Daily Practice — Legal Reasoning · Logical Reasoning · Quantitative Techniques
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SECTION — LEGAL REASONING

LEGAL PRINCIPLE — CONSUMER PROTECTION LAW · WHAT COUNTS AS A 'SERVICE': FREE TREATMENT, PERSONAL SERVICE AND THE ADVOCATE'S BRIEF UNDER THE CONSUMER PROTECTION ACT, 2019 (Q1–Q5)

Under the Consumer Protection Act, 2019, a consumer may complain of a 'deficiency' in a service, meaning any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of its performance. Everything therefore turns on what counts as a 'service'. Section 2(42) defines it widely, as service of any description made available to potential users, and gives examples such as banking, insurance, transport, housing construction and entertainment. But the definition expressly excludes two things: the rendering of any service free of charge, and service under a contract of personal service.

In Indian Medical Association v V.P. Shantha (1995), decided under the 1986 Act, whose definition carried the same two exclusions, the Supreme Court held that medical services rendered by doctors and hospitals for a fee are a 'service'. A contract of personal service, the Court explained, is a master-and-servant relationship such as employment; a patient who engages a doctor enters a contract for services, not a contract of personal service. Treatment at a government hospital where no one, rich or poor, is charged anything falls outside the Act, and payment of a token amount for registration alone does not alter that position. But where a hospital charges those who can pay and treats the poor free, the free treatment is also a 'service'; so is treatment whose cost is borne by an insurer or, as a condition of service, by the patient's employer.

In Bar of Indian Lawyers v D.K. Gandhi (May 2024), the Supreme Court held that a complaint alleging deficient service by an advocate is not maintainable under the Act. It reasoned that the legislature never intended to bring professionals within the Act, and that because a client exercises considerable direct control over the manner in which an advocate conducts the brief, the engagement is a contract of personal service. The Bench also suggested that V.P. Shantha be reconsidered by a larger Bench; until that happens, it remains binding.

1. Dr Rao runs a private clinic and charges Rs 800 for each consultation. After a careless misdiagnosis, a fee-paying patient wishes to file a consumer complaint against her. Applying the passage, the complaint:

- ◯ **A.** is maintainable, because treatment for a fee is a contract for services and so a 'service' under the Act
- ◯ **B.** is not maintainable, because a doctor's engagement by a patient is a contract of personal service like employment
- ◯ **C.** is not maintainable, because section 2(42) names banking and transport as services but does not name medicine
- ◯ **D.** is maintainable only if the patient shows that the clinic also treats some poor patients entirely free of charge

2. A trust hospital charges patients who can afford to pay and treats patients below a fixed income free. Kamla, treated free, loses her sight after a negligent operation. Her consumer complaint:

- ◯ **A.** fails, because the Act expressly excludes the rendering of any service free of charge, and Kamla paid nothing
- ◯ **B.** lies, because where a hospital charges those who can pay, its free treatment of the poor is also a 'service'
- ◯ **C.** fails, because a charitable trust does not make its service available to potential users under section 2(42)
- ◯ **D.** lies, but only if Kamla can show that she paid at least a token amount for her registration at the hospital

3. Arjun paid an advocate Rs 50,000 to file his appeal. The advocate missed the deadline and the appeal was dismissed as time-barred. Arjun files a consumer complaint for deficient service. Following D.K. Gandhi, the complaint:

- ◯ **A.** is maintainable, because Arjun paid a fee, so the advocate's work was not a service rendered free of charge
- ◯ **B.** is not maintainable, because an advocate's engagement by a client is treated as a contract of personal service
- ◯ **C.** is maintainable, because V.P. Shantha held that every professional who charges a fee renders a 'service'
- ◯ **D.** is not maintainable, because a missed deadline is not a fault in the quality, nature or manner of the performance

4. Under her terms of employment, a factory pays the full bills of its worker Neha at a private hospital. Negligently treated, Neha complains. The hospital argues that she paid nothing and that she is the factory's employee. The hospital's defence:

- ◯ **A.** fails, because employer-paid treatment under her terms of service is not free, and the hospital is not her employer
- ◯ **B.** succeeds, because Neha personally paid nothing, so the treatment she received was a service rendered free of charge
- ◯ **C.** succeeds, because Neha's employment with the factory is a contract of personal service, which the Act excludes
- ◯ **D.** fails, but only because the hospital charges its other patients, so all its services are rendered for a fee

5. A government dispensary charges no patient anything for treatment. Ravi pays the Rs 10 fee for a registration slip and is then treated negligently. His consumer complaint:

