Nos. 1 & 5 are compulsory.

**جناح جوڈیشل اکیڈمی**

302 صادق سنٹر 35 لکھن روڈ لاہور

0300-0047057

**جناح جوڈیشل اکیڈمی**

302 صادق سنٹر 35 لکھن روڈ لاہور

0300-0047057

# HIGH COURT OF SINDH, KARACHI

جناح جوڈیشل اکیڈمی  
302 صادق سنٹر 35، پلٹن روڈ لاہور  
0300-0047057

## P A P E R

ATTEMPT FIVE QUESTIONS, AT LEAST 2 QUESTIONS FROM EACH PART.

Dated: 17.03.2001

Time allowed 3 hours

### PART-I

1. What do you understand by the term "common intention" and "common object"?
2. Define and distinguish between "theft", "robbery" and "dacoity".
3. How the theft liable to hadd is to be proved?
4. Write short notes on any three of the following:  
(i) Cheating (ii) Wrongful gain and wrongful loss (iii) Extortion
5. Write Short notes on any three of the following:  
(i) Charge (ii) Investigation (iii) Remand
6. Define complaint and state the procedure for registration of a complaint.
7. State when a person is entitled for bail in bailable offence?

### PART-II

1. What are the grounds for rejection of a plaint?
2. What are the grounds for grant of temporary injunction?
3. What are the circumstances under which the period of limitation is extended?
4. Draft a plaint for dissolution of marriage by wife; taking all the grounds for dissolution of marriage.
5. Define and distinguish between "lease" and "license". When license cannot be revoked?
6. What is the principle of resjudicata? Explain.
7. Write Short notes on any three of the following:  
(i) Cause of action (ii) Issues (iii) Decree

جناح جوڈیشل اکیڈمی  
302 صادق سنٹر 35، پلٹن روڈ لاہور  
0300-0047057

## HIGH COURT OF SINDH, KARACHI

### P A P E R

DATE: 16.8.2003

TIME: 10.00 AM

ATTEMPT FIVE QUESTIONS FROM THE FOLLOWING. AT LEAST TWO QUESTIONS FROM EACH ARE COMPULSORY.

#### SECTION-I

1. Explain the term 'Decree' and 'Judgment'. Distinguish the preliminary decree with final decree.
2. (a) Where the suit for compensation for wrongs to persons or movable property can be instituted by a person wronged?  
(b) Where a suit for recovery, partition, sale or any other right in respect of immovable property can be instituted and what are the exceptions?
3. Under which provision of law perpetual injunction is to be granted? Discuss the ground for the grant of perpetual injunction?
4. What constituted a valid contract? Who can enter into such contract?
5. Explain the ground for a decree for dissolution of marriage under Dissolution of Muslim Marriages Act.

#### SECTION-II

6. Write short notes on any five of the following:  
(a) Cognizable offence (b) Complaint (c) Charge  
(d) Public Prosecutor (e) Qisas (f) Ta'azir  
(g) Hurt
7. Explain the modes for taking cognizance of an offence by a Judicial Magistrate and the Court of Sessions.
8. What do you understand by the terms 'Common intention' and 'Common object'? Explain in detail.
9. State the essential terms of the offences of 'theft' and 'Extortion'. When the theft and extortion become Robbery?
10. What do you understand by the terms Judicial Confession and Extra Judicial Confession?

**HIGH COURT OF SINDH, KARACHI**

**P A P E R**

**DATE: 16.8.2003.**

**TIME: 03.00 to 06.00 PM**

**NOTE: ATTEMPT FIVE QUESTIONS FROM FOLLOWING AT LEAST TWO QUESTION FROM EACH SECTION ARE COMPULSORY**

**SECTION-I**

1. Write short notes on any five of the following terms used in Code of Civil Procedure.  
(i) Decree holder (ii) Judgment Debtor  
(iii) Legal representative (iv) Mesne Profits  
(v) Public Officer (vi) Attachment  
(vii) Necessary and Proper party
2. Whether the validity of a judgment, decree or order can be challenged? State the mode and grounds.
3. What are ingredients of a valid gift by a Muslim to an other Muslim?
4. What are the modes of a dissolution of marriage of Muslims.
5. What is the difference between the following:  
(i) Primary and Secondary evidence.  
(ii) Public and Private documents.  
(iii) Fact in issue and Fact proved.

