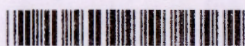


GOA UNIVERSITY
G.R. KARE COLLEGE OF LAW, MARGAO, GOA
LL.B. (HONS) SEM IX
CIVIL PROCEDURE CODE

APRIL 2013,
OCT 2012,
APRIL 2012,
OCT 2011,
April 2011,
OCT 2010,
APRIL 2010,
OCT 2009,
APRIL 2009,
OCT 2008,
APRIL 2008,
OCT 2007,
APRIL 2007,
APRIL 2005 (P),
2003 (P)



TNY – 119

LL.B. (Hons.) Semester – IX Examination, October 2013
CIVIL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

Instructions: I) Answer **any four** questions from Q.No. 1 to 6. Question 7 is **compulsory**.

II) Answer **any four** questions from Q.No. 8 to 13. Question 14 is **compulsory**.

III) Marks are indicated to **right**.

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| 1. Explain the executing court cannot go behind the decree. | 8 |
| 2. Discuss "Representative suit". | 8 |
| 3. Explain "Review". | 8 |
| 4. Under what circumstances can the plaint be rejected ? | 8 |
| 5. Explain "Joinder of plaintiffs". | 8 |
| 6. Discuss counter claim. | 8 |
| 7. Write short notes on any two :
i) Inherent powers
ii) Rateable distribution of assets
iii) Consequences of non appearance of parties. | 6 |
| 8. Discuss the role of "Prima facie case", in granting temporary injunction. | 8 |
| 9. Explain the role of a receiver. | 8 |
| 10. What is meant by Garnishee ? | 8 |
| 11. What is the effect of acknowledgment on limitation ? | 8 |
| 12. State the effect of decree passed beyond territorial jurisdiction of the court. | 8 |
| 13. Discuss attachment before judgement. | 8 |
| 14. Write short notes on any two :
i) Mesne profits
ii) Caveat
iii) Suit by aliens. | 5 |
-



12/4/13

TNY – 117

LL.B. (Hons.) (Semester – IX) Examination, April 2013
CIVIL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

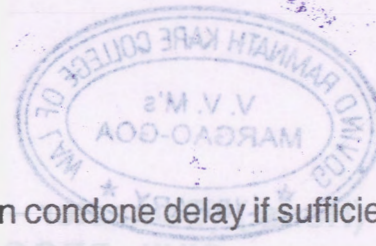
Instructions : 1) Answer **any eight** questions from Q. No. 1 to 12.
2) Q. No. 13 and 14 are **compulsory**.

(8×8=64)

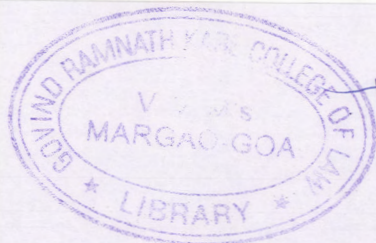
1. Define the term 'Legal Representative' and explain the procedure to be followed when one of the several Plaintiffs or Defendants dies during the pendency of the civil dispute.
2. Define the expressions 'Foreign Court' and 'Foreign Judgement' and also explain when foreign judgements shall not be treated to be conclusive by the Indian Courts.
3. Explain the concept of Res Judicata with the help of relevant case law.
4. Explain the concept of 'Counter Claim' and state the effect of discontinuance of the suit on the counterclaim.
5. Elaborate on the provisions in the Code of Civil Procedure which deal with Commission to examine witness and Commission for Scientific Investigation.
6. Discuss the provisions in the Code of Civil Procedure which deal with suits by or against Firms and Persons carrying on business in names other than their own.
7. With reference to order VII of the Code of Civil Procedure explain what are the particulars to be compulsorily contained in the Plaint and under what circumstances can the Court reject the plaint.
8. Discuss the provisions in the Code of Civil Procedure which deal with suits by or against Minors.
9. Discuss the principles to be applied by the court in deciding an application for temporary injunction.
10. With the help of case law discuss the General Power of the Court to permit amendment of pleadings.

