

**LEGAL VIDHIYA PRESENTS:
SPECIFIC RELIEF QUESTIONS
FROM PREVIOUS AIBE EXAMS**

LEGAL VIDHIYA

AIBE XVIII

1. Which of the following injunction can be granted only by the decree made at hearing and upon the merit of the suit?

A. Temporary injunction

B. Perpetual injunction

C. Mandatory injunction

D. Prohibitory injunction

AIBE XVII

1. A injunction can only be granted by the decree made at the hearing and upon the merits of the suit; the defendant is thereby perpetually enjoined from, the assertion of a right, or from the commission of an act, which could be contrary to the rights of the plaintiff.

(A) Temporary

(B) Perpetual

(C) Both Temporary and Perpetual

(D) None of these

2. Which of the following is/are CORRECT with respect to "Declaratory Decrees" under The Specific Relief Act, 1963?

(A) Section 34 of the said Act deals with it.

(B) It is discretionary in nature.

(C) Both, (Section 34 of the said Act deals with it) and (It is discretionary in nature)

(D) None of these

3. According to Section 5 of Specific Relief Act, 1963 a person entitled to the possession of specific immovable property may recover it in the manner provided in:

(A) The Specific Relief Act, 1963

(B) The Code of Civil Procedure, 1908

(C) The Code of Criminal Procedure, 1973

The Transfer of Property Act, 1882

AIBE XVI

1. When Perpetual Injunction may be granted-
 - (A) Where the defendant is trustee of the Property for the plaintiff.
 - (B) Where there is no standard for ascertaining the actual damage.
 - (C) Compensation in money would not afford adequate relief.
 - (D) **All of the above.**
2. Specific Relief Act 1963 contains:
 - (A) 6 chapters and 40 Sections
 - (B) 7 chapters and 42 Sections
 - (C) 8 chapters and 43 Sections
 - (D) **8 chapters and 44 Sections**
3. What is the Period of Limitation for expeditious disposal of Suit under Specific Relief Act 1963:
 - (A) 6 month
 - (B) 10 month
 - (C) **12 month**
 - (D) 18 month

AIBE XV

1. Section 14A inserted by the SPECIFIC RELIEF (AMENDMENT) ACT, 2018, relates to
 - (A) **Power of the Courts to engage experts**
 - (B) Establishment of Special Court
 - (C) Expeditious disposal of case
 - (D) Specific performance with regard to contracts

AIBE XIII

1. The parties which cannot be compelled to perform specific performances of contract are provided in which section of Specific Relief Act:

(A) 27

(B) **28**

(C) 29

(D) 30

2. Specific relief is not available in cases where the agreement is made with a minor:

(A) Can get

(B) **Cannot be given**

(C) Can release

(D) Implemented with law

3. Section 39 of Specific Relief Act deals with:

(A) Registration of Instrument

(B) Cancellation of Instruments

(C) Correctness of Instruments

(D) **None of the above**

AIBE XII

1. Cancellation of instrument is mentioned in

(A) Section 8-25 of Specific Relief Act

(B) Section of 26 of Specific Relief Act

(C) **Section 31-33 of Specific Relief Act**

(D) Section 36-42 of Specific Relief Act

2. For Specific Performance of a contract suit is to be instituted in

(A) **3 Years**

(B) 3 months

(C) 6 Months

(D) No specific time limit unless mentioned in the contract

3. Recovery of specific immovable property is defined

- (A) **Section 5 of Specific Relief Act**
- (B) Section 120(B) of IPC
- (C) Under section 10 of Sale of goods Act
- (D) None of the above

AIBE XI

1. Court's power to award compensation is provided in specific Relief Act?

- (A) Under section 20
- (B) **Under section 21**
- (C) (a) and (b)
- (D) None of the above

2. Section 36 to 42 of Specific Relief Act provides

- (A) **Injunctions**
- (B) Court's discretion on specific performance
- (C) Cancellation of instruments
- (D) None of the above

3. Which section of Specific Relief Act prohibits filing a case against the government

- (A) Section 5
- (B) **Section 6**
- (C) Section 7
- (D) Section 8

AIBE X

1. A Perpetual Injunction can only be granted by the decree at the hearing and upon the

- (A) Demand of the party

(B) Discretion of the Court

(C) **Merit of the Suit**

(D) None of the above

2. The parties which cannot be compelled to perform specific performance of contract are provided in which section of Specific Relief Act:

(A) 27

(B) **28**

(C) 29

(D) 30

AIBE IX

1. A suit under section 6 of the Specific Relief Act can be brought by

(A) trespasser

(B) **tenant holding over**

(C) servant

(D) manager

2. What is true of perpetual injunction

(A) It is a judicial process

(B) **Preventive in nature**

(C) The thing prevented in a wrongful act

(D) all of the above

3. Injunction cannot be granted in a suit

(A) **in which the specific performance cannot be enforced**

(B) for breach of negative contract to enforce specific contract

(C) For declaration where the plaintiff is in possession

(D) neither (a), nor (b), nor (c)

AIBE VIII

1. Section 6 of the Special Relief Act, 1963 states thus: If any person is dispossessed

without his consent of immovable property otherwise than in due course of law, he or any person claiming through him may, by, recover possession thereof, notwithstanding any other title that may be set up in such suit.

(A) Application

(B) Restitution Application

(C) **Suit**

(D) Reference

2. As per the Specific Relief Act, 1963, Identify the situation wherein any person interested in a contract may sue to have it rescinded, and such rescission may be adjudged by the Court?

(A) Where the Contract is voidable or terminable by the Plaintiff

(B) Where the contract is unlawful for causes not apparent on its face and the defendant is more to blame than the plaintiff

(C) **Both (A) and (B)**

(D) None of the above

AIBE VII

1. Which section of the Specific Relief Act described temporary Injunction?

(A) 45

(B) 41

(C) **37**

(D) 36

2. The maintenance amount which can be transferred is.

(A) Future Maintenance

(B) Right to future maintenance

(C) **Arrears of maintenance up to a certain date**

(D) None of the above

AIBE VI

1. Specific Performance of contract can be ordered, at discretion of Court

(A) **When the act agreed to be done is such that compensation in money, for non-performance will not give sufficient relief**

(B) When the act agreed to be done is such that compensation in money for non-performance will give sufficient relief

(C) Contract, performance of which involves a continuous duty, Which Court cannot supervise

(D) Specific performance of contract of personal nature cannot be ordered

2. Under Section 9 of Specific Relief Act, the person against whom the relief is claimed may plead by way of defense any ground which is available to him

(E) Under Law of torts

(F) **Under any law relating to contracts**

(G) Under IPC

(H) Under Cr.PC

AIBE V

1. Under Section 41 of the Specific Relief Act, an injunction cannot be granted

(A) To restrain any person from instituting or prosecuting any proceeding in a court not subordinate to that from which the injunction is sought

(B) To restrain any person from applying to any legislative body

(C) To restrain any person from instituting or prosecuting any proceeding in a criminal matter

(D) **All of the above**

2. Specific relief can be granted only for the purpose of enforcing individual civil rights and not for the mere purpose of enforcing a penal law. Which provision brings in such prohibition?

(A) **S.4**

(B) S.5

(C) S.7

(D) S.10

AIBE IV

1. Which of the following Statement is incorrect:

(A) Specific relief act, 1963, extends to the Whole of India except State of Jammu and Kashmir

(B) Specific performance is granted where there exists no standard for ascertaining damage

(C) Where the aggrieved party can be adequately compensated in money, he will get only a decree for damages and not the recourse to

(D) **None of the above**

