

(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.

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