P.T.O.

TNY – 117



11. Elaborate on the statement – ‘The Court can condone delay if sufficient cause is shown’.
 12. Discuss the provisions pertaining to the Appointment of Receivers and state what are the duties of the Receiver.
 13. Write short notes on **any two** : (2×3=6)
 - a) Stay of suit
 - b) Second appeal
 - c) Mesne profits.
 14. Write short notes on **any two** : (2×2.5=5)
 - a) Substituted service.
 - b) Interpleader suit
 - c) Suits in case of Public Nuisances.
-



TNY – 117

LL.B. (Hons.) (Semester – IX) Examination, October 2012
CIVIL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

Instructions : 1) Answer **any eight** questions from Q. No. 1 to 12.
2) Q. No. 13 and 14 are **compulsory**.

(8×8=64)

1. Discuss which property is liable to be attached and sold and which property cannot be attached and sold in execution of a decree.
2. Discuss the Powers of Review and Revision and state what is the difference between these two concepts.
3. Discuss the provisions pertaining to the filing of written statement by the Defendant.
4. 'The Defendant may in certain circumstances be arrested before judgement and the Defendants property may also be attached before judgement' – Explain this statement.
5. Discuss the Power of the Court to issue Commissions for various purposes.
6. 'Courts to try all civil suits unless barred' – Discuss this statement and explain the concept of res-judicata.
7. Define the terms :
 - i) Order, Decree and Judgement and
 - ii) Legal Representative.
8. What are the pre-requisites to be followed in respect of a suit to be filed against the Government.
9. Discuss the provisions in the Code of Civil Procedure which deal with settlement of Disputes outside the Court.
10. Discuss the concept of :
 - i) Substituted Service and
 - ii) Restitution.

P.T.O.



11. Discuss the provisions relating to transfer of suits.
12. Briefly outline the provisions in the Limitation Act which deal with the effect of Acknowledgement in computing the period of limitation and explain the effect of mistake or fraud in computation of the period of limitation.
13. Write short notes on **any two** : (2x3=6)
- Misjoinder and Non Joinder of Parties.
 - Production of additional evidence in Appellate Court.
 - Verification of Pleadings.
14. Write short notes on **any two** : (2x2.5=5)
- Inherent Powers of the Court.
 - Judgement on Admission.
 - Appeals to the Supreme Court.



LL.B. (Hons.) (Semester – IX) Examination, April 2012

CIVIL PROCEDURE CODE

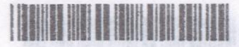
13/04/2012

Duration: 3 Hours

Total Marks: 75

Instructions: 1) Answer **any eight** from Q. No. 1 to 12.
2) Q. No. 13 and 14 are **compulsory**.

1. "Every suit shall be instituted in the court of the lowest grade competent to try it".
Comment. (8×8=64)
2. What are interrogatories ? What part do they play in the trial of a suit ?
3. Explain the provisions for the amendment of pleadings.
4. Discuss the powers of commissions.
5. What is the effect of death of a plaintiff or a defendant in a suit under trial ?
6. Write a note on :
 - a) Preliminary decree and final decree
 - b) Recognized agents.
7. What are the circumstances in which an interpleader suit can be filed ?
8. Write a note on :
 - a) Caveat petition
 - b) Affidavit.
9. Discuss the inherent powers of the court.
10. Every suit shall include the whole claim in respect of cause of action. Comment with illustrations.
11. What is meant by 'Set-off' and 'counter-claim' ? Distinguish between them.



12. Explain the provisions of limitation Act 1963 with regard to acquisition of easement by prescription.

13. Write short notes on **any two** :

(2×3=6)

a) Mesne profits

b) Judgement

c) Representative suit.

14. Write short notes on **any two** :

(2×2½=5)

a) Substituted service

b) Interlocutory orders

c) Mortgage suit.

