

Study Circle Career Development Institute

JMFC Exam Course



JMFC Prelim Exam Orientation



महाराष्ट्र शासन

महाराष्ट्र लोकसेवा आयोग

विद्युत गोलक फ्लॉक, प्लॉट नंबर ३४, सरोवर विहार समीप, सेक्टर २२, सीबीडी बेलापूर, नवी मुंबई-४००६२४

०२२-५२३०५२००

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दिवाणी न्यायाधीश कनिष्ठ स्तर व न्यायदंडाधिकारी प्रथम वर्ग पूर्व परीक्षा - २०२२

क्रमांक : सीएमए-०४२३/सीआर-०१/२०२३/जाहिरात

जाहिरात क्रमांक : ०२६/२०२३

दिवाणी न्यायाधीश कनिष्ठ स्तर व न्यायदंडाधिकारी प्रथमवर्ग संवर्गातील ११४ पदांवरील भरतीकरीता महाराष्ट्र लोकसेवा आयोगामार्फत **शनिवार, दिनांक ०९ सप्टेंबर, २०२३** रोजी दिवाणी न्यायाधीश कनिष्ठ स्तर व न्यायदंडाधिकारी प्रथमवर्ग पूर्व परीक्षा २०२२ औरंगाबाद, मुंबई व नागपूर या जिल्हाकेंद्रांवर घेण्यात येईल.

- पूर्व परीक्षेच्या निकालाआधारे मुख्य परीक्षेच्या प्रवेशासाठी पात्र उरलेल्या उमेदवारांच्या मुख्य परीक्षेचा दिनांक स्वतंत्रपणे जाहीर करण्यात येईल.
- पूर्व परीक्षेचा निकाल अंतिम करेपर्यंतच्या कालावधीपर्यंत शासनाकडून सुधारित/अतिरिक्त मागणीपत्राद्वारे प्राप्त होणारी सर्व पदे पूर्व परीक्षेच्या निकालासाठी विचारात घेण्यात येतील व अशा सुधारित/अतिरिक्त मागणीपत्रांचा तपशील मुख्य परीक्षेच्या अधिसूचनेद्वारे उपलब्ध करून देण्यात येईल.
- प्रस्तुत जाहिरातीमध्ये विहित केलेल्या अटींची पूर्तता करणाऱ्या उमेदवारांकडून आयोगाच्या ऑनलाईन अर्ज प्रणालीद्वारे अर्ज मागविण्यात येत आहेत.

६. पात्रता :-

६.१ भारतीय नागरिकत्व

६.२ वयोमर्यादा, अर्हता, अनुभव, इत्यादी :-

अ.क्र.	पात्र प्रवर्ग	दिनांक १९ मे, २०२३ रोजी वय			शैक्षणिक अर्हता	अनुभव
		किमान अमावास्य/मागासवर्गीय	कमाल अमावास्य मागास वर्गीय			
१	नवीन विधी पदवीधर	२१	२५	३०	(१) विधी शाखेतील पदवी. सदर पदवी प्राप्त करण्यासाठी घेण्यात येणारी प्रत्येक परीक्षा प्रथम प्रयत्नात उत्तीर्ण करून पदवी प्राप्त केली असली पाहिजे आणि (२) विधी पदवीचे अंतिम वर्ष किंवा विधीमधील पदव्युत्तर पदवीचे अंतिम वर्ष (L.L.M.) किमान ५५ % इतक्या गुणांनी दिनांक १९ मे, २०२३, रोजी किंवा त्यापूर्वी उत्तीर्ण असणे आवश्यक	--
२	वकील, अटर्नी किंवा अधिवक्ता	२१	३५	४०	विधी शाखेतील पदवी	(१) मुंबई उच्च न्यायालय किंवा त्यास दुय्यम असलेल्या न्यायालयातील दिनांक १९ मे, २०२३, रोजी वकील, अटर्नी किंवा अधिवक्ता म्हणून किमान ३ वर्षांचा वकिली व्यवसायाचा अनुभव. (२) पब्लिक प्रॅक्टिसयुटर या पदावरील महाराष्ट्रातील सेवा न्यायालयीन व्यवसाय म्हणून समजली जाईल
३	सेवा कर्मचारी (Ministerial Staff) :- उच्च न्यायालयाच्या सेवा कर्मचारी वर्गाचे (Ministerial Staff) सदस्य, उच्च न्यायालयास दुय्यम असलेल्या न्यायालयाच्या सेवा कर्मचारी वर्गाचे (Ministerial Staff)	२१	४५	५०	विधी शाखेतील पदवी	विधी पदवी प्राप्तानंतर दिनांक १९ मे, २०२३, पर्यंत किंवा तत्पूर्वी किमान ३ वर्षांची सेवाझालेली असणे आवश्यक आहे.
	सदस्य, मंत्रालयाच्या विधी व न्याय विभागाच्या विधी विभागामध्ये विधी सहायक आणि त्यापेक्षा उच्च पदावर काम करणाऱ्या कर्मचारी वर्गाचे सदस्य, उच्च न्यायालय, शहर दिवाणी न्यायालय आणि जिल्हा न्यायालये यांमधील सरकारी वकीलांच्या कार्यालयातील सेवाकर्मचारी वर्गाचे (Ministerial Staff) सदस्य					

५. पूर्व परीक्षा: -

५.१ परीक्षा योजना:-

५.१.१ प्रश्नपत्रिका:- एक. प्रश्नपत्रिकेचा तपशील खालीलप्रमाणे आहे :-

विषय व संकेतांक	दर्जा	माध्यम	प्रश्नांची संख्या	एकूण गुण	कालावधी	परीक्षेचे स्वरूप
विहित कायदेविषयक ज्ञान (संकेतांक ५०२)	पदाला साजेसा	इंग्रजी	१००	१००	दोन तास	वस्तुनिष्ठ बहुपर्यायी

५.१.२ पूर्व परीक्षेचा अभ्यासक्रम:-

- | | |
|------------------------------------|--|
| (1) The Code of Criminal Procedure | (2) The Civil Procedure Code |
| (3)The Indian Evidence Act | (4)The Transfer of Property Act |
| (5)The Specific Relief Act | (6) The Maharashtra Rent Control Act |
| (7) The Limitation Act | (8) Constitution of India |
| (9) The Indian Penal Code | (10) The Law of Contract, The Sale of Goods Act and The Partnership Act. |

५.२. परीक्षा केंद्र:-

५.२.१ दिवाणी न्यायाधीश, कनिष्ठ स्तर व न्याय दंडाधिकारी प्रथम वर्ग, पूर्व व मुख्य परीक्षा खालील ठिकाणी घेण्यात येते:-

केंद्र	केंद्राचा संकेतांक
औरंगाबाद	१५
मुंबई	३०

केंद्र	केंद्राचा संकेतांक
नागपूर	३२

**Syllabus for Competitive Examination for recruitment to the posts of
Civil Judge (Junior Division)& Judicial Magistrate(First Class)(Main) Examination
under Judicial Service of the Government of Maharashtra.**

Standard : Suitable to the post

Nature of the paper : Conventional type

Medium : Marathi/English

Maximum Marks : 100

Duration : Three Hours

Paper-I

- (अ) सिविल प्रोसिजर कोड (Civil Procedure Code)
(ब) ट्रान्सफर ऑफ प्रॉपर्टी अॅक्ट (Transfer of Property Act)
(क) स्पेसिफिक रिलीफ अॅक्ट (Specific Relief Act)
(ड) लॉ ऑफ कॉन्ट्रक्ट्स, सेल ऑफ गुड्स अॅक्ट तसेच पार्टनरशीप अॅक्ट (Law of Contracts, Sale of Goods Act & Partnership Act.)
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Paper-II

- (अ) इंडियन पिनल कोड (Indian Penal Code)
(ब) एव्हिडन्स अॅक्ट (Evidence Act)
(क) कोड ऑफ क्रिमिनल प्रोसिजर (Code of Criminal Procedure)
(ड) अनुसूचित जाती, अनुसूचित जमाती [अत्याचार प्रतिबंधक] अधिनियम-1989 व नागरी हक्क संरक्षण अधिनियम - 1955 (Scheduled Castes & Scheduled Tribes [Prevention of Atrocities] Act-1989 And Protection of Civil Rights Act - 1955)
(इ) कायदेविषयक ताज्या घडामोडीबाबत निबंध (Essay On Current Legal Topic) [Approximately 800 Words]
-

मौखिक व व्यक्तीमत्व चाचणी - ५० गुण

Civil judge (Junior Div) & Judicial Magistrate (1st Class)

Preliminary Examination

- * Standard : Suitable to the post
- * Maximum Marks : 100
- * Medium : English
- * Duration : Two Hours
- * Nature of the paper : Objective type (multiple choice question)

- * **Syllabus for Competitive Examination to the post of recruitment for Civil judge (junior Division) & Judicial Magistrate (First Class) (Preliminary) Examination under judicial Service of the Government of Maharashtra .**
 - 1) Code of Criminal Procedure
 - 2) Civil Procedure Code
 - 3) Evidence Act
 - 4) Transfer of property Act
 - 5) Specific Relief Act
 - 6) Maharashtra Rent Control Act
 - 7) Limitation Act
 - 8) Constitution of India
 - 9) Indian penal Code
 - 10) Law of Contracts, Sale of Goods Act & Partnership

पूर्वपरीक्षेचा अभ्यासक्रम -

- १) कोड ऑफ क्रिमिनल प्रोसिजर
- २) सिव्हिल प्रोसिजर कोड
- ३) एव्हिडन्स अॅक्ट
- ४) ट्रान्सफर ऑफ प्रॉपर्टी अॅक्ट
- ५) स्पेसिफिक रिलिफ अॅक्ट
- ६) महाराष्ट्र रेंट कंट्रोल अॅक्ट
- ७) लिमिटेशन अॅक्ट
- ८) कॉन्स्टिट्युशन ऑफ इंडिया
- ९) इंडियन पिनल कोड
- १०) लॉ ऑफ कॉन्ट्रॅक्ट, सेल ऑफ गुड्स अॅक्ट अॅन्ड पार्टनरशिप अॅक्ट

Civil judge (Junior Div) & Judicial Magistrate (1st Class)

