

MCQs Code of Civil Procedure 1908 Pakistan Part-I

1. The Code of law which deals with Courts of Civil Judicature is called

- A. Code of Civil Procedure B. Civil Courts Act
- C. Criminal Procedure Code

Answer: Option A

2. The Code of Civil Procedure was enacted on

- A. 21st January, 1908 B. 21st February, 1908
- C. 21st March, 1908

Answer: Option C

3. The Code of Civil Procedure was enforced on

- A. 21st March, 1908 B. 22nd March, 1909
- C. 1st January, 1909

Answer: Option C

4. The Code of Civil Procedure, contains _____ sections

- A. 155, B. 156,
- C. 158,

Answer: Option C

5. The Code of Civil Procedure has, _____ parts

- A. XI B. XII
- C. XIII

Answer: Option A

6. Code of Civil Procedure consists _____ Orders

- A. 50, B. 51,
- C. 52,

Answer: Option C

7. A decree is an operative part of a _____ in civil suits for appeals

A. Order B. Judgment

C. None of the above

Answer: Option B

8. _____ conclusively determines rights of the parties

A. Judgment B. Decree

C. Order

Answer: Option B

9. Section 2, of C.P.C deals with

A. Plaint B. Definitions

C. Jurisdiction

Answer: Option B

10. The term "Decree" is defined in section

A. 2(2), B. 3(2),

C. 4(2),

Answer: Option A

11. The term "Decree holder" is defined in Section _____, of C.P.C.

A. 2 sub section (3), B. 2 sub section (4),

C. 2 sub section (5),

Answer: Option A

12. A person in whose favour a decree has been passed or an order capable of execution has been made is called

A. Decree defaulter B. Decree holder

C. Decree debtor

Answer: Option B

13. Any person against whom a decree has been passed or an order capable of execution has been made is called

A. Judgment debtor B. Judgment holder

C. None of the above

Answer: Option A

14. The term "Judgement" is defined in section

A. 2(7) C.P.C. B. 2(8) C.P.C.

C. 2(9) C.P.C.

Answer: Option C

15. The statement given by the Judge on the ground of decree or order is called

A. Judgment B. Decree

C. Order

Answer: Option A

16. A person who in law represents the estate of deceased person is called

A. Guardian B. Pleader

C. Legal representative

Answer: Option C

17. The term "Legal representative" is defined in

A. Section 2(11) B. Section 2(12)

C. Section 2(13)

Answer: Option A

18. Section 2, sub-section 12 of C.P.C. define

A. Judgment debtor B. Legal representative

C. Mesne profit

Answer: Option C

19. The term "Order" is defined in section 2 sub section _____

A. (14), of C.P.C. B. (15), of C.P.C.

C. (16), of C.P.C.

Answer: Option A

20. The formal expression of any decision of a civil Court which not a decree is called

A. Order B. Judgment

C. None of the above

Answer: Option A

21. C.P.C. is not applicable to

A. Civil Courts B. Criminal Courts

C. Both (a) and (b)

Answer: Option B

22. Section 5 of C.P.C deals with application of C.P.C to

A. Family Courts B. Criminal Courts

C. Revenue Courts

Answer: Option C

23. Section 6, of C.P.C. deals with

A. Pecuniary jurisdiction B. Appellate jurisdiction

C. None of the above

Answer: Option A

24. A suit in which the right of property or office is contested is called suit of _____ nature

A. Civil B. Criminal

C. Civil as well as criminal

Answer: Option A

25. The term jurisdiction has _____ kinds

A. 2 B. 3

C. 4

Answer: Option C

26. Pecuniary Jurisdiction of Civil judge of Class 2nd is limited upto

A. 50,000 B. 1,00,000

C. 500,000

Answer: Option C

27. Pecuniary jurisdiction of Civil judge of Class 3rd is limited upto

A. 20,000 B. 50,000

C. 100,000

Answer: Option C

28. Section 10 of C.P.C. deals with_____

A. Res judicata B. Res Sub Judice

C. Res, gestae

Answer: Option B

29. The term "Res-subjice" means.

A. The case instituted earlier B. The case instituted later

C. None of the above

Answer: Option B

30. The are _____ main ingredients for application of section 10

A. 3, B. 4,

C. 5,

Answer: Option B

31. Section 11 of C.P.C. deals with

A. Res subjudice B. Res judicata

C. Res gestae

Answer: Option B

32. The term "Res judicata" is a ____ term

A. English B. French

C. Latin

Answer: Option C

33. The term "Res judicata" means

A. Further proceeding B. A matter already adjudicated

C. Stay of proceeding

Answer: Option B

34. Where a person challenges the validity of a judgment decree or order on the basis of fraud misrepresentation or want of jurisdiction he shall seeks his remedy by making an

A. Appeal B. Application

C. Revision

Answer: Option B

35. Section _____ of C.P.C. deals with making of application to challenge the validity of a judgment, decree or order on plea of fraud, misrepresentation or want of jurisdiction

A. 11, B. 12(1),

C. 12(2),

Answer: Option C

36. Application under section 12(2) shall be moved to

A.

