

CAREERS 360

PRACTICE **Series**

Legal Maxims

**(CLAT, CUET, MH-CET Law, AP
LAWCET and TS LAWCET)**

100 Practice Questions with Solutions

CONTENTS

About This eBook	3
What Are Legal Maxims?	4
Tips To Solve Questions Related To Legal Maxims	5
Practice Questions	7
Answer Key	27
Solutions	28
Other Useful Resources	42
Top 300 Legal Maxims for CLAT Preparation	
CUET Practice Series eBook	42
CUET Legal Studies Concepts PDF	
CUET Legal Studies Questions and Solutions PDF	
MH-CET Law Mock Tests eBook	42
MH CET Law (5 Year LLB) : 10 Free Mock Tests PDF	
MH CET Law 3 Year: 10 Free Mock Tests PDF	
MH CET Law Practice Series eBook	43
MH CET Law GK Practice Questions PDF	
MH CET Law Maths Practice Questions PDF	
MH CET Law Legal Reasoning Practice Questions PDF	

ABOUT THIS eBook

Welcome to the world of legal maxims.

Legal maxims are fundamental principles in law that guide decision-making and interpretation. This eBook is designed to make understanding legal maxims easy and enjoyable, whether you're a law student or a legal professional.

Key Features of this book :

- **Quick Introduction:** Get a simple overview of why legal maxims matter and how they're used.
- **Tips and Ideas:** Learn practical tips and strategies for solving legal maxim questions effectively.
- **Practice Questions:** Test your knowledge with 100 practice questions, complete with answers and explanations.
- **Useful Resources:** Access additional resources including a list of the "Top 300 legal maxims", a practice series eBook for "CUET Legal Studies concepts and Practice Questions", and a mock test eBook for MH CET Law along with Subject-wise practice series ebooks.

Our eBook is your go-to guide for mastering legal maxims. It's designed to be easy to understand and packed with everything you need to succeed in understanding and applying these principles. Whether you're studying alone or alongside your coursework, this eBook has you covered.

*Enjoy learning and good luck
with your legal journey!*

WHAT ARE LEGAL MAXIMS

Legal maxims are set principles or propositions of law which are often used as phrases to establish a principle or a provision of law. They are like legal proverbs, making judges and lawyers apt for Legal studies. An aspirant of Law must be aware of certain basic legal maxims.

- These general principles act as guiding principles to interpret law and make decisions. They act as a needle to the Campus directing the Law fraternity towards the fair and consistent ruling based on legal knowledge and reasoning.
- Latin maxims are an easy way to express complex legal concepts. This allows the efficiency for quicker comprehension and avoids the need for the length of the explanations while proceedings or while providing the judgment. It is a symbolisation of the law that is long practiced.
- But it is also important to keep in mind that these are not binding laws. However, they hold significant weight and influence because they represent well-established legal principles for their interpretation. Specific cases needed to be considered. The addition to these maxims has changed with the evolution of time as the judgment delivery process has also changed.

TIPS TO SOLVE QUESTIONS RELATED TO LEGAL MAXIMS

Here are some specific tips and tricks to help you solve legal maxims questions more effectively:

- **Know the Maxims:** Build a strong foundation by memorizing common legal maxims and their meanings. This knowledge will be essential for quickly recognizing which maxim applies to a given situation.
- **Focus on Keywords:** Legal maxims often contain keywords that signal their meaning and application. Pay attention to these keywords when reading the question and identifying the relevant maxim.
- **Analyze the Situation:** Carefully read the scenario provided in the question. Identify the legal issues and the parties involved. Understanding the context will help you apply the correct maxim.
- **Apply the Maxim Directly:** Once you've identified the relevant legal maxim, apply it directly to the facts of the case without overcomplicating the analysis. Focus on how the maxim's principle relates to the situation.
- **Consider Opposing Views:** Some legal maxims have opposing views or counter-maxims. Evaluate whether an opposing maxim could be applicable and consider both sides of the argument before concluding.
- **Check for Exceptions:** Be aware of any exceptions or limitations to the legal maxim. If the facts of the case involve circumstances that fall within these exceptions, take them into account when applying the maxim.
- **Use Logic and Common Sense:** Legal reasoning often involves logical thinking and common sense. Apply logical reasoning to connect the legal maxim to the facts and use common sense to assess the practical implications.
- **Eliminate Irrelevant Information:** Legal maxims questions may include extraneous information that is not directly relevant to the application of the maxim. Focus on the key facts and principles while ignoring distractions.
- **Practice with Variety:** Practice solving legal maxims questions from different areas of law to familiarize yourself with a range of scenarios. This will enhance your ability to apply maxims across various legal contexts.

- **Review and Learn from Mistakes:** After solving practice questions, review your answers and identify any mistakes or areas for improvement. Learn from these mistakes to refine your approach and deepen your understanding of legal maxims.

By following these specific tips and practicing regularly, you'll become more adept at solving questions related to legal maxims and applying them accurately to legal scenarios.

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PRACTICE QUESTIONS RELATED TO LEGAL MAXIMS

Q1. What is 'Actus Non Facit Reum Nisi Mens Sit Rea'?

- A) An act as a fact does not make a person guilty.
- B) An act of a person while guilty is not necessarily wrong.
- C) An act does not make a person guilty unless there is a guilty mind)
- D) An act of guilty mind makes a person factually wrong.

Q2. In the legal maxim Actus Non Facit Reum Nisi Mens Sit Rea, 'mens rea' refers to

- A) Guilty Mind
- B) Person's intention.
- C) Guilty conscience.
- D) Guilty act.

Q3. In the maxim 'Actus Non Facit Reum Nisi Mens Sit Rea' , Mens Rea is usually followed by

- A) Guilty act
- B) A lawful wrong
- C) Failure to perform one's right.
- D) None of the above.

Q4. Actus Non-Facit Reum Nisi Mens Sit Rea is applicable in which of the following scenarios?

