

(3 Hours)

[Total Marks : 100

Q. 1. Answer in not more than 2 sentences:-

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- a) What is the effect and validity of the caveat?
- b) What is effect of written acknowledgement while calculating period of limitation?
- c) What is cause of action?
- d) Who has to begin with evidence and who has to begin arguments?
- e) What order court can pass if holds that, the court has no jurisdiction?
- f) Which period can not be counted while calculating period to file Appeal against one order?
- g} When Written Statement can be filed?
- h} What is duty of Defendant's Advocate after death of the Defendant?
- i} What is the duty of serving officer if the defendant refuses to accept the service of writ of summons?
- j) Does the right of easement arise out of contract?

Q. 2. Answer any TWO of the following:-

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a} Mr. A alongwith the bailiff, approached the premises of which the decree for eviction and possession was passed against Mr. B. On that, occasion Mr. X was found in the possession of the premises, who refused to hand over the possession of the said premises, as the Decree was not against him. What remedy is available to Mr. A and when Mr. A can get the possession' of the suit premises?

[TURN OVER

b) One suit in respect of the immovable property was dismissed as the Plaintiff could not produce the agreement proving his title to the suit land. The Plaintiff thereafter went to his native place, where in a wooden box he found the documents about title of the suit land. The Plaintiff now desire to file fresh suit on the same ground for the similar reliefs. What is the better course available to the Plaintiff.

c) Defendant contended that, the Plaintiff obtained temporary injunction on insufficient grounds, and applied for expenses in litigation and injury to his reputation of Rs.75,000/-. Can the court grant the same, if satisfied about the complaint of the Defendant.

Q.~. Write Short Notes (Any FOUR) of the following:-

2.0

- (a) Res-judicata (b) Reference
- (c) Inter-pleader suit (d) Suit against minor
- (e) Amendment to Pleadings (f) Counter claim

Q. 4. Answer (Any FOUR) of the following: _

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- (a) What are the provisions in Code of Civil Procedure, specially introduced for speedy disposal of the suit?
- (b) Decree is different from order and decree can be prellrnlnarv. and flnal decree .• discuss .:
- (c) Discuss in detail the concept of 'ownership by adverse possession'.
- (d) Discuss the framing & considerations for framing issues and it's importance in a civil suit?
- (e) What is mense profit? Explain the procedure to determine it.
- (f) Which documents can be received, accepted, returned, exhibited & interpreted in evidence?