

District Judge (Entry Level) Competitive Mains Examination, 2016

Theory Paper-I

Maximum Time: 3 hours

Total Marks : 100

**Part-A ( The Indian Contract Act, 1872)**

Answer any two questions out of three questions. Each question carries 6 ( Six) marks.

1. (a) "An agreement without consideration is void". Explain the principle with exception if any.  
(b) When is a gratuitous promise enforceable under law? A promises to obtain an employment for 'B' in the government service and 'B' promises to pay Rs. 1 lac to 'A' for the same. After getting the employment, 'B' refused to pay Rs. 1 lac to 'A' as promised. Discuss the legal remedy, if any, available to 'A' for recovery of the amount.
2. (a) Mention the circumstances in which a contract by a minor is (i) void, (ii) voidable or (iii) valid.  
(b) A promissory note was signed by a minor in consideration of money received by him. On attaining majority, he ratifies the promissory note. Can the creditor enforce it?
3. 'A' gave his costly new coat worth Rs. 25,000/- to a dry cleaner for dry cleaning under a receipt. The coat was lost by the mistake of the dry cleaner. On A's claiming the full value of the coat, the dry cleaner contends that as per the terms of the contract printed on the reverse of the receipt which was also signed by 'A', he is liable to pay only ten times the amount of dry cleaning charges. The Charges being only Rs. 200/- 'A' brings an action for the recovery of the full value of the coat. Decide.

**Part -B( The Indian Evidence Act, 1872)**

Answer any three questions out of four questions. Each question carries 7 ( seven) marks.

4. (a) 'Relevancy' and 'admissibility' are not co extensive terms. Explain.  
(b) In a suit between 'A' and 'B' it is proved that 'B' is in possession of a document of which a certified copy is permitted to be given in evidence. A wants to prove the contents of the

document against 'B'. 'B', notwithstanding notice to produce it, fails to produce the document. A adduces oral evidence to prove the contents. Is the evidence admissible.

5. (a) What to your understanding is 'inculpatory statement' and 'exculpatory statement'. Discuss the law relating to admissibility of such statements.

(b) 'A', while in police custody, makes statement of admission of a fact. During trial, the Public Prosecutor produces the evidence of admission. A objects to the admissibility of the evidence on the ground laid down in Section 26 of the Indian Evidence Act. Decide.

(c) In a trial for offence of murder, the father of the deceased is produced as an eye witness by the prosecution. The accused objects the admissibility of his statement on the ground that he is an interested witness being father of the deceased and hence incompetent witness. Decide.

6. (a) What is 'dying declaration'. Give its essential ingredients.

(b) Two sisters were murdered at the same time. The younger one had died immediately, while the elder one was alive when other people arrived. She told them how the accused had killed her younger sister but before she could narrate about her own self she died. Discuss the validity of her dying declaration.

7. Discuss the law relating to admissibility of the evidence of child witness and dumb witness.

### Part –C( The Sale of Goods Act,1930)

Answer any two questions out of three questions. Each question carries 7 ( Seven) marks.

8. 'P' enters into an agreement with 'S' for purchase of 5000 units of iPhones with stipulation that the payment shall be made at the time of delivery of the which are being transported through a ship from the United States of America on 25.08.2017. The iPhones were to be delivered to 'P' after completion of the legal formalities upon arrival of the consignment which was scheduled to arrive at Mumbai port on 31.08.2017. The ship was hijacked by the pirates on the high seas on 28.08.2017. 'P' filed a suit for damages which was decreed. 'S' has appealed. Decide.

9. 'F' purchased 5 kg of gold from 'D' who was the son of 'J'. 'J' was a wholesaler of precious metals and 'D' was his son who was 17 years 8 months old. At the time of purchase 'D' was

sitting in the shop. 'F' sold the gold so purchased from 'D' to 'V' who purchased the same without any inquiry or knowledge regarding source of the gold after paying the prevailing market value of the gold. 'J' filed a suit against 'F' and 'V' for declaration of the contract for sale between 'D' and 'F' as void on the ground that 'D' was a minor and 'F' had paid much less value for the gold than that which was prevailing at the relevant time and for recovery of possession of the gold transferred to 'J' on the ground that 'F' had no title over the gold sold to 'V'. The Trial Court dismissed the suit on the ground that 'D' had almost attained majority and upon his examination the Trial Court felt satisfied that 'D' was capable of understanding the transaction he was entering into and also held that 'J' had allowed 'D' to sit in the shop during business hours at his own risk and accordingly 'D' was *bona fide* owner of the gold in question. 'J' filed an appeal. Decide.