The Court which passed the final judgment, decree of order

B. Appellate Court

C. High Court

Answer: Option A

37. A Foreign judgment not pronounced by Court of competent jurisdiction will

A. Be conclusive B. Not be conclusive

C. Be based on fraud

Answer: Option B

38. According section 15, of C.P.C. every suit shall be instituted in the Court of

A.

Lowest grade competent to try it

B.

Highest grade competent to try it

C. Both (a) and (b)

Answer: Option A

39. A residing in (Karachi) beats B in (Dacca) A may sue in

A. Karachi B. Dacca

C. Both at Karachi and Dacca

Answer: Option C

40. According section 21, of C.P.C. objection at jurisdiction of Court can be raised on

A. Trial B. Appeal

Answer: Option A

41. Section 22, of C.P.C. deals with transfer of cases by

A. Court of Session B. High Court

C. Trial Court

Answer: Option A

42. Where several Courts having jurisdiction are subordinate to the same appellate Court an application under section 22, shall be made to_____

A. Appellate Court B. High Court

C. Both (a) and (b)

Answer: Option A

43. Every suit shall be instituted by the presentation of _____ or in such other manner as prescribed

A. An application B. A memo

C. Plaint

Answer: Option C

44. Where a suit has been instituted a summon may be issued _____ to appear and answer the claim and may be served in manner prescribed.

A. Nazir B. Defendant

C. None of the above

Answer: Option B

45. According section _____, of C.P.C. the Court after the case has been heard shall pronounce judgment and on such judgment decree shall follow

A. 31 B. 32

C. 33

Answer: Option C

46. Section 34, of C.P.C. deals with

A. Interest B. Costs

C. Special cost

Answer: Option A

47. Section 35, of C.P.C. deals with

A. Interest B. Costs

C. Compensatory costs

Answer: Option B

48. Section _____, of C.P.C. deals with compensatory costs in respect of false and vexatious claims or defences

A. 35 B. 35-A

C. 36

Answer: Option B

49. A decree may be executed either by

A.

Court which passed it or by the Court to which sent for execution

B.

Court which passed it or by appellate Court

Answer: Option A

50. The Court which passed a decree may send the decree for execution to another Court upon

A. Its discretionary power B. Application of decree holder

Answer: Option B

51. Section _____ to _____ of C.P.C. deals with execution of decree

A. 36, to 60, B. 36, to 74,

C. 35, to 84,

Answer: Option B

52. During execution of a decree all question arising between the parties to the suit will be dealt by the

A. Original Court B. Appellate Court

C. Executing Court

Answer: Option C

53. Section 48, C.P.C. provide limitation of _____ years for making execution application

A. Three years B. Four years

C. Six years

Answer: Option C

54. Section 55, of C.P.C. deals with arrest and detention of

A. Judgment debtor B. Decree holder

C. Both (a) and (b)

Answer: Option A

55. A judgment debtor can be imprisoned for a term not exceeding

- A. Six months B. Nine months**
- C. One year**

Answer: Option C

56. _____ can not be arested during execution of money decree.

- A. Women B. Old person**
- C. Both (a) and (b)**

Answer: Option A

57. Section 59, of C.P.C. deals with release of judgment debtor on ground of

- A. Old age B. Illness**
- C. Being women**

Answer: Option B

58. Section 59, of C.P.C. was omitted by Ordinance

- A. 10 of 1980 Section 9, B. 10 of 1999 Section 9,**
- C. 10 of 2011 Section 9,**

Answer: Option A

59. Which particular from the following can not be attached during execution of a decree

- A. Moveable property B. Immovable property**
- C. Necessary wearing apparel**

Answer: Option C

60. Particulars not liable to be attached in execution of decree are provided in section

- A. 60 of C.P.C. B. 61 of C.P.C**
- C. 62 of C.P.C.**

Answer: Option A

61. In the case of a suit against the Federal Government the party defendant shall be

A. President B. Prime Minister

C. Pakistan

Answer: Option C

62. In case of suit by Provincial Government of Punjab the title will be

A. Province of Punjab Vs ABC B.

Chief Minister of Punjab Vs ABC

C.

Interior Ministry of Punjab Vs ABC

Answer: Option A

63. As per section 80, of C.P.C. in the case of a suit against Federal Government notice will be delivered to

A. Interior Minister B. Federal Minister

C.

Secretary of the Federal Government

Answer: Option C

64. In case of a suit against the Provincial Government other than a suit relating to the affairs of Railway the notice shall be served to

A.

