

Dt → 01-08-2026

Ch. Sandeep.

Roll No. _____

U.P. Higher Judicial Service Main Written Examination – 2023
General Awareness & Legal Language
Paper I

उ० प्र० उच्चतर न्यायिक सेवा मुख्य लिखित परीक्षा – 2023
सामान्य जागरूकता एवं विधिक भाषा
प्रश्नपत्र-I

समय : 3 घंटे

अंक : 100

Time: 3 hours

Marks: 100

Notes:

1. All questions are compulsory.
2. The questions may be answered either in English or in Hindi, **unless otherwise specified.**
3. The marks against each question are given in margin.
4. If there is any conflict/difficulty in understanding the nature of any question, the question framed in English shall prevail and answer to the question will be considered and assessed in the light of the question in English.

टिप्पणी :

1. सभी प्रश्न अनिवार्य हैं।
2. जब तक अन्यथा निर्दिष्ट न किया गया हो, प्रश्नों के उत्तर अंग्रेजी अथवा हिन्दी में दिए जा सकते हैं।
3. प्रत्येक प्रश्न के लिए निर्धारित अंक हाशिये में अंकित हैं।
4. यदि किसी प्रश्न की प्रकृति को समझने में किसी प्रकार का विरोधाभास अथवा कठिनाई उत्पन्न हो, तो प्रश्न का अंग्रेजी संस्करण ही मान्य होगा तथा प्रश्नों के उत्तरों का मूल्यांकन अंग्रेजी में निहित प्रश्न के आलोक में किया जाएगा।



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SECTION-A

(खण्ड-अ)

Question-1. Write an essay in approximately 1000 words on the role and impact of social media on Indian Polity in the context of recent events. (50 Marks)

प्रश्न-1. हाल की घटनाओं के संदर्भ में भारतीय राजव्यवस्था (Indian Polity) पर सोशल मीडिया की भूमिका एवं प्रभाव पर लगभग 1000 शब्दों में निबंध लिखिए। (50 अंक)

SECTION-B

(50 Marks)

(खण्ड-ब)

(50 अंक)

Question-2. A Plot No. 40 admeasuring 0.243 hectare and Plot No. 156 admeasuring 0.72 decimal, situate in Village Mauza Saraimugal, Pargana Athagaon, Tehsil Pindra, District Varanasi was recorded in the name of one Smt. Munnan Devi. She was a co-sharer in the two plots to the extent of a half share alongwith her co-tenure holder, Smt. Ramdei Devi, wife of Ramdas. One Smt. Amrawati Devi, wife of Late Panna Lal, claimed that Smt. Munnan Devi had executed a sale deed of her half share in the plots of land above mentioned on 09.10.1998. Smt. Amrawati Devi got her name recorded as a co-tenure holder alongwith Smt. Ramdei Devi, after mutating out the name of Smt. Munnan Devi in the revenue records. On 08.02.1999, Smt. Munnan Devi brought a prompt action against Smt. Amrawati Devi, seeking a declaration that the sale deed dated 09.10.1998 was null and void, with a prayer that the declaration granted be communicated to the Sub-Registrar, where the deed had been registered for recording the declaration. A permanent injunction was also claimed against Smt. Amrawati Devi to the effect that the defendant be restrained from interfering with the plaintiff's title and possession in the suit property or otherwise creating an obstruction in any manner, and further not to destroy the standing crops in the suit property. The aforesaid suit brought by Smt. Munnan Devi against Smt. Amrawati Devi was numbered on the file of the Civil Judge (Junior Division) Haveli, Varanasi as Original Suit No. 154 of 1999. The short case of Smt. Munnan Devi in the suit was that the impugned conveyance dated 09.10.1998 was not her deed. It had been got executed by Smt. Amrawati Devi through the agency of an imposter, a woman, different



SECTION-A

(खण्ड-अ)

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SECTION-B

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(खण्ड-ब)

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from Smt. Munnan Devi. The sale deed was, therefore, impugned as a void document.

