

2016

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) Mense profits
  - b) Res-subjudice
  - c) Foreign Judgement
  - d) Cause of action
  - e) Amendment of pleadings
  
2. Explain in detail the Doctrine of Resjudicata. 16
  
3. Discuss the essential requirements of Notice Under Section 80 of CPc? What are its objects and exceptions? 16
  
4. Distinguish between: 8+8
  - a) Resjudicata and estoppel
  - b) Revision and Review

*(Please turn over)*

c) Decree and order

5. *"The inherent Powers are inherent in the courts itself and has not been conferred by the Code"*. Explain the scope and limitation of inherent Power of the Court? 16
6. Explain the procedures prescribe for in CPc with regard to a suit by a Minor? 16
7. Discuss the procedure followed in certain suits under Summary Procedure also enumerate the principles laid down by the Apex Court relating to suits in a Summary Procedure? 16
8. What are the procedure to be followed by the court in execution of a decree? State the procedure for arrest and detention and attachment of property in execution of decree by the Court? 16
9. State the principles which guide the court in exercise of its discretion under Section 5 to condone delay in preferring an appeal or making an application within the period of limitation? 16
10. Explain in brief the different circumstances which are excluded in computing the period of limitation under the Limitation Act? 16

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