

B.A.LL.B. (5Years) (with Credits)-Regular-Semester 2012 Sem VIII
LLB 481 Course Code 8.1 : Civil Procedure Code and Limitation Act

P. Pages : 2

Time : Three Hours



GUG/W/16/7134

Max. Marks : 80

- Notes :
1. Attempt **eight** questions in all including Q. No. **1** which is compulsory.
 2. All questions carry equal marks.
 3. Refer cases wherever necessary.
 4. Indicate appropriate Q. No. while answering.

1. Choose correct alternative

- i) Ex-parte order can be passed in favour of
 - a) Plaintiff
 - b) Defendant
 - c) Both a and b
 - d) None of the above.
- ii) Order XII of CPC is about.
 - a) Admission in cross examination
 - b) Admission in pleadings
 - c) Admissions
 - d) None of the above.
- iii) When the party apply to summoning to witnesses, the expenses shall be.
 - a) Paid by same party
 - b) Paid by opposite party.
 - c) Both a & b
 - d) Neither a nor b.
- iv) Order ----- of CPC deals with adjournments.
 - a) XVII
 - b) XVIII
 - c) XVI
 - d) both a & b.
- v) A judgement or order needs to be pronounced----
 - a) In open court
 - b) At break time
 - c) At first day of the week
 - d) All the above.
- vi) When a decree is passed in favour of more than one person, the execution application can be made by.
 - a) The person specified by court
 - b) Any person from decree holders
 - c) None of the above
 - d) both a & b.
- vii) The memorandum of appeal must contain.
 - a) The copy of decree which is challenged
 - b) The list of witnesses which enclosed with original plaint
 - c) Both of the above
 - d) None of the above
- viii) A decree for which appeal is allowed but not made, the affected party may
 - a) Apply for revision
 - b) Apply for review.
 - c) Both of the above.
 - d) None of the above.

2. Explain
 - a) Doctrine of Res Judicata.
 - b) Doctrine of Res Sub-Judice.
3. State the essential conditions of a plaint and under what circumstances the plaint can be rejected by the court.
4. State the procedure for instituting a suit by an indigent person.
5. Under what circumstances reference can be made to High court?
6. Explain
 - a) Caveat.
 - b) Interpleader suit.
7. Explain and differentiate Appeal, Review & Revision.
8. Discuss the principles governing the grant of Temporary Injunction.
9. Elucidate the essential contents of a written statement.
10. Explain the provision regarding condonation of delay.
11. Explain.
 - a) Computation of Limitation.
 - b) Importance of Limitation.
12. Discuss the effect of fraud or mistake on the period of limitation.

GUG/W/16/7134