- A) A person 'X' admits to have bumped into 'Y' causing him to fall over.
- B) A person 'X' conspiring to bump into 'Y' so that he falls over.
- C) A person 'X' admits to have conspired to bump into 'Y' causing him to fall over.
- D) All of the above.

Q5. The maxim 'Actus Non Facit Reum Nisi Mens Sit Rea' is not applicable in

- A) Vicarious Liability.
- B) Seditious.
- C) Both (a) and (b).
- D) Neither

Q6. Actus Non-Facit Reum Nisi Mens Sit Rea is applicable to

- A) Civil cases.
- B) Criminal cases.
- C) Both (a) and (b).
- D) Neither.

Q7. The maxim Ad Valorem means

- A) Additional Value.
- B) According to Value.
- C) According to volume.
- D) None of the above.

Q8. The term 'Ad Valorem' is usually applicable in

- A) Taxation
- B) Criminal Law
- C) Constitution
- D) Both (b) and (c)

Q9. The term 'Ad Valorem Tax' refers to

- A) Tax imposed on the price charged in the market.
- B) Tax imposed on the producers irrespective of the level of output produced)
- C) Tax imposed as a levy on the units of output produced)
- D) Tax imposed on the income of producers.

Q10. Tax levied on the basis of value is

- A) Excise duty
- B) Specific Tax
- C) Progressive Tax
- D) Ad valorem tax

Q11. Which of the following is an Ad Valorem tax?

- A) Goods and Services Tax
- B) Value Added Tax

- C) Property Tax.
- D) All of the above.

Q12. Amicus Curiae means

- A) An insolvent person.
- B) A minor who is a beneficiary to a contract.
- C) A friend of the court.
- D) A litigant before the court.

Q13. Which of the following statements is correct with context to Amicus Curiae?

- A) An impartial person appointed by the court who has a vested interest in the lawsuit.
- B) A person who is appointed by the court who is not a party to the suit.
- C) A person who is appointed by the court to produce evidence.
- D) All of the above.

Q14. 'Amicus Curiae' refers to which of the following

- A) A senior advocate.
- B) A prominent jurist.
- C) An arbitrator.
- D) A friend of the court and a party with no personal interest in the lawsuit.

Q15. A member of the bar or other stand by, who informs the Court when doubtful or mistaken of any fact or decided case.

- A) Amicus Curiae
- B) Assentio Mentium
- C) Esjudem Generis
- D) Caveat Emptor

Q16. 'The decision on whether to consider an amicus brief lies within the discretion of the court' With context to Amicus Curiae, is the above statement true or false.

- A) True.
- B) False.
- C) Partly true
- D) Partly false

Q17. Audi Alteram Partem means

- A) The right to know the reason.
- B) The alternative right of a party.
- C) Listening to the appeal.
- D) The right of fair hearing.

Q18. The rule of Audi Alteram Partem is the primary notion of

- A) The principle of Natural Justice.
- B) Criminal Laws.
- C) Civil lawsuits.
- D) Both (b) and (c)

Q19. Under the rule of Audi Alteram Partem, an order passed without notice is

- A) Voidable.
- B) Void ab initio
- C) Valid
- D) Both (a) and (c)

Q20. Which of the following are not exceptions to the rule of Audi Alteram Partem?

- A) Cross Examination
- B) Statutory exclusions
- C) Legislative Function
- D) Impracticality

Q21. Which of the following is not an essential element to rule of Audi Alteram Partem

- A) Right to notice.
- B) Oral hearing
- C) Reasoned decision
- D) None of the above.

Q22. Assentio Mentium is a latin maxim meaning

- A) Essential Members to a contract.
- B) Mutual assent
- C) Aforementioned
- D) None of the above.

Q23. Assentio Mentium is usually applicable to the relation of a

- A) Buyer and seller
- B) Parent and child
- C) Judiciary and Legislative
- D) None of the above.

Q24. Assentio Mentium is the foundation of

- A) Writ petition
- B) Criminal proceedings
- C) Contractual agreement
- D) Only (a) and (c)

Q25. Presence of Assentio mentium is present in which of the following scenario-

- A) 'X' offers to sell his house to 'Y' for a sum of Rs.50 Lakh. 'Y' pays Rs.40 Lakh for the said house.**
- B) 'X' offers to sell his house to 'Y' for a sum of Rs.50 Lakh. 'Y' pays Rs.50 Lakh for the said house.**

- A) Only A
- B) Only B
- C) Both A and B
- D) Neither A or B

Q26. Which of the following maxims is essential in Contract Law

- A) Ad Valorem
- B) Amicus Curiae
- C) Assentio Mentium
- D) All of the above

Q27. The maxim Bona-fide means

- A) Buyer beware
- B) Good faith
- C) According to value
- D) None of the above.

Q28. The term Bona fide is applicable to which of the following scenario -

- A) X acts as the guardian of a bike which was lost by the owner Y. Upon meeting, X returns the bike to Y.**
- B) X acts as an owner of a bike which was lost by the owner Y. Upon meeting, X refuses to return the bike to Y.**

- A) Only A
- B) Only B
- C) Both A and B
- D) Neither A or B

Q29. In Indian Penal Code , the element of bona fide is applicable to

- A) Section 354
- B) Section 420
- C) Section 88
- D) All of the above

Q30. The maxim Bona Vacantia means

- A) Ownerless goods.
- B) Rented goods
- C) Valuable goods
- D) None of the above.

Q31. A Bona Vacantia property is

- A) Abandoned property
- B) Lost property
- C) Property of a person who died intestate.
- D) All of the above

Q32. Which of these options can be considered as Bona Vacantia property-

- A) Abandoned property
- B) Dormant financial accounts
- C) Unclaimed Funds
- D) Unclaimed baggage

- A) A, B and C only.
- B) A, B and D only.
- C) A and C only.
- D) All options A, B, C and D respectively.