10. 'A', a fruit vendor in Delhi orally contracts with 'K', a farmer, for purchasing 500 quintals of Kiwis. 'K' is the only farmer in India who cultivates Kiwi. A part of the consideration money was paid to 'K'. 'K' refused to deliver kiwis saying that he was able to cultivate only 500 quintals of Kiwi in that particular season which he had contracted to sell to another fruit vendor with whom he had entered into the contract prior to entering into contract with 'A'. 'A' sued 'K' for specific performance of the contract claiming that the subject matter of contract was chattel *in specie*. The Trial Court dismissed the suit with observation that had 'A' asked for compensation it might have been decreed but since it was not claimed hence he would not be entitled for any compensation. 'A' appealed. Decide.

**Part –D(The Limitation Act, 1963)**

Answer any two questions out of three questions. Each question carries 6 ( Six) marks.

11. 'L' filed a suit for eviction of 'T' from his property on the ground that 'T' was a licensee and the term of licence had expired. The suit was decreed. 'T' filed an appeal contending that the suit was barred by limitation since 'L' has stated the cause of action in his plaint as the date on which he had issued the notice to vacate upon 'T' whereas the correct date for counting of limitation would be from the date on which the licence of 'T' had expired. 'T' further alleged that the Trial Court had although framed an issue regarding limitation yet did not decide upon the same and had merely held that the defendant did not contest that the suit is within time, whereas it was

the duty of the Trial Court to decide upon the issue of limitation whether it was contested or not. Decide.

12. 'S' filed a suit for eviction of State Bank of India which was in possession of its property on the ground of default in payment of rent. The suit was filed after 4 years since the last default. 'S' claimed that he had filed a writ petition in the High Court against the State Bank of India seeking its eviction, however, when the writ petition was finally heard it was decided that the question of default in payment of rent was a disputed question of fact and the writ Court could not look into the same and accordingly the writ petition was dismissed with liberty to 'S' to pursue his remedies available to him under the law. Decide upon maintainability of the suit.
13. Muslim widow wrote a Will in presence of two witnesses on 15.08.1994 in favour of her niece 'N'. She died on 28.12.1995. An application for grant of probate of the said Will was filed on 06.10.2014. When upon notice nobody appeared to contest the petition for probate the matter was transferred to the Assistant District Judge for disposal. However, the Assistant District Judge returned the petition to 'N' to present the same before the District Judge observing that since the petition was barred by limitation in terms of the relevant decisions of the Supreme Court and the High Court, hence, he was finding it doubtful to grant the probate. 'N' presented the petition before the District Judge claiming that the judgments as relied upon by the District Delegate were rendered with respect to the grant of probate under the provisions of the Indian Succession Act which was not applicable upon her. Discuss and decide.

**Part –E( Indian Penal Code, 1860 )**

Answer any two question out of three questions. Each question carries 6 (Six ) marks

14. (a) 'A' faced trial for offence of murder. The Trial Court found him guilty and sentenced to death. For execution of the death sentence, which of the following is/are the legal requirements:
- I. The period of limitation for filing appeal against the conviction and sentence should be allowed to expire till execution of the death sentence;
  - II. The sentence must be confirmed by the High Court before its execution;
  - III. The sentence must be confirmed by the Supreme Court before its execution;

IV. The mercy petition of the convict must be rejected by the President of India before execution of the death sentence.

Give brief reasons in support of your view.

(b) Briefly distinguish between dishonest misappropriation and criminal breach of trust.

15. (a) What are the differences between abduction and kidnapping?

(b) What are the dissimilarity between the offence of abetment and criminal conspiracy?

16. (a) Write a short note on Section 304 IPC.

(b) Write a short note on the recent amendments relating to offence of rape.

**Part –F( The Prevention of Corruption Act, 1988)**

Answer any one question out of two questions. Question carries 9 ( Nine) marks.

17. Explain:

(a) What presumption can be drawn by the Court where it is proved that a public servant accepts gratification other than legal remuneration? Whether the presumption is rebuttable?

(b) 'A' a public servant induced 'B' erroneously to believe that A's money influence with the Government has obtained a title for 'B' and thus induces 'B' to give 'A' money as a reward for the service. What offence 'A' has committed under the Prevention of Corruption Act, 1988?