**SECTION-II**

6. Write short notes on any five of the following:  
(i) Offence (ii) Police report  
(iii) Bail (iv) Local inspection  
(v) Dying Declaration (vi) Inquiry  
(vii) Investigation
7. Define Kidnapping and Abduction. How does abduction differs from Kidnapping
8. Which courts have been establishment by the Code of Criminal Procedure and what are their powers to award sentence?
9. Discuss punishment to which the offences are liable under the provision of Pakistan Penal Code.
10. What is the difference between criminal misappropriation of property and criminal breach of trust. A removed the valuable of a dead person. What offence A has committed?

# HIGH COURT OF SINDH, KARACHI

## PAPER - I

### For appointment to the post of Civil Judge and Judicial Magistrate

Date: 24/12/2005

Time 09:00 am to 12:00 noon

Attempt any five questions. Question No.1 is compulsory.

All questions carry equal marks

- Q. 1 Write a judgment in a case where complainant and private Mashir while producing FIR and Mashirnama during trial, in their depositions, fully supported recovery of 75 grams of heroin from possession of accused "X" in their presence under Mashirnama prepared at the time of recovery and arrest on 1.7.2005 at 10:00 hours by the complaint and at place of recovery viz. Main Square of City. In this statement under Section 342 Cr.P.C., accused simply denied recovery from him and did not lead any evidence.

OR

Write a judgment where in a suit filed by the plaintiff "X" for recovery of an amount of Rs. 10,000/- from defendant "Y"; the latter remaining absent despite services of notice was declared ex parte and plaintiff on being directed filed affidavit in ex parte proof of his case.

- Q. 2 What do you mean by "Will" in Mohammadan Law? Explain as to when and to what extent a valid "Will" is allowable.
- Q. 3 What is meant by a complaint? State when process is issued in a private complaint.
- Q. 4 In what circumstances, a suit lies against a defendant under Section 9 of the Specific Relief Act? State whether such suit can be instituted against central or provincial government? Also state what remedy is provided if the suit is finally dismissed by a decree of the Court?
- Q. 5 What sentences can be awarded by the Magistrate of Ist, IInd and IIIrd class? State to what extent a Magistrate is empowered to award imprisonment in default of payment of fine when imprisonment has been awarded as part of substantive sentence?
- Q. 6 What do you mean by examination-in-chief, cross-examination and re-examination? Explain the order of examinations stating elaborately in what circumstances and when re-examination is allowable?
- Q. 7 State the circumstances when a Police Officer may arrest without warrant?
- Q. 8 Define PROPOSAL, PROMISE and CONSIDERATION for promise.

- Q.9 In what circumstances a Magistrate may take cognizance of an offence?
- Q.10 define SALE stating circumstances when registration of Sale of tangible immovable property is necessary and when not?
- Q.11 What are the silent features of trial of cases by a Magistrate?
- Q.12 What do you mean by a valid marriage? State legal consequences of such marriage.
- Q.13 Write short note on any four of the following:
- |                        |                   |
|------------------------|-------------------|
| (a) Mesne Profits      | (b) Judgment      |
| (c) Good faith         | (d) Pleading      |
| (e) Cognizable offence | (f) Investigation |
| (g) Inquiry            | (h) Injury        |

**جناب جوڈیشل اکیڈمی**

**302 صادق سنٹر 35، ٹین روڈ لاہور**

**0300-0047057**

**HIGH COURT OF SINDH AT KARACHI**  
**EXAMINATION PAPER FOR CIVIL JUDGES AND JUDICIAL MAGISTRATES**  
**2012**

**جناب جوڈیشل اکیڈمی**  
**302 سادق سنٹر 35، پٹن روڈ لاہور**  
**0300-0047057**

Time: 3 hours

Total Marks: 100

Q.1 Define and Distinguish.