Q33. In case of Bona Vacantia property, usually the property shifts towards the ownership of

- A) The court of law.
- B) The Government.
- C) The neighbor.
- D) All of the above.

Q34. In Indian Constitution, the doctrine of Bona Vacantia is mentioned in

- A) Article 295
- B) Article 296
- C) Article 297
- D) Article 298

Q35. The term Caveat Emptor means

- A) Civil liability
- B) Producer beware
- C) Buyer beware.
- D) Both (a) and (c)

Q36. The exception to Caveat Emptor is

- A) Fitness of the product for the buyer's purpose.
- B) Goods purchased under brand name.
- C) Misrepresentation by seller.
- D) All of the above.

Q37. The maxim Corpus Delicti means

- A) Body of the crime
- B) Present the body
- C) Criminal Mind
- D) Detained body.

Q38. 'A crime must have occurred in the very first place in order to establish a charge' is defined by which maxim?

- A) Habeas Corpus
- B) Corpus Cristi
- C) Corpus Delicti
- D) Assentio Mentium

Q39. When a person is charged with the crime of arson, the corpus delicti is

- A) The dead body
- B) Possession of stolen goods
- C) Burned property.
- D) None of the above.

Q40. The maxim Damnum Sine Injuria means

- A) Damage without infringement of legal rights
- B) Damage with infringement of legal rights
- C) Damage to legal rights.
- D) Both (b) and (c)

Q41. The maxim Damnum Sine Injuria is applicable to which of the following scenario

- A) X owns a furniture shop. 2 years later, Y opens a new furniture shop next to X and sells the product for a cheaper cost.
 - B) X owns a furniture shop. 2 years later, Y opens a new furniture shop next to X and sells products by stealing from X's Shop.
-
- A) Both (A) and (B)
 - B) Only (A)
 - C) Only (B)

D) Neither (A) or (B)

Q42. Which of the following is a prominent case in Damnum Sine Injuria

- A) Ashby vs White.
- B) Gloucester Grammar School case.
- C) Both (a) and (b)
- D) None of the above.

Q43. The nature of Damnum Sine Injuria is

- A) Criminal
- B) Tortious
- C) Both (a) and (b)
- D) None of the above.

Q44. The maxim De Die In Diem means

- A) First day of month
- B) Due date
- C) From day to day
- D) The Day of delay.

Q45. The maxim De Die In Diem is not applicable to

- A) Civil lawsuits
- B) Criminal Lawsuits
- C) Tort
- D) Only (a) and (b)

Q46. A person wrongfully places a thing for many days on a property that belongs to someone else, resulting in trespass. Here, the continued trespass is related to which maxim?

- A) Corpus Delicti
- B) Locus Standi
- C) Bona Fide
- D) De Die In Diem

Q47. Which of the following maxims refer to continuing right of action?

- A) De Die In Diem
- B) Damnum Sine Injuria
- C) Audi Alteram Partem
- D) Bona Vacantia

Q48. The maxim De Minimis Lex Non Curat means

- A) Law will take cognizance of small matters
- B) Law will delegate small matters
- C) Law will not take action on small matters
- D) Both (a) and (b)

Q49. Under the application of De Minimis Lex Non Curat, usually the suit is

- A) Dismissed
- B) Void ab initio.
- C) Ex post facto.
- D) Liable for appeal.

Q50. The maxim De Minimis Lex Non Curat has been mentioned in Indian Penal Code under

- A) Section 411
- B) Section 81
- C) Section 95
- D) Section 35

Q51. A person 'X' is driving at high speed and as a result splashed mud from roadside on the pedestrians clothes. The matter is not admissible in court under the maxim

- A) Amicus Curiae
- B) Actus Non Facit Reum Nisi Mens Sit Rea
- C) De Minimis Lex Non Curat
- D) None of the above.

Q52. The term Doli Incapax means

- A) Incapable of consent

- B) Incapable of legal remedies
- C) Incapable of defending
- D) Incapable of wrongdoing

Q53. According to the principal of Doli Incapax, a child is presumed to be incapable of committing any crime if he/she under the age of

- A) 12
- B) 10
- C) 7
- D) 15

Q54. According to the maxim Doli Incapax, who are granted immunity from criminal liability?

- A) Insolvent person
- B) Widow
- C) Minor under the age of 7
- D) All of the above.

Q55. The principal of Doli Incapax is mentioned in which sections of the Indian Penal Code?

- A) Section 15 and Section 17
- B) Section 23 and Section 24
- C) Section 78 and Section 80
- D) Section 82 and Section 83

Q56. The maxim Eiusdem Generis means

- A) Of Judicial nature.
- B) Of the general jurisdiction
- C) Of the same kind
- D) Judicial generosity

Q57. The maxim Eiusdem Generis is required in the interpretation of a statute when

- A) There is ambiguity in the language of the provisions of statutes
- B) When in the provision, there is a possibility of two views

- C) The meaning which the provision of a statute gives, defeats the purpose of the statute.
D) All of the above.

Q58. Which of the maxim is referred to interpret the statute in case of ambiguity

- A) Corpus Delicti
B) Doli Incapax
C) Eiusdem Generis
D) Bona vacantia

Q59. In the Evans vs Cross case, which of the following rule was applied by the court

- A) Bona fide
B) Audi Alteram Partem
C) Ad Valorem
D) Eiusdem Generis

Q60. The term Ex Post Facto means

- A) Of the previous sequence
B) Having retrospective effect
C) Having prospective effect
D) None of the above.

Q61. Under which article of Indian Constitution is the term Ex Post Facto law mentioned

- A) Article 21
B) Article 26
C) Article 20(1)
D) Article 19(1)

Q62. Which one of the following is an example of Ex Post Facto law?

