

LLB  
FOURTH SEMESTER  
CIVIL PROCEDURE CODE & LIMITATION ACT  
LLB - 403

**SET  
A**

[USE OMR FOR OBJECTIVE PART]

Duration: 3 hrs.

Full Marks: 70

Time: 30 min.

( Objective )

Marks: 20

*Choose the correct answer from the following:*

*1×20=20*

- The term "Res judicata" means-
  - Further proceeding
  - A matter already adjudicated
  - Stay of proceeding
  - Bar the Proceedings
- Section which deals with the transfer of decree in the Code of Civil Procedure?
  - Section 43
  - Section 33
  - Section 39
  - Section 62
- Which of the following deals with the time for inspection when notice given in the Code of Civil Procedure?
  - Order 16, Rule 12
  - Order 6, Rule 13
  - Order 4, Rule 12
  - Order 11, Rule 17
- A sues B to recover one of two properties left by C, on the ground that he and not B is his heir. Thereafter, he applies to amend his plaint for including the second property left out in the plaint as originally filed. B opposes the application for amendment which is disallowed by the court. A suit by A against B to recover the second property as heir of C would be barred under rule 2:  
On the ground that A is to be taken to  
  - have omitted to sue for it in the first suit
  - He made an attempt to include it in that suit which was foiled by the opposition of B
  - Both (A) and (B)
  - None of the above
- Which of the following deals with the power of Supreme Court to transfer suits, etc. in the Code of Civil Procedure?
  - Section 18
  - Section 15
  - Section 25
  - Section 30
- Which of the following deals with suits against foreign Rulers, Ambassadors and Envoys in the Code of Civil Procedure?
  - Section 9
  - Section 90
  - Section 96
  - Section 86
- Which of the following deals with the written Statement in the Code of Civil Procedure?
  - Order 8, Rule 1
  - Order 4, Rule 13
  - Order 9, Rule 1
  - Order 10, Rule 1

8. No decree to be set aside without notice to opposite party under which of the in the Code of Civil Procedure?
  - a. Order 9 rule 14
  - b. Order 5, Rule 30
  - c. Order 6, Rule 30
  - d. Order 7, Rule 30
9. In which stage of the civil proceeding does the first hearing usually occur?
  - a. Discovery
  - b. Pleading
  - c. Trial
  - d. Judgement
10. In which section of the Code of Civil Procedure (CPC) is the provision for appeals mentioned?
  - a. Section 96
  - b. Section 100
  - c. Section 120
  - d. None of the above
11. Which court hears the first appeal from the decree passed by a subordinate court?
  - a. Supreme Court
  - b. High Court
  - c. Civil Court
  - d. District Court
12. Which court typically has jurisdiction over cases involving disputes between individuals or entities regarding contracts, property rights, or personal injuries?
  - a. Administrative Court
  - b. Civil Court
  - c. Criminal Court
  - d. Juvenile Court
13. Which of the following is include under contained of pleading?
  - a. Name of the court
  - b. Name of the parties
  - c. Subject matter
  - d. All of the above
14. Temporary injunction can be granted:
  - a. At the initial stage of the legal proceeding
  - b. At any point in the legal proceeding
  - c. At middle point of the legal proceedings
  - d. None of the above
15. Which of the following orders of CPC discuss about temporary injunction?
  - a. Order 16
  - b. Order 15
  - c. Order 36
  - d. Order 39
16. Which of the following is include in contents of summon?
  - a. Date and time of appearance
  - b. Place of appearance
  - c. About the issue
  - d. None of the above
17. Issue can be classified into:
  - a. Two categories
  - b. Three categories
  - c. Four categories
  - d. None of the above
18. Which of the following section of the limitation Act 1963 discuss about plea of bar of limitations and its efficiency
  - a. Section 3
  - b. Section 4
  - c. Section 5
  - d. Section 6

19. Section 6 of the limitation Act 1963 discuss about
- a. Continuous running of time
  - b. Legal disability
  - c. Plea of bar of limitation and its efficiency
  - d. None of the above
20. The Limitations Act doesn't cover which of the following
- a. Applications
  - b. Suits
  - c. Writs
  - d. None of the above

**( Descriptive )**

Time : 2 hrs. 30 min.

Marks : 50

*[ Answer question no.1 & any four (4) from the rest ]*

1. What do you mean by pleadings. Explain in details various rules relating to pleadings ( Rule 1 to 18 ) 10
2. Evaluate the procedural framework governing the execution of decree against the government or public officer. Frame your answer with suitable illustration . 2+8=10
3. Define decree. Critically discuss the importance of discovery inspection and production of documents. 2+8=10
4. What is first hearing? Explain in details objective of first hearing. Also discuss parties involved in the suit 5+5=10
5. What do you mean by injunction? When can a temporary injunction granted by a court. Discuss various kinds of injunction. Distinguish between permanent injunction and temporary injunction. 2+2+4+  
2=10
6. 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
7. Define review under Code of Civil Procedure. Critically examine the meaning nature and scope of review. Mention four limitation between review and appeal 3+4+3  
=10
8. Write a shorts notes on 5+5=10
  - a. Doctrine of legal disability
  - b. Objective of Limitation Act 1963

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