

CIVIL PROCEDURE CODE AND LIMITATION ACT
(OLD & NEW BATCH)
NOVEMBER/DECEMBER 2020

- Instructions: 1. Answer Q.No. 9 and any five of the remaining questions.
2. Q.No. 9 carries 20 marks and the remaining questions carry 16 marks each.
3. Answer should be written either in English or Kannada completely.

1. Explain the doctrine of res subjudice.
2. Briefly describe the various stages of a suit.
3. Discuss the provisions of the Civil Procedure Code, 1908 in respect of appeals against decrees.
4. What is the special procedure for institution of suits by or against governments and public servants in their official capacity?
5. Explain the provisions of the Civil Procedure Code, 1908 for granting temporary injunction.
6. Explain the procedure for attachment and sale of immovable property for execution of a decree.
7. "Limitation bars the remedy, but does not extinguish the right". Explain with exceptions, if any.
8. Write short notes on any two of the following:
 - (a) Foreign Judgement
 - (b) Caveat Petition
 - (c) Effect of Fraud or Mistake on Limitation
9. Answer any two of the following with reasons:
 - (a) Rajan has instituted a suit against his wife Rajani in the Civil Court at Dharwad. Rajani is residing at Tumakuru with her parents. She has no income of her own and therefore, she is finding it difficult to travel to Dharwad frequently to attend the proceedings. Advise her.
 - (b) Ramesh has published books under the banner "Oxford and Cambridge University Press". Oxford University and Cambridge University have instituted a joint suit against Ramesh. Is the joinder of plaintiffs valid?
 - (c) Gopal has taken a loan from Rajeev on 10-2-2014. He has given a written acknowledgement of loan to Rajeev on 15-4-2017. Rajeev has instituted a suit for recovery of the loan against Gopal on 10-8-2017. Is the suit within limitation?