

2021**LAW****(Civil Procedure Code And Limitation Act)**

Paper No. 5:1 (NEW COURSE)

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.*

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| <p>1. Write short on notes: (<i>Any four</i>) 4x5</p> <p>a) Decree and Judgment
b) Pecuniary and territorial jurisdiction
c) First appeal and second appeal
d) Res sub judice and Res-judicata
e) Set-off and counter-claim
f) Non-joinder and mis-joinder of parties</p> | <p>4. What do you understand by the word plaint? Explain the provisions of law regarding the particulars, return and rejection of plaint. 16</p> <p>5. Explain in details the provisions of law relating to production, impounding and return of documents with reference to case laws. 16</p> <p>6. What is interim order? Explain in details the kinds of interim orders. 16</p> <p>7. What are the essentials of appeal? Explain the forms of appeal and powers of appellate court in details. 5+5+6</p> <p>8. Discuss in details the provision relating to bar of limitation and Extension of prescribed period in certain cases under the Limitation Act, 1963. 8+8</p> <p>9. a) Condition for the acquisitions of right to Easements under the limitation Act. 8</p> <p>b) Limitation bars the remedy but does not extinguish the title. 8</p> <p>10. State the facts and principles of law laid down in:-
<i>Wander Ltd</i>
vs.
<i>Antex India (P) Ltd</i>
(1990) Supp SCC 727 16</p> |
| <p>2. Discuss the rules relating to frame of suit under the code of civil procedure, also explain in details the rules relating to joinder of claims and joinder of cause of action 16</p> | |
| <p>3. Define pleading. State the objects and importance of pleading. Also discuss in details the fundamental principles of pleading and other rules relating to pleading with cases. 16</p> | |

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(Please turn over)