

2012

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 four of the followings- **(5x4)**
 - a) Notice u/s 80 CPC
 - b) Covert
 - c) Legal representative
 - d) Revision
 - e) Distinction between order, judgment and decree

2. What do you understand by the inherent power of courts? Explain the circumstance where the civil court can exercise its inherent power. **(8+8)**

3. Define the doctrine of Res Judicata. What are the conditions to be satisfied in order to attract provisions of Res Judicata under the civil procedure code? **(6+10)**

(Please turn over)

4. How do you distinguish between revision, review and appeal? Discuss the scope and ambit of powers of review in the light of and decided case. (8+8)
5. Write the facts and principles laid down in Wander Ltd. Vs Antox India(P) Ltd., (1990) Supp. SCC 727. (16)
6. What do you mean by acknowledgement of inability? Explain its effect on limitation. (6+8)
7. What are the procedures of institution of a suit? When can pleadings be amended? Which forms are followed in making a written statement? (5+6+5)
8. What is jurisdiction? State different kinds of jurisdiction of courts as amended in the Civil Procedure Code. (6+10)
9. In which case may temporary injunction be granted? State also the satisfaction of court before granting it. (8+8)
10. Explain the terms '*Issues of Law*' and '*Issues of Fact*'. Where from the issues may be framed? Explain whether non-forming of specific issue can effect the judgment or cause prejudice to the parties. (16)