Preliminary Examination Result

<i>Year</i>	<i>vacancies</i>	<i>Prelim cut off</i>	<i>mains number</i>	<i>mains cut off</i>	<i>interview number</i>	<i>interview cut off</i>	<i>final cutoff First -Last</i>
2021/22	63/62	79.50	634	108	194	20	178-144
2020	74	64.00	764	107	227	20	178-141
2019	190	31.00	2047	101/91*	432	20	171-133
2017	75/50	-	-	100	-	20	155-124
2016	-	49.00	1340	100	-	20	155-124
2015	227	46.00	2383	100	547	20	167-131
2014	224	-	-	100	372	20	168-132
2011	51	52.00	1030	100	62	20	174-126
2010	75	62.00	506	100	128	20	161-120

* 2019

- 1) **CUTOFF MARKS - 101** - FOR OPEN CATEGORY CANDIDATES
(MINIMUM 50% MARKS IN EACH PAPER - AS PER RECRUITMENT RULES)
- 2) **CUTOFF MARKS - 91** - FOR BACKWARD CATEGORY CANDIDATES
(MINIMUM 45% MARKS IN EACH PAPER - AS PER RECRUITMENT RULES)

100 Points of JMFC Syllabus

(1) Code of Criminal Procedure, 1973

- 1) Background, Scheme, Scope & Salient Features (1-5)
- 2) Jurisdiction & Important Doctrines wrt Courts (6-25, 177-189)
- 3) Powers & Functions of Authorities & Bodies (36-105L)
- 4) Security For Keeping The Peace & For Good Behaviour (106-148)
- 5) Actions taken by The Police (149-189)
- 6) Proceedings (190-224, 460-473)
- 7) Trial Before a Court (225-271)
- 8) Evidence & General Provisions wrt Enquiries And Trials (272-352)
- 9) Judgment - Sentences (353 - 371, 413-450)
- 10) Appeals, Transfers, Revision & Miscellaneous (372-412, 474-484)

(2) Civil Procedure Code, 1908

- 11) Background, Scheme, Scope & Salient Features (1-8)
- 12) Suits - Institution, Plaint, Summons & Jurisdiction of the courts (9-35B)
- 13) Execution & Incidental proceedings - decree, commissions (36-78)
- 14) Suits in particular cases - by or against government (79-88)
- 15) Special & Supplemental proceedings - Settlement outside the court (89 -95)
- 16) Appeals (96-112)
- 17) Reference, review and revision & Special provisions (113-120)
- 18) Rules - Power of the high courts (121-131)
- 19) Miscellaneous - Exemption, restitution (132-158)
- 20) Schedules & Orders - Pleadings, Plaint & Written Statement

(3) Evidence Act,1872

- 21) Background, Scheme, Scope & Salient Features
- 22) Relevancy and Admissibility of Facts (5-55)
- 23) Proof - Facts Which Need Not Be Proved (56 - 58)
- 24) Oral Evidence (59-60)
- 25) Documentary Evidence & electronic records (61 - 90A)
- 26) The Exclusion Of Oral By Documentary Evidence (91 - 100)
- 27) The Burden Of Proof & Presumption (101 - 114)
- 28) Estoppel (115 - 117)
- 29) Witnesses (118 - 166)
- 30) Improper Admission And Rejection Of Evidence (167)

(4) Transfer of property Act, 1882

- 31) **Background, Scheme, Scope & Salient Features (1-4)**
- 32) **Transfers Of Property By Act Of Parties (5-53A)**
- 33) **Sales Of Immovable Property (54-57)**
- 34) **Mortgages Of Immovable Property (58-80)**
 - Rights And Liabilities Of Mortgagor (60-66)
 - Rights And Liabilities Of Mortgagee (67-77)
 - Priority (78-80)
- 35) **Mortgage - Suits, Charges (80-104)**
 - Marshalling And Contribution (81-82)
 - Deposit In Court (83-84)
 - Suits For Foreclosure, Sale Or Redemption (85-97)
 - Anomalous Mortgages (98 -99)
 - Charges (100-104)
- 36) **Leases Of Immovable Property (105-17)**
- 37) **Exchanges (118-121)**
- 38) **Gifts (122-129)**
- 39) **Transfers Of Actionable Claims (130-132)**
- 40) **Schedule (133-137)**

(5) Specific Relief Act, 1963

- 41) **Background, Scope & Salient features**
- 42) **Preliminary & Specific relief (1-4)**
- 43) **Recovering the possession (5-8)**
- 44) **Specific Performance of contracts (9-25)**
- 45) **Enforcement of awards**
- 46) **Rectification of instruments (26)**
- 47) **Rescission of Contracts (27-30)**
- 48) **Cancellation of the contracts (31-33)**
- 49) **Declaratory decrees (34-35)**
- 50) **Preventive relief & Injunctions (36-44)**

(6) Maharashtra Rent Control Act, 1999

- 51) **History of evolution of the Maharashtra Rent Act, 1999**
- 52) **Preliminary (1-7)**
- 53) **Provisions Regarding Fixation Of Standard Rent And Permitted Increases (8-14)**
- 54) **Relief Against Forfeiture (15)**
- 55) **Recovery Of Possession (16 -22)**
- 56) **Special Provisions For Recovery Of Possession In Certain Cases (23-24)**
- 57) **Provisions Regarding Sub-Tenancies And Other Matters Concerning Tenancies (25-32)**
- 58) **Provisions wrt Jurisdiction Of Courts, Suits, Appeals, Practice & Procedure (33-38)**
- 59) **Summary Disposal Of Certain Applications (39-52)**
- 60) **Miscellaneous (53-60)**

(7) Limitation Act, 1963

- 61) Background, Scheme & Scope - Definitions & Important Sections
- 62) Preliminary (1-2)
- 63) Limitation of Suits, Appeals and Applications (3-11)
- 64) Computation of period of limitation (12-24)
- 65) Acquisition of ownership by possession (25-27)
- 66) Powers & Functions of Authorities
- 67) Procedures - Appeals & Other Important Provisions
- 68) Miscellaneous (28-32)
- 69) Jurisdiction & Important Doctrines
- 70) Schedules & period of Limitations

(8) Constitution of India

- 71) Principles of Natural Justice
- 72) Rule of law
- 73) FRs & HRs
- 74) Legislature
- 75) Executive Branch
- 76) Supreme court
- 77) High court
- 78) Tribunals & Commissions
- 79) Evolution & Amendments of Constitution
- 80) Miscellaneous

(9) Indian penal Code

- 81) Background, Scheme & Scope - Definitions & Important Sections
- 82) Salient Features & Important Definitions (1-52)
- 83) Punishments and General Exceptions (53-106)
- 84) Abetment & Criminal Conspiracy (107-120B)
- 85) Offences against the State (121-140)
- 86) Crimes against Public Tranquillity (141-298)
- 87) Crimes against the Human Body (299-377)
- 88) Crimes against Property (378-462)
- 89) Offences relating to Documents (463-492)
- 90) Offences Relating to Marriage & criminal intimidation (493-511)

(10) Law of Contracts, Sale of Goods Act & Partnership Act

1) Law of Contracts 1872

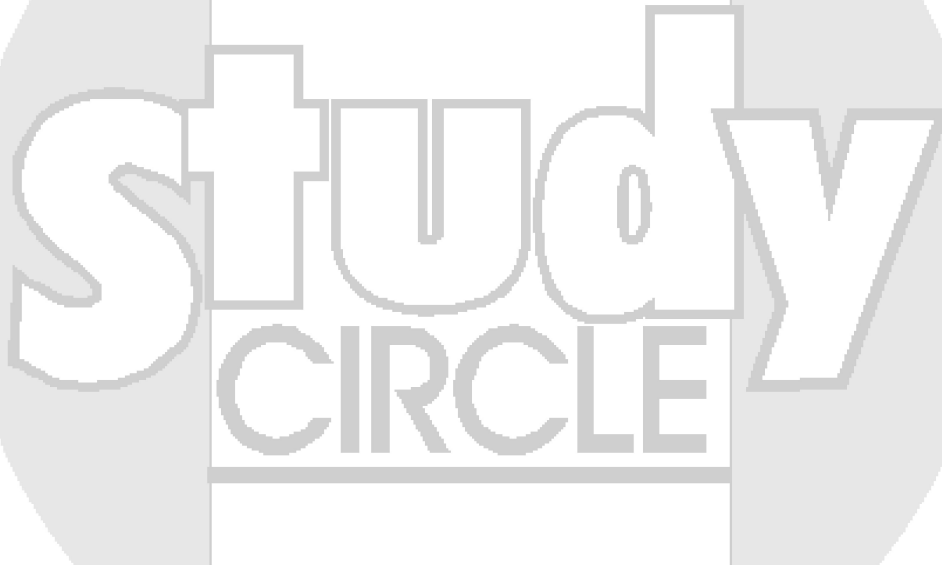
- 91) Scope - Definitions
- 92) Effects & performance of the contract
- 93) Rights of unpaid seller against the goods
- 94) Suits for the breach of the contract

2) Sale of Goods Act, 1930

- 95) Definitions - Concept of sale
- 96) Powers & Functions of Authorities & Procedures
- 97) Rules regarding delivery of goods

3) The Indian Partnership Act, 1932

- 98) Definitions - Nature of partnership
- 99) The Limited Liability Partnership, 2008
- 100) Important cases



JMFC Preliminary Examination 2023
Topics & Subtopics of the Syllabus
Preparation & Guidance

* **MPSC has notified 10 Acts for the selection of law graduates for the Main Examination conducted for JMFC cadre in Maharashtra Judiciary.**

- 1) Code of Criminal Procedure, 1973
- 2) Civil Procedure Code, 1908
- 3) Evidence Act, 1872
- 4) Transfer of property Act, 1882
- 5) Specific Relief Act, 1963
- 6) Maharashtra Rent Control Act, 1999
- 7) Limitation Act, 1963
- 8) Constitution of India
- 9) Indian penal Code, 1860
- 10) Law of Contracts 1872, Sale of Goods Act 1930 & Indian Partnership Act 1932

* **For the sake of simplicity and effectivity of the study each Act can be reorganised into 10 Topics and subtopics.**

JMFC Prelim Examination Papers (2009-2020)