- A) Commission of an offense and such offense was not legally recognized
B) Commission of an offense and such offense was legally recognized in a prior act.
C) Commission of an offense which is barred by the law of a certain state.
D) Both (a) and (c)

Q63.The maxim Locus Standi means

- A) Local Jurisdiction
- B) Legal statute
- C) Capacity to appear before a court.
- D) Both (a) and (b)

Q64.The Locus Standi rule was liberalized in the case of

- A) Minerva Mills v. Union Of India
- B) S.P. Gupta v. Union Of India
- C) Kesavanand Bharati vs State of Kerala
- D) M.C) Mehta v. Union Of India

Q65. Which of the following is an exception to the rule of Locus Standi?

- A) PIL
- B) Breach of Contract
- C) Tort
- D) Both (a) and (b)

Q66.The essentials ingredients for rule of Locus Standi are

- A) Presence of injury
- B) Causation
- C) Contractual agreement
- D) Both (a) and (b)

Q67.The maxim Injuria Sine Damnum is a concept of

- A) Criminal Liability
- B) Tort
- C) Taxation
- D) All of the above

Q68.The maxim Injuria Sine Damno means

- A) Violation of legal rights without an actual injury.
- B) Violation of legal rights with an actual injury.

- C) Injury without any violation of legal right.
- D) None of the above.

Q69. Which of the following is a landmark case of Injuria Sine Damno

- A) Brown v. Cole
- B) Ashby v. White
- C) Gloucester Grammar School case
- D) None of the above.

Q70. The person whose right has been threatened under the rule of Injuria Sine Damno can bring a suit under the provision of

- A) Indian Penal Code
- B) Code of Criminal Procedure
- C) Transfer of Property Act
- D) Specific Relief Act

Q71. The maxim 'Ignorantia Facti Excusat - Ignorantia Juris Non Excusat' means

- A) Ignorance as a fact is excuse, Ignorance to Judiciary is not excusable
- B) Ignorance of fact is an excuse, Ignorance of law is not an excuse
- C) Ignoring the fact as an excuse, ignoring the law so as to no excuse.
- D) None of the above.

Q72. Which of the following maxims are in relation to the liability for the injuries caused out of negligence

- A) Ad Valorem
- B) Assentio Mentium
- C) Locus Standi
- D) Ignorantia Facti Excusat, Ignorantia Juris Non Excusat

Q73. The rule of Ignorantia Facti Excusat, Ignorantia Juris Non Excusat is mentioned in Indian Penal Code under

- A) Section 76 and 79
- B) Section 34 and 35
- C) Section 130 and 134
- D) None of the above.

Q74. Which of the maxims is a defense for individuals who commit an act in good faith believing it to be lawful

- A) Bona Vacantia
- B) Bona Fide
- C) Ignorantia Facti Excusat, Ignorantia Juris Non-Excusat
- D) Both (a) and (b)

Q75. The maxim Nemo Debet Esse Judex In Propria Sua Causa means

- A) No judge can be appointed to a matter of extra-judicial nature
- B) No one should be made a judge in his own cause.
- C) No one should appropriate a judgment without cause.
- D) None of the above.

Q76. Which of the following is known as the rule against bias

- A) Ignorantia Facti Excusat, Ignorantia Juris Non Excusat
- B) Corpus Delicti
- C) Doli Incapax
- D) Nemo Debet Esse Judex In Propria Sua Causa

Q77. The bias in the maxim Nemo Debet Esse Judex In Propria Sua Causa refers to

- A) Personal Bias
- B) Pecuniary Bias
- C) Subject Matter Bias
- D) All of the above

Q78. The maxim Nemo Dat Quod Non Habet means

- A) No one can be a judge in his own cause
- B) No one can give what he does not have
- C) No one should give something absolute possession
- D) None of the above

Q79. The Maxim 'Nemo Dat Quod Non Habet' is usually applied in

- A) IPC
- B) CrPC
- C) Sale of Goods Act
- D) None of the above

Q80. 'X' has transferred his property to Y. But X further agrees to transfer the same said property to Z. Y has the rights to the property via the rule of

- A) Bona Vacantia
- B) Injuria Sine Damnum
- C) Nemo Dat Quod Non Habet
- D) Ex Post Facto

Q81. The maxim Noscitur A Sociis means

- A) Knowing with Association
- B) Natural Justice in a Social setting
- C) Knowledge by hearsay
- D) None of the above.

Q82. Which of the following is used to interpret the law in case of certain ambiguity

- A) Amicus Curiae
- B) De Die In Diem
- C) Noscitur A Sociis
- D) All of the above

Q83. The rule of Noscitur a sociis was applied in Indian Judiciary in which case?

- A) State of Bombay v. Hospital Mazdoor Sabha
- B) Kesavanand Bharati v. State of Kerala
- C) MC Mehta v. Union Of India
- D) All of the above

Q84. The maxim Obiter Dicta means

- A) Something said in passing
- B) Oral dictation

- C) Observed day to day
- D) Observed directly

Q85. A comment/suggestion by a judge during a trial considered as

- A) Eiusdem Generis
- B) Bona Fide
- C) Doli Incapax
- D) Obiter Dicta

Q86. The word ' Per incuriam' literally means,

- A) Damage without legal injury.
- B) The reason for the decision.
- C) Through lack of care.
- D) Let the purchaser beware.

Q87. Are 'per incuriam' and 'res judicata' the same?

- A) The Court has power to decide according to the case.
- B) They are the same.
- C) Only the literal meaning is the same.
- D) They are different.

Q88. In the case of Buta Singh v. Union of India, two bench judges court renders a decision without noticing the binding decision of a larger bench (i.e. three-judge bench), then such a decision can be said to be

- A) per incuriam
- B) Ex parte
- C) Ignorantia Facti Excusat
- D) Audi Alterem Partem

Q89. Choose the correct legal maxim which means , 'When someone acts through another person, the law considers them to have done it themselves, '.

- A) Actus non facit reum nisi mens sit reA)
- B) Qui facit per alium facit per se
- C) Actus dei nemini facit injuriam.
- D) Ubi jus ibi remedium.

