

LAHORE HIGH COURT, LAHORE

6th Departmental Examination of Additional District and Sessions Judges 2020.

Paper-5 (High Court Rules and Orders, Service Laws and Accounts)

Time allowed: 3 Hours

Total Marks: 100

Attempt any 5 questions

All questions carry equal marks

Support your answers with relevant provisions of Law and Rules

Question No 1. Will a decree be framed upon remand of a case by an appellate court? What directions will be issued to the trial court by the court ordering the remand? How will the courts proceed in the case after the remand?

Question No 2. What is the proof of service of a process on a party that should be required in a case by an Additional District & Sessions Judge?

Question No 3. What is the position of Additional District & Sessions Judge in relation to the District & Sessions Judge in the District of his posting?

Question No 4. What are the principles governing grant of bail; and what inquiry should be made by an Additional Sessions Judge before accepting bail bonds?

Question No 5. Can prosecution evidence be recorded in the absence of an absconding accused and used against him during trial?

Question No 6. "Misconduct" includes "conduct unbecoming of an officer and a gentleman." Please elucidate.

Question No 7. Please explain responsibilities of a presiding officer for proper accounting and application of money and property received.

LAHORE HIGH COURT LAHORE

9TH DEPARTMENTAL EXAMINATION OF ADDITIONAL DISTRICT AND SESSIONS JUDGES 2022

(PAPER-5)

HIGH COURT RULES AND ORDERS, SERVICES, LAWS, AND ACCOUNTS.

Total Marks: 100

Time Allowed 3 Hours

Attempt five (5) questions.

All question carries equal marks.

Quote the relevant provisions of law/Rules in support of your answers.

- Q. No. 1. What oath is taken during the trial from a witness? Is it imperative to administer the oath to a witness under twelve years of age? What procedure is adopted if in any case oath is to be taken on Guru Granth sahib?
- Q. No. 2. Write notes on the following:
- (i) various kinds of punishment.
 - (ii) Limitations imposed by Section 71 PPC and Section 35 CrPC, in case if accused is convicted of more offences.
 - (iii) Procedure when the magistrate thinks that the accused should receive greater punishment than he can award.
- Q. No. 3. Differentiate the cash system from the voucher system. What instructions are contained in High Court Rules and orders regarding deposits in treasury?
- Q. No. 4. Which items may be included in the civil court deposit accounts as mentioned in Schedule-A? and also describe the list of registers and forms to be maintained or used by the court in civil court deposit accounts as per Schedule-B.
- Q. No. 5. Explain the duties and powers of the insolvency court. What are the causes of delay in the disposal of insolvency cases?

- Q. No. 6. Are the persons subject to Pakistan Army Act, 1952 are enable to civil courts? If yes, describe the procedure to file suits by or against persons in Military service. Also comment if the Indian soldiers (litigation) Act, 1952, and rules framed thereunder are applicable in such cases.
- Q. No. 7. Describes the establishment of the High Court. What penalties may for good and sufficient reasons be imposed upon the members of the establishment?

**DEPARTMENTAL EXAMINATION OF ADDITIONAL AND SESSIONS
JUDGE**

Paper 5

High Court Rules and Orders, Services Laws and Accounts

Total Marks – 100

Time Allowed 3 hours

Attempt any five questions

All questions carry equal marks

**QUOTE THE RELEVANT PROVISIONS OF LAW/RULES IN
SUPPORT OF YOUR ANSWERS**

- Q 1 Explain and elaborate the procedure and precautionary measures to be adopted by a Magistrate while recording a confession of an accused u/s 164 Criminal Procedure Code 1898. What is the evidential value of a retracted confession?
- Q-2. An investigating officers/S.H.O directly submitted a report u/s 173 Cr. PC against three accused persons, in the court of Session's Judge of the District. Explain if the procedure adopted by I.O/S.H.O was lawful? If not, which procedure was to be adopted. Refer the relevant provision of law and the rules in this respect.
- Q-3. What are the principle governing grant of bail and what enquiry should be conducted by an Additional Session's Judge before accepting bail bonds.
- Q-4. Can admitted document in evidence be returned to a party who produced the same in court? Give your answer by referring the relevant provision of law/ rules?