Qs asked on various Acts

<i>Acts</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2019</i>	<i>2020</i>	<i>2022</i>
1) Code of Criminal Procedure	11	12	10	13	10	12	9	11	12	10	10
2) Civil Procedure Code	11	12	10	7	10	10	13	9	11	12	12
3) Evidence Act	8	10	8	10	11	7	10	11	10	11	12
4) Transfer of property Act	10	10	11	10	7	11	10	10	9	11	10
5) Specific Relief Act	10	05	9	10	10	10	6	9	8	5	5
6) Maharashtra Rent Control Act	6	10	10	9	11	10	7	10	12	10	10
7) Limitation Act	11	09	10	10	9	9	11	10	5	10	8
8) Constitution of India	11	10	10	8	11	10	10	12	11	9	10
9) Indian penal Code	12	11	13	12	11	13	12	10	12	11	12
10) Law of Contracts, etc.	10	11	9	11	10	8	12	8	10	11	11
Total	100	100	100	100	100	100	100	100	100	100	100

JMFC Prelim Exam Analysis 2022

(1) Code of Criminal Procedure, 1973 / 10

- 1) **Background, Scheme, Scope & Salient Features (1-5) /1**
- 2) **Jurisdiction & Important Doctrines wrt Courts (6-25, 177-189) /4**
- 3) *Powers & Functions of Authorities & Bodies (36-105L)*
- 4) *Security For Keeping The Peace & For Good Behaviour (106-148)*
- 5) *Actions taken by The Police (149-189)*
- 6) **Proceedings (190-224, 451-473) /2**
- 7) *Trial Before a Court (225-271)*
- 8) **Evidence & General Provisions wrt Enquiries And Trials (272-352) /2**
- 9) **Judgment - Sentences (353 - 371, 413-450) /1**
- 10) *Appeals, Transfers, Revision & Miscellaneous (372-412, 474-484)*

1) Background, Scheme, Scope & Salient Features (1-5) /1

Chapter - (1) Preliminary (1-5)

- 1) 'Complaint' means :
 - 1) A police report
 - 2) A report made by a police officer in a case which discloses, after investigation, the commission of a non-cognizable offence
 - 3) A complaint made to an officer-in-charge of a police station
 - 4) None of the above

2) Jurisdiction & Important Doctrines wrt Courts (6-25, 177-189) /4

Chapter - (2) Constitution Of Criminal Courts And Offices (6-25)

Chapter - (3) Power Of Courts (26-35)

Chapter - (13) Jurisdiction Of The Criminal Courts In Inquiries And Trials (177-189)

- 1) The expression "District Judge" includes :
 - 1) Judge of a City Civil Court
 - 2) Chief Judge of a Small Cause Court
 - 3) Chief Presidency Magistrate
 - 4) All of the above
- 2) A search-warrant for persons wrongfully confined may be issued by :
 - 1) District Magistrate
 - 2) Sub-Divisional Magistrate
 - 3) Magistrate of the First class
 - 4) All of the above
- 3) A Magistrate of the First class may, for the reasons to be recorded by him, stop the proceedings at any stage :
 - 1) In any warrant-case
 - 2) In any summons-case
 - 3) When the proceedings have been instituted upon complaint
 - 4) None of the above

- 4) "Warrant case" means a case relating to an offence punishable with imprisonment for a term :
- 1) One year
 - 2) Two years
 - 3) Exceeding two years
 - 4) None of the above

3) Powers & Functions of Authorities & Bodies (36-105L)

Chapter - (4) Powers Of Superior Officers Of Police and Aid To The Magistrates And The Police (36-40)

Chapter - (5) Arrest Of Persons (41-60)

Chapter - (6) Processes To Compel Appearance (61 - 90)

Chapter - (7) Processes To Compel The Production Of Things (91-105)

Chapter - (7A) Reciprocal Arrangements For Assistance In Certain Matters And Procedure For Attachment And Forfeiture Of Property (105A-L)

Chapter - (33) Provisions As To Bail And Bonds (436 - 450)

Chapter - (36) Limitation For Taking Cognizance Of Certain Offences (467 - 473)

4) Security For Keeping The Peace & For Good Behaviour (106-148)

Chapter - (8) Security For Keeping The Peace & For Good Behaviour (106-124)

Chapter - (9) Order For Maintenance Of Wives, Children And Parents (125-128)

Chapter - (10) Maintenance Of Public Order & Tranquillity (129-148)

5) Actions taken by The Police (149-189)

Chapter - (11) Preventive Action Of The Police (149-153)

Chapter - (12) Information To Police & Their Powers To Investigate (154- 176)

Chapter - (13) Jurisdiction Of The Criminal Courts In Inquiries And Trials (177-189)

6) Proceedings (190-224, 451-473) /2

Chapter - (14) Conditions Requisite For Initiation Of Proceedings (190-199)

Chapter - (15) Complaints To Magistrates (200-203)

Chapter - (16) Commencement Of Proceedings Before Magistrates (204-210)

Chapter - (17) The Charge (211-224)

Chapter - (34) Disposal Of Property (451 - 459)

Chapter - (35) Irregular Proceedings (460 - 466)

Chapter - (36) Limitation For Taking Cognizance Of Certain Offences (467- 473)

- 1) If the complaint is made to a Magistrate who is not competent to take cognizance of the offence, he shall
 - 1) Dismiss the complaint
 - 2) Return it for presentation to the proper court
 - 3) Hold the inquiry or trial
 - 4) None of the above

- 2) Irregularities which vitiate proceedings :
 - 1) To make over a case under sub-section (2) of Section 192
 - 2) To tender a pardon under Section 306
 - 3) To sell property under Section 458 or Section 459
 - 4) None of the above

7) Trial Before a Court (225-271)

Chapter - (18) Trial Before A Court Of Session (225 -237)

Chapter - (19) Trial Of Warrant-Cases By Magistrates (238-250)

Chapter - (20) Trial Of Summons-Cases By Magistrates (251-259)

Chapter - (20A) Summary Trials (260-265)

Chapter - (21) Plea Bargaining (265A-L)

Chapter - (22) Attendance Of Persons Confined Or Detained In Prisons (266-271)

8) Evidence & General Provisions wrt Enquiries And Trials (272-352) /2

Chapter - (23) Evidence In Inquiries And Trials (272 -299)

Chapter - (24) General Provisions As To Enquiries And Trials (300 -327)

Chapter - (25) Provisions As To Accused Persons Of Unsound Mind (328 -339)

Chapter - (26) Provisions As To Offences Affecting The Administration Of Justice (340-352)

- 1) Section 306 Tender of Pardon to accomplice applies to :
 - 1) Any offence triable exclusively by the Court of session
 - 2) Any offence triable exclusively by the Court of a Special Judge appointed under the Criminal Law Amendment Act 1952
 - 3) Any offence punishable with imprisonment which may extend to seven years
 - 4) All of the above
- 2) No offence under Section 320 of Code of Criminal Procedure 1973 shall be compounded.
 - 1) When the person who would otherwise be competent to compound an offence U/S 320 is under the age of eighteen years
 - 2) When the person who would otherwise be competent to compound an offence U/S 320 is an idiot
 - 3) When the person who would otherwise be competent to compound an offence U/S 320 is a lunatic
 - 4) If the accused, by reason of a previous conviction, is liable to enhanced punishment

9) Judgment - Sentences (353 - 371, 413-450) /1

Chapter - (27) The Judgment (353 -365)

Chapter - (28) Submission Of Death Sentences For Confirmation (366 - 371)

Chapter - (32) Execution, Suspension, Remission And Commutation Of Sentences (413 - 435)

Chapter - (33) Provisions As To Bail And Bonds (436 - 450)

- 1) The Magistrate may award compensation to persons groundlessly arrested not exceeding
 - 1) One thousand rupees
 - 2) Three thousand rupees
 - 3) Five thousand rupees
 - 4) Ten thousand rupees

10) Appeals , Transfers, Revision & Miscellaneous ((372-412, 474-484)

Chapter - (29) Appeals (372-394)

Chapter - (30) Reference And Revision (395 - 405)

Chapter - (31) Transfer Of Criminal Cases (406 - 412)

Chapter - (37) Miscellaneous (474 - 484)

(2) Civil Procedure Code, 1908 / 12

- 11) **Background, Scheme, Scope & Salient Features (1-8) /1**
- 12) **Suits - Institution, Complaint, Summons & Jurisdiction of the courts (9-35B)/4**
- 13) **Execution & Incidental proceedings - decree, commissions (36-78)/2**
- 14) *Suits in particular cases - by or against government (79-88)*
- 15) **Special & Supplemental proceedings - Settlement outside the court (89 -95)/1**
- 16) **Appeals (96-112) /2**
- 17) *Reference, review and revision & Special provisions (113-120)*
- 18) *Rules - Power of the high courts (121-131)*
- 19) *Miscellaneous - Exemption, restitution (132-158)*
- 20) **Schedules & Orders - Pleadings, Complaint & Written Statement /2**

11) Background, Scheme, Scope & Salient Features /1

(a) Cause of Action (1 to 8)

- 1) A person entitled to the possession of specific moveable property may recover it in the manner provided by :
 - 1) Transfer of Property Act, 1882
 - 2) Sale of Goods Act, 1930
 - 3) The code of Criminal Procedure, 1973
 - 4) The code of Civil Procedure, 1908

12) Suits - Institution, Complaint, Summons & Jurisdiction of the courts /4

Part (1) Suits in general (9 - 35B)

- (b) A suit is **instituted** (Order 4) by **drafting** (Order 1, 6 & 7) and presenting a **complaint** (Order 4). Here **Prayer** is made for relief applying. (Order 2)
Section 26 is read with (hereinafter referred as r/w) **Order 4** providing for manner of **commencing a suit**.
- (c) **Issue of Summons to Defendant. (Order 5)**
Section 27 to 32 is to be r/w **Order 5** as it deals with all the provisions regarding **summons**.
- (d) **Written Statement is prepared by defendant applying rules of order 6 & 8**
Additional Written statement, Replication & Rejoinder
- (e) **Consequence on the suit of appearance or non appearance of parties (Order 9)**
- (f) **Settlement of issues (Order 14)**
- (g) **Disposal at First hearing (Order 12 & 15)**
Proceeding with the trial (Order 18)
- (h) **Judgement & Decree (Order 20)**
Section 33 is r/w **Order 20** to provide for rules regarding drafting and pronouncement of a **Judgement** and provisions for drawing of a **Decree** and for its contents and the sequence of their existence in a suit.
- (i) **Execution (Order 21)**
Section 35 to 35B talks about cost generally **compensatory cost** and cost for delay, and is to be r/w with **Order 21**.

