

2015

LAW

(Civil Procedure Code And Limitation Act)

Paper No. 5:1

Full Marks : 100

Pass Marks : 40

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 short on notes on *any four* of the following: 4x5
 - a) Precepts
 - b) Interest
 - c) Revision
 - d) Temporary injunction
 - e) Distinguish between decree and order

2. What is meant by institution of a suit? When can a pleading be amended? Under what circumstances a plaint is rejected by a court? 8+8

3. Write short notes on *any two*: 8+8
 - i) Distinction between Resjudicata and stay of suit
 - ii) Preliminary decree and final decree
 - iii) Distinction between limitation and prescription

(Please turn over)

4. What are the different kinds of injunctions? Explain the reasons for granting injunctions. 8+8
5. What do you meant by Appeal? Discuss appeal from original decree, appeal from appellate decrees and appeal from orders. 4+12
6. Write the facts and principles laid down in –
Raghunath Pradhan
vs
Damoda Mahapatra and other
AIR 1978 SC 1820 16
7. Statutes of limitation are statutes of repose, peace and justice. Discuss. 16
8. What are the procedures to be followed by a court when a substantial question of law as to the interpretation or as to the validity of any statutory instrument in a suit? 16
9. Explain the circumstances laid down in Civil Procedure Code in cases which court may issue commission to examine witnesses. 16
10. What is Jurisdiction? State different kinds of jurisdiction of courts as amended in the Civil Procedure Code. 16

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