18. 'A' a public servant is made an accused in a criminal case for the offences under Sections 409, 467, 120-B of the Indian Penal Code and under section 13(1) ( c) read with Section 13(1)(2) of the Prevention of Corruption Act, 1988. The competent authority refused to grant sanction to prosecute 'A'. The police submitted charge-sheet for the offences under which the case was instituted. In the meantime, 'A' superannuated. Decide as to whether the criminal Court can take cognizance of the offences under the Indian Penal Code and the Prevention of Corruption Act against 'A' and put him on trial.

**Part –G ( The Scheduled Castes and Scheduled Tribes ( Prevention of Atrocities ) Act, 1989**

Answer any one question out of two questions. Question carries 10 ( ten) marks.

19. Write short notes on any two:

(a) Rights of victim and witnesses in view of Section 15A inserted by Scheduled Castes and Scheduled Tribes ( Prevention of Atrocities ) Amendment Act, 2015 ( Act No.1 of 2016).

(b) Objectives of amendments in existing Scheduled Castes and Scheduled Tribes ( Prevention of Atrocities) Act, 1989.

(c) Economic boycott as defined under Section 2 (bc) of the Scheduled Castes and Scheduled Tribes ( Prevention of Atrocities) Act, 1989 inserted by Scheduled Castes and Scheduled Tribes ( Prevention of Atrocities ) Amendment Act, 2015 ( Act No.1 of 2016).

20. Explain the difference between Section 193 of the Criminal Procedure Code and the substituted second proviso of Section 14 of the Scheduled Castes and Scheduled Tribes ( Prevention of Atrocities ) Act, 1989 as amended vide Scheduled Castes and Scheduled Tribes ( Prevention of Atrocities ) Amendment Act, 2015 ( Act No.1 of 2016.)

**Part –H( The Negotiable Instruments Act ) ,1881**

Answer any one question out of two questions. Question carries 10 ( ten) marks.

21. (a) Whether Section 320 of the Criminal Procedure Code shall apply in compounding of offence punishable under Section 138 of the Negotiable Instruments Act?

(b) Whether offence punishable under Section 138 of the Negotiable Instruments Act can be compounded at appellate stage of proceedings? Discuss your answers, briefly.

22. Whether the Director of a company in an offence under Section 138 of the Negotiable Instruments Act, 1881 can be made vicariously liable under Section 141 of the Negotiable Instruments Act?

Give reasons, in brief, in support of your answer.

## District Judge (Entry Level) Competitive Mains Examination, 2016

## Theory Paper-II

Maximum Time: 3 hours

Total Marks : 100

Part-A ( The Constitution of India)

Answer any **two** questions out of **three** questions. Each question carries **6 ( six)** marks.

1. 'B' became the proposer for 'A' in the Panchayat Elections for the post of Mukhia. Subsequently 'B' also became proposer for 'C' for the same post. The Returning Officer rejected the nomination of 'A' & 'C' under Rule 39 (1)( b) of the Bihar Panchayat Election Rules, 2006 which *inter alia* prohibits any person from becoming a proposer for more than one candidate.
  - (i) Whether the rejection of the nomination of both 'A' & 'C' is valid?
  - (ii) Whether a writ petition would be maintainable in the circumstances or matter has to be raised in election dispute? Discuss with reasons.
2. 'B' was caught red handed while accepting bribe. A vigilance case was instituted. Alongside a disciplinary proceeding was also initiated. A charge memo was served on 'B' together with a show cause against proposed penalty as according to the Disciplinary Authority, since 'B' was caught red handed and was in custody hence neither a formal proceeding was practicable nor required. The show cause reply of 'B' requesting for holding formal proceedings as mandated under Article 311 (2) of the Constitution of India was rejected as not being satisfactory and order of dismissal was passed. Whether the order is sustainable? Discuss with reasons.
3. 'B' files criminal complaint under Section 138 of the Negotiable Instrument Act against 'A' on grounds of non-repayment of loan and dishonor of cheque. 'B' files a 2<sup>nd</sup> criminal complaint against 'A' under Section 406/420 of the of the Indian Penal Code for criminal breach of trust and cheating. 'A' was acquitted of the charges in the criminal complaint filed under the Negotiable Instrument Act by the Trial Court however the appeal is pending before the High Court. 'A' filed an application under Section 482 of the Code of Criminal Procedure for quashing the 2<sup>nd</sup> complaint filed by 'B' alleging offences against 'A' under the Penal Code *inter alia* on grounds that it was abuse of process of law and violative of Article 20(2) of the Constitution as he cannot be tried for the same offence twice.
  - (i) Whether 'A' is right on his challenge?