On 03.07.2000, a written statement was filed by Smt. Amrawati Devi, contesting the plaintiff's case. It would not be material, for the purpose of this petition, to enumerate what her defence was. Smt. Munnan Devi put in a replication on 29.08.2000. On 30.08.2000, the Trial Court struck issues, a total of seven. What the issues were is also not relevant for the purpose of this petition. The sole plaintiff, Smt. Munnan Devi, was examined as P.W.1. She testified in the dock on 11.02.2003 and 17.07.2003. Pending suit, Smt. Munnan Devi executed two sale deeds – one in favour of Smt. Jeera Devi, conveying her half share in Plot No. 156, that is to say, the area of 0.298 hectare out of the total of 0.596 hectare; and the other in favour of Ghanshyam Patel, conveying her half share in Plot No. 40 admeasuring 0.121 hectare out of the total of 0.243 hectare. Both these sale deeds were executed on 21.05.2011 and admitted to registration by the Sub-Registrar, Pindra, Varanasi on 23.05.2011. On the 9th of February, 2013, Smt. Munnan Devi passed away, while the suit was still pending.

On 15.04.2013, Smt. Phulpatti Devi, daughter of Smt. Munnan Devi, applied to be substituted in place of the sole plaintiff. The substitution application was granted by the Trial Court on 05.07.2013. Smt. Phulpatti Devi, the substituted plaintiff, seems to have prosecuted the suit for a period of approximately five years until 05.04.2018, when she made an application under Order XXIII Rule 1 of the Code of Civil Procedure, 1908 seeking to unconditionally withdraw the suit. The aforesaid application is numbered on the record of the Trial Court as Paper No. 45-ग—.

Close on heels of the sudden termination of action by Smt. Phulpatti Devi, Smt. Jeera Devi filed an application bearing Paper No. 48-क under Order XXII Rule 10 of the Code, seeking leave of the Court to continue the suit.

On 22.08.2018, Smt. Jeera Devi filed objections to the application dated 05.04.2018 made by Smt. Phulpatti Devi, seeking to withdraw the suit. On the 4th of July, 2018, Ghanshyam Patel made an application 54-क under Order XXII Rule 10 of the Code, seeking leave of the Court to continue the suit. On 13.07.2018, Smt. Jeera Devi and Ghanshyam Patel made an application, seeking recall of the order granting substitution in favour of Smt. Phulpatti Devi, but no orders were passed on the said application by the Trial Court. The Trial Court, by its order dated 04.09.2018, allowed the applications 48-क and 54-क made by Smt. Jeera Devi and Ghanshyam Patel, respectively, seeking leave to continue the suit and rejected the application 45-ग— made by Smt.

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Phulpatti Devi, praying for withdrawal of the suit. [Jeera Devi and Another Vs. A.D.J., Varanasi and Others, 2026 (1) ADJ 770 (FB)]

A. Discuss whether the plaintiff can withdraw the suit despite the objections of the transferees and whether the transferees pendente lite are entitled to continue the proceedings. Refer to the relevant provisions of the Code of Civil Procedure, 1908, and the doctrine of *lis pendens*. Write answer in Hindi. (20 Marks)

B. Whether the application under Order XXIII Rule 1 of the Code of Civil Procedure, 1908 filed by the plaintiff seeking withdrawal of the suit will amount to automatic withdrawal of suit? (15 Marks)

C. Whether a subsequent transferee can file an application to continue the suit? Discuss the fate of suit with reference to legal provision. (15 Marks)

★ Answer the above questions in Hindi.

Phulpatti Devi, praying for withdrawal of the suit. [Jeera Devi and Another Vs. A.D.J., Varanasi and Others, 2026 (1) ADJ 770 (FB)]

A. Discuss whether the plaintiff can withdraw the suit despite the objections of the transferees and whether the transferees pendente lite are entitled to continue the proceedings. Refer to the relevant provisions of the Code of Civil Procedure, 1908, and the doctrine of *lis pendens*. Write answer in Hindi. (20 Marks)

B. Whether the application under Order XXIII Rule 1 of the Code of Civil Procedure, 1908 filed by the plaintiff seeking withdrawal of the suit will amount to automatic withdrawal of suit? (15 Marks)

C. Whether a subsequent transferee can file an application to continue the suit? Discuss the fate of suit with reference to legal provision. (15 Marks)

★ Answer the above questions in Hindi.