19/10/11
(Wednesday)

(Pages)



TNY - 117

B - 472

[Total No. of Questions : 14]

LL.B. (Hons.) (Semester - IX) Examination, October - 2011
CIVIL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

- Instructions : 1) Answer any eight questions from Q.No. 1 to 12.
2) Question No. 13 and 14 are compulsory.

[8 x 8 = 64]

- Q1) What is meant by decree? Explain the essentials of decree.
- Q2) "No person shall be vexed twice on the same cause of action". Discuss.
- Q3) State the procedure for instituting suits by or against Government.
- Q4) Explain the purpose for which the court may Issue Commission.
- Q5) Write a note on:
a) Arrest of the Judgment Debtor.
b) Misjoinder of cause of action.
- Q6) Every pleading must state facts and not the evidence. Discuss.
- Q7) Write a note on:
a) Interlocutory application.
b) Issues.
- Q8) What is review? Distinguish between reference and review.
- Q9) What are the defences taken in a Written Statement? Explain the parts of a Written Statement.
- Q10) When does an appeal lie to the Supreme Court of India?
- Q11) Explain briefly the different modes of execution of decree.

P.T.O.

B-472

-2-

TNY-117

Q12) Discuss the doctrine of adverse possession in the light of the law of limitation in India.

Q13) Write short notes on any two:

[2 x 3 = 6]

- a) Admissions.
- b) Counter Claim.
- c) Interrogatories.

Q14) Write short notes on any two:

[2 x 2½ = 5]

- a) Verification of Pleadings.
- b) Pleaders.
- c) Civil and Criminal Jurisdiction.



G - 215

(Pages : 02)



TNY - 117

[Total No. of Questions : 14]

LL.B. (Hons.) (Semester - IX) Examination, April/May 2011
CIVIL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

- Instructions : 1) Answer any eight from Q.No. 1 to 12.
2) Q.No. 13 and 14 are compulsory.

[8 × 8 = 64]

- Q1) What is Civil Suit? Discuss the scope of civil courts to try these suits.
- Q2) What is Res Subjudice? Distinguish it from Res Judicata.
- Q3) Foreign Judgement is conclusive and binding on the parties. Discuss with special to exceptions.
- Q4) Discuss the mandatory contents of a plaint.
- Q5) Write a note on :
a) Interpleader Suit.
b) Summary Procedure.
- Q6) Discuss consequences of non-appearance of parties with special reference to expante decree.
- Q7) Write a note on :
a) Attachment before judgement.
b) Receiver.
- Q8) What is decree? Discuss different kinds of decree.
- Q9) Who is an indigent person? Discuss the special provisions provided for his benefit.

P.T.O.

SECTION - II

[4 × 8 = 32]

- Q8) Explain the meaning and importance of charge in a criminal trial. Discuss the rules as to the contents of a charge, and explain how alterations can be made to a charge.
- Q9) Explain the Salient features of a trial before a court of session.
- Q10) What are periods of limitation prescribed by the code for taking cognizance of offences? When does the period of limitation commence? Can any period be excluded while computing the period of limitation?
- Q11) Discuss the circumstances in which there shall be no appeal against an order of conviction. What is the procedure to be followed while dealing with and disposing of an appeal?
- Q12) What are the preventive measures which can be taken in respect of dispute concerning land or water if such dispute is likely to cause a breach of peace?
- Q13) Under what circumstances can parents and children claim maintenance. Is a married woman entitled to claim maintenance from her father.
- Q14) Answer any two of the following : [2 × 2.5 = 5]
Instruction :- Refer to appropriate statutory provisions and judicial decisions. Emphasis must be on reasoning.
- A is tried by a Court of session and he is convicted. The Court passes a sentence of imprisonment for two months and Rs. 200 as fine. A wants to file an appeal in the High Court against the conviction. Advice.
 - A is accused of criminal breach of trust and also of falsification of accounts punishable under section 409 and 477A of Indian Penal Code. Can A be tried jointly for both the offences.
 - An accused has been convicted by a court of session without being informed of his right under sec.304 of Criminal Procedure code. Is the conviction valid? Give reasons citing any case law.