- (i) Review and Revision
- (ii) Oral evidence and Documentary evidence
- (iii) Hostile witness and Interested witness
- (iv) Abetment and Criminal Conspiracy
- (v) Complaint case and Challan case.

Q.2 Define:

- (i) Lispendans
- (ii) Resjudicata
- (iii) Malicious prosecution
- (iv) Mandatory injunction
- (v) Intention and motive

Q.3 Define:

- (i) Return of plaint
- (ii) Rejection of plaint
- (iii) Amendment of pleadings

Q.4 Define and distinguish.

- (i) Theft, Extortion, Robbery and Dacoity.
- (ii) Release, Discharge and Acquittal.

Q.5 (i) Is it true that all contracts are agreements but all agreements are not contracts, if so, how?

- (ii) Define undue influence and misrepresentation.
- (i) Explain in detail the grounds for dissolution of marriage.
- (ii) What is the mode of decree for restitution of conjugal rights.

**جناب جوڈیشل اکیڈمی**  
**302 سادق سنٹر 35، پٹن روڈ لاہور**  
**0300-0047057**

# HIGH COURT OF SINDH AT KARACHI

## EXAMINATION PAPER FOR CIVIL JUDGES & JUDICIAL MAGISTRATES PAPER-2014

Time: 3 hours

Total Marks: 100

**Note:** All questions carry equal marks. Attempt five questions in all viz.

- Q1. Write Short Notes on any Four of the Following: (20)
- Preliminary Decree and Final Decree
  - Ad-interim and Receiver
  - Recurring cause of Action and Resjudicata
  - Waiver and Acquiescence
  - Estoppels by Promise and Estoppels by conduct
- Q2.A. Who may record the confession? What are necessary requirements of recording confession? (10)
- B. Illustrate the principles of search? (10)
- C. What is Restitution of the Reversal of the order and decree under section 144 CPC? (10)
- Q3.A. Define the final investigation Report. Is it a binding authority (05)
- B. Define the Procedure of Session Trial? (15)
- Q4.A. What are the principles of Recall and Reexamination of the witness in the Session Court trial? (10)
- B. What are the Principles to detain a person in Decree for the Payment of Money? (10)
- Q.5 Define and distinguish any four of the following: (20)
- 151 CPC and 561-A, Cr PC.
  - Amendment in pleading and Amendment in Judgment/Decree.
  - Appeal from Order and Appeal from Decree.
  - Transfer of Decree and Precept.
  - Hypothecation and Pledge.

**HIGH COURT OF SINDH AT KARACHI**  
**EXAMINATION PAPER FOR CIVIL JUDGES & JUDICIAL MAGISTRATES**  
**(TEST PAPER-II) April 2015**

**Time: 3 hours**

**Total Marks: 100**

**Note: Question No. 1 is compulsory. Out of rest attempt any four questions.**

- (1) A. 'A' is charged for murder, whereas, 'B' is charged of associating 'A' to hide dead body with the intention of screening 'A' from punishment. Legal heirs of the deceased compound their right of Qisas with 'A' by taking blood money. Whether 'A' & 'B' can get an acquittal; discuss the underlying principle. (7 marks)
- B. 'A' being the executor of the Will and only son of deceased testator destroys the Will with the intention to deprive the beneficiary of the Will. State as to whether 'A' has committed any offence, if yes. Discuss the underlying principle. (7 marks)
- C. 'A' with the intention to cause loss to 'B' burns his prize bonds. Whether 'A' has committed any offence, if yes, discuss the underlying principle. (6 marks)
- (2) A. Narrate the provisions in Limitation Act providing for exclusion of time in legal proceedings. (10 marks)
- B. Whether the Court can condone the delay in filing the suit, if yes, narrate the grounds? (10 marks)
- (3) What is charge? Under what circumstances there can be joinder of charges? How charge differs from FIR? (20 marks)
- (4) Write note on any four of the following: - (20 marks)
- A. What are facts in issue and relevant facts?

