

April, 2022

LLB : 5-1/22

2022

(5th Semester)

LAW

Paper No. : 5:1

(**Civil Procedure Code and Limitation act**)

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* from the rest

1. Write short notes on any *four* of the following : 5×4=20
- (a) Inherent powers of a Civil Court
 - (b) Parties to Suit
 - (c) Representative Suit
 - (d) Foreign Judgement
 - (e) Caveat
 - (f) Interim Order

2. Explain general principles relating to the jurisdiction of Civil Courts under the Civil Procedure Code. 16
3. Write short notes on any *two* of the following : 8×2=16
- (a) Complaint and Written Statement
 - (b) Principle of Res Judicata
 - (c) Reference, Review and Revision
4. (a) Explain the provisions of the Code dealing with appearance and non-appearance of the parties in a suit. 8
- (b) What is an Ex Parte Decree? Can it be set aside? 8
5. (a) Discuss the provisions relating to suits by indigent persons under the Civil Procedure Code. 8
- (b) What is a decree? Explain its essential elements. 8
6. (a) State the rules relating to the Place of Suing under the Civil Procedure Code. 8
- (b) Explain the provisions with respect to Interpleader Suit. 8

7. Explain the following : 8+8=16
- (a) Withdrawal and compromise of suit
- (b) Execution of decree
8. (a) Define Section 5 in detail of Limitation Act. 8
- (b) Explain the effect of acknowledgement under period of limitation. 8
9. (a) "Where once time has begun to run, no subsequent disability or inability to suit stops it." Explain. 8
- (b) Give illustrations to explain what is and what is not 'sufficient cause' for the purpose of the extension of the period of limitation. 8
10. Write the facts and principles of law laid down in—

Raghunath Pradhan

vs.

Damoda Mahapatra

and other AIR 1978 SC 1820 16
