

B.B.A. LL.B. (5 Year Degree Course) SEM-X (2009 Course) WINTER - 2017
SUBJECT: CIVIL PROCEDURE CODE AND LIMITATION ACT

Day : Thursday
Date : 28/09/2017

W-2017-1139

Time : 02.30 PM TO 05.30 PM
Max. Marks : 80.

N.B.:

- 1) Attempt **ANY SIX** questions including is Q. No. 1 which is **COMPULSORY**.
 - 2) Q. No. 1 carries 20 marks and all other questions carry 12 marks each.
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- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Restitution
 - b) Garnishee order
 - c) Affidavit
 - d) Summons
 - e) Transfer of suit
 - f) Application
- Q.2** The defect of jurisdiction goes to the root of the decree and it cannot be remedied even by consent of both the parties. Comment.
- Q.3** Decrees are the formal expression of the adjudication of the suit by the courts after hearing both the parties and conclusively determining the rights of the parties but it includes rejection of plaint and order under section 144 of CPC. Comment.
- Q.4** Explain the doctrine of res judicata and discuss collateral and constructive res judicata.
- Q.5** Write a note on :
- a) Ex parte decree
 - b) Counter claim.
- Q.6** Plaint is the pleading of plaintiff. Comment.
- Q.7** Discuss the triple test for grant of temper injunction.
- Q.8** What are special suits? Discuss any two.
- Q.9** Explain the various modes of execution of decree with the help of suitable illustrations.
- Q.10** Limitation is to ensure speedy justice. Comment.