

2020

LAW

( Civil Procedure Code And Limitation Act )

Paper No. 5:1 (OLD COURSE)

Full Marks : 100

Pass Marks : 40

Time : 3 hours

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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: (*Any four*) **4x5**
- Mesne profits
  - Temporary Injunction
  - Cause of action
  - Written Statement
  - Reference
  - Place of Suing
2. Explain the object and essential conditions of the rule of Res Judicata. **16**
3. What do you mean by plaint? What are the essential requisites of a plaint? Under what circumstances a plaint be returned or rejected by the Court to which it is presented? **2+6+8**
4. a) What are the rules regarding Institution of Suits? **8**

- b) What are the modes of execution of a decree? **8**
5. a) What is the procedure prescribed for a suit by or against a corporation? **8**
- b) What do you understand by inherent Jurisdiction of a Civil Court? Explain. **8**
6. Write short notes on *any two* of the following: **2x8**
- Appearance and Non-Appearance of Parties
  - Foreign Judgment
  - Extent and limitations of the powers of revision of the High Court.
7. a) Explain the different modes of Service of Summons after the admission of the Plaint. **8**
- b) What are the powers and duties of a receiver? **8**
8. Distinguish between: **8+8**
- Decree and order
  - Set-off and counter claim
9. What are the objects and reasons for the law of limitation? Explain. **16**
10. Write the facts and principles laid down in:- **16**
- Raghunath Pradhan*  
Vs.  
*Damodar Mahapatra and other;*  
*AIR 1978 SC 1820*

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(Please turn over)

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