BLOGS

Sample questions for CLAT PG 2025

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PASSAGE

Habeas Corpus is a fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action. The Latin term “Habeas Corpus” means “you shall have the body.” This writ is used to bring a person before the court to ensure that the person’s imprisonment or detention is not illegal. When a person is detained, he or she has the right to ask the court to issue a writ of habeas corpus. The court then demands the custodian of the detainee to appear before the court and present a valid reason for the person’s detention. If the custodian fails to provide a legal justification, the court can order the release of the detainee. Habeas Corpus acts as a check against the state’s power to detain individuals without just cause and ensures that the process of detention follows due legal procedure.

1. A person is detained by the police without any charges being filed. The detainee’s family files a writ petition seeking habeas corpus. In the given situation, which of the following statements is true?

(A) Habeas Corpus cannot be granted as the detention is under police custody.
(B) Habeas Corpus can be granted as it safeguards individual freedom against arbitrary detention.
(C) Habeas Corpus cannot be granted as it only applies to convicted individuals.
(D) Habeas Corpus can be granted as it allows the police to explain the detention.

2.An individual is detained under a preventive detention law without being presented before a magistrate within 24 hours. The individual’s lawyer files a writ petition seeking habeas corpus. In the given situation, which of the following statements is true?

(A) Habeas Corpus can be granted as preventive detention laws cannot bypass fundamental rights.

(B) Habeas Corpus cannot be granted as preventive detention is legally sanctioned.
(C) Habeas Corpus can be granted as it is an equitable remedy.
(D) Habeas Corpus cannot be granted as the lawyer has no locus standi.

PASSAGE

The writ of prohibition is issued by a superior court to prevent a lower court or tribunal from exceeding its jurisdiction or acting contrary to the rule of law. It is a preventive measure, ensuring that the inferior court or tribunal does not continue proceedings in a case where it lacks jurisdiction or is acting in violation of legal principles. The writ of prohibition can only be issued during the pendency of proceedings, not after the final decision has been made. Its primary purpose is to keep lower courts and tribunals within the bounds of their authority and to prevent them from usurping jurisdiction.

3. A lower court continues proceedings in a case despite the fact that it lacks jurisdiction. A party to the case files a writ petition seeking prohibition. In the given situation, which of the following statements is true?

(A) Writ of prohibition cannot be granted as the proceedings are ongoing.
(B) Writ of prohibition can be granted as it prevents the lower court from exceeding its jurisdiction.
(C) Writ of prohibition cannot be granted as the final decision has not been made.
(D) Writ of prohibition can be granted as it is a discretionary remedy.

4. A tribunal is about to pass an order beyond its legal authority. A concerned individual files a writ petition seeking prohibition to stop the tribunal. In the given situation, which of the following statements is true?

(A) Writ of prohibition cannot be granted as the order has not yet been passed.
(B) Writ of prohibition can be granted only after the order is passed.
(C) Writ of prohibition can be granted as it is a preventive measure.
(D) Writ of prohibition cannot be granted as it applies only to criminal matters.

PASSAGE

The writ of certiorari is issued by a superior court to review the legality of an order or decision made by a lower court, tribunal, or administrative authority. This writ ensures that the lower bodies function within their jurisdiction and follow the correct legal procedures. Certiorari can be issued if the lower court or tribunal has exceeded its jurisdiction, failed to exercise its jurisdiction, committed an error of law apparent on the face of the record, or violated the principles of natural justice. The writ of certiorari quashes the order or decision that is found to be unlawful, ensuring the upholding of justice and legality.

5. A tribunal makes a decision based on incorrect legal principles. An affected party files a writ petition seeking certiorari. In the given situation, which of the following statements is true?

(A) Writ of certiorari cannot be granted as the tribunal has already made a decision.
(B) Writ of certiorari can be granted as it reviews the legality of the tribunal's decision.
(C) Writ of certiorari cannot be granted as it is not concerned with errors of law.
(D) Writ of certiorari can be granted as it is a preventive measure.

6. A lower court passes an order without giving an opportunity of hearing to one of the parties. The aggrieved party files a writ petition seeking certiorari. In the given situation, which of the following statements is true?

(A) Writ of certiorari cannot be granted as the order has already been passed.
(B) Writ of certiorari can be granted as the principles of natural justice were violated.
(C) Writ of certiorari cannot be granted as it only applies to administrative authorities.
(D) Writ of certiorari can be granted as it is a discretionary remedy.

PASSAGE

Quo warranto is a writ issued to challenge the legality of a person holding a public office. It is used to question the authority of an individual occupying a public position without legal right. The writ of quo warranto ensures that only individuals who meet the legal qualifications and requirements can occupy public offices. It prevents usurpation of public office by unauthorized persons and helps maintain the integrity of public institutions.

7. A person was appointed to a public office without meeting the required qualifications. A concerned citizen filed a writ petition seeking quo warranto to challenge the appointment. In the given situation, which of the following statements is true?

(A) Writ of quo warranto cannot be granted as it only applies to private offices.
(B) Writ of quo warranto can be granted as it challenges the legality of holding a public office.
(C) Writ of quo warranto cannot be granted as it is a discretionary remedy.
(D) Writ of quo warranto can be granted only by the Supreme Court.

PASSAGE

A writ of mandamus is a command issued by a court to a public authority to perform a public duty that it is obligated to perform. The writ can be issued only when there is a statutory duty imposed on the authority, and the petitioner has a legal right to compel the performance of that duty. The writ of mandamus is most commonly used to ensure that public authorities fulfill their legal obligations and to rectify situations where there is a failure to act.

8. An environmental activist filed a writ petition seeking a mandamus to compel the municipal corporation to enforce waste management laws. In the given situation, which of the following statements is true?

(A) Writ of mandamus can be granted as the municipal corporation has a statutory duty to enforce waste management laws.
(B) Writ of mandamus cannot be granted as it only applies to private duties.
(C) Writ of mandamus cannot be granted as it is a discretionary remedy.
(D) Writ of mandamus can be granted only if there is a violation of a fundamental right.

9. A municipal corporation failed to issue a building completion certificate even after all legal requirements were fulfilled by the builder. The builder filed a writ petition seeking mandamus to compel the corporation to issue the certificate. In the given situation, which of the following statements is true?

(A) Writ of mandamus cannot be granted as the builder can reapply for the certificate.
(B) Writ of mandamus can be granted as there is a failure to perform a statutory duty.
(C) Writ of mandamus cannot be granted as it is a discretionary remedy.
(D) Writ of mandamus can be granted only if there is a violation of a fundamental right.

10. A public servant was denied a promotion despite meeting all the necessary criteria. He filed a writ petition seeking mandamus to compel the authorities to grant him the promotion. In the given situation, which of the following statements is true?

(A) Writ of mandamus cannot be granted as promotions are at the discretion of the authorities.

(B) Writ of mandamus can be granted only by the Supreme Court.

(C) Writ of mandamus cannot be granted as it only applies to administrative decisions.

(D) Writ of mandamus can be granted as the public servant has a legal right to the promotion.

ANSWERS

1. B
2. A
3. B
4. C
5. B
6. B
7. B
8. A
9. B
10. D

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