



2011

LAW

(Civil Procedure Code And Limitation Act)

Course No. 5:1

Full Marks : 100

Time : 3 hours

*The figures in the margin indicate full marks
for the questions*

Answer question no. 1 and any five questions from the rest

1. Write notes on any 4 (four) of the following: (4x5)
 - a) Mesne profits.
 - b) Revenue court.
 - c) Enlargement of time.
 - d) Reference.
 - e) Counter claim.
 - f) Temporary injunction.
2. What are the objects and reasons for the law of Limitation? Explain. (16)
3. Write on any 2 (two) of the following: (8+8)
 - a) Distinction between a decree and an order.
 - b) Distinction between denial of fact and non-admission of a fact.
 - c) Distinction between Res judicata and stay of suit.
4. Discuss the Revisional jurisdiction of a High Court as per provision of Civil Procedure Code. State also the grounds of an application for a review of judgement. (10+6)

(Please turn over)

5. What procedure is followed in case of issuing summons to the defendants? What conditions must be satisfied before the defendant can plead set-off against the plaintiff? (8+8)
6. What are the procedures of institution of a suit? When can court compel the attendance of any person to give evidence? Is there any penal provision for non-attendance? State clearly. (6+6+4)
7. Discuss the principles of law laid down in- Kalu Mazi vs Nabin Bora and others AIR 1985 G.L.R.281. (16)
8. State the provisions of filing suit by or against Government. Discuss duty of Court in suits against the Government to assist in arriving at a settlement. (10+6)
9. Narrate the principles regarding "denial" by a defendant in his written statement as set forth in Civil Procedure Code. What particulars of set-off to be given in written statement? (10+6)
10. Which party in a suit has the right to begin hearing? What are the procedures relating to production of evidence by the party beginning and the other party? (8+8)