- 1) Where a suit is for the recovery of possession of immovable property and for mesne profits, the court may pass a decree directing an inquiry as to mesne profits from :
 - 1) The date of dispossession of the property until the delivery of possession to the decree-holder
 - 2) The institution of the suit until the delivery of possession to the decree-holder
 - 3) The date of decree until the delivery of possession to the decree-holder
 - 4) The date of judgement until the delivery of possession to the decree-holder

- 2) In a suit preventive relief is granted :
 - a) by temporary injunction
 - b) by perpetual injunction
 - c) by declaration of right
 - d) All of the above

Answer Options :

 - 1) Only (d) is correct
 - 2) Only (a) is correct
 - 3) Only (b) and (c) are correct
 - 4) Only (a) and (b) are correct

- 3) The plaint shall be rejected in the following case:
 - 1) Where plaint does not disclose effect of document
 - 2) Failure to amend the plaint after order
 - 3) Where plaint is not filed in duplicate
 - 4) All of the above

- 4) The court may frame the issues from the materials :
 - 1) Allegations made on oath by the parties
 - 2) Allegations made by the pleaders of such parties
 - 3) The contents of the documents produced by either party
 - 4) All of the above

13) Execution & Incidental proceedings - decree, commissions /2

Part (2) Execution (36-74)

Part (3) Incidental proceedings (75-78)

*Section 36 to 74 provides for the provisions regarding the **execution of decree** and is r/w **Order 21** having 106 rules (maximum number of rules in any Order in CPC).*

*Sections 75 to 78 provides for the provisions to issue **Commissions** for the purpose as provided under Section 75 and is to be r/w **Order 26***

- 1) "Decree" includes :
 - 1) Any adjudication from which an appeal lies as an appeal from an order
 - 2) The determination of any question within Section 144
 - 3) Any order of dismissal for default
 - 4) All of the above

- 2) Consider the following statements :

Statement (I) : The court may appoint a receiver before decree
Statement (II) : The court cannot appoint a receiver after decree

 - 1) Statement (I) is correct, (II) is incorrect
 - 2) Statement (II) is correct, (I) is incorrect
 - 3) Both statements are correct
 - 4) Both statements are incorrect

14) Suits in particular cases - by or against government

Part (4) Suits in particular cases (79-88)

*Part IV contains provisions regarding some **special procedures** and steps to be taken for the suits containing some speciality, such as party being Government of India or of any State or if the suit is Inter-pleader and is to be r/w **Order 27 to Order 35**, as the case may be.*

15) Special & Supplemental proceedings - Settlement outside the court/1

Part (5) Special proceedings (89-93)

Part (6) Supplemental proceedings (94-95)

*Part V is containing the provisions regarding **Friendly Suits** as provided under **Section 90** to be r/w **Order 36** or about settling the dispute out of court as given under **Section 89** to be r/w **Order 10** and also provides for suits related to Public Nuisance & Public Trusts under **Section 91 & Section 92** respectively.*

*Part VI, **Section 94** provides for supplementary proceedings in the nature of Interlocutory Order and is r/w **Order 39**, Rules 6 to 10.*

- 1) No order for detention of the judgement debtor in civil prison in execution of a decree for the payment of money shall be made, where the total amount of the decree does not exceed.
- | | |
|-------------------------|--------------------------|
| 1) Ten thousand rupees | 3) Three thousand rupees |
| 2) Five thousand rupees | 4) Two thousand rupees |

16) Appeals /2

Part (7) Appeals (96-112)

*Part VII, **Sections 36 to 112** contains provisions for appeals providing for where an appeal can be preferred, what are the bars in the appeal, number of appeals etc and is to be r/w **Order 41 to 45***

- 1) An appeal shall lie from a decree or order made by the court of small causes Mumbai :
- 1) To City Civil Court Mumbai
 - 2) To a bench of two judges of the Court of small causes, Mumbai
 - 3) To Chief Metropolitan Magistrate
 - 4) To High Court Mumbai
- 2) An appeal may not lie from :
- 1) An original decree passed exparte
 - 2) A decree passed by the court with the consent of parties
 - 3) A preliminary decree
 - 4) None of the above

17) Reference, review and revision & Special provisions

Part (8) Reference, review and revision (113-115)

Part (9) Special provisions wrt high courts not being the court of a judicial commissioner (116-120)

*Part VIII, **Section 113 to 115** r/w **Order 46 and 47** contains remedies in the nature of reference,*

review and revision.

18) Rules - Power of the high courts

Part (10) Rules (121-131)

19) Miscellaneous - Exemption, restitution

Part (11) Miscellaneous (132-158)

Part IX, X and XI containing Sections 116 to 158 are such miscellaneous provisions that exhaust the powers of the courts to do various activities as and when required in the proceedings and is essential in any suit to be used to reach to a decision in totality, such as a right to file Caveat, to amend Order or provisions for the Courts to use Inherent Powers, General Powers to amend the Orders or Judgement, etc.

20) Amendments, Schedules & Orders- Pleadings, Plaintiff & Written Statement /2

- 1) Consider the following statements :
Statement (I) : "Pleading" shall mean plaintiff
Statement (II) : "Pleading" shall mean written statement
 - 1) Statement (I) is correct, (II) is incorrect
 - 2) Statement (II) is correct, (I) is incorrect
 - 3) Both statements are correct
 - 4) Both statements are incorrect
- 2) Where any period is fixed or granted by the court for doing of any act prescribed or allowed by the court, the court has discretion to enlarge such period not exceeding :
 - 1) One hundred days in total
 - 2) Ninety days in total
 - 3) Sixty days in total
 - 4) Thirty days in total

(3) Evidence Act, 1872 / 12

- 21) Background, Scheme, Scope & Salient Features /1**
- 22) Relevancy and Admissibility of Facts (5-55) /4**
- 23) Proof - Facts Which Need Not Be Proved (56 - 58)**
- 24) Oral Evidence (59-60) /1**
- 25) Documentary Evidence & electronic records (61 - 90A) /2**
- 26) The Exclusion Of Oral By Documentary Evidence (91 - 100) /1**
- 27) The Burden Of Proof & Presumption (101 - 114)**
- 28) Estoppel (115 - 117)**
- 29) Witnesses (118 - 166) /3**
- 30) Improper Admission And Rejection Of Evidence (167)**

21) Background, Scheme, Scope & Salient Features

- 1) When the person to whom the proposal is made signifies his assent thereto, the proposal is said to be accepted. A proposal, (Section 2(h) of the Indian Contract Act, 1872) when accepted becomes a :
 - 1) agreement
 - 2) contract
 - 3) promise
 - 4) agreement to sale

22) Relevancy and Admissibility of Facts (5-55) / 4

- 1) Any fact is relevant which shows or constitutes
 - 1) A motive
 - 2) Preparation for any fact in issue
 - 3) Relevant fact
 - 4) All of the above
- 2) Whose opinion as to electronic signature is a relevant fact :
 - 1) Of a person whose electronic signature is questioned
 - 2) Of the Certifying Authority which has issued the Electronic Signature Certificate
 - 3) Of Expert
 - 4) All of the above
- 3) Consider the following statements :

Statement (I) : In criminal proceedings, the fact that the person accused is of a good character, is relevant.

Statement (II) : In criminal proceedings, the fact that the accused person has a bad character, is relevant.

 - 1) Statement (I) is correct, (II) is incorrect
 - 2) Statement (II) is correct, (I) is incorrect
 - 3) Both statements are incorrect
 - 4) Both statements are correct
- 4) When a party refuses to produce a document which he has had notice to produce,
 - 1) he can afterwards use the document as evidence without the consent of the other party.
 - 2) he cannot afterwards use the document as evidence without the consent of the other party.
 - 3) he can afterwards use the document as evidence without the order of the court.
 - 4) None of the above

23) Proof - Facts Which Need Not Be Proved (56 - 58)

24) Oral Evidence (59-60) / 1

- 1) Which confession can be proved as against a person accused of any offence ?
 - 1) A confession made to a police officer.
 - 2) A confession made in the immediate presence of a magistrate.
 - 3) A confession made to Police Inspector.
 - 4) All of the above

25) Documentary Evidence & electronic records (61 - 90A) / 2

- 1) Secondary evidence means and includes :
 - 1) Where a document is executed in several parts, each part of the document
 - 2) Where a document is executed in counterpart, each counterpart executed by one or some of the parties only
 - 3) Counterparts of documents as against the parties who did not execute them
 - 4) Where a number of documents are all made by one uniform process
- 2) Public documents mean and include :
 - 1) Books of accounts of partnership firm.
 - 2) Books of accounts of proprietary firm.
 - 3) Statement of loan account of borrower of Finance Institution.
 - 4) Public records kept (in any state) of private documents.

26) The Exclusion Of Oral By Documentary Evidence (91 - 100) /1

- 1) The endorsement made on the document admitted in evidence shall be signed or initialled by :
 - 1) The party who has tendered the document in evidence
 - 2) An advocate of the party who has tendered the document in evidence
 - 3) The Judge
 - 4) The clerk of the court

27) The Burden Of Proof & Presumption (101 - 114)

28) Estoppel (115 - 117)

29) Witnesses (118 - 166) /3

- 1) Leading question means
 - 1) Question which does not suggest the answer
 - 2) Question which suggests the answer
 - 3) Question which leads to discovery of any fact
 - 4) All of the above
- 2) When a witness is cross-examined, he may be asked questions which tend :
 - 1) To test his veracity
 - 2) To discover who he is and what is his position in life
 - 3) To shake his credit
 - 4) All of the above
- 3) A witness may refresh his memory :
 - 1) by referring to any writing made by himself at the time of transaction.
 - 2) by referring to any such writing made by any other person.
 - 3) by reference to any document, he may refer to a copy of such document.
 - 4) All of the above

30) Improper Admission And Rejection Of Evidence (167)

(4) Transfer of property Act, 1882 /10

- 31) *Background, Scheme, Scope & Salient Features (1-4)*
- 32) **Transfers Of Property By Act Of Parties (5-53A) / 4**
- 33) **Sales Of Immovable Property (54-57) /1**
- 34) **Mortgages Of Immovable Property (58-80)/1**
 - Rights And Liabilities Of Mortgagor (60-66)
 - Rights And Liabilities Of Mortgagee (67-77)
 - Priority (78-80)

- 35) Mortgage - Suits, Charges (80-104) /1**
Marshalling And Contribution (81-82)
Deposit In Court (83-84)
Suits For Foreclosure, Sale Or Redemption (85-97)
Anomalous Mortgages (98 -99)
Charges (100-104)
- 36) Leases Of Immovable Property (105-17) /1**
37) Exchanges (118-121)
- 38) Gifts (122-129) /1**
- 39) Transfers Of Actionable Claims (130-132)/1**
40) Schedule (133-137)

31) Background, Scheme, Scope & Salient Features (1-4)

32) Transfers Of Property By Act Of Parties (5-53A) / 2

- 1) In which transfer, right to enjoy such property transfers (Section 5 Transfer of Property Act, 1882) ?
- 1) Sale 2) Mortgage 3) Lease 4) None of the above
- 2) Which of the following proposition (Section 6 of TPA, 1882) is correct ?
- 1) A right to future maintenance can be transferred.
2) A mere right to sue can be transferred.
3) A public office cannot be transferred.
4) (1) and (2) above.
- 3) Where, on a transfer of property, an interest therein is created in favour of a person to take effect only on the happening of a specified uncertain event (Section 21 Transfer of Property Act, 1882) is called :
- 1) rule against perpetuity. 2) contingent interest.
3) vested interest 4) none of the above.
- 4) Every transfer of immovable property made with intent to defeat or delay the creditors of the transferor ((Section 53 Transfer of Property Act, 1882)) is called
- 1) transfer by ostensible owner. 2) valid transfer.
3) voidable transfer. 4) fraudulent transfer.