Discuss the law on Double Jeopardy as envisaged under Article 20(2) of the Constitution read with Section 300 of the Code of Criminal Procedure.

**Part-B ( The Code of Civil Procedure,1908)**

Answer any **two** questions out of **three** questions. Each question carries **9 (Nine)** marks.

4. (a) Write a short note on difference between *res judicata* and constructive *res judicata* with reference to the specific provisions in the Code of Civil Procedure.
- (b) 'A', a Hindu, dies leaving behind a widow and a brother 'B'. The widow sues 'B' for recovery of certain property alleging that it was a self acquired property of her husband, and that the Will alleged to have been executed by her husband and propounded by 'B' was forged. 'B' alleges that the property was joint family property and after the death of 'A' he is entitled thereto by rule of survivorship but he does not claim any title to the property on the basis of the Will. The Court upholds the claim of the widow with definite finding that the property was self acquired property of 'A'. Subsequently, 'B' sues the widow to recover the same property from her on the basis of his claim as a devisee under A's Will. Is the suit filed by 'B' barred by *res judicata*? Discuss.
5. (a) Distinguish between temporary injunction and mandatory injunction.
- (b) Can mandatory injunction be granted on an interlocutory application in a suit?
- (c) Can the Court grant temporary injunction in exercise of its inherent power?
6. 'A' obtained a decree *ex parte* against 'B' and in execution of the said decree brought B's properties to sale and himself became the purchaser. On appeal by 'B' against the *ex parte* decree, the appellate Court set aside the decree and remanded the suit for fresh hearing and disposal. Thereafter 'B' filed application for restitution but during the pendency of the application, the suit was heard and again decreed. 'A' then contended that as the suit has now been decreed, no restitution can be granted. Is 'B' entitled to restitution? Decide.

**Part-C (The Code of Criminal Procedure, 1973)**

Answer any **two** questions out of **three** questions. Each question carries **8( eight)** marks.

7. What are the essentials of a judgment? What is the mode of its delivery? Can a criminal court alter or revise its own judgment after it is signed?
8. Briefly explain what would be the conjoint effect of Section 4(2) read within Section 5 of the Criminal Procedure Code in regulating the mode of investigation, inquiry or trial.
9. Answer:
- (a) Whether the word 'victim' in Section 2 ( wa) of the Criminal Procedure Code means only the legal heirs entitled to the property of the victim under the law of inheritance or embrace any other person? Explain.
- (b) Whether the appellate remedy is available to the victim under the proviso to Section 372 of the Criminal Procedure Code only against any order passed by the Court acquitting the accused? If not, explain the other circumstances under which an appeal may be filed under the proviso to Section 372 of the Criminal Procedure Code.

**Part-D (The Transfer of Property Act, 1882)**

Answer any **two** questions out of **three** questions. Each question carries **5 ( five)** marks.

10. 'A' filed a suit for declaration of his title alleging that he has purchased the suit land by registered sale deed from 'B' and 'B' was in possession of the property as he had already paid consideration to the original owner 'O' pursuant to agreement of sale and his name was mutated. 'B' filed written statement supporting the plaintiff, 'A'. 'O' contested the suit. The suit was decreed by the trial Court recording finding that consideration was paid to the owner and 'B' was in possession. 'O' filed appeal. Discuss and decide the question of law.
11. 'A' filed a suit for redemption alleging that a sale deed was executed and on the same date agreement to re-purchase was executed between the plaintiff and defendant, therefore, it is mortgage by conditional sale. Accordingly, he has deposited the mortgage amount under Section 83 of the Transfer of Property Act. The defendant filed written statement stating that the suit for redemption is not maintainable as it was not a mortgage by conditional sale but was an absolute sale. The Trial Court held that since the sale deed and the agreement to re-sell was executed between the parties on the same day simultaneously, it was mortgage by

conditional sale and decreed the suit. Mortgagee then filed appeal. Decide the appeal with relevant provision of law.