Q90. A person's liability for act of another person includes,

- i. The responsibility of a principal for their agent's actions.
- ii. The liability of spouses for each other's wrong actions
- iii. Liability of a person for the wrong done by a blood relative.
- iv. The liability of an employer for their employee's misconduct.

- A) i, iii
- B) i, ii,iii,iv
- C) i,iii,iv
- D) i,ii,iv

Q91.Which maxim shows a person is vicariously liable ,

- A) Qui facit per alium facit per se
- B) Caveat emptor.
- C) Per incuriam.
- D) Lex posterior.

Q92.A has filed a suit against B in a trial court which issued a decree in favor of A) However, A filed the same suit with the same matter against B, in a different court which has competent authority. In such a case, which maxim applies?

- A) Damnum sine injuria)
- B) Audi alteram partem.
- C) Actus dei nemini facit injuriam.
- D) Res judicata pro veritate accipitur

Q93.What does res judicata pro veritate accipitur mean?

- A) judicial decision must be accepted as correct.
- B) judicial decisions must be accepted fully.
- C) Judicial decisions can be varied)
- D) judicial decision cannot be rejected)

Q94.'Res judicata accipitur pro veritate' applicable in which type of cases?

- A) Criminal cases only
- B) Civil cases only
- C) Applicable in civil and criminal cases

D) Discretion of court

Q95.The statement,“The phrase is the state motto of Missouri, accepted in its state seal” is related to which maxim?

- A) Ubi jus ibi remedium.
- B) Pacta sunt servanda
- C) The welfare of the people shall be the supreme law.
- D) A verbis legis non recedendum est.

Q96.Is Salus populi suprema lex esto governs public interest only?

- A) Yes
- B) Both public and private interest
- C) It is not clear
- D) Depends on case

Q97.What is the meaning of Salus Populi Suprema Lex?

- A) All people are equal before law.
- B) The welfare of the people is the supreme law
- C) Law is supreme and no is superior to it.
- D) Problems of people shall be solved legally.

Q98.The meaning of stare decisis is

- A) To stand by things decided
- B) Severe disease
- C) State's decision
- D) To wait for court's decision

Q99.How many components are there in the stare decisis concept?

- A) Positive and negative
- B) Right and left
- C) Horizontal and vertical
- D) There's no such type

Q100.Choose a statement related to stare decisis.

- A) Stare decisis is a legal doctrine that obligates courts to follow historical cases when making a ruling on a similar case.
- B) Stare decisis requires that cases follow the precedents of other similar cases in similar jurisdictions.
- C) The Supreme Court is the nation's highest court; therefore, all states rely on Supreme Court precedents.
- D) All of the above

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ANSWER KEY

1	2	3	4	5	6	7	8	9	10
C	A	A	C	A	B	B	A	A	D
11	12	13	14	15	16	17	18	19	20
D	C	B	D	A	A	D	A	B	A
21	22	23	24	25	26	27	28	29	30
B	B	A	C	B	C	B	A	C	A
31	32	33	34	35	36	37	38	39	40
D	D	B	B	C	D	A	C	C	A
41	42	43	44	45	46	47	48	49	50
B	B	B	C	B	D	A	C	A	C
51	52	53	54	55	56	57	58	59	60
D	D	C	C	D	C	D	C	D	B
61	62	63	64	65	66	67	68	69	70
C	A	C	B	A	D	B	A	B	D
71	72	73	74	75	76	77	78	79	80
B	D	A	C	B	D	D	B	C	C
81	82	83	84	85	86	87	88	89	90
A	C	A	A	D	C	D	A	B	D
91	92	93	94	95	96	97	98	99	100
A	D	A	C	C	B	B	A	C	D

SOLUTIONS

1-C

The maxim Actus Non-Facit Reum Nisi Mens Sit Rea is a Latin legal maxim which means An act does not make a person guilty unless there is a guilty mind)

2-A

'Mens Rea' refers to 'Guilty Mind' in latin. It is one of the components for committing a crime

3-A

'Mens Rea' is usually followed by 'Actus Rea' which refers to an Guilty Act with regards to furtherance of a Guilty mind's act.

4-C

Here, mens rea is accompanied by actus rea and X admits to have conspired against bumping into Y.

5-A

In vicarious liability, a servant committing a crime on his own accord still results in the master being held liable. Hence, an exception to this maxim.

6-B

Mens Rea is not an essential element for imposing a penalty for breach of civil liability or obligation.

7-B

Ad Valorem is a latin maxim. Ad Valorem tax is a tax based on the assessment of value of an item.

8-A

The term 'Ad Valorem Tax' refers to the computation/assessment of taxes according to their value. Hence, prominent in taxation.

9-A

Ad Valorem Tax is a tax based on the assessed value of an item, such as personal property or real estate.

10-D

Ad Valorem Tax is a tax based on the assessed value of an item, such as personal property or real estate.

11-D

The most common ad valorem tax examples include property taxes on real estate, sales tax on consumer goods, and VAT on the value added to a final product or service.

12-C

Amicus Curiae is a Latin maxim which translates to 'a friend of court' . It refers to the person who assists the court by furnishing information or advice regarding questions of law or fact.

13-B

Amicus Curiae is a latin term which translates to 'a friend of court' . It refers to the person who assists the court by furnishing information or advice regarding questions of law or fact and is not a party to the lawsuit.

14-D

Amicus Curiae is a latin term which translates to 'a friend of court' . It refers to the person who assists the court by furnishing information or advice regarding questions of law or fact and is not a party to the lawsuit

15-A

Amicus Curiae is a latin term which translates to 'a friend of court' . It refers to the person who assists the court by furnishing information or advice regarding questions of law or fact and is not a party to the lawsuit

16-A

Amicus curiae refers to a person who volunteers to help the court in deciding some matters however it is the discretion of the court whether to accept it or not, the information provided by the amicus curiae could be in the form of brief, testimony which has not been asked by any member of the case, or a learned treatise on the matter before the court.

