

(3 Hours)

[Total Marks : 100

1. Answer in not more than **two** sentences :-

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- (a) What is a foreign Judgement ?
- (b) Who is a Judgement-Debtor ?
- (c) What is an order ?
- (d) How is a Suit instituted ?
- (e) What are Pleadings ?
- (f) Who is a Decree-Holder ?
- (g) What is legal disability under Limitation Act ?
- (h) What is an Ex-parte Decree ?
- (i) Who is a Garnishee ?
- (j) What is a Reference ?

2. Write short explanatory notes on any **four** :-

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- (a) Issues
- (b) Plaint and Written Statement
- (c) Review
- (d) Attachment before Judgement
- (e) Suits by Minors
- (f) Extention of limitation.

3. Answer any **two** :-

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- (a) **A** and **B** enter into a contract for sale of goods. Contract is made in Mumbai. Goods are delivered in Delhi. Price is payable at Pune. After delivery of goods, **B** fails to pay price. In which Court can **A** file suit to recover price of goods sold and delivered ?
- (b) **C** has filed a suit in Mumbai. It is placed for hearing on 2nd May 2011. **C** stays at Nashik. However, due to old age and ill health he cannot travel to Mumbai to give evidence in court. As **C**'s Advocate. What steps will you take to record the evidence of **C** ?
- (c) **D** wants to file an Appeal in Bombay High Court. Limitation is expiring on 26th January 2011, which is a Court holiday. On 27th January 2011 curfew is imposed for 7 days due to terror attack. Advise **D** as to filing Appeal, after limitation expires in these circumstances.

4. Write **essay** type answers on any **four** :-

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- (a) Types of Decrees and modes of execution.
- (b) Reference, Review and Revision.
- (c) Written statement, set-off and Counter-claim.
- (d) Temporary injunctions.
- (e) Suits against governments.
- (f) Law of adverse possession.

[TURN OVER