10/2010
(Friday)

PNY - 117



LL.B. (Hons.) (Semester – IX) Examination, October 2010

CIVIL PROCEDURE CODE

Duration: 3 Hours

Total Marks: 75

Instructions: 1) Answer any eight from Q. No. 1 to 12.

2) Q. No. 13 and 14 are compulsory.

1. Discuss different kinds of jurisdiction. Write a note on provisions fixing the jurisdiction of Court. (8×8=64)
2. "No court shall proceed with trial, when same matter is pending before another Court". Explain.
3. Discuss the importance of foreign judgements in trials conducted before Indian courts.
4. What is pleading? Discuss the procedure for amendment to pleadings.
5. Write a note on "Parties to suit" with special reference to joinder of parties.
6. Discuss the importance of "first hearing" in a trial.
7. Write a note on :
 - a) Commission
 - b) Arrest before judgement.
8. What is judgement? Distinguish it from decree.
9. Write a note on :
 - a) Suits by or against minors
 - b) Suits relating to mortgage.
10. What is counter claim in a civil suit?
11. When judge can opt for judicial reexamination of the case decided by himself?
12. What is constructive resjudicata?

P.T.O.



13. Write short notes on **any two**: (Semester - IX) Exam: I.L.B. (Hons.) (2x3=6)

- a) Withdrawal of suit
- b) Insolvency of party
- c) Hearing of a suit.

Duration: 3 Hours

14. Write short notes on **any two**: (2x2.5=5)

- a) Interest
- b) Reference
- c) Restitution.

Instructions: 1) Answer any eight from Q. No. 1 to 12.
2) Q. No. 13 and 14 are compulsory.

1. Discuss different kinds of jurisdiction. Write a note on provisions fixing jurisdiction of Court.
2. "No court shall proceed with trial, when same matter is pending in Court." Explain.
3. Discuss the importance of foreign judgments in trials conducted before Indian courts.
4. What is pleading? Discuss the procedure for amendment to pleadings.
5. Write a note on "Parties to suit" with special reference to joinder of parties.
6. Discuss the importance of "first hearing" in a trial.
7. Write a note on :
 - a) Commission
 - b) Arrest before judgment.
8. What is judgment? Distinguish it from decree.
9. Write a note on :
 - a) Suits by or against minors
 - b) Suits relating to mortgage.
10. What is counter claim in a civil suit?
11. When judge can opt for judicial reexamination of the case decided by himself?
12. What is constructive res judicata?

5/4/10.



TNY - 117

LL.B. (Hons.) (Semester - IX) Examination, April 2010

CIVIL PROCEDURE CODE

Duration: 3 Hours

Duration: 3 Hours

Total Marks: 75

Instructions: 1) Q. No. 7 and 14 are compulsory.

Instructions: 1) Q. No. 7 and 14 are compulsory.

2) Answer any four from Q. No. 1 to 6.

3) Answer any four from Q. No. 8 to 13.

SECTION - I

(4×8=32)

1. Discuss the scope of civil courts with reference to definition of 'Civil Suit'.
2. What is constructive resjudicata ?
3. Explain procedure to choose a court in dispute relating to moveable and immoveable property.
4. Discuss 'Representative suit'. Distinguish it from public interest litigation.
5. What is plaint ? Discuss its particulars.
6. Discuss the remedies available against exparte proceedings.
7. Write short notes on any two :
 - a) Foreign judgement
 - b) Inherent powers
 - c) Suits relating to public nuisance.

(2×3=6)

SECTION - II

(4×8=32)

(4×8=32)

8. Discuss :
 - a) Commissions
 - b) Arrest before judgement.
9. Explain the concept of 'dominus litus'. Discuss the applicability of concept to 'withdrawal of suit'.

P.T.O.
P.T.O.



