

G 3377

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Reg. No.....

Name.....

UNITARY LL.B. (THREE YEAR) DEGREE EXAMINATION, JUNE 2023

First Semester

UL 4—CIVIL PROCEDURE CODE AND LIMITATION ACT

(2022 Admissions—Regular/2018 – 2021 Admissions—Supplementary)

Time : Three Hours

Maximum : 75 Marks

Part A

*Answer any five of the following.
Each question carries 3 marks.*

1. What do you mean by Res-subjudice ? Discuss its essential elements.
2. Discuss the essential components of Decree.
3. Write a note on Discovery by Interrogatories.
4. Discuss the law relating an Interpleader Suit.
5. Discuss the differences between Revision and Review.
6. 'Law of Limitation only extinguishes the right but does not bar the remedy'- Explain.

(5 × 3 = 15 marks)

Part B

*Answer any three questions.
Each question carries 10 marks.*

7. Mr. B instituted a suit against Mr. C for recovering a debt. At the time of institution of the suit Mr. B claimed only the principal amount and failed to claim interest. Whether Mr. B can subsequently claim the interest? Explain.
8. Mr. D submitted a witness schedule to the Court including the name of Mr. E. However, Mr. E met with an accident and bedridden and hence he couldn't attend the court for giving his evidence. Is there any way to take evidence from Mr. E without compelling him to be present before the Court - Explain.
9. Mr. H filed a suit against a government official to a civil court after serving 30 days' notice. Does this suit is maintainable ? Explain.
10. Mr. J entered into an agreement to sell his house with Mr. K with three months from the date of agreement. After one month of the agreement Mr. J is trying to sell his house to Mr. M. Whether Mr. K is having any remedy as per the provisions of CPC- Explain.

(3 × 10 = 30 marks)

Turn over

Part C

Answer any two of the following questions.

Each question carries 15 marks.

11. Discuss the consequences of appearance and non-appearance of parties in suits.
12. Explain the different stages of a Suit, as contemplated in Civil Procedure Code.
13. Write Short notes on any three of the following :
 - (a) Second Appeal.
 - (b) Pecuniary Jurisdiction of Civil Courts.
 - (c) Constructive Res Judicata.
 - (d) 'Judgment' and 'Decree'.

(2 × 15 = 30 marks)