- ◯ **A.** is not maintainable, because a token registration fee does not turn free treatment for all into a paid service
- ◯ **B.** is maintainable, because once Ravi paid Rs 10 the dispensary was rendering its treatment to him for consideration
- ◯ **C.** is not maintainable, because a government dispensary is a public body to which the Act never applies
- ◯ **D.** is maintainable, because V.P. Shantha held that every government hospital's treatment is a 'service'

LEGAL PRINCIPLE — LAW OF TORTS · TRESPASS TO LAND: VOLUNTARY ENTRY, MISTAKE, REVOKED LICENCES AND TRESPASS AB INITIO (Q6–Q9)

Trespass to land is a direct and unjustified interference with land in the possession of another, most commonly by entering it, by remaining on it, or by placing something on it. It is actionable per se: the possessor may sue without proving any damage, because the tort protects the right to exclusive possession itself. The entry must be voluntary, but it need not be meant as a wrong. A person who walks onto another's land honestly believing it to be his own, or to be public land, is liable, for mistake is no defence; in Basely v Cl (1681), a man who mowed grass on his neighbour's land in the mistaken belief that it was his own was held liable. But a pers carried or thrown onto land by others commits no trespass, since the entry is not his own act (Smith v Stone, 1647).

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A person who enters with the possessor's permission (a licensee) is not a trespasser. If the licence is revoked, however, he becomes a trespasser if he does not leave within a reasonable time.

Under the doctrine of trespass ab initio, a person who enters land under an authority given by law, rather than by the possessor's permission, and then abuses that authority by a positive wrongful act, is treated as a trespasser from the moment of entry. A mere omission is not enough. In the Six Carpenters' Case (1610), carpenters who entered an inn, which by law was open to travellers, and then refused to pay for the wine they had drunk were held not to be trespassers ab initio, because refusing to pay is a failure to act, not an act of misuse.

6. Leela, walking her dog, crosses an unfenced meadow believing it to be a public common. It is in fact Mohan's private field, and she damages nothing. Mohan sues her for trespass. Leela is:

- ◯ **A.** not liable, because she caused no damage to the meadow and a possessor must always prove some loss to sue
- ◯ **B.** not liable, because she honestly and reasonably believed that the meadow was public common land
- ◯ **C.** liable, because her entry was voluntary, trespass needs no proof of damage, and mistake is no defence
- ◯ **D.** liable, but only if Mohan shows that she knew or ought to have known that the meadow was his field

7. Raghav invites Sunil home for dinner. After an argument at 10 pm, Raghav tells Sunil to leave at once. Sunil refuses and sits in the drawing room until midnight. On these facts, Sunil:

- ◯ **A.** was a trespasser from the moment he first entered the house, since his licence was later revoked by Raghav
- ◯ **B.** was never a trespasser, because he first entered the house with Raghav's own express permission
- ◯ **C.** is a trespasser ab initio, because he abused a licence that he had received from the possessor
- ◯ **D.** became a trespasser once he failed to leave within a reasonable time after his licence was revoked

8. During a stampede at a village fair, Imran is shoved by the crowd through a gap in a hedge into Kavita's garden, where he falls onto her flower bed. In Kavita's action for trespass, Imran is:

- ◯ **A.** liable, because trespass is actionable per se and Kavita's flower bed was in fact damaged
- ◯ **B.** liable, because mistake is no defence and Imran had no permission to enter Kavita's garden
- ◯ **C.** not liable, because his entry into the garden was not his own voluntary act in any sense
- ◯ **D.** not liable, because anyone who enters land during a public fair has an implied licence

9. A food inspector enters a shop under a statutory power to take samples. In Case 1 he takes samples, drinks a bottle of juice from the shelf and refuses to pay for it. In Case 2 he takes samples and then smashes the owner's display cabinet in a temper. Trespass ab initio arises in:

- ◯ **A.** Case 2 only, because only smashing the cabinet is a positive act abusing the authority of law
- ◯ **B.** Case 1 only, because refusing to pay for goods consumed is a clear abuse of the authority of law
- ◯ **C.** both cases, because in each the inspector did something wrong after entering under the law
- ◯ **D.** neither case, because trespass ab initio applies only to persons who enter by a private licence

SECTION — LOGICAL REASONING

LOGICAL REASONING — PARALLEL REASONING · THREE ARGUMENTS: A PANCHAYAT'S WATER TANKERS, A HOSPITAL'S NIGHT ROSTER AND A FILM FESTIVAL'S CLOSING NIGHT (Q10–Q13)

Three short arguments were taken from the minutes of three different meetings.