33) Sales Of Immovable Property (54-57) / 1

- 1) Which of the following proposition (section 55 in The Transfer of Property Act, 1882)is correct?
- 1) To disclose to the buyer any material defect in the property.
2) To produce to the buyer on his request for examination all documents of title relating to property.
3) To pay all public charges and rent accrued due in respect of the property upto the date of sale.
4) All above are correct.

34) Mortgages Of Immovable Property (58-80) / 1

Rights And Liabilities Of Mortgagor (60-66)

Rights And Liabilities Of Mortgagee (67-77)

Priority (78-80)

- 1) Definition of mortgage is given in :
 - 1) Section 57 of the Transfer of Property Act.
 - 2) Section 58 of the Transfer of Property Act.
 - 3) Section 59 of the Transfer of Property Act.
 - 4) Section 60 of the Transfer of Property Act.

35) Mortgage - Suits, Charges (80-104) /1

Marshalling And Contribution (81-82)

Deposit In Court (83-84)

Suits For Foreclosure, Sale Or Redemption (85-97)

Anomalous Mortgages (98 -99)

Charges (100-104)

- 1) Where a person in the town of Bombay, delivers to a creditor documents of title to immovable property, with intent to create a security thereon, the transaction is called :
 - 1) mortgage by conditional sale.
 - 2) simple mortgage.
 - 3) english mortgage.
 - 4) mortgage by deposit of title deeds.

36) Leases Of Immovable Property (105-117) /1

- 1) Provision for determination of lease is given in
 - 1) Section 109 of the Transfer of Property Act.
 - 2) Section 110 of the Transfer of Property Act.
 - 3) Section 111 of the Transfer of Property Act.
 - 4) Section 112 of the Transfer of Property Act.

37) Exchanges (118-121) / 1

38) Gifts (122-129) /1

- 1) The transfer of certain existing immovable property voluntarily and without consideration is called:
 - 1) lease
 - 2) mortgage
 - 3) pledge
 - 4) gift

39) Transfers Of Actionable Claims (130-132) / 1

- 1) The transfer of an actionable claim shall be effected:
 - 1) Only by oral
 - 2) Only by the execution of an instrument in writing signed by the transferor
 - 3) By partly oral and partly by execution of an instrument in writing
 - 4) None of the above

40) Schedule (133-137)

(5) Specific Relief Act, 1963 / 5

- 41) **Background, Scope & Salient features /1**
- 42) *Preliminary & Specific relief (1-4)*
- 43) **Recovering the possession (5-8) /1**
- 44) **Specific Performance of contracts (9-25) /2**
- 45) *Enforcement of awards*
- 46) *Rectification of instruments (26)*
- 47) **Recession of Contracts (27-30) /1**
- 48) *Cancellation of the contracts (31-33)*
- 49) *Declaratory decrees (34-35)*
- 50) **Preventive relief & Injunctions (36-44) /1**

41) Background, Scope & Salient features /1

- 1) *In view of amendment in the year 2018, which of the following objects of the Specific Relief Act, 1963, has been amended ?*
 - 1) *Grant of specific performance as an exception.*
 - 2) *Grant of specific performance as a general rule.*
 - 3) *Awarding damages as a general rule.*
 - 4) *Awarding damages as an exception.*

42) Preliminary & Specific relief (1-4)

43) Recovering the possession (5-8)

- 1) No suit under Section 6 of the Specific Relief Act, 1963 shall be brought
 - 1) after the expiry of six months from the date of dispossession.
 - 2) after the expiry of six months from the date of dispute between parties.
 - 3) after the expiry of one year from the date of dispossession.
 - 4) none of the above.

44) Specific Performance of contracts (9-25) /1

- 1) Provision for who may obtain specific performance is given in :
 - 1) Section 14 of Specific Relief Act.
 - 2) Section 14-A of Specific Relief Act.
 - 3) Section 15 of Specific Relief Act.
 - 4) Section 16 of Specific Relief Act.
- 2) Provision for substituted performance of contract is given in
 - 1) Section 18 of the Specific Relief Act.
 - 2) Section 19 of the Specific Relief Act.
 - 3) Section 20 of the Specific Relief Act.
 - 4) Section 20-A of the Specific Relief Act.

45) Enforcement of awards

46) Rectification of instruments (26)

47) Recession of Contracts (27-30) /1

- 1) The court may refuse to rescind the contract (Section 27 Specific Relief Act, 1963):
 - 1) where the plaintiff has not ratified the contract
 - 2) where third parties have not acquired rights in good faith
 - 3) where only a part of the contract is sought to be rescinded and such part is not severable from the rest of contract
 - 4) all the above

48) Cancellation of the contracts (31-33)

49) Declaratory decrees (34-35)

50) Preventive relief & Injunctions (36-44) /2

- 1) No injunction (Sections 20A and 41(ha) Specific Relief Act, 1963 (SRA)) shall be granted by a court in a suit under Specific Relief Act, 1963 involving a contract relating to :
 - 1) private project work
 - 2) domestic project
 - 3) very old project
 - 4) an infrastructure project

(6) Maharashtra Rent Control Act, 1999 /10

- 51) **History of evolution of the Maharashtra Rent Act / 1**
- 52) **Preliminary (1-7) / 1**
- 53) **Provisions Regarding Fixation Of Standard Rent And Permitted Increases (8-14) /2**
- 54) **Relief Against Forfeiture (15) /1**
- 55) **Recovery Of Possession (16 -22) /2**
- 56) **Special Provisions For Recovery Of Possession In Certain Cases (23-24) /1**
- 57) *Sub-Tenancies And Other Matters Concerning Tenancies (25-32)*
- 58) **Provisions wrt Jurisdiction Of Courts, Suits, Appeals, Practice & Procedure (33-38) /2**
- 59) *Summary Disposal Of Certain Applications (39-52)*
- 60) *Miscellaneous (53-60)*

51) History of evolution of the Maharashtra Rent Act, 1999/ 1

- 1) On the commencement of the Maharashtra Rent Control Act, 1999 the following laws shall stand repealed :
 - 1) the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.
 - 2) the Central Provinces and Berar Regulation of Letting of Accommodation Act, 1946.
 - 3) the Hyderabad Houses (Rent, Eviction and Lease) Control Act, 1954.
 - 4) all the above.
- 2) The provisions of the Maharashtra Rent Control Act, 1999 shall not apply :
 - 1) to any private premises
 - 2) to lodge and hotel
 - 3) to any premises belonging to the government
 - 4) none of the above

52) Preliminary (1-7) /1

- 1) The provisions of the Maharashtra Rent Control Act, 1999 shall, in the first instance, apply to premises let for the purpose of residence, education, business, trade or storage in the areas specified in :
 - 1) the notification issued by State of Maharashtra.
 - 2) section 57 of this Act.
 - 3) the order issued by State of Maharashtra.
 - 4) schedule I and schedule II

53) Fixation Of Standard Rent And Permitted Increases (8-14) /2

- 1) Standard rent in relation to any premises means -
 - 1) rent fixed by the court.
 - 2) rent fixed by the tenant.
 - 3) rent fixed as per schedule.
 - 4) all the above.

54) Relief Against Forfeiture (15) /1

55) Recovery Of Possession (16-22) /2

- 1) As given in section 53 of the Maharashtra Rent Control Act, 1999 the offences under the following section is cognizable
 - 1) Section 17
 - 2) Section 22
 - 3) Section 24
 - 4) Section 25

56) Special Provisions For Recovery Of Possession In Certain Cases (23-24)/1

57) Sub-Tenancies And Other Matters Concerning Tenancies (25-32)

- 1) When sub-tenants (Section 25 Maharashtra Rent Control Act) can become tenants :
 - 1) after determination of tenancy though it is sub-let illegally.
 - 2) after completing a period of one year as sub-tenant.
 - 3) after completing a period of two years as sub-tenant.
 - 4) when the interest of a tenant of any premises is determined for any reason, any sub-tenant to whom the premises have been lawfully sub-let.
- 2) The landlord shall be entitled to inspect the premises let or given on licence (Section 28 Maharashtra Rent Control Act) :
 - 1) at after every interval of six months.
 - 2) at a reasonable time after giving prior notice to the tenant.
 - 3) at the beginning of lease agreement.
 - 4) at the end of lease agreement.
- 3) By which calender (Section 32 Maharashtra Rent Control Act), rent shall be recovered ?
 - 1) Marathi calendar
 - 2) Devanagari calendar
 - 3) British calendar
 - 4) As per terms and condition of contract

58) Provisions wrt Jurisdiction Of Courts, Suits, Appeals & Procedure (33-38)

- 1) As per section 33 of the Maharashtra Rent Control Act, 1999 the jurisdiction of the court for the area of Brihan Mumbai is :
- 1) City Civil Court, Mumbai.
 - 2) Metropolitan Magistrate, Mumbai.
 - 3) Court of Small Causes, Mumbai.
 - 4) The Court in which the property is situated.

59) Summary Disposal Of Certain Applications (39-52)

60) Miscellaneous (53-60)

- 1) As per following section tenancy agreement to be compulsorily registered :
- 1) Section 52 of Maharashtra Rent Control Act.
 - 2) Section 53 of Maharashtra Rent Control Act.
 - 3) Section 54 of Maharashtra Rent Control Act.
 - 4) Section 55 of Maharashtra Rent Control Act.
- 2) A lets a farm to B on condition that he shall walk a hundred miles in an hour (section 53 Maharashtra Rent Control Act, 1999):
- 1) The lease is voidable at the option of B.
 - 2) The lease is valid.
 - 3) The lease is void.
 - 4) The lease is neither valid nor void.

