

2014

**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 following: 4x5
  - a) Res Sub-judice
  - b) Written Statement
  - c) Suit of Civil nature
  - d) Cause of action
  - e) Supplemental proceedings
  - f) Pre-emption suits
  
2. What is inherent power of Civil Court and when can such power be exercised? What do you understand by "abuse of the process of court". Cite an example. 8+8
  
3. Under what circumstances the High Court can exercise its revisional power under the Code of Civil Procedure? Discuss the extent and limitations of such power. 16

*(Please turn over)*

4. Distinguish between *any two* of the following pairs: **2x8**  
a) Misjoinder and Non-joinder  
b) Set-off and Counter claim  
c) Decree and Order
5. What are the objects and reasons for the law of limitation? Explain. **16**
6. Discuss the provisions for determining the jurisdictions of a civil court. What is the procedure when the court has no jurisdiction to try a suit filed before it? **10+6**
7. a) State the procedure of suits by or against Government. **10**  
b) When can a suit be filed against government without giving notice in writing? **6**
8. What do you understand by the inherent powers of the courts? Explain the circumstances when the civil court can exercise its revisional powers under the Code of Civil Procedure. **8+8**
9. What is meant by appeal and who may file an appeal? What should a judgement in appeal contain and direct? Where and when is it to be pronounced? **16**
10. Write the facts and principles of law laid down in-  
Kalu Haji  
vs  
Nabin and Ors.  
(1985) 1 GLR 281 **16**

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