17-D

Audi alteram partem is a legal maxim meaning "listen to the other side". It is the principle that no person should be judged without a fair hearing in which each party is given the opportunity to respond to the evidence against them. Right of fair hearing must be given to both sides before arriving at a judgment.

18-A

The rule of natural justice comes into power where no partiality is done with anybody during any regulatory activity. Hence, the rule of Audi Alteram Partem is the primary notion of the principle of natural justice.

19-B

Under the rule of Audi Alteram Partem, any order is passed without giving notice then it is against the principle of natural justice and is void ab initio which means void from the beginning.

20-A

Under the rule of Audi Alteram Partem, an opportunity is provided to the concerned person to deny the evidence against him during cross examination.

21-B

Essential elements to the rule of Audi Alteram Partem require the hearing to be fair and other parties be heard and notified of such. Oral hearing is not an essential component to this rule.

22-B

Assentio mentium is a latin term that implies meeting of minds or mutual assent expressed or implied by both the parties to the contract.

23-A

Assentio mentium is a Latin term that implies meeting of minds or mutual assent expressed or implied by both the parties to the contract, usually seller and purchaser.

24-C

Assentio mentium is important as it represents the foundation of any agreement or contract. For two or more parties to be involved in a contract it is essential for them to have mutual agreement which requires meeting of the minds of parties.

25-B

Assentio mentium means meeting of the mind/ mutual assent of the parties. It is required that both the parties to an agreement are on the same understanding regarding the conditions of an agreement.

26-C

Assentio mentium translates to Mutual assent/Mutual consent of the parties. A contract requires both the parties to be on the same mutual understanding/meeting of minds.

27-B

The latin maxim Bona Fide means 'in good faith'. It applies to integrity and absence of dishonesty.

28-A

The latin maxim Bona Fide means 'in good faith'. It applies to integrity and absence of dishonesty with due and reasonable care.

29-C

Section 88 of IPC stipulates an act not intended to cause death by good faith consent to the benefit of a person.

30-A

Bona vacantia, also known as "vacant goods" or "ownerless goods" in Latin, is a legal term for the situation in which property is left without any clear owner.

31-D

Bona vacantia, also known as "vacant goods" or "ownerless goods" in Latin, is a legal term for the situation in which property is left without any clear owner. The bona vacantia property may have been abandoned, mislaid, or forgotten by the owner. Bona vacantia can also refer to property left by someone who has died intestate (without a legal will) and has no known heirs.

32-D

Bona Vacantia refers to any goods that are left abandoned) They may be in the form of abandoned property, long dormant financial accounts such as savings and check-in accounts, unclaimed funds such as life insurance and lost or unclaimed baggage.

33-B

Bona vacantia property, which remains unclaimed after a certain period of time, sometimes reverts to government ownership. In other cases, the government is obliged to serve as custodian for bona vacantia property into perpetuity.

34-B

The Article 296 of Indian Constitution states about the property accruing by escheat or lapse or bona vacantiA)

35-C

Caveat emptor is a Latin phrase that translates to "let the buyer beware." It means that an individual buys at their own risk. Potential buyers are warned by the phrase to do their research and ask pointed questions of the seller.

36-D

Despite the rule of Caveat Emptor, the buyer can shift the responsibility to the seller the buyer informs the seller of his purpose of buying the goods, it is implied that he is relying on the seller's judgment, When the buyer buys a product under a trade name or a branded product the seller cannot be held responsible for the usefulness or quality of the product.If the seller obtains the consent of the buyer by fraud then caveat emptor will not apply.

37-A

Corpus delicti, the Latin phrase which translates as body of the crime came into being as a doctrine so as to prevent the conviction in those cases where there is insufficient evidence to prove that the crime even took place in the very first place; let alone committed by the accused individuals.

38-C

Corpus delicti, the Latin phrase which translates as body of the crime came into being as a doctrine so as to prevent the conviction in those cases where there is insufficient evidence to prove that the crime even took place in the very first place; let alone committed by the accused individuals.

39-C

The maxim Corpus Delicti means ' Body of the crime'. When it is applied to a criminal case, the proof of the crime has to be shown in order to convict a person for the crime.

40-A

Damnum Sine Injuria means any damage which is caused apart from the harm as well as prejudice or in simple terms it means Damage done without the violation of legal rights.

41-B

X cannot sue as Y did not violate any of the legal rights of X because by opening a shop just next to X is no illegal act. Therefore, in this case, although X suffered sufficient monetary loss in his business, he cannot sue Y for opening another stationary shop. So, we can say X was a victim of Damnum Sine Injuria

42-B

In the Gloucester Grammar School case, the defendant was a former employee in the school who was fired due to some conflict. Due to his popularity among students, he opened a rival school next to plaintiff's school. As a result, students left the plaintiff's school and joined the defendant's school causing monetary losses to the plaintiff. According to the maxim Damnum Sine Injuria, it was held that no suit can lie.

43-B

Damnum sine Injuria is a legal maxim or concept used in the context of tort law. Tort law encompasses a wide range of civil wrongs that result in harm or injury to individuals or their property.

44-C

The latin maxim 'De Die In Diem' refers to an action occurring from day to day or a continuing right of action. The maxim often refers to a type of pay schedule. A continuing cause of action is an action which arises from the repetition of acts or omissions of the same kind as that for which the action was brought.

45-B

The concept of de die in diem cannot be applied in the branch of Criminal Law, which was explained by a full bench of the Bombay High Court in Emperor vs. Chotta Lal Amar ChanD) It was held therein that a person cannot be charged with committing an offense de die in diem over a substantial period

46-D

The latin maxim 'De Die In Diem' refers to an action occurring from day to day. If a person wrongly places something on another person's land and leaves it there, then that act is not a single act of trespass. Instead, it is a continuing action giving rise to fresh causes of action from day to day.

47-A

De Die In Diem is a Latin term meaning day to day. In earlier times, the term was used to refer to an action occurring from day to day. It denotes a continuous right of action.

