

(3 Hours)

[Total Marks : 100

1. Answer in not more than **two** sentences :— 20
 - (a) What is a letter of request ?
 - (b) What happens when the Plaintiff dies when his suit is pending ?
 - (c) To which proceedings does the Law of Limitation apply ?
 - (d) What is the effect of part payment on limitation ?
 - (e) What is an order ?
 - (f) What are pleadings ?
 - (g) When will court pass an ex-parte decree ?
 - (h) What is the requirement under Section 80 of CPC for filing a suit against a Government ?
 - (i) What are issues ?
 - (j) What is Judgment ?
2. Write short explanatory notes on any **four** of the following :— 20
 - (a) Provision relating to Affidavit and Caveat.
 - (b) Provisions in CPC in relation to settlement of dispute outside Court.
 - (c) Provisions in CPC in relation to appointment of the Receiver.
 - (d) Stay of suit.
 - (e) Provisions relating to Jurisdiction of Civil Court.
 - (f) Modes of service of Writ of Summons.
3. Answer any **two** of the following :— 12
 - (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 detail answers of any **four** of the following :— 48
 - (a) State the provisions under the CPC regarding execution of decrees.
 - (b) Explain the provisions of law with regard to Interpleader suits.
 - (c) State the provisions under the CPC regarding Review, Revision and Appeal.
 - (d) State the provisions of suit by and against minors and persons of unsound mind.
 - (e) Summarise the provisions relating to death, marriage and insolvency of parties in a pending suit.
 - (f) Computation of Limitation under Limitation Act, 1963 and its extension.

[TURN OVER