10. Discuss elaborately the procedure to file a suit against a public officer.

11. Discuss :

- a) Reference
- b) Review.

12. Discuss the powers of executing court.

13. Discuss the importance of 'costs' and 'interest' in a decree.

14. Write short notes on any two :

(2x2.5=5)

- a) Mortgage suit
- b) Summons
- c) Security of costs.

(2x3=6)

(4x8=32)

SECTION - II

8. Discuss :

- a) Commissions
- b) Arrest before judgement.

9. Explain the concept of 'dominus litis'. Discuss the applicability of concept to 'withdrawal of suit'.

LL.B. (Hons.) (Semester – IX) Examination, October 2009
CIVIL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

- Instructions :** 1) Q. No. 7 and 14 are compulsory.
2) Answer any four Q. No. 1 to 6.
3) Answer any four from Q. No. 8 to 13.

SECTION – I

(4×8=32)

1. What is Jurisdiction ? Explain different kinds of jurisdiction under CPC.
2. What is res judicata ? Explain its importance in civil proceedings.
3. What is Foreign Judgement ? Discuss its applicability in Indian Courts.
4. Discuss the law relating to joinder of parties.
5. What is amendment to pleadings ?
6. What is 'Set off' ? Distinguish it from counter claim.

7. Write short notes on any two :

(2×3=6)

- a) Mesne profit
- b) Caveat
- c) Summary suits.

SECTION – II

(4×8=32)

8. Discuss :

- a) Interrogatories
- b) Admissions.

9. What is temporary injunction ? When can court grant such interim order ?



10. What is Decree ? Distinguish it from judgement.
11. Explain provisions relating to appeals.
12. Discuss :
- a) Transfer of cases
 - b) Restitution.
13. Discuss the procedure for computation of period of limitation.
14. Write short notes on **any two** : (2×2.5=5)
- a) Res subjudice
 - b) Interest
 - c) Receiver.
-



TNY - 117

LL.B. (Hons.) (Semester - IX) Examination, April 2009
CIVIL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

*Instructions : i) Q. No. 7 and 14 are compulsory.
ii) Answer any four from Q.No. 1 to 6 and any four from
Q.No. 8 to 13.*

SECTION - I

1. Explain "Constructive Res Judicata". 8
2. Discuss the significance of pecuniary jurisdiction for filing the suit. 8
3. When can a plaint be rejected by the court ? 8
4. What should the court do, when the defendant is present and neither plaintiff nor his advocate is present during hearing of the suit ? 8
5. Distinguish between set off and counter-claim. 8
6. Can the court review its own judgment ? 8
7. Write short notes on **any two** : 6
 - i) Recognized Agents
 - ii) Judgment on Admission.
 - iii) Non-Joinder of necessary party.

SECTION - II

8. Discuss the provisions regarding the suit to be filed against state Government. 8
9. Can the judgment passed by a court in America be enforced in India ? 8
10. Can a defendant be arrested before judgment ? 8
11. Explain : 8

"The executing court cannot go behind the decree".
12. Explain the circumstances, when a high court can exercise its powers of revision. 8
13. Explain the provisions concerning the suit in respect of public nuisance. 8
14. Write short notes on **any two** : 5
 - i) Precepts
 - ii) Garnishee
 - iii) Affidavits.

L.L.B. (Hons.) (Semester – IX) Examination, 2008
CIVIL PROCEDURE CODE

Duration : 3 hours.

