

BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
LL.B. Sem - III : WINTER- 2022
SUBJECT : CIVIL PROCEDURE CODE

Day : Monday

Time : 10:00 AM-12:30 PM

Date : 14-11-2022

W-25006-2022

Max. Marks : 60

N.B.

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

Q.1 a) "Every suit shall be instituted in the court of lowest grade competency to try it." Discuss the place of suing along with concept of jurisdiction under Code of Civil Procedure.

OR

b) What are the rules for service of summons to a defendant under Code of Civil Procedure?

Q.2 a) Discuss the doctrine of Res – judicata and constructive res judicata with proper illustrations.

OR

b) Write short note on **ANY TWO** of the following:
i) Return of plaint
ii) Hierarchy of Civil Courts
iii) Foreign Judgment

Q.3 a) Explain concepts of frame of suit, contents of plaint, institution of suit along with parties to the suit.

OR

b) Discuss the provisions as to Appeal, Revision and Review under Code of Civil Procedure.

Q.4 a) When a court can pass Ex parte order? Elucidate with provisions under Code of Civil Procedure.

OR

b) i) 'A' sues 'B' to recover possession of land situated at Pune valuing his claim of Rs. 3,50,000/- filed suit before Civil Judge Junior Division (CJJD) Pune at Pune. The actual value of land is Rs. 10,00,000/- however 'B' chooses not to object to the jurisdiction of CJJD, hence suit decreed in favour of A. Later can 'B' challenge the jurisdiction of CJJD in his appeal?

ii) A, B, C each enter into separate contracts with 'D' to supply of coal to his factory. However, A, B, C all 3 failed to deliver the coal to D. Now can 'D' join A, B, C as defendants in one suit for breach of contract? Discuss.

Q.5 a) Enumerate Salient features of Limitation Act.

OR

b) Write short note on any **TWO** with reference to Limitation Act.
i) Condonation of delay
ii) Acknowledgement in writing
iii) Whether remedy is available after limitation period is over?

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