

NWFP, PUBLIC SERVICE COMMISSION

Competitive Examination for Civil Judges-Cum-Judicial Magistrates, 2009.

QANUN-E-SHAHDAT & PLEADINGS

TIME ALLOWED: 3 HOURS.

TOTAL MARKS: 100

Note:- Attempt Five questions in all, ^{in English or Urdu} selecting four questions from Part I and One question from Part II. All questions carry equal marks.

Part I (Qanun-e-Shahdat)

I.

What is Confession? Give its kinds. When a confession will be inadmissible in evidence?

II.

Is a statement made by a deceased person that there was a marriage between him and a certain woman admissible in evidence to prove the legitimacy of his children?

III.

In a suit the defendant made an admission that he had hired certain articles from the plaintiff. But he adds that the articles have been returned to the plaintiff. On whom the burden of proof lies and why?

IV.

Explain estoppel and give its various kinds.

V.

"Admissions are not conclusive proof of matters admitted." Discuss fully.

VI.

Describe the various methods by which fact may be proved in a court and also give example of each.

VII.

Can a party to civil litigation show that a previous decree obtained by the opposite party against him was obtained by fraud, without bringing an independent suit to have the previous decree set aside?

VIII.

Explain the exceptions to the rule that admission by a stranger to a suit is not relevant.

Part II (Pleadings)

IX.

What is meant by pleadings? Discuss the fundamental rules and objects of pleadings.

X.

Draft a plaint on behalf of a wife for dissolution of marriage. Give sufficient reasons for dissolution.

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