(7) Limitation Act, 1963 / 8

- 61) Background, Scheme & Scope - Definitions & Important Sections
- 62) Preliminary (1-2)
- 63) Limitation of Suits, Appeals and Applications (3-11) /3
- 64) Computation of period of limitation (12-24) /3
- 65) Acquisition of ownership by possession (25-27)
- 66) Powers & Functions of Authorities
- 67) Procedures - Appeals & Other Important Provisions
- 68) Miscellaneous (28-32)
- 69) Jurisdiction & Important Doctrines /1
- 70) Schedules & period of Limitations /1

61) Background, Scheme & Scope - Definitions & Important Sections

62) Preliminary (1-2)

63) Limitation of Suits, Appeals and Applications (3-11) /3

- 1) The provision for condonation of delay is given in :
- 1) Section 3 of Limitation Act.
 - 2) Section 4 of Limitation Act.
 - 3) Section 5 of Limitation Act.
 - 4) Section 6 of Limitation Act.

(8) Constitution of India / 10

- 1) *Principles of Natural Justice*
- 2) **Rule of law /1**
- 3) **FRs, DPs, FDs & HRs /2**
- 4) **Legislature /1**
- 5) **Executive Branch /2**
- 6) **Supreme court /1**
- 7) *High court*
- 8) *Tribunals & Comissions*
- 9) **Evolution & Amendments of Constitution /2**
- 10) *Miscellaneous*

1) Principles of Natural Justice

2) Rule of law/1

- 1) Principle of doctrine of eclipse is given in :
 - 1) Article 13, Laws inconsistent with or in derogation of the fundamental rights.
 - 2) Article 14, Equality before law.
 - 3) Article 15, Prohibition of discrimination on ground of religion, race, caste, sex or place of birth.
 - 4) Article 17, Abolition of untouchability.

3) FRs, DPs, FDs & HRs/3

- 1) Fundamental Duties are given in :
 - 1) Article 51
 - 2) Article 51 A
 - 3) Article 52 A
 - 4) Article 52 B
- 2) Protection of life and personal liberty is
 - 1) personal right
 - 2) fundamental right
 - 3) (1) and (2) above
 - 4) none of the above
- 3) *Which Court shall have power to issue directions in case of violation of fundamental rights ?*
 - 1) *District Court*
 - 2) *High Court*
 - 3) *Special Tribunal*
 - 4) *Supreme Court*

4) Legislature

- 1) Power to amend Constitution is with
 - 1) Supreme Court
 - 2) High Court
 - 3) Parliament
 - 4) (1) and (2) above

5) Executive Branch /2

- 1) Who appoints Attorney General of India ?
 - 1) Supreme Court
 - 2) President
 - 3) High Court
 - 4) Parliament
- 2) Who gives oath to the Governor ?
 - 1) President
 - 2) Prime Minister
 - 3) Chief Justice of the High Court
 - 4) Chief Justice of the Supreme Court

6) Supreme court

- 3) Which court is called as court of record ?
- | | |
|-------------------|--------------------------------|
| 1) District Court | 2) Civil judge junior division |
| 3) Supreme Court | 4) All the above |

7) High court /2

8) Tribunals & Comissions

9) Evolution & Amendments of Constitution /2

- 1) We, the people of India, having solemnly resolved to constitute India into a
- | | |
|--|--|
| 1) Great country | |
| 2) Country having religious value | |
| 3) Sovereign Socialist Secular Democratic Republic | |
| 4) All the above | |
- 2) Concurrent list is given in .
- | | |
|--------------------------------|---------------------------------|
| 1) Schedule IV of Constitution | 2) Schedule V of Constitution |
| 3) Schedule VI of Constitution | 4) Schedule VII of Constitution |

10) Miscellaneous

(9) Indian Penal Code, 1860 / 12

- 81) Background, Scheme & Scope - Definitions & Important Sections /2
- 82) Salient Features & Important Definitions (1-52) /2
- 83) Punishments and General Exceptions (53-106) /2
- 84) Abetment & Criminal Conspiracy (107-120B) /1
- 85) Offences against the State (121-140) /1
- 86) Crimes against Public Tranquillity (141-298) /2
- 87) Crimes against the Human Body (299-377) /2
- 88) Crimes against Property (378-462) /
- 89) Offences relating to Documents (463-492)
- 90) Offences Relating to Marriage & criminal intimidation (493-511)

81) Background, Scheme & Scope - Definitions & Important Sections /2

- 1) Which of the following proposition is correct ?
- | |
|---|
| 1) Nothing is an offence which is done by a judge when acting judicially. |
| 2) Nothing is an offence which is done by any person who is justified by law. |
| 3) Nothing is an offence which is done by any person by accident. |
| 4) All the above. |

- 2) The provisions of penal code apply to any offence committed by :
- 1) any person in any place not within India.
 - 2) person who is above twenty one years.
 - 3) person who is above eighteen years.
 - 4) any citizen of India in any place without and beyond India.

82) Salient Features & Important Definitions (1-52) /2

- 1) A magistrate exercising jurisdiction (Section 19 Indian Penal Code) in respect of a charge on which he has power only to commit for trial to another court, is
- 1) called as executive magistrate
 - 2) not a judge
 - 3) called as district magistrate
 - 4) none of the above
- 2) Whoever does anything with the intention of causing wrongful gain to one person or wrongful loss to another person, is said to do that thing (Section 24 Indian Penal Code) :
- 1) dishonestly
 - 2) fraudulently
 - 3) wrongfully
 - 4) (2) and (3) above

83) Punishments and General Exceptions (53-106) /2

- 1) Out of the following propositions, which is correct one in respect of non-payment of fine (Section 67 Indian Penal Code) ?
- 1) for any term not exceeding two months when the amount of fine shall not exceed fifty rupees,
 - 2) for any term not exceeding two months when the amount of fine shall not exceed one hundred rupees.
 - 3) for any term not exceeding two months when the amount of fine shall not exceed two hundred rupees.
 - 4) for any term not exceeding two months when the amount of fine shall not exceed five hundred rupees.
- 2) As per Section 96 of the penal code, nothing is an offence which is done in the exercise of the :
- 1) order of senior officer
 - 2) right of private defence
 - 3) power of military officer
 - 4) power conferred by the state government

84) Abetment & Criminal Conspiracy (107-120B)/1

- 1) A instigates (Section 108 Indian Penal Code) B to murder C. B refuses to do so
- 1) A is not guilty of any offence.
 - 2) A is guilty of attempt to commit murder.
 - 3) A is guilty of abetting B to commit murder.
 - 4) None of the above.

85) Offences against the State (121-140)/1

- 1) As per Article 121, an order to set aside an abatement is :
- 1) thirty days
 - 2) sixty days
 - 3) ninety days
 - 4) none of the above

86) Crimes against Public Tranquillity (141-298) /2

- 1) *Provision of common object is given in*
- 1) *Section 34 of the penal code*
 - 2) *Section 100 of the penal code*
 - 3) *Section 141 of the penal code*
 - 4) *Section 149 of the penal code*

- 2) In which chapter of the penal code "General exceptions" are given ?
1) Chapter III 2) Chapter IV 3) Chapter V 4) Chapter VI

87) Crimes against the Human Body (299-377) /2

- 1) As per the statement of objects and reasons of the Criminal Law (Amendment) Acts 2018, it amended the law relating to :
1) rape 2) murder 3) theft 4) extortion
- 2) Voluntarily causing grievous hurt by dangerous weapon is defined in :
1) Section 323 of the penal code 2) Section 324 of the penal code
3) Section 325 of the penal code 4) Section 326 of the penal code

88) Crimes against Property (378-462) /3

90) Offences Relating to Marriage & criminal intimidation (493-511) /2

89) Offences relating to Documents (463-492)

90) Offences Relating to Marriage & criminal intimidation (493-511)

(10) Law of Contracts, Sale of Goods & Partnership Act /11

(1) Law of Contracts 1872 /6

- 91) Scope - Definitions**
92) Effects & performance of the contract
93) Rights of unpaid seller against the goods
94) Suits for the breach of the contract

91) Scope - Definitions

- 1) When one person signifies to another his willingness to do or to abstain from doing anything, with a view to obtaining the assent of that other to such act or abstinence (Section 2(b) Indian Contract Act, 1872)
- 1) he is said to make a promise. 2) he is said to make an agreement.
3) he is said to make a proposal. 4) none of the above.

92) Effects & performance of the contract

93) Rights of unpaid seller against the goods

- 1) Every person is competent to contract (Section 11 Indian Contract Act, 1872) :
1) who is of the age of majority according to the law
2) who is of sound mind
3) who is not disqualified from contracting by any law
4) all the above

94) Suits for the breach of the contract

- 2) Which of the following proposition (Section 26 Indian Contract Act, 1872) is correct ?
- 1) where a party to the contract has not obtained substituted performance of contract in accordance with the provisions of section 20 of the Specific Relief Act, 1963.
 - 2) a contract, the performance of which involves the performance of a continuous duty which the court cannot supervise.
 - 3) a contract, which is in its nature not determinable.
 - 4) all the above.