Total Marks : 75

Instructions: i) Q.7 and 14 are compulsory.

ii) Answer any four from Q.No. 1- 6 and any four from 8 -13

SECTION I

- Q. 1 Discuss - “Mesne Profits” (8)
- Q. 2 Explain “ Joinder of Defendants” in a suit (8)
- Q. 3 Discuss “ Inherent Powers” (8)
- Q. 4 Can a Court deal with the suit matter, if it is beyond its territorial Jurisdiction? (8)
- Q. 5 When can a property be directed to be Attached Before Judgment? (8)
- Q. 6 What is the significance of “Prima Facie Case” in granting the Temporary Injunction ?
- Q. 7 Write short notes on any two – (6)
- (i) Caveat
 - (ii) Recognized Agents (Agents)
 - (iii) Affidavits

SECTION II

- Q. 8 How can a Court dispose of the suit, filed without joining necessary Parties? (8)
- Q. 9 Discuss the Powers of Revision. (8)
- Q.10 Can a Defendant file his Written Statement in a Summary Suits as a matter of Right? (8)
- Q.11 Discuss – Inter Pleader Suit (8)
- Q.12 Can a Minor file the suit? (8)
- Q.13 Explain the duties of Receiver appointed by the Court. (8)
- Q.14 Write short notes on any two (5)
- (i) Interest after Judgment/Decree
 - (ii) Garnishee
 - (iii) Judgment on Admission



LL.B. (Hons.) (Semester - IX) Examination, 2008
CIVIL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

Instructions : i) Q. No. 7 and 14 are compulsory.

ii) Answer **any four** from Q. No. 1 - 6 and **any four** from 8 - 13.

SECTION - I

(4×8=32)

1. "Every suit shall include the whole claim in respect of cause of action" Comment with illustrations.
2. Explain the procedure for "Arrest and detention" of a Judgment Debtor.
3. Discuss the powers of Commission.
4. What is an interpleader suit ? Explain the conditions for filing it.
5. State the orders in respect of which an appeal shall lie.
6. What is Caveat ? Who may file it ?

7. Write short notes on **any two** :

(2×3=6)

- a) Substituted service
- b) Affidavits
- c) Review.

SECTION - II

(4×8=32)

8. Explain each part of plaint with suitable illustrations.
9. What is Judgment ? Distinguish Decree and Judgment.
10. Discuss the law relating to withdrawal of suit.
11. State the grounds and procedure for issuing an order of attachment before judgement.



12. Discuss the principles for exclusion of bonafide time spent in the proceedings in a wrong court.
13. What are the requisite qualification for being appointed as guardian of a minor in a suit ?
14. Write short notes on **any two** : (2×2½=5)
 - a) Mesne profits
 - b) Garnishee order
 - c) Pecuniary jurisdiction.

LL.B. (Hons.) (Semester – IX) Examination, October 2007
CIVIL PROCEDURE CODE

Duration : 3 Hours

Total Marks: 75

Instructions: i) Q. No. 7 and 14 is compulsory.
ii) Answer any four from Q. No. 1 – 6 and any four from 8 – 13.

SECTION – I

(4×8=32)

1. State the particulars of the properties which are not liable to attachment and sale in execution of Decree.
2. When does an appeal lie to Supreme Court of India ?
3. Explain the essential conditions for making Reference to High Court.
4. Who is a Pleader ? What are his powers and duties ?
5. Explain the joinder of cause of action.
6. Define Foreign Judgment. When shall it be conclusive ?
7. Write short notes on **any two**: (2×3=6)
 - a) Discovery of documents
 - b) Order
 - c) Admission.

SECTION – II

(4×8=32)

8. Define Public Nuisance. Who can file it ?
 9. State the grounds and procedure for passing an order of arrest before judgment.
 10. Under what circumstances one can acquire ownership by possession ?
 11. Whether a suit ends by death of any party ? Comment.
 12. State the purposes for which a receiver can be appointed.
 13. What is First Hearing ? What are grounds on which suits may be disposed at once ?
 14. Write short notes on **any two**: (2×2½=5)
 - a) Security for courts
 - b) Recognized agents
 - c) Interlocutory orders.
-

LL.B. (Hons.) (Sem. - IX) Examination, 2007
CIVIL PROCEDURE CODE

Duration : 3 Hours

Total Marks: 75

Instructions : i) Q. No. 7 and 14 are compulsory.

ii) Answer **any four** from Q. No. 1-6 and **any four** from 8-13.