Argument I (village panchayat): Whenever a ward's public well runs dry, the panchayat sends that ward a water tanker. A tanker was sent to Ward 4 this week. Therefore Ward 4's well must have run dry.

Argument II (district hospital): Every nurse on the night-shift roster has completed the critical-care course. No nurse who has completed the critical-care course is still on probation. Therefore no nurse on the night-shift roster is still on probation.

Argument III (film festival): Each of the twelve films chosen for the festival's closing-night programme runs for less than fifteen minutes. Therefore the closing-night programme as a whole will be a short one.

10. Which of the following arguments is most similar in its pattern of reasoning to Argument I?

- ◯ **A.** Whenever the river crosses the danger mark, the school closes. The river crossed it today. So the school will surely close today.
- ◯ **B.** Whenever the river crosses the danger mark, the school closes. The river did not cross it. So the school is open today.
- ◯ **C.** Whenever the river crosses the danger mark, the school closes. The school is open today. So the river has not crossed it.
- ◯ **D.** Whenever the river crosses the danger mark, the school closes. The school closed today. So the river must have crossed it.

11. Which of the following arguments is most similar in its reasoning to Argument II?

- ◯ **A.** Every choir member sings at the assembly. Some students who sing at the assembly are shy. So some choir members are shy.
- ◯ **B.** Every choir member sings at the assembly. No choir member is shy. So no student who sings at the assembly is shy.
- ◯ **C.** No choir member is shy. No shy student sings at the assembly. So every choir member must sing at the assembly.
- ◯ **D.** Every choir member sings at the assembly. No student who sings at the assembly is shy. So no choir member is shy.

12. Which of the following arguments commits the same error of reasoning as Argument III?

- ◯ **A.** Most films shown at the festival are short, and this film is being shown there. So this film is probably short.
- ◯ **B.** The closing-night programme is short. So each film chosen for it must run for less than fifteen minutes.
- ◯ **C.** Each brick used in the new hostel wall is very light. Therefore the hostel wall itself will be very light.
- ◯ **D.** Every film chosen won a prize at an earlier festival. So each of them will win a prize at this festival too.

13. Under a temple trust's rules, only donations of more than Rs 10,000 are listed on the marble board. Mr Iyer's name is not on the board, so he gave Rs 10,000 or less. Which argument has the same flaw?

- ◯ **A.** Only students who score above 90 receive the merit badge. Asha has the badge. So Asha must have scored above 90.
- ◯ **B.** Only students who score above 90 receive the merit badge. Asha has no badge. So Asha must have scored 90 or below.
- ◯ **C.** Every student who scores above 90 receives the merit badge. Asha has no badge. So Asha must have scored 90 or below.
- ◯ **D.** Most students who score above 90 receive the merit badge. Asha scored 95. So Asha is certain to have received it.

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LOGICAL REASONING — METHOD / BOLD-FACE FUNCTION · A TAX ON SUGAR-SWEETENED SOFT DRINKS TO CURB CHILDHOOD OBESITY (Q14–Q17)

The state government has proposed a 20% tax on sugar-sweetened soft drinks, with the stated aim of reducing obesity among schoolchildren. **Opponents argue that the tax will make no difference, since in the government's own survey four out of five schoolchildren said that price plays no part in which drink they choose.** The survey is probably accurate, but it asked the wrong people. Schoolchildren pay for only a small share of the soft drinks they drink; most are bought by parents for the home and by school canteens, and both buy with an eye on price. **When a neighbouring state imposed a similar tax three years ago, canteen purchases of soft drinks fell by a quarter within a year, while purchases of milk and bottled water rose.** It is true that a fall in purchases does not, by itself, show that children have become healthier; that will take years to measure. But the case for the tax does not need to be proved on that point today. It needs only to show that the tax changes what children are given to drink, and the evidence suggests that it will. The government should therefore adopt the tax.

14. In the argument, the two portions in boldface play which of the following roles?

- ◯ **A.** The first is evidence the author accepts as decisive; the second is a finding the author treats as beside the point.
- ◯ **B.** The first is the main conclusion of the argument; the second is a consideration offered in support of that conclusion.
- ◯ **C.** The first is a premise the author relies on; the second is an objection to the proposal that the author later concedes.
- ◯ **D.** The first states a position the author opposes; the second is evidence offered in support of the author's conclusion.