(2) Sale of Goods Act, 1930 /3

95) Definitions - Concept of sale

96) Powers & Functions of Authorities & Procedures

97) Rules regarding delivery of goods

95) Definitions - Concept of sale

- 1) Under the provisions of sale of Goods Act, it is the duty of seller :
- | | |
|--------------------------------|--------------------------|
| 1) to accept and pay for them. | 2) to deliver the goods. |
| 3) (1) and (2) above. | 4) none of the above. |

96) Powers & Functions of Authorities & Procedures

- 1) A, a tradesman, leaves goods at B's house by mistake. B treats the goods as his own
- | | |
|--------------------------------------|----------------------------------|
| 1) B is not bound to pay A for them. | 2) B is bound to pay A for them. |
| 3) B would say that goods are bad. | 4) None of the above. |

97) Rules regarding delivery of goods

- 1) A stipulation in a contract of sale with reference to goods which are subject thereof may be a :
- | | | | |
|-------------|--------------|--------------|----------------------|
| 1) warranty | 2) guarantee | 3) agreement | 4) (2) and (3) above |
|-------------|--------------|--------------|----------------------|

(3) The Indian Partnership Act,1932 /2

98) Definitions - Nature of partnership

99) The Limited Liability Partnership, 2008

100) Important cases

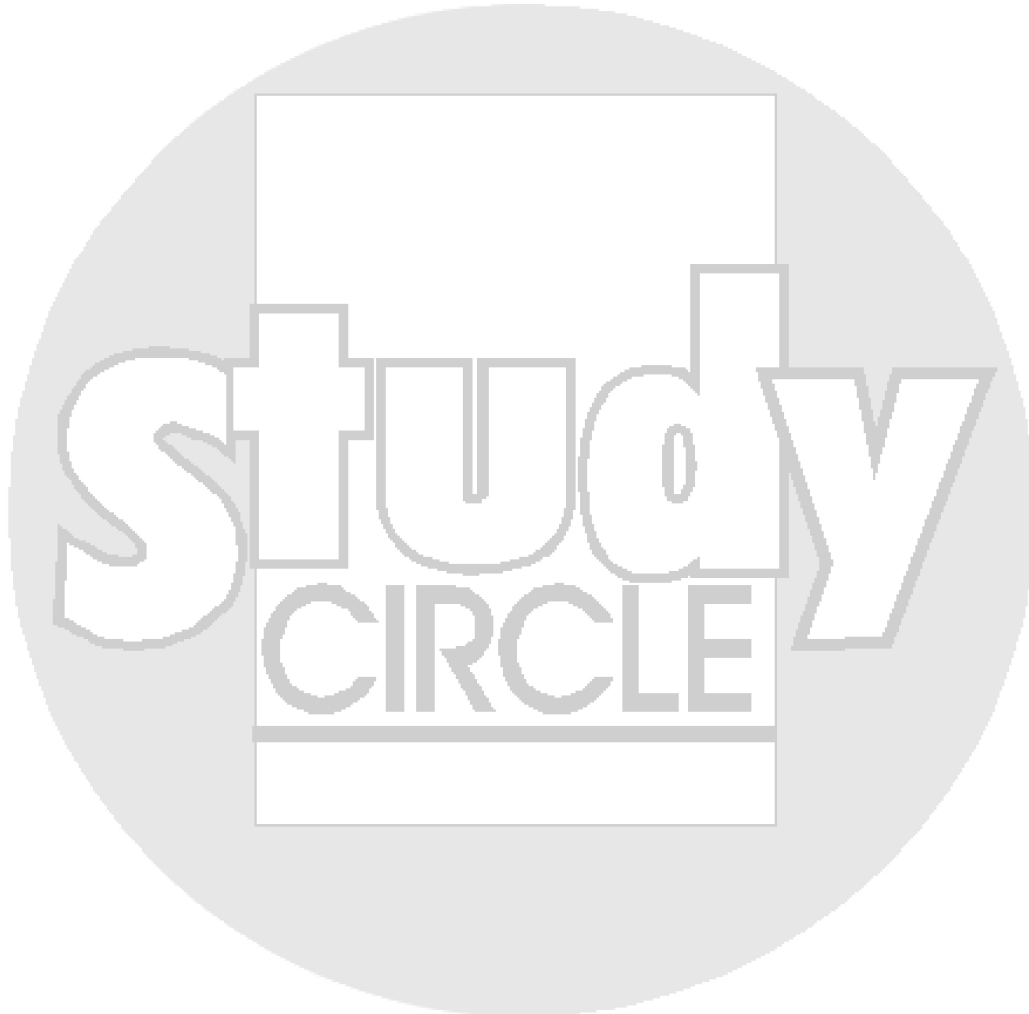
98) Definitions - Nature of partnership

- 1) Which of the proposition is correct ?
- 1) Every partner has a right to take part in the conduct of business.
 - 2) Every partner is bound to attend diligently to his duties.
 - 3) Every partner has a right to have access to inspect.
 - 4) All the above.

99) The Limited Liability Partnership, 2008

- 1) Where no provision is made by contract between the partners for the duration of their partnership, or for the determination of their partnership, the partnership is :
- | | |
|-------------------------|---------------------------|
| 1) sleeping partnership | 2) particular partnership |
| 3) no partnership | 4) partnership at will |

100) Important cases



Answers : JMFC Prelim Exam Analysis 2022

(1) Code of Criminal Procedure, 1973 / 10

1) Background, Scheme, Scope & Salient Features (1-5) /1

Chapter - (1) Preliminary (1-5)

1-2

2) Jurisdiction & Important Doctrines wrt Courts (6-25, 177-189) /4

Chapter - (2) Constitution Of Criminal Courts And Offices (6-25)

Chapter - (3) Power Of Courts (26-35)

Chapter - (13) Jurisdiction Of The Criminal Courts In Inquiries And Trials (177-189)

1-4 2-4 3-2 4-3

3) Powers & Functions of Authorities & Bodies (36-105L)

Chapter -(4) Powers Of Superior Officers Of Police and Aid To The Magistrates And The Police(36-40)

Chapter - (5) Arrest Of Persons (41-60)

Chapter - (6) Processes To Compel Appearance (61 - 90)

Chapter - (7) Processes To Compel The Production Of Things (91-105)

Chapter - (7A) Reciprocal Arrangements For Assistance In Certain Matters And Procedure For Attachment And Forfeiture Of Property (105A-L)

Chapter - (33) Provisions As To Bail And Bonds (436 - 450)

Chapter - (36) Limitation For Taking Cognizance Of Certain Offences (467 - 473)

4) Security For Keeping The Peace & For Good Behaviour (106-148)

Chapter - (8) Security For Keeping The Peace & For Good Behaviour (106-124)

Chapter - (9) Order For Maintenance Of Wives, Children And Parents (125-128)

Chapter - (10) Maintenance Of Public Order & Tranquillity (129-148)

5) Actions taken by The Police (149-189)

Chapter - (11) Preventive Action Of The Police (149-153)

Chapter - (12) Information To Police & Their Powers To Investigate (154- 176)

Chapter - (13) Jurisdiction Of The Criminal Courts In Inquiries And Trials (177-189)

6) Proceedings (190-224, 451-473) /2

Chapter - (14) Conditions Requisite For Initiation Of Proceedings (190-199)

Chapter - (15) Complaints To Magistrates (200-203)

Chapter - (16) Commencement Of Proceedings Before Magistrates (204-210)

Chapter - (17) The Charge (211-224)

Chapter - (34) Disposal Of Property (451 - 459)

Chapter - (35) Irregular Proceedings (460 - 466)

Chapter - (36) Limitation For Taking Cognizance Of Certain Offences (467- 473)

1-2 2-4

7) Trial Before a Court (225-271)

Chapter - (18) Trial Before A Court Of Session (225 -237)

Chapter - (19) Trial Of Warrant-Cases By Magistrates (238-250)

Chapter - (20) Trial Of Summons-Cases By Magistrates (251-259)

Chapter - (20A) Summary Trials (260-265)

Chapter - (21) Plea Bargaining (265A-L)

Chapter - (22) Attendance Of Persons Confined Or Detained In Prisons (266-271)

8) Evidence & General Provisions wrt Enquiries And Trials (272-352) /2

Chapter - (23) Evidence In Inquiries And Trials (272 -299)

Chapter - (24) General Provisions As To Enquiries And Trials (300 -327)

Chapter - (25) Provisions As To Accused Persons Of Unsound Mind (328 -339)

Chapter - (26) Provisions As To Offences Affecting The Administration Of Justice (340-352)

1-4 2-4

9) Judgment - Sentences (353 - 371, 413-450) /1

Chapter - (27) The Judgment (353 -365)

Chapter - (28) Submission Of Death Sentences For Confirmation (366 - 371)

Chapter - (32) Execution, Suspension, Remission And Commutation Of Sentences (413 - 435)

Chapter - (33) Provisions As To Bail And Bonds (436 - 450)

1-1

10) Appeals , Transfers, Revision & Miscellaneous ((372-412, 474-484)

Chapter - (29) Appeals (372-394)

Chapter - (30) Reference And Revision (395 - 405)

Chapter - (31) Transfer Of Criminal Cases (406 - 412)

Chapter - (37) Miscellaneous (474 - 484)

(2) Civil Procedure Code, 1908 / 12

11) Background, Scheme, Scope & Salient Features /1

(a) Cause of Action (1 to 8)

1-4

12) Suits - Institution, Plaintiff, Summons & Jurisdiction of the courts /4

Part (1) Suits in general (9 - 35B)

(b) A suit is **instituted** (Order 4) by **drafting** (Order 1, 6 & 7) and presenting a **plaint** (Order 4). Here **Prayer** is made for relief applying. (Order 2)

Section 26 is read with (hereinafter referred as r/w) **Order 4** providing for manner of **commencing a suit**.

(c) **Issue of Summon to Defendant. (Order 5)**

Section 27 to 32 is to be r/w **Order 5** as it deals with all the provisions regarding **summons**.

(d) **Written Statement is prepared by defendant applying rules of order 6 & 8**

Additional Written statement, Replication & Rejoinder

(e) **Consequence on the suit of appearance or non appearance of parties (Order 9)**

(f) **Settlement of issues (Order 14)**

(g) **Disposal at First hearing (Order 12 & 15)**

Proceeding with the trial (Order 18)

(h) **Judgement & Decree (Order 20)**

Section 33 is r/w **Order 20** to provide for rules regarding drafting and pronouncement of a **Judgement** and provisions for drawing of a **Decree** and for its contents and the sequence of their existence in a suit.

(i) **Execution (Order 21)**

Section 35 to 35B talks about cost generally **compensatory cost** and cost for delay, and is to be r/w with **Order 21**.

1-2 2-4 3-3 4-4

13) Execution & Incidental proceedings - decree, commissions /2

Part (2) Execution (36-74)

Part (3) Incidental proceedings (75-78)

Section 36 to 74 provides for the provisions regarding the **execution of decree** and is r/w **Order 21** having 106 rules (maximum number of rules in any Order in CPC).

Sections 75 to 78 provides for the provisions to issue **Commissions** for the purpose as provided under Section 75 and is to be r/w **Order 26**

1-2 2-1

14) Suits in particular cases - by or against government

Part (4) Suits in particular cases (79-88)

Part IV contains provisions regarding some **special procedures** and steps to be taken for the suits containing some speciality, such as party being Government of India or of any State or if the suit is Inter-pleader and is to be r/w **Order 27 to Order 35**, as the case may be.