SECTION - I

(4×8=32)

1. The Court shall have jurisdiction to try all suits of civil nature. Explain.
2. What is res judicata ? Explain its importance.
3. What is place of suing ? Explain the provisions deciding place of suing under Civil Procedure.
4. What are the general rules of pleadings ? Explain the effect of violating the provisions of Rules of pleadings.
5. Explain the process of issue and service of summons to the defendant.
6. What is set off distinguish it from equitable set off ?
7. Write short notes on **any two** : **(2×3=6)**
 - a) Representative suit
 - b) Suits by or against minor
 - c) Payment into the court.

SECTION - II

(4×8=32)

8. What is issue ? Explain the framing of issues.
9. What is Temporary Injunction ?
10. 'All matters which can be decided in a suit can also be settled by means of compromise'. Explain.

11. What is decree ? Explain its kinds.

12. What is appeal ? Explain first appeal.

13. Explain Legal Disability under Limitation Act.

14. Write short notes on **any two** :

(2×2½=5)

a) Adjournments

b) Return of plaint

c) Indigent person.

April 2005

LL.B. Examination April 2005
Civil Procedure Code
Sem-IX

Time : 3 Hrs

Max. Marks : 75

Instructions : 1) Q. No. 7 and 14 are compulsory
2) Answer any four from Q. No 1 to 6 and any four from Q. No 8 to 13

SECTION - I

(4 x 8 = 32)

- Q.1 "The Court can try all suits of civil nature." Explain.
- Q.2 What is Res judicata? Explain the various forms of Res judicata
- Q.3 Explain the nature and scope of Foreign judgments under Civil Procedure Code.
- Q.4 Explain
 - a) Institution of suit
 - b) Parties to the suit
- Q.5 What are Pleadings? Explain its objects.
- Q.6 What is counter claim? Distinguish it from set off.
- Q.7 Write short notes on any TWO (2 x 3 = 6)
 - a) Judgment
 - b) Order
 - c) Mesue profits

SECTION - II

- Q.8 Who can appear in a suit? Explain the effect of improper service of summons
- Q.9 Explain the appointment of commissions and its objects.
- Q.10 What is temporary Injunction? When it can be granted
- Q.11 What is decree? Explain types of decree
- Q.12 What are the requirements to be fulfilled before filing a suit against Government?
- Q.13 "Limitation bars remedy and not right." Explain
- Q.14 Write short notes on any TWO (2 x 2 1/2 = 5)
 - a) Suit
 - b) Issue
 - c) Affidavit

Time: 3hrs.

Instruction:

- 1) Questions no.7 and 14 are compulsory.
- 2) Answer any **four** questions from 1 to 6 and any **four** from 8 to 13.

SECTION-I

- Q.1 Discuss - Territorial Jurisdiction. (8)
- Q.2 Can Minor file the suit? Discuss. (8)
- Q.3 Is the Judgment Debtor liable for Arrest and Detention in Execution of money Decree, if he has no means to pay Decretal dues. (8)
- Q.4 Explain the importance of Constructive Res Judicata (8)
- Q.5 Distinguish between First Appeal and Second Appeal. (8)
- Q.6 What is the significance of "Prima facie Case" in the grant of Interlocutory Injunction (8)
- Q.7 Write short note on any **TWO** (6)
- a) Precepts
 - b) Garnishee
 - c) Caveat

SECTION-II

- Q.8 Explain the concept of "Review" (8)
- Q.9 Under What circumstances a Defendant can be arrested before the Judgment? (8)
- Q.10 Distinguish between Set Off and Counter-claim (8)
- Q.11 Explain - Interpleader Suit. (8)
- Q.12 "Limitation bars the remedy but does not extinguish the Right". Explain. (8)
- Q.13 "Inherent Powers cannot be exercised to Override Express Provisions". Explain. (8)
- Q.14 Write Short notes on any **Two** (5)
- a) Mesne Profits
 - b) Sufficient Cause for limitation
 - c) Substituted Service of Summons