

B.B.A. LL.B. (5 Year Degree Course) SEM-VII (2015 Course) :

WINTER - 2018

SUBJECT: CIVIL PROCEDURE & LIMITATION ACT

Day: Friday
Date: 16/11/2018

Time: 02.30 PM TO 05.30 PM
Max. Marks: 60

W-2018-1341

N.B.:

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

Q.1 a) Evaluate the Nature and scope of Section 9 of C.P.C.

OR

- b)** Write notes on any **TWO** of the following:
- i) Rejection of plaint
 - ii) Mandatory Injunction
 - iii) Joinder of parties

Q.2 a) Define Res- judicata. Explain constructive Res-judicata with appropriate case law.

OR

- b)** Write notes on any **TWO** of the following:
- i) Stay of suits
 - ii) Ex- parte Decree
 - iii) Counter claim

Q.3 a) Discuss the provisions relating to Appeal under CPC.

OR

- b)** Write notes on any **TWO** of the following:
- i) Suit by Aliens
 - ii) Attachment
 - iii) Interpleader suits

Q.4 a) "A" files suit against "B" for declaration that religious rites performed by B during Seva Pooja of the deity were not proper. B contends that he has been performing the Seva Pooja as per the Hindu religious rites. Is the suit maintainable by a Civil Court. Decide

b) Evaluate the following case law- Gurbax Singh V. Financial Commissioner.

OR

- a)** Evaluate the following case law- A.R. Antulay Vs R.S. Nayak.
- b)** "A" files suit against "B" for recovery of possession of a house situated a New Delhi on the basis of the sale deed executed by B. The suit is heard and dismissed by a court of competent jurisdiction. A after two years again files a suit against B for the same house. Can the court try subsequent suit filed by A against B.

Q.5 a) Discuss the nature and scope of limitation Act.

OR

- b)** Write notes on the following:
- i) Computation of period of limitation.
 - ii) Legal disability