15) Special & Supplemental proceedings - Settlement outside the court/1

Part (5) Special proceedings (89-93)

Part (6) Supplemental proceedings (94-95)

Part V is containing the provisions regarding **Friendly Suits** as provided under **Section 90** to be r/w **Order 36** or about settling the dispute out of court as given under **Section 89** to be r/w **Order 10** and also provides for suits related to Public Nuisance & Public Trusts under **Section 91 & Section 92** respectively.

Part VI, **Section 94** provides for supplementary proceedings in the nature of Interlocutory Order and is r/w **Order 39**, Rules 6 to 10.

1-4

16) Appeals /2

Part (7) Appeals (96-112)

Part VII, Sections 36 to 112 contains provisions for appeals providing for where an appeal can be preferred, what are the bars in the appeal, number of appeals etc and is to be r/w Order 41 to 45

1-2 2-2

17) Reference, review and revision & Special provisions

Part (8) Reference, review and revision (113-115)

Part (9) Special provisions wrt high courts not being the court of a judicial commissioner (116-120)

Part VIII, Section 113 to 115 r/w Order 46 and 47 contains remedies in the nature of reference, review and revision.

18) Rules - Power of the high courts

Part (10) Rules (121-131)

19) Miscellaneous - Exemption, restitution

Part (11) Miscellaneous (132-158)

Part IX, X and XI containing Sections 116 to 158 are such miscellaneous provisions that exhaust the powers of the courts to do various activities as and when required in the proceedings and is essential in any suit to be used to reach to a decision in totality, such as a right to file Caveat, to amend Order or provisions for the Courts to use Inherent Powers, General Powers to amend the Orders or Judgement, etc.

20) Amendments, Schedules & Orders- Pleadings, Plaint & Written Statement /2

1-3 2-4

(3) Evidence Act, 1872 / 12

21) Background, Scheme, Scope & Salient Features

1-3

22) Relevancy and Admissibility of Facts (5-55) / 4

1-4 2-2 3-1 4-2

23) Proof - Facts Which Need Not Be Proved (56 - 58)

24) Oral Evidence (59-60) / 1

1-2

25) Documentary Evidence & electronic records (61 - 90A) / 2

1-3 2-4

26) The Exclusion Of Oral By Documentary Evidence (91 - 100) /1

1-3

27) The Burden Of Proof & Presumption (101 - 114)

28) Estoppel (115 - 117)

29) Witnesses (118 - 166) /3

1-2 2-4 3-4

30) Improper Admission And Rejection Of Evidence (167)

(4) Transfer of property Act, 1882 /10

31) Background, Scheme, Scope & Salient Features (1-4)

32) Transfers Of Property By Act Of Parties (5-53A) / 2

1-3 2-3 3-2 4-*

33) Sales Of Immovable Property (54-57) / 1

1-4

34) Mortgages Of Immovable Property (58-80) / 1

Rights And Liabilities Of Mortgagor (60-66)

Rights And Liabilities Of Mortgagee (67-77)

Priority (78-80)

1-2

35) Mortgage - Suits, Charges (80-104) /1

Marshalling And Contribution (81-82)

Deposit In Court (83-84)

Suits For Foreclosure, Sale Or Redemption (85-97)

Anomalous Mortgages (98 -99)

Charges (100-104)

1-4

36) Leases Of Immovable Property (105-117) /1

1-3

37) Exchanges (118-121) / 1

1-4

38) Gifts (122-129) /1

39) Transfers Of Actionable Claims (130-132) / 1

1-2

40) Schedule (133-137)

(5) Specific Relief Act, 1963 / 5

41) Background, Scope & Salient features /1

1-2

42) Preliminary & Specific relief (1-4)

43) Recovering the possession (5-8)

1-1

44) Specific Performance of contracts (9-25) /1

1-3 2-3

45) Enforcement of awards

46) Rectification of instruments (26)

47) Rescission of Contracts (27-30) /1

1-3

48) Cancellation of the contracts (31-33)

49) Declaratory decrees (34-35)

50) Preventive relief & Injunctions (36-44) /2

1-4

(6) Maharashtra Rent Control Act, 1999 /10

51) History of evolution of the Maharashtra Rent Act, 1999/ 1

1-4 2-3

52) Preliminary (1-7) /1

1-4

53) Fixation Of Standard Rent And Permitted Increases (8-14) /2

1-1

54) Relief Against Forfeiture (15) /1

55) Recovery Of Possession (16-22) /2

1-1

56) Special Provisions For Recovery Of Possession In Certain Cases (23-24)/1

57) Sub-Tenancies And Other Matters Concerning Tenancies (25-32)

1-4 2-2 3-3

58) Provisions wrt Jurisdiction Of Courts, Suits, Appeals & Procedure (33-38)

1-3

59) Summary Disposal Of Certain Applications (39-52)

60) Miscellaneous (53-60)

1-4 2-3

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62) Preliminary (1-2)

63) Limitation of Suits, Appeals and Applications (3-11) /3

1-3 2-4 3-2

64) Computation of period of limitation (12-24) /3

1-3 2-3

65) Acquisition of ownership by possession (25-27)

66) Powers & Functions of Authorities

67) Procedures - Appeals & Other Important Provisions

68) Miscellaneous (28-32) /1

69) Jurisdiction & Important Doctrines /1

1-2

70) Schedules & period of Limitations /1

1-1 2-1

(8) Constitution of India / 10

1) Principles of Natural Justice

2) Rule of law/1

1-1

3) FRs, DPs, FDs & HRs/3

1-2 2-2 3-4

4) Legislature

1-3

5) Executive Branch /2

1-2 2-3

6) Supreme court

3-3

7) High court /2

8) Tribunals & Comissions

9) Evolution & Amendments of Constitution /2

1-3 2-4

10) Miscellaneous

(9) Indian Penal Code, 1860 / 12

81) Background, Scheme & Scope - Definitions & Important Sections /2

1-4 2-4

82) Salient Features & Important Definitions (1-52) /2

1-2 2-1

83) Punishments and General Exceptions (53-106) /2

1-1 2-2

84) Abetment & Criminal Conspiracy (107-120B) /1

1-3

85) Offences against the State (121-140) /1

1-2

86) Crimes against Public Tranquillity (141-298) /2

1-4 2-4

87) Crimes against the Human Body (299-377) /2

1-1 2-4

88) Crimes against Property (378-462) /3

90) Offences Relating to Marriage & criminal intimidation (493-511) /2

89) Offences relating to Documents (463-492)

90) Offences Relating to Marriage & criminal intimidation (493-511)

(10) Law of Contracts, Sale of Goods & Partnership Act /11

(1) Law of Contracts 1872 /6

91) Scope - Definitions

1-3

92) Effects & performance of the contract

93) Rights of unpaid seller against the goods

1-4

94) Suits for the breach of the contract

1-2

(2) Sale of Goods Act, 1930 /3

95) Definitions - Concept of sale

1-2

96) Powers & Functions of Authorities & Procedures

1-2

97) Rules regarding delivery of goods

1-1

(3) The Indian Partnership Act,1932 /2

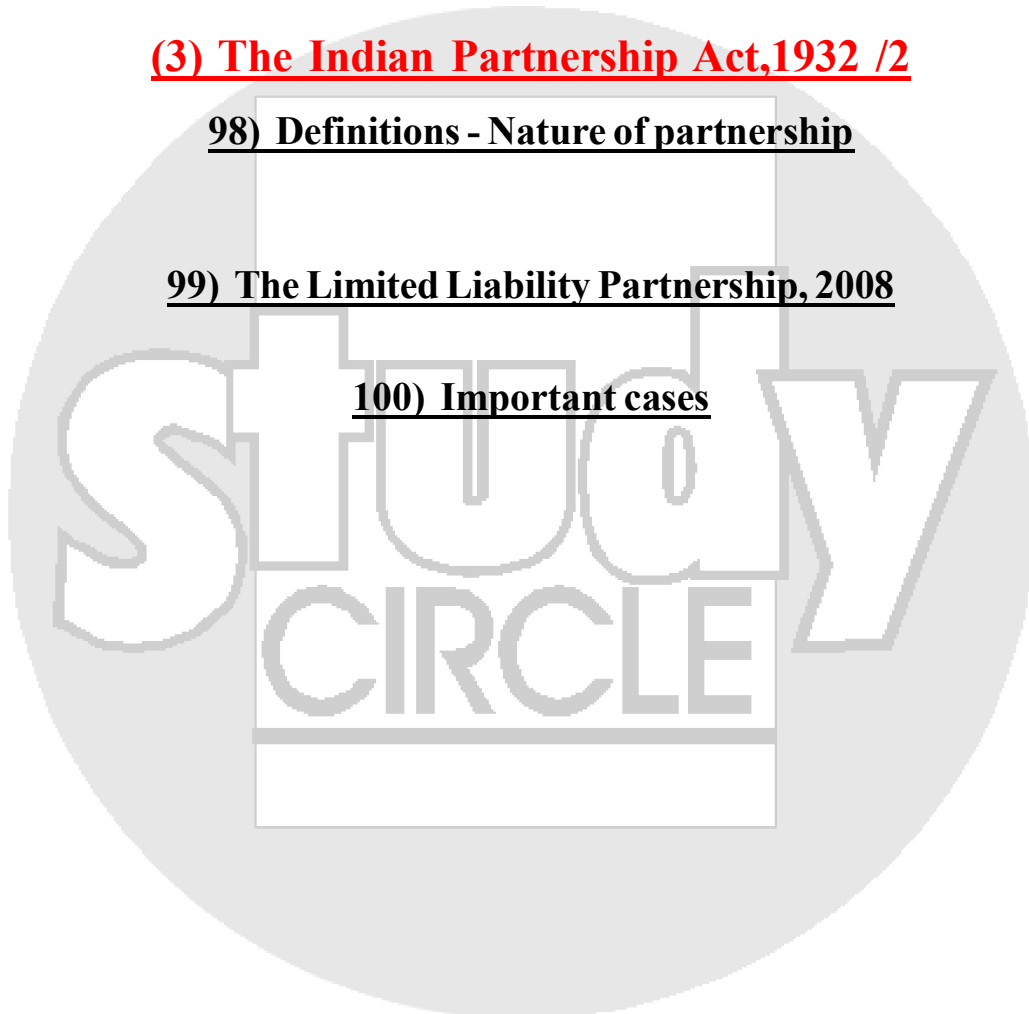
98) Definitions - Nature of partnership

1-4

99) The Limited Liability Partnership, 2008

1-4

100) Important cases



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