

**LL. B. (3 Year Degree Course) SEM-III (2015 Course) (Choice Based
Credit System) : WINTER - 2018
SUBJECT : CIVIL PROCEDURE & LIMITATION ACT**

Day : Monday
Date : 03/12/2018

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

W-2018-1515

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **12** marks.

Q. 1 "Second appeal is always filed to the High Court when the case involves a substantial question of law." Explain and elaborate the concept of letters patent appeal.

OR

What is the law relating to arrest and attachment after judgment? Does it enable execution of decree in matters where the judgment debtor has fled the country?

Q. 2 "Life of person is mortal; litigation shall not be immortal". Elucidate and explain the doctrine of Res judicata.

OR

"Jurisdiction is conferred by law and not by the parties." Comment.

Q. 3 "Decree is the fruit of the suit." Elaborate and explain the types of decree.

OR

Explain the concept of set off and counter claim as a defense in a written statement.

Q. 4 "The executing court cannot substitute its decision in place of original decision." Comment and explain law relating to execution of decree.

OR

"Poverty shall not be the reason for denial of justice." Comment and explain the law relating to suit by indigent person.

Q. 5 "Justice, repose and peace are the three pillars of Limitation Act." Comment.

OR

Write a note on condonation of delay and legal disability under Limitation Act.

* * * *