15. Which of the following best describes how the author responds to the opponents' argument?

- ◯ **A.** By disputing the accuracy of the survey and offering a more reliable count of what schoolchildren say about price
- ◯ **B.** By arguing that obesity is so serious a harm that the tax must be adopted even if children's drinking stays unchanged
- ◯ **C.** By accepting the survey's finding but arguing that it concerns people whose choices largely do not decide purchases
- ◯ **D.** By questioning the motives of the opponents and suggesting that soft-drink makers have paid for their campaign

16. The sentence beginning 'It is true that a fall in purchases does not, by itself, show' serves to:

- ◯ **A.** concede that the opponents are right and that the tax will fail to make any real difference to children's health
- ◯ **B.** state the principal evidence on which the author bases the recommendation that the tax should be adopted
- ◯ **C.** introduce a fresh objection that the author leaves unanswered and that undermines the author's conclusion
- ◯ **D.** acknowledge a limit of the evidence while narrowing what the argument needs to establish for its conclusion

17. Which of the following, if true, would most seriously weaken the support that the second boldface portion gives to the author's conclusion?

- ◯ **A.** Some parents in the neighbouring state went on buying soft drinks for their homes after the tax was imposed.
- ◯ **B.** Schoolchildren in the neighbouring state already drank more milk than this state's schoolchildren even before the tax.
- ◯ **C.** Opponents of the tax in the neighbouring state had also predicted that it would make no difference to purchases.
- ◯ **D.** In the month its tax took effect, the neighbouring state also banned soft-drink sales in primary-school canteens.

SECTION — QUANTITATIVE TECHNIQUES

QUANT — TECHNOLOGY & STARTUPS · PERCENTAGE CHANGE · PAYING CUSTOMERS AND CHURN AT AN ACCOUNTING-SOFTWARE START-UP, Q1 TO Q4 OF 2025-26 (Q18–Q22)

A Pune-based start-up sells accounting software to small businesses on a monthly subscription. Its investor report tracks paying customers over the four quarters of 2025-26. For each quarter, the table gives the number of paying customers at the start of the quarter, the new customers who signed up, the customers who cancelled (churned), the customers at the end, and the average monthly fee paid per customer. Customers at the end of a quarter = start + new - churned, and the end figure of one quarter is the start figure of the next. The churn rate of a quarter is the customers churned as a percentage of the customers at the start of that quarter. Assume quarterly revenue = customers at the end of the quarter x average monthly fee x 3. Use only the figures given.

Quarter	Customers at start	New customers	Customers churned	Customers at end	Average monthly fee (Rs)
Q1	4,000	800	200	4,600	1,200
Q2	4,600	1,000	276	5,324	1,170
Q3	5,324	1,150	370	6,104	1,140
Q4	6,104	1,300	400	7,004	1,125

18. By about what percentage did the number of customers at the end of the quarter rise from Q1 to Q4?

- ◯ **A.** About 52.3%
- ◯ **B.** About 75.1%
- ◯ **C.** Roughly 34.3%
- ◯ **D.** About 62.5%

19. In which quarter was the churn rate the highest?

- ◯ **A.** The fourth quarter
- ◯ **B.** The second quarter
- ◯ **C.** The third quarter
- ◯ **D.** The first quarter

20. By about what percentage did quarterly revenue rise from Q3 to Q4?

- ◯ **A.** About 14.7%
- ◯ **B.** About 13.2%
- ◯ **C.** About 13.4%
- ◯ **D.** Roughly 16.1%

21. In Q5 the churn rate is expected to equal Q4's. About how many new customers must the start-up add in Q5 for its end-of-Q5 customers to be 10% above its end-of-Q4 customers?

- ◯ **A.** About 1,160
- ◯ **B.** About 1,100
- ◯ **C.** Roughly 1,205
- ◯ **D.** About 700

22. By about what percentage did quarterly revenue rise from Q1 to Q4?

- ◯ **A.** About 52.3%
- ◯ **B.** About 46.0%
- ◯ **C.** About 42.7%
- ◯ **D.** Roughly 58.5%

QUANT — TRANSPORT & INFRASTRUCTURE · PROFIT-LOSS-INTEREST · TWO TRUCKS ON BORROWED MONEY: A NAGPU LOGISTICS FIRM'S LOANS, FREIGHT MARGINS AND PRICING (Q23–Q26)

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A small logistics firm in Nagpur buys two trucks. Truck P costs Rs 24,00,000 and Truck Q costs Rs 18,00,000. For each truck the firm pays 25% of the price in cash and borrows the rest. The loan for Truck P carries simple interest at 10% a year; the loan for Truck Q carries interest at 10% a year compounded annually. Each loan, with its interest, is repaid in one lump sum at the end of three years. On every trip either truck earns a freight charge of Rs 40,000, and its operating cost (diesel, the driver's wages, tolls and maintenance) is Rs 28,000. Profit per trip = freight charge - operating cost, and profit percentage is calculated on the operating cost. Ignore taxes and any interest lost on the cash paid.

