

BALLB
EIGHTH SEMESTER
CIVIL PROCEDURE CODE & LIMITATION ACT
BLB - 803
(USE OMR FOR OBJECTIVE PART)

SET
A

Duration : 3 hrs.

Full Marks : 80

Time : 30 min.

(Objective)

Marks : 30

Choose the correct answer from the following:

1×10=10

- The term "Res judicata" means
 - Further proceeding
 - A matter already decided
 - Stay of proceeding
 - Bar the Proceedings
- Which of the following section deals with suits against foreign Rulers, Ambassadors and Envoys in the Code of Civil Procedure?
 - Section 9
 - Section 90
 - Section 96
 - Section 86
- In which stage of the civil proceeding does the first hearing usually occur?
 - Discovery
 - Trial
 - Pleading
 - Judgement
- In which section of the Code of Civil Procedure (CPC) is the provision for appeals mentioned?
 - Section 96
 - Section 100
 - Section 66
 - Section 99
- Which court hears the first appeal from the decree passed by a subordinate court?
 - High court
 - Supreme court
 - Administrative court
 - District court
- Which of the following is include in contents of summon?
 - Date and time of appearance
 - Place of appearance
 - About the issue
 - All of the above
- Section 6 of the limitation Act 1963 discuss about-
 - Continuous running of time
 - Plea of bar of limitation and its efficiency
 - Legal disability
 - None of the above
- The Limitations Act doesn't cover which of the following-
 - Suit
 - Writs
 - Application
 - None of above
- Which of the following section of the limitation Act 1963 discuss about plea of bar of limitations and its efficiency-
 - Section 3
 - Section 5
 - Section 6
 - Section 6

10. Which of the following orders of CPC discuss about temporary injunction?
- | | |
|-------------|-------------|
| a. Order 6 | b. Order 30 |
| c. Order 39 | d. Order 49 |

Answer the following: (Use descriptive answer sheet)

2×10=20

1. Write a short note on appointment of receiver
2. Mention two rules relating to drafting of written statement.
3. Discuss suit by or against partnership firm
4. Explain set off
5. When a suit can be disposed in the first hearing?
6. Write a notes on parties to a suit
7. Write a short notes on judgement.
8. What do you mean by decree?
9. Define interpleader suit.
10. What is ex-party decree?

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(Descriptive)

Time : 2 hrs. 30 min.

Marks : 50

[Answer the following questions]

- | | | |
|-------|--|--------------|
| 1. a. | What do you mean by pleading? Explain the objective and essentials of pleadings, support your answer with illustration. | 2+8=10 |
| | <i>Or</i> | |
| b. | Evaluate the procedural framework governing the execution of decree against the government or public officer. Frame your answer with suitable illustration. | 2+8=10 |
| 2. a. | What is first hearing? Explain in details objective of first hearing. Also discuss parties involved in the suit | 2+4+4
=10 |
| | <i>Or</i> | |
| b. | Define ex-parte decree. Discuss in details appearance and non-appearance of parties under the code of civil procedure | 2+8=10 |
| 3. a. | Define appeal? Critically examine the provisions of appeal in legal system. Analyze the circumstances under which second appeal are permissible and criteria for granting them | 2+4+4
=10 |
| | <i>Or</i> | |
| b. | Define summons. Explain the essential ingredients of summon? What are the different modes of service of summon to defendant. | 2+4+4
=10 |
| 4. a. | Define review under Code of Civil Procedure. Critically examine the meaning nature and scope of review. Mention four limitation between review and appeal | 5+5=10 |
| | <i>Or</i> | |
| b. | Write the short notes under the following
i. Attachment before judgement
ii. Temporary injunction | 5+5=10 |
| 5. a. | Explain in details nature and objective of Limitation Act,1963 . | 10 |
| | <i>Or</i> | |
| b. | Discuss various provisions relating to Doctrine of legal disability and rules regarding exclusion of prescribed time period | 5+5=10 |

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