

Seat No. : _____

MN-112

March-2019

Integrated B.A. LL.B., Sem.-VIII

IL 409 : Civil Procedure Code

Time : 2:30 Hours]

[Max. Marks : 70

- Instructions :** (a) Answer **all** the questions.
(b) Figures to the right in bracket indicate marks for each question.

1. Explain in details the Jurisdiction of civil courts as per Civil Procedure Code 1908. **18**

OR

Write notes on :

- (a) Explain in details The History of Civil Procedure Code and discuss on Application of Code : **10**
(b) Explain the Fundamental Rules of pleadings plaint and written statement. **8**

2. Explain in Details the procedures regarding appearance and examination of parties as per code. **18**

OR

Write notes on :

- (a) Discuss on parties of suit: Joinder, Misjoinder, Non -Joinder of parties. **10**
(b) Discuss on various grounds on Which Return and Rejection of Plaint in Civil Procedure Code. **8**

3. Explain in details : The procedures regarding Interim Orders, Commissions, Arrest before the judgment and attachment before the judgment. **18**

OR

Writes notes on :

- (a) Explain the Procedures Regarding Interest and Cost in Civil Procedure Code. **10**
(b) Discuss on Procedures Regarding Transfer of cases as per Civil Procedure Code. **8**

4. (A) Writes short notes on the following : (Attempt any **two**) **10**
- (a) Defenses Setoff-Counter claim
 - (b) Temporary Injunction
 - (c) Framing of Issues
 - (d) Summons and warrants
- (B) Answer as directed. Attempt any **three** multiple choice questions : **6**
- (1) The period of limitation for filling of suit on the basis of a promissory note from the date of its execution is :
 - (a) 1 Year
 - (b) 2 Year
 - (c) 3 Year
 - (d) 5 Year
 - (2) Which of the following is not a decree ?
 - (a) Dismissal in default
 - (b) Rejection of a plaint
 - (c) Both (a) & (b)
 - (d) Neither (a) nor (b).
 - (3) Foreign court under Section 2(5) of CPC means
 - (a) A court situated outside India
 - (b) A court situated outside India and not established under the authority of Government of India
 - (c) A court situated in India applying foreign law
 - (d) All the above
 - (4) A judgment contains
 - (a) Concise statement of the case
 - (b) The points for determination
 - (c) The decision on the points of determinations & the reason thereof
 - (d) All the above
 - (5) Doctrine of res-judicata as contained in section 11 of CPC is based on the maxim.
 - (a) Nemo debet bis vexari pro uno etendem causa.
 - (b) Interest republicae ut sit finis litium.
 - (c) Both (a) & (b)
 - (d) Either (a) or (b)
 - (6) The limitation period in a suit by surety against co-surety when the surety pays anything in excess of his own share is :
 - (a) 2 Years
 - (b) 3 Years
 - (c) 5 Years
 - (d) 12 Years