

CIVIL PROCEDURE CODE AND LIMITATION ACT

JUNE 2017

1. Explain the different kinds of the Jurisdictions of the Civil Court.
2. Explain the provisions of CPC relating to the parties to the suit, their joinder, misjoinder and non-joinder.
3. Define the terms judgement and decree and state the difference between the judgement and decree.
4. Explain briefly the general principle of execution of decree.
5. Explain the provisions of C.P.C. relating to law discovery, inspection production of documents.
6. Explain the kinds of issues and state the provisions of CPC relating to the framing of issues.
7. Discuss the provisions of Limitation Act relating to the exclusion of time in legal proceedings.
8. Write short note on any two of the following:
 - (a) Commission.
 - (b) Foreign judgment.
 - (c) Disability in limitation.
9. Solve any two of the following problems.
 - (a) 'A' sues 'B' in a foreign Court. The suit is dismissed. Thereafter 'A' wants to file the same suit against 'B' in India on the same cause of action. Whether he can institute a suit – Decide.
 - (b) 'A' files suit against 'B' to recover money on a pronote. 'B' contends that the said pronote was obtained from him by undue influence. Can 'B' succeed in his contention. Decide.
 - (c) At the time when the cause of action arose, Mr. X was full of age and sound mind. But the fact that he shortly afterwards becomes insane. Can this fact affect the running of time of limitation. Decide.

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DECEMBER 2017

1. Explain the provisions of Civil Procedure Code, 1908 in respect of transfer of suits.
2. Describe briefly the different parts of plaint.
3. Explain 'Revision'. What are the conditions for exercise of revisional jurisdiction?
4. What is the procedure for institution of suits by or against partnership firms constituted under the Partnership Act?
5. Discuss about 'arrest before judgement'.
6. What are the different modes of execution decree?
7. Discuss acknowledgement of debt under the Limitation Act.
8. Write short notes on any two of the following:
 - (a) Set-off.
 - (b) Substantive and Procedural Laws.
 - (c) Adverse Possession.
9. Answer any two of the following with reasons:
 - (a) Anil has instituted a suit against Suresh for the recovery of a loan alleged to be advanced by him to Suresh. Suresh has appeared in the suit, but has not presented his written statement. Anil contends that not presenting written statement amounts to implied admission of all facts in the plaint. Decide.
 - (b) Ramesh has instituted a suit against Keshav for recovery of loan. While instituting the suit he claimed only the principal amount, omitting the interest by over sight. Now he wants to claim the interest. Advise him.
 - (c) Santosh has taken a loan of Rs. 50,000 from City Bank on 10-5-2013. He had a fixed deposit of Rs. 75,000 in the same branch of City Bank, which matured on 16-10-2017. The Bank deposited the proceeds of the fixed deposit in the SB account of Santosh, after deducting the loan amount and interest thereon. Santosh wants to recover the amount so adjusted by the Bank. Advise him.