12. 'A' filed title suit for declaration of title contending *inter alia* that pursuant to part performance of contract he was put in possession of the suit property by vendor and registered agreement to sell was entered into. Subsequently, entire consideration amount was paid to the vendor, the defendant, therefore, the plaintiff, 'A' has perfected his title according to Section 53 A of the T.P. Act. The vendor contested the suit. However, he admitted that possession was given to the plaintiff, 'A', and also admitted that mutation was effected in the name of plaintiff. The Trial Court decreed the suit. The vendor filed appeal. Decide the appeal discussing the relevant provision of law.

**Part-E (The Arbitration and Conciliation Act, 1996)**

Answer any **two** questions out of **three** questions. Each question carries **5 ( five)** marks.

13. The arbitration clause in the agreement provides for appointment of sole arbitrator by 'A' within 30 days of receiving a request in that behalf from 'B'. A dispute arises between the parties, leading 'A' to send a request to 'B' on 01.01.2017 for appointment of a sole arbitrator. 'B' neither resolves the dispute nor makes the appointment of the sole arbitrator. Accordingly, 'A' waits for the stipulated period of 30 days after sending his request, and then approaches the High Court by filing a petition on 18.02.2017 for appointment of a sole arbitrator. The matter is taken up on 15.03.2017 before the High Court. 'B' appears and opposes the petition on the ground that he has already appointed the sole arbitrator on 06.02.2017 and hence the petition has become infructuous. On the other hand, 'A' contends that 'B' having failed to appoint the sole arbitrator within the stipulated period of 30 days had already forfeited his right to make such appointment and subsequent action taken in this regard was of no consequence. Is 'A' entitled for a sole arbitrator to be appointed by the High Court? Support your answer with reasons and with reference to case law.
14. 'A' enters into a contract with an arbitration clause for sale of his land to 'B' for a consideration of Rs. 10 lakhs. However 'A' repudiates the contract and refuses to sell the land despite the amount of the consideration being tendered by 'B'. When 'B' invokes the arbitration clause, 'A' raises an objection that the contract for sale relating to the immovable property was compulsorily registrable but had not been so registered and hence the contract containing the

arbitration clause cannot be acted upon and enforced for resolution of dispute through arbitration. Can 'B' insist on appointment of the arbitrator on the basis of the arbitration clause contained in the unregistered contract? Give reasons for your answer.

15. 'A' enters into an agreement on 01.01.2015 with M/s Process Flooding Corpn. ('PFC'), which contains an arbitration clause for resolution of disputes by the General Manager of 'PFC' as the sole arbitrator. Disputes arise between the parties, in view of which 'A' invokes the arbitration clause by sending a request on 15.09.2015 for appointment of sole arbitrator, which is received by 'PFC' on 19.09.2015. Failure on the part of 'PFC' to appoint the sole arbitrator leads 'A' to file a request case before the High Court on 21.10.2015 for appointment of sole arbitrator. When the matter is taken up on 01.12.2015, 'A' contends that in view of the insertion of Section 12(5) as well as the Seventh Schedule in the Arbitration and Conciliation Act, 1996 vide the Arbitration and Conciliation (Amendment) Act, 2015 with retrospective effect from 23.10.2015, the General Manager of 'PFC' has become ineligible to act as arbitrator by reason of his relationship with 'PFC'. 'A' thus requests for appointment of some other person as the sole arbitrator. 'PFC' however opposes such prayer made by 'A' and insists that the General Manager of 'PFC' should be appointed as contemplated in the agreement between the parties. Can the General Manager of 'PFC' be appointed by the High Court as sought by 'PFC'? Give reasons for your answer.

**Part-F Personal Laws (Hindu, Muslim and Christian )**

Answer any **two** questions out of **three** questions. Each question carries **6 ( six)** marks.

16. 'A', a Mohammedan, made a gift of a house to 'B' on condition that he shall not sell the house and if he will sell it, he must sell to only 'Z' and not to anyone else. After completion of gift the donee, 'B' sold to 'X'. 'Z' filed title suit alleging that 'B' could not have sold the house to 'X' according to the terms of the gift and he prayed that 'B' be directed to sell the house to 'Z'. 'B' filed written statement alleging that a condition to sell only to 'Z' is not enforceable by 'Z'. Trial Court decreed the suit of 'Z' and directed 'B' to sell the house to 'Z'. 'B' filed appeal. Decide the question of law.
17. 'A' had three sons; 'B', 'C' and 'D'. 'B' filed suit for partition in 1950 after death of father claiming  $\frac{1}{3}^{\text{rd}}$  share in the property of 'A' i.e. the property allotted to him in partition between 'A', 'B' and 'C' and also his self acquired property alleging that 'D' was born to 'A' after partition. 'D' filed written statement alleging that 'B' is not entitled to any share. 'C' also filed written statement

supporting the case of the plaintiff, 'B' and he also claimed 1/3<sup>rd</sup> share. Decide the question of law.