The Secretary of that Government

B. The Collector of the District

C. Both (a) and (b)

Answer: Option C

65. Section _____, of C.P.C. deals with filing of suit by aliens

A. Section 80 B. Section 83

C. Section 85

Answer: Option B

66. The term "alien" means

- A. A foreigner B. A local**
- C. An enemy**

Answer: Option A

67. An alien enemy residing in Pakistan can file a suit with permission of

- A. Federal Government B. Foreign Ministry**
- C. Interior Ministry**

Answer: Option A

68. A foreign State can sue in any Court if such State has been recognized by

- A. Provincial government B. Federal government**
- C. President**

Answer: Option B

69. If any diplomatic agent exercised any commercial activity in Pakistan beyond his official functions he

- A. Can be sued in any Court B. Can not be sued in any Court**
- C.**

Can not be sued without permission of his own State

Answer: Option A

70. For filing a suit of public nuisance the consent of_____ is required

- A. District Judge B. Provincial government**
- C. Advocate General**

Answer: Option C

71. The term "Public nuisance" means

- A.**
- An unreasonable interference in any persons personal matters**
- B.**

An unreasonable interference with right of general public

C. Both (a) and (b)

Answer: Option B

72. Section 92, of C.P.C. deals with suits regarding,

A. Public charities B. Diplomats

C. Public nuisances

Answer: Option A

73. Section 96 of C.P.C. deals with

A. 1st appeal B. 2nd appeal

C. None of the above

Answer: Option A

74. The term "Appeal" means

A.

Transfer of case from inferior Courts to Superior Court for the purpose of checking credibility of lower Court decision

B.

Transfer of case from one Court to another Court for the purpose of testing credibility of the decision of lower Court

C. None of the above

Answer: Option A

75. Normally _____ is called appellate Court

A.

Court of Civil Judge First Class

B. Court of District Judge

C. High Court

Answer: Option B

76. _____ determine forum for first appeal

A. Pecuniary value of a suit B. Trial Court

C. Nature of case

Answer: Option A

77. No appeal shall lie from a decree passed by the Court

A. On merits B. On facts

C. With consent of parties

Answer: Option C

78. Section 100, 101, and 102, relates to

A. First appeal B. 2nd appeal

C. 3rd appeal

Answer: Option B

79. The ground upon which 2nd appeal lies are narrated in

A. Section 99, C.P.C. B. Section 100, C.P.C.

C. Section 101, C.P.C.

Answer: Option B

80. Section 100, 101, and 102, of C.P.C. with deals with appeal to

A. High Court B. Federal Shariat Court

C. Supreme Court

Answer: Option A

81. Orders from which appeal lies are provided in

A. Section 103, of C.P.C B. Section 103-A, of C.P.C.

C. Section 104, of C.P.C.

Answer: Option C

82. An order under section 35-A, is

A. Appealable B. Revisionable

C. Reviewable

Answer: Option A

83. An appellate Court has power to

A. Determine a case finally B.

Frame new issues and remand the case

C. Both (a) and (b)

Answer: Option C

84. Appellate Court has power to take additional evidence as provided by

A. Section 106, of C.P.C. B. Section 107(c), of C.P.C.

C. Section 107(d), of C.P.C.

Answer: Option C

85. Appeal is a_____ of the suit

A. Finality B. End

C. Continuation

Answer: Option C

86. An appeal from a judgment decree or final order of High Court shall lie to

A. Double Bench of High Court B. Supreme Court

C. None of the above

Answer: Option B

87. An appeal to Supreme Court is dealt by

A. Section 107, C.P.C. B. Section 108, C.P.C

C. Section 109, C.P.C

Answer: Option C

88. If a subordinate trial Court is in doubt regarding question of law it can send reference to_____ as provided in section 113, C.P.C

A. High Court B. Court of Session

C. Supreme Court

Answer: Option A

89. Power of review is provided in

A. Section 113, C.P.C B. Section 114, C.P.C

C. None of the above

Answer: Option B

90. The term "Review" means

A.

Judicial re-examination of a case in certain prescribed and specified circumstances

B. Re-examination of any matter

C. Both (a) and (b)

Answer: Option A

91. The petition for review shall be instituted in the Court

A. Of Session B. Which passed the decree

C. Both (a) and (b)

Answer: Option B

92. Law permits that power of review can be exercised upon

A. Discovery of new facts B.

Misreading and non reading of evidence

C. None of the above

Answer: Option A

93. Scope of review power is

A. Vast B. Broad

C. Limited

Answer: Option C

94. Right of review is called

A. Basic right B. Substantive right

C. Natural right

Answer: Option B

95. Section _____, C.P.C. deals with revision

A. 114, B. 115,

C. 115-A,

Answer: Option B

96. The term "Revision" means

A.

A re-examination or careful reading of a case for the purpose of correction or improvement

B.

A factual change of trial Court decision

C. None of the above

Answer: Option A

97. The revisional power can be exercised by

A. Court of Session B. High Court

C. Both (a) and (b)

Answer: Option C

98. Time limitation for filing revision petition before High Court as provided under section 115, is

A. Thirty days, B. Sixty days,

C. Ninety days

Answer: Option C

99. Revisional power exercised by High Court or Court of Session is _____ in nature

A. Substantive B. Discretionary

C. None of the above

Answer: Option B

100. Revision power can be exercised by High Court or District Court on

A. Question of law B. Question of fact

C. Both (a) and (b)

Answer: Option A

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