- B. What are admissions including confession?
- C. What are the facts that need not to be proved?
- D. What are the facts, the existence whereof is presumed by the Court?
- E. Mitigating circumstances.

(5) A. Define Receiver. How and in what manner Receiver can be appointed? (10 marks)

B. Define Gift. How Gift of existing and future property is to be made? (10 marks)

(6) A. What is meant by confession? Is there any difference between judicial confession and extra judicial confession, if yes, explain. (10 marks)

B. What do you understand by the terms inculpatory and exculpatory confession. (10 marks)

**جناح جوڈیشل اکیڈمی**

302 صادق سٹر 35، ٹن روڈ لاہور

0300-0047057

HIGH COURT OF SINDH AT KARACHI

CIVIL JUDGES & JUDICIAL MAGISTRATES  
RECRUITMENT EXAMINATION, 2022

Time: 3 hours

Total marks: 100

Instructions:

- (i) Answers are to be written in the English language.
- (ii) There are two parts of the question paper. Answer all questions except where options are provided.

PART-I (CIVIL LAW)

1. Discuss the ingredients for the grant of a temporary injunction under Order XXXIX Rules 1 and 2 CPC. (10 marks)

OR

Discuss any three provisions of the Limitation Act, 1908 under which a certain period of time can be excluded while computing limitation.

What agreements are contracts? Who are persons competent to contract? Are all contracts required to be in writing? (10 marks)

OR

Under what circumstances can it be said that a contract is not by free consent? Give illustrations.

What are the grounds for the following:

- (i) Amendment of plaint?
- (ii) Rejection of plaint?
- (iii) Return of plaint?

(15 marks)

Write short notes on any five [5] of the following:

- (i) Guardian of property of a ward and limitation of his powers.
- (ii) The different facets of the jurisdiction of a civil court.
- (iii) Who is a lessee holding over?
- (iv) Cases in which injunction cannot be granted.
- (v) Contracts which are not specifically enforceable.
- (vi) What is a partnership at will, and how can it be dissolved?
- (vii) Where a transferee is in possession of immovable property in part performance of contract, what are his rights?
- (viii) Grounds for appointing a receiver.

جناب جوڈیشل اکیڈمی  
302 سادق سنٹر 35، ٹن روڈ لاہور  
0300-0047057

(15 marks)

(10 marks)

5. Mr. A issues a cheque to Mr. B for the purchase of goods. On receiving the goods Mr. A contends that the goods are defective. He stops payment on the cheque and the same is dishonoured. Mr. B lodges an FIR against Mr. A under section 489-F PPC which is a non-bailable offence punishable by imprisonment which may extend to 3 years, or with fine or with both. Mr. A is arrested and he applies for bail under section 497 Cr.P.C. Would you grant bail or deny bail? Give your reasons in either case. The reasons need not be in the format of a court order.

(15 marks)

6. What do you understand by the following? Write short notes on any five [5]

- (i) Cognizable and non-cognizable offence.
- (ii) *Falsus in uno, falsus in omnibus*.
- (iii) Plea of alibi.
- (iv) Chance witness.
- (v) Mitigating circumstances.
- (vi) Rule of consistency in the context of bail.
- (vii) Proclaimed offender.
- (viii) Identification parade.

JINNAH JUDICIAL

(15 marks)

7. Write short notes to distinguish between any five [5] of the following:

- (i) Kidnapping and abduction.
- (ii) Robbery and dacoity.
- (iii) Theft and extortion.
- (iv) Criminal breach of trust and cheating.
- (v) Daman and diyat.
- (vi) Primary evidence and secondary evidence.
- (vii) Conviction and sentence.
- (viii) Judicial confession and extra judicial confession.

(10 marks)

8. What are the contents of a charge? In what circumstances can an accused person be charged with and tried at one trial for more than one offence?

OR

What are the instances in which the Magistrate can record an order of acquittal?

END

جناب جوڈیشل اکیڈمی  
302 صادق سنٹر 35، پٹن روڈ لاہور  
0300-0047057