48-C

Latin maxim De minimis non curat lex means “law is not concerned with small things.” A legal doctrine by which a court refuses to consider trifling things.

49-A

In a lawsuit, the de minimis doctrine is applied by a court to avoid resolving trivial matters that are not worthy of judicial scrutiny. Its application sometimes leads to an action being dismissed, especially when the only redress being sought is for a nominal sum

50-C

Section 95 says that if a crime under the Indian Penal Code, 1860 is committed but the commission of such act is so minor that it does not necessarily lead to any harm caused to the other party or very minimal harm caused to the other party so that the party harmed is entitled to a negligible amount of compensation, then the act committed will not be regarded as a crime and hence the suit will not be entertained in the court of law

51-D

On the basis of the maxim de minimis non curat lex, is not liable for the tort as the matter is trivial in nature.

52-D

Doli incapax is a term that means ‘incapable of wrongdoing.’ It’s a principle that protects children from being held criminally responsible for their actions.

53-C

According to the principle of Doli Incapax, in the case of India, it’s presumed that children under the age of 7 cannot understand the consequences of their actions. As a result, they are granted full immunity from criminal liability.

54-C

According to the principle of Doli Incapax, in the case of India, it’s presumed that children under the age of 7 cannot understand the consequences of their actions. As a result, they are granted full immunity from criminal liability.

55-D

Doli Incapax is mentioned in Sections 82 and 83 of the IPC) Section 82 grants absolute immunity to any child under 7 years from being considered guilty of any offense. Section 83 of the IPC provides partial immunity from criminal liability to children who are above 7 and below 12 years of age.

56-C

Ejusdem Generis' is a Latin term and the meaning of it is "of the same kind and nature". The principle of Ejusdem Generis is where general words follow an enumeration of persons or things by particular and specific words.

57-D

The principle of Ejusdem Generis is where general words follow an enumeration of persons or things by particular and specific words. Not only these general words are construed but also held as applying only to persons or things of the same general kind as those specifically enumerated) There is no need for the interpretation if in the language there is no ambiguity and it is clear.

58-C

The principle of Ejusdem Generis is where general words follow an enumeration of persons or things by particular and specific words. Not only these general words are construed but also held as applying only to persons or things of the same general kind as those specifically enumerated) There is no need for the interpretation if in the language there is no ambiguity and it is clear.

59-D

The Doctrine of Ejusdem Generis provides that when a list of specific words are being followed by the general words, the general words are interpreted in a way so as to restrict them to include the items or things which will be of the same type as those of the specific words. In the case of Evans v. Cross [(1938) 1 KB 694], the Court had applied the ejusdem generis rule.

60-B

The Latin translation of ex post facto is "from a thing done afterward)" In a legal context, ex post facto is most typically used to refer a criminal statute that punishes actions retroactively, thereby criminalizing conduct that was legal when originally performed)

61-C

The Latin translation of ex post facto is "from a thing done afterward)" In a legal context, ex post facto is most typically used to refer a criminal statute that punishes actions

retroactively, thereby criminalizing conduct that was legal when originally performed) It has been mentioned in Article 20(1) of the Indian Constitution.

62-A

The Latin translation of ex post facto is “from a thing done afterwarD)” In a legal context, ex post facto is most typically used to refer a criminal statute that punishes actions retroactively, thereby criminalizing conduct that was legal when originally performed)

63-C

Locus standi means the right to bring an action, to be heard in court, or to address the Court on a matter before it. Locus standi is the ability of a party to demonstrate to the court sufficient connection to and harm from the law or action challenged to support that party's participation in the case.

64-B

Locus standi means the right to bring an action, to be heard in court, or to address the Court on a matter before it.

The traditional rule of Locus Standi was liberalized to give way to Public Interest Litigation (PIL) in the case of S.P. Gupta v. Union Of India

65-A

The locus standi in cases of PIL is based on public welfare thereby abiding by the fundamental principles of the Constitution, to advance the cause of the community, disadvantaged groups and individuals, or the public interest.

66-D

Locus standi means the right to bring an action, to be heard in court, or to address the Court on a matter before it.

The essential ingredients that have been laid down under Order 7 Rule 11 of the Civil Procedure Code, 1908 as a) Presence of injury, b) Causation.

67-B

Injuria sine damno refers to the violation of a legitimate right without causing any harm, loss, or injury to the aggrieved party. Whenever a legal right is infringed, the person in whom the right is vested has the right to take legal action. The law of torts protects this legal right.

68-A

Injuria sine damno refers to the violation of a legitimate right without causing any harm, loss, or injury to the aggrieved party. Whenever a legal right is infringed, the person in whom the right is vested has the right to take legal action.

69-B

Injuria sine damno refers to the violation of a legitimate right without causing any harm, loss, or injury to the aggrieved party. In the case of *Ashby v. White* (1703), the plaintiff, who was a qualified voter, was wrongfully denied the opportunity to cast his vote in the parliamentary elections. Although he did not suffer any direct harm since his preferred candidate had already won, the defendants were still held accountable. This case established the principle that harm extends beyond mere financial loss and includes the violation of one's rights, entitling the individual to legal remedies.

70-D

Injuria sine damno refers to the violation of a legitimate right without causing any harm, loss, or injury to the aggrieved party. The person whose right has been threatened can bring a suit under the provisions of Specific Relief Act under Declaration and injunction.

71-B

"Ignorantia Facti Excusat" means that ignorance of fact is an excuse. This principle provides a defence for individuals who may have caused harm due to a lack of knowledge or information.

"Ignorantia Juris Non Excusat" means that ignorance of the law is no excuse. This principle places the responsibility on individuals to know and follow the law, regardless of whether they were aware of the law or not.

72-D

In the legal system of India, the maxim "Ignorantia Facti Excusat" and "Ignorantia Juris Non Excusat" are important principles that are used to determine liability in various legal cases. These principles are particularly relevant in tort law, where individuals may be held responsible for injuries caused to others due to their negligent actions.

