

2021

LAW

(Civil Procedure Code And Limitation Act)

Paper No. 5:1 (OLD 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.

1. Write short on notes: (*Any four*) **4x5**
- Amendment of pleadings
 - Cause of action
 - Appointment of Receiver
 - Estoppel
 - Substituted service
2. On what grounds a second appeal lies. State the circumstances when a new point can be raised for the first time in second appeal. **16**
3. "*Limitation bars the remedy but does not extinguish the title*". Explain. **16**
4. Narrate the principles regarding denial by the defendant in his written statement as set forth in C.P.C. **16**

5. Distinction between: **8+8**
- Temporary injunction and perpetual injunction
 - Review and Revision
6. a) Error of law and Error of facts **8**
- b) Next friends and guardian-ad-litem **8**
7. Explain the doctrine of Res-Judicator? **16**
8. Discuss the provision for determining the Jurisdiction of civil court, what is procedure when the court has no jurisdiction to try a suit filed before it? **16**
9. What are the objects and reasons for law of limitation? How does Limitation Act bars the suit for possession? **16**
10. Write the facts and principles of law laid down in:- **16**
- Kalu Haji*
Vs.
Nabin and Ors;
AIR 1985 I.G.L.R. 281

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(Please turn over)

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