

LL. B. (3 Year Degree Course) SEM-III (2015 Course)  
(Choice based Credit System) : SUMMER - 2019

SUBJECT : CIVIL PROCEDURE & LIMITATION ACT

Day : Thursday  
Date : 04/04/2019

S-2019-1738

Time : 10.00 AM TO 01.00 PM  
Max. Marks : 60

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N.B.:

- 1) All questions are **COMPULSORY**.
  - 2) All questions carry **12** marks.
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**Q. 1** "The Court shall have Jurisdiction to try all suits of a civil nature excepting suits of which their cognizance is wither expressly or impliedly barred". Comment and explain with the help of suitable illustrations.

**OR**

"It is in the interest of the State that there should be an end to a litigation." Explain the application of this principle through doctrine of Res judicata.

**Q. 2** Explain the golden rules of pleading and discuss the law relating to amendment of pleadings.

**OR**

Written statement is the pleading of the defendant which deals with general and special defenses relating to the suit. Comment.

**Q. 3** What are the factors which are considered by the Court while granting temporary injunction? Explain the theory of triple test laid down by the Supreme Court with the help of leading cases.

**OR**

Explain the types of appeal under CPC and distinguish it from reference, review and revision.

**Q. 4** Write a detailed note on Caveat and discuss its importance in civil matters.

**OR**

Explain the modes of execution of decree and discuss which property cannot be attach in execution.

**Q. 5** Explain the nature and scope of Limitation Act and justify how it supports the theory of delay is denial of justice.

**OR**

What is legal disability? Discuss and explain when a person can take advantage of it under Limitation Act.

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