73-A

Section 79 of the Indian Penal Code, states that an act done by a person justified by law or who, in good faith, believed themselves to be justified by law due to a mistake of fact, and not a mistake of law, is not considered an offence. The Indian Penal Code, 1860 provides protection under Sections 76 and 79 for individuals who make mistakes of fact in good faith. However, it does not extend this protection to mistakes of law.

74-C

These principles provide a legal defence for individuals who commit acts in good faith and under the belief that they are acting in accordance with the law. While mistake of fact is generally a valid defence, mistake of law is not considered to be a defence in India)

75-B

Nemo in propria causa judex , esse debet, i.e.; no one should be made a judge in his own cause. It is popularly known as the rule against bias. It is the minimal requirement of natural justice that the authority giving decision must be composed of impartial persons acting fairly, without prejudice and bias.

76-D

Nemo in propria causa judex , esse debet, i.e.; no one should be made a judge in his own cause. It is popularly known as the rule against bias. It is the minimal requirement of natural justice that the authority giving decision must be composed of impartial persons acting fairly, without prejudice and bias.

77-D

Nemo in propria causa judex , esse debet, i.e.; no one should be made a judge in his own cause. It is popularly known as the rule against bias. It is the minimal requirement of the natural justice that the authority giving decision must be composed of impartial persons acting fairly, without prejudice and bias, the bias being of -Personal Bias, Pecuniary Bias, Subject Matter Bias, Departmental Bias, Preconceived Notion Bias, Bias On Account of Obstinacy.

78-B

The literal meaning of the phrase “nemo dat quod non habet” means no one can give what he does not have

79-C

Section 27[1] Of the Sale of Goods Act, 1930 states that when any goods are sold by a person who is not the real owner of the goods and sells them without proper authority and consent from the real owner, the buyer acquires no better title to the goods than the seller had)

80-C

The literal meaning of the phrase “nemo dat quod non habet” means no one can give what he does not have. Following the rule of nemo dat quod non habet, Y will get the right from X. Now Y has the rights and X has none. So X cannot transfer Z the property

81-A

Noscitur a sociis is a legal principle that means we should understand the meaning of a vague or unclear word in a contract or law by looking at the other words around it. So, noscitur a sociis means “knowing with association.”

82-C

The rule of noscitur a sociis is used when a word or phrase in a law can't be understood on its own. You need to consider the words around it to get the full meaning. The rule is applicable in interpretation of a law when there is ambiguity.

83-A

In the case of State of Bombay v. Hospital Mazdoor Sabha, the Supreme Court rejected the application of the rule, but it examined its scope. The judgment clarified that the noscitur a sociis rule is a tool for interpreting laws. It cannot be used when the legislative intent is clear – that is, when lawmakers intentionally use broad and unambiguous language. The judgment also outlined the rule's scope, stating that it can be employed when the legislative intent is unclear because it associates broad words with those of narrower meaning.

84-A

The Latin term Obiter Dicta is plural of Obiter Dictum which means something said in passing. It refers to the comments, suggestions, observations of a judge that are his opinion and not necessarily a judgement.

85-D

The latin term Obiter Dicta means something said in passing. It refers to the comments, suggestions, observations of a judge that are his opinion and not necessarily a judgement.

86-C

A finding of 'per incuriam' means that a previous court judgment has failed to pay attention to relevant statutory provision or precedents. Hence, option C is correct.

87-D

Res Judicata doctrine is to preserve the effect and finality of the first judgment. But the maxim 'per incuriam' decisions, on the other hand are such judgements in which the relevant law was not properly presented before the court and hence is not supposed to be followed)

88-A

Buta Singh v. Union of India: In this case, the court held that, when a two-judges bench renders a decision without noticing or in a manner that it ignores the binding decision of a larger bench (in this case a three judge bench), then such a decision can be said to be per incuriam.

89-B

Qui facit per alium facit per se (anglicised Late Latin), which means “He who acts through another does the act himself”, is a fundamental legal maxim of the law of agency. It is a maxim often stated in discussing the liability of the employer for the act of the employee in terms of vicarious liability.”

90-D

liability for an act of another person includes,. The responsibility of a principal for their agent’s actions. The liability of spouses for each other’s wrongdoing. The liability of an employer for their employee’s misconduct .

91-A

Qui facit per alium facit per se is a maxim often stated in discussing the liability of employer for the act of employee in terms of vicarious liability.

92-D

A has filed a suit against B in a trial court which issued a decree in favor of A) However, A filed the same suit with the same matter against B, in a different court which has competent authority. In such case, the maxim Res Judicata Pro Veritate Accipitur applies since the same matter in the same suit between the same parties was already decided by a competent court earlier.

93-A

A decision of a judicial authority must be duly accepted as correct. If the judicial decision is not respected as conclusive, then there will be indefinite litigation, which will lead to confusion and chaos.

94-C

The maxim res judicata pro veritate accipitur is no less applicable to a criminal than to civil proceedings.

95-C

Salus Populi suprema lex is a Latin legal maxim that means the welfare of the people shall be the supreme law. The maxim tends to imply the information that the law exists to serve the common good)

96-B

The interests of an individual must give way to the interests of the multitude, even though they extend to his life. This is shown in the experience of every nation and people upon the face of the earth. The principle governing this rule extends to private, as well as to public interests.

97-B

Salus Populi suprema lex is a Latin legal maxim that means the welfare of the people shall be the supreme law.

98-A

Stare decisis, meaning in Latin "to stand by things decided," is a legal principle that directs courts to adhere to previous judgments (or judgments of higher tribunals) while resolving a case with allegedly comparable facts.

99-C

There are horizontal and vertical components to the stare decisis concept.

100-D

Law declared by Supreme Court to be binding on all courts The law declared by the Supreme Court shall be binding on all courts within the territory of India)" The doctrine of Stare Decisis thus means that courts refer to the previous, similar legal issues to guide their decisions.

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