- Q-5. What measures are essential to be adopted by an appellate court, in case of time barred appeals and application? Submit your reply with reference to the relevant law/rules.
- Q-6. What are the duties and responsibilities of a judicial officer in respect of supervision and control of court staff in fiduciary matters? How periodical and daily checking/inspection of court accounts be conducted. Explain with reference to relevant rules/law.
- Q-7. Explain shortly the following definition as provided under E&D Rules 1999.
- (i) (a) accused
 - (b) authority
 - (c) Enquiry officer
 - (d) misconduct
- (ii) What kinds of penalties are provided under E&D Rules 1999.

LAHORE HIGH COURT, LAHORE
11TH DEPARTMENTAL EXAMINATION OF ADDITIONAL
DISTRICT & SESSIONS JUDGES

High Court Rules and Orders, Services Laws and Accounts

(Paper-5)

Total Marks---100

Time Allowed 3 Hours

Attempt any five questions. All questions carry equal marks

Q No.01. What precautionary measures and guidelines are to be kept in mind by a court while passing an interim injunction at first instance u/o 39 CPC at the back of a defendant. Answer in the light of relevant law and High Court Rules and orders.

Q No.02. Explain the procedure provided under the High Court Rules and Orders for preparation and pronouncement of a judgment. Further explain the procedure if pronouncement of judgment is to be postponed.

Q No.03. What are the responsibilities of a judicial officer for supervision of account staff of a court. Explain the personal responsibility of an officer if a loss is caused by negligence of law, rules and supervision. Further explain shortly the mode and manner of checking the accounts registers of court daily/periodically.

Q No.04. Under which circumstances and category of cases and offender can be burdened with enhanced sentence by a magistrate. If a magistrate is not empowered to pronounce enhanced sentence, what procedure is to be adopted. Answer with relevance to law and High Court Rules and Orders.

QNo.05. Who is an approver. When and in which circumstances/grounds and accused be tendered pardon. Explain if approver does not fulfill the terms and conditions on which pardon was tendered how he be dealt.

Q No.06. An accused in a murder case in order to get benefit as minor submitted a fake and forged birth certificate in court. Contested by complainant of the case. The birth certificate was turned as forged. The complainant moved an application for initiation of action against the accused. Which procedure and law is to be adopted by Court. Discuss in the light of law and High Court Rules and Orders.

Q no.07. Describe the procedure to be followed by an enquiry officer/committee during the regular enquiry under Efficiency and Discipline Rules, 1999.

LAHORE HIGH COURT, LAHORE
12TH DEPARTMENTAL EXAMINATION OF ADDITIONAL
DISTRICT & SESSIONS JUDGES

High Court Rules and Orders, Service Laws and Accounts

(Paper-5)

Total Marks --- 100

Time Allowed 3 Hours

Attempt any five (5) questions. All questions carry equal marks.

Q.1. Are the persons subject to Military Laws, i.e. Pakistan Army Act 1952, Pakistan Air Force Act 1953, & Pakistan Navy Ordinance amenable to the jurisdiction of ordinary civil courts subject to certain restrictions? If so, explain the procedure for prosecuting or defending a suit qua their service of processes, authority for conducting litigation, pace of litigation, exemptions from arrest and attachment of pay & allowances, etc. (20 marks)

Q.2. Judicial Officers are primarily responsible for supervision of their subordinate staff i.e. Nazirs, Cashiers or other clerks handling financial matters both on civil and criminal sides for discharge of duties free from any taint or misdeed. Please elaborate the above statement in the light of relevant law/rules with particular reference to periodical inspection of accounts and checking of relevant registers. (20 marks)

Q.3. What are the fundamental rules and procedure for conducting proceedings against absconders and recording of evidence in their absence and its use against them to what extent after their arrest? (20 marks)

Q.4. Can criminal appeal be dismissed in default? Explain and elaborate the procedure in hearing criminal appeal with particular regard to summary disposal and remand under section 428 of the Code of Criminal Procedure 1898. (20 marks)

Q.5. What are Judicial Buildings? Is the Bar Room included in the Judicial Buildings? Please write a comprehensive note with special reference to administrative approval of new Buildings by whom? (20 marks)

Q.6. Write notes on the following:

(04 marks each)

- (a) Diet-money of Government Servants appearing as witnesses
- (b) Annual Audit
- (c) Sheriff's Petty Accounts
- (d) Civil Nazir & his duties
- (e) Deposits in Treasury: How to deal application for deposit?

Q.7. A judgement should be precise, concise, balanced, clear and intelligible. Please elaborate this statement in the light of guidelines provided in the High Court Rules & Orders Volume III.

(20 marks)

to day's date