BLOGS

Sample Paper on CLAT PG 2026- PART I

Ruchika Mohapatra · 02 Sep 2025

1. In *Kesavananda Bharati v. State of Kerala* (1973), which of the following best reflects the ratio of the Supreme Court regarding Parliament's amending power?

a. Parliament has unlimited power to amend any part of the Constitution.
b. Parliament cannot amend any part of the Constitution once enacted.
c. Parliament can amend any provision but cannot alter the basic structure.
d. Parliament's power is subject to prior approval of the President.

Correct Answer: c

Explanation: The *Kesavananda Bharati* case held that Parliament can amend the Constitution under Article 368 but not alter its **basic structure** (democracy, rule of law, judicial review, secularism, etc.).

2. Which jurisprudential theory is most closely associated with the concept of "law as the command of the sovereign"?

a. Natural Law Theory
b. Positivism – Austin's Command Theory
c. Realist Theory
d. Historical School

Correct Answer: b

Explanation: John Austin's **Command Theory** (Positivism) defines law as "a command of the sovereign backed by sanction." Natural law emphasizes morality, realism focuses on judicial behavior, and historical school links law with culture.

3. In contract law, which principle best explains why a minor's agreement is void ab initio under Indian law?

a. Lack of free consent
b. Absence of consideration
c. Incapacity to contract under Section 11 of the Indian Contract Act, 1872

d. Doctrine of privity of contract

Correct Answer: c

Explanation: Section 11 declares minors incompetent to contract. In *Mohori Bibee v. Dharmodas Ghose* (1903), the Privy Council held a minor's agreement to be **void ab initio**.

4. A throws a stone at B with the intention of causing harm but misses and injures C instead. Which principle of tort law applies?

a. Volenti non fit injuria

b. Strict liability

c. Doctrine of remoteness of damage

d. Doctrine of transferred malice

Correct Answer: d

Explanation: The doctrine of **transferred malice** applies when the wrongful intention directed at one person injures another. This principle was established in *R v. Latimer* (1886).

5. Which constitutional provision was interpreted in *Indira Nehru Gandhi v. Raj Narain* (1975) to strike down part of the 39th Constitutional Amendment?

a. Article 13

b. Article 32

c. Article 329A

d. Article 368

Correct Answer: c

Explanation: The amendment inserted Article 329A, excluding the PM's election from judicial review. The Supreme Court struck it down as violative of the **basic structure** doctrine.

6. Which of the following is not a recognized fundamental duty under Article 51A?

a. To develop scientific temper

b. To protect the environment

c. To pay taxes honestly

d. To safeguard public property

Correct Answer: c

Explanation: Paying taxes is a legal duty, but not a **fundamental duty** under Article 51A.

Fundamental duties include developing scientific temper, protecting the environment, and safeguarding public property.

7. According to H.L.A. Hart, what distinguishes a legal system from a mere set of orders backed by threats?

a. The existence of a sovereign authority
b. The presence of primary and secondary rules
c. The presence of coercive sanctions
d. The obedience of the majority

Correct Answer: b

Explanation: Hart's theory differentiates a true legal system by the union of **primary rules** (governing conduct) and **secondary rules** (rules of recognition, change, and adjudication).

8. In tort law, the principle laid down in *Rylands v. Fletcher* (1868) applies when:

a. Harm is caused despite due care and caution.
b. Harm is caused by a dangerous thing brought and kept on one's land, which escapes.
c. A trespasser suffers damage while on another's land.
d. The harm was foreseeable and voluntary.

Correct Answer: b

Explanation: *Rylands v. Fletcher* established the principle of **strict liability**: one who keeps a dangerous thing on his land is liable if it escapes and causes harm, even without negligence.

9. Which case first articulated the concept of "constitutional morality" in the Indian constitutional context?

a. Kesavananda Bharati v. State of Kerala
b. Maneka Gandhi v. Union of India
c. Kesavananda Bharati and Indira Gandhi jointly
d. NCT of Delhi v. Union of India (2018)

Correct Answer: d

Explanation: The Supreme Court in *NCT of Delhi v. Union of India* (2018) stressed adherence to **constitutional morality** over political expediency in governance under Articles 239AA and 239AB.

10. Which of the following best explains the principle in Maneka Gandhi v. Union of India (1978)?

a. Article 21 is limited to protection against arbitrary execution.

b. “Procedure established by law” under Article 21 must be fair, just, and reasonable.

c. Right to travel abroad is not protected under the Constitution.

d. Fundamental rights are mutually exclusive.

Correct Answer: b

Explanation: *Maneka Gandhi* expanded Article 21 by holding that “procedure established by law” must be **fair, just, and reasonable**, aligning Indian law with principles of due process.