18. 'W' a widow, inherited the property of her husband who died in the year 1940 and then in 1950 she gifted the said property to her brother's son. The brother of the husband of widow filed declaratory title suit in 1957 for declaring that the alienation made by the widow is not valid beyond her lifetime. The widow died in the year 1958. The donee filed written statement alleging that after coming into force of Hindu Succession Act, 1956 the widow became the absolute owner in view of the provision as contained in Section 14 of the Hindu Succession Act, therefore, the gift became valid as she did not challenge the same. The suit was dismissed by the Trial Court holding that in view of Section 14 widow became the absolute owner of the property, therefore, the gift became valid after 1956. The brother of the husband of widow filed appeal. Decide the question of law in appeal.

#### Part-G ( The Family Courts Act, 1984)

Answer any **one** question out of **two** questions. Question carries **6 ( six)** marks.

19. 'W', the widow filed the suit before the Principal Judge, Family Court, for return of her stridhan property against her father-in-law after death of her husband just two years after her marriage. The father-in-law did not appear and contest. Decide the proceeding with reference to the provision of Family Court Act.
20. Matrimonial Home is the subject matter of proceeding before Principal Judge, Family Court which was filed by divorced wife against her husband. The husband filed written statement alleging that since there had already been divorce between them, the proceeding regarding the dispute with the property is not maintainable before the Family Court and the divorced wife has to file regular title suit before the Civil Court as the Family Court has no jurisdiction. Decide the question of maintainability and jurisdiction of the Family Court with reference to the provision of Family Court Act.

#### Part -H (The Indian Partnership Act,1932)

Answer any **two** questions out of **three** questions. Each question carries **5 ( five)** marks.

21. Elaborate upon the effects of registration and non- registration of a partnership.

22. 'G', 'J' and 'N' were partners of a firm running a business in the name and style of 'GJN' Real Estates which was engaged in purchase and sale of developed and undeveloped real estate. 'N' was the managing partner. The partnership was one terminable at will. 'G' filed a suit for termination of the partnership alleging mismanagement of the business by 'J' and 'N' on 26.04.2016. 'P' enters into an agreement for sale with 'GJN' Real Estates on 25.08.2016 for purchasing a flat in a residential complex which was being developed by the 'GJN' Real Estates. Upon receiving the notice in the suit filed by 'G' the construction work was stopped and subsequently 'P' filed a suit against 'GJN' Real Estates for specific performance of the contract or in alternative repayment of the part of the consideration money received by 'GJN' Real Estates. The suit of 'P' was decreed for payment of the part of the consideration money paid to 'GJN' Real Estates holding each of the partners jointly and severally liable to make payment to 'P'. 'G' filed an appeal against the said decree alleging that since the partnership was terminable at will hence his presentation of the plaint for termination of the partnership amounted to dissolution of the partnership and hence he was not bound by any agreement entered into by 'J' or 'N' nor was he liable for any default committed by 'J' and 'N' after filing of the suit. Decide the appeal of 'G'.
23. Comment upon the creation of a Limited Liability Partnership and the rights and liabilities of the partners of a Limited Liability Partnership.

**Part –I (The Motor Vehicles Act, 1988)**

Answer **one** question out of **two** questions. Question carries **6 ( Six)** marks.

24. A driver of a truck is prosecuted for causing death of a motor-cyclist by driving in rash and negligent manner. He was acquitted with a finding that he was not rash and negligent rather death of the motor-cyclist had been caused because of his own rash and negligent riding of the motor-cycle. Discuss the entitlement of the wife of the deceased for compensation with the relevant provisions and case laws.
25. Discuss the effect of violation of the terms of insurance of the vehicle meeting with an accident upon the claim of compensation by the relatives of the heirs of the victims of that accident, given that all the occupants died and the owner of the vehicle was not in the vehicle.