

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.

- ix) Legal disabilities
- |             |                      |
|-------------|----------------------|
| a) minority | b) insanity          |
| c) idiocy   | d) All of the above. |
- x) Time which has begun to run can be stopped in case of.
- |             |                       |
|-------------|-----------------------|
| a) Minority | b) Insanity           |
| c) Idiocy   | 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.

- Computation of Limitation.
- Importance of Limitation.

**12.** Discuss the effect of fraud or mistake on the period of limitation.

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