Item	Truck P	Truck Q
Price	Rs 24,00,000	Rs 18,00,000
Cash paid (25%)	Rs 6,00,000	Rs 4,50,000
Loan (75%)	Rs 18,00,000	Rs 13,50,000
Interest	10% a year, simple	10% a year, compounded annually
Term	3 years, lump sum	3 years, lump sum
Freight charge per trip	Rs 40,000	Rs 40,000
Operating cost per trip	Rs 28,000	Rs 28,000

23. By how much does the interest payable on Truck P's loan exceed the interest payable on Truck Q's loan?

◯ **A.** Rs 1,24,200
◯ **B.** Rs 93,150
◯ **C.** Rs 1,35,000
◯ **D.** Rs 41,850

24. For a regular client the firm cuts the freight charge by 10%. What is its profit percentage on such a trip?

◯ **A.** About 32.9%
◯ **B.** About 28.6%
◯ **C.** About 22.2%
◯ **D.** Roughly 20.0%

25. After three years Truck P is sold for Rs 14,40,000. How many full-rate trips must P have made in those three years for its trip profits to cover its loan interest and its loss in value?

◯ **A.** 125
◯ **B.** 80
◯ **C.** 45
◯ **D.** 200

26. On a new route the operating cost is Rs 30,000 a trip. The firm wants a 26% profit on cost even after the 10% regular-client discount. By what percentage above cost must it set the listed freight charge?

◯ **A.** 36%
◯ **B.** 40%
◯ **C.** 38.6%
◯ **D.** 13.4%

RAPID FIRE — ONE-LINE RECALL

39 quick questions · not negatively marked

1. Which section of the Consumer Protection Act, 2019 defines 'service'?
2. Which two things does the definition of 'service' expressly exclude?
3. What is a 'deficiency' in service under the 2019 Act?
4. In which year was Indian Medical Association v V.P. Shantha decided?
5. Under which Act was V.P. Shantha decided?
6. Did V.P. Shantha treat medical services for a fee as a 'service'?
7. Per V.P. Shantha, what is a contract of personal service?
8. Is a patient's engagement of a doctor a contract of personal service?
9. Is treatment at a government hospital that charges no one a 'service'?
10. Does a token registration fee make free-for-all treatment a 'service'?
11. Is free treatment of the poor at a hospital that charges others a 'service'?
12. Is treatment paid for by an insurer a service rendered free of charge?
13. Is treatment paid for by the employer as a condition of service free of charge?
14. Which 2024 case held advocates' services outside the Consumer Protection Act?
15. In which month of 2024 was D.K. Gandhi decided?
16. Per D.K. Gandhi, an advocate's engagement is what kind of contract?
17. What feature of the client-advocate relationship did D.K. Gandhi stress?
18. Per D.K. Gandhi, did the legislature intend to include professionals in the Act?
19. What did the D.K. Gandhi Bench suggest about V.P. Shantha?
20. Is V.P. Shantha still binding after D.K. Gandhi?
21. Name two services listed as examples in section 2(42).
22. Is the list of examples in section 2(42) exhaustive?
23. Does paying a fee alone make an advocate's work a 'service' under the Act?
24. A doctor who treats every patient free renders what under the Act?
25. What is the tort of trespass to land?
26. Name three ways of committing trespass to land.
27. What does 'actionable per se' mean?
28. Is trespass to land actionable per se?
29. What right does trespass to land protect?
30. Is mistake a defence to trespass to land?
31. Which 1681 case held a man liable for mowing his neighbour's grass by mistake?
32. Which case held a person carried onto land by others not liable for trespass?
33. Must the entry in trespass be voluntary?
34. Must a trespasser intend to commit a wrong?
35. What is a licensee?
36. When does a licensee whose licence is revoked become a trespasser?
37. What does 'ab initio' mean?
38. Trespass ab initio applies to entry under what kind of authority?
39. What kind of act makes an entrant a trespasser ab initio?

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