

CPC AND LIMITATION ACT

JUNE/JULY 2016

1. What is suit? Write about the suits of civil nature with examples.
(Refer Page No.)
2. Discuss about the fundamental rules of pleading. **(Refer Page No.)**
3. Discuss the CPC provisions relating to the Appeals. **(Refer Page No.)**
4. Explain the suits of particular cases with special reference to the suits by or against the government. **(Refer Page No.)**
5. Explain the CPC provisions relating to the temporary injunctions.
(Refer Page No.)
6. Briefly describes the different parts of a plaint. **(Refer Page No.)**
7. What is legal disability? Discuss the provisions in limitation Act including protection under such disability. **(Refer Page No.)**
8. Write short notes on any two of the following:
 - a. Resjudicata. **(Refer Page No.)**
 - b. Caveat. **(Refer Page No.)**
 - c. Indigent Person. **(Refer Page No.)**
9. Solve any two of the following:
 - a. 'A' residing in Delhi publishes in Calcutta statements of detamatory to B. the news paper is circulated in Bombay. Madras and Raipur. B wants to file a suit against A. Where he can sue? Advise him. **(Refer Civil Procedure Code & Limitation Act, Volume – II Separate Book)**
 - b. 'A' enters into an agreement jointly with B and C to sell 100 tins of oil. A thereafter refuses to deliver the goods. 'B' and 'C' together want to file a suit for damages against 'A'. Can they do so? Advise them. **(Refer Civil Procedure Code & Limitation Act, Volume – II Separate Book)**
 - c. A wants to file a suit against B. As the court was closed due to the holiday and that being the last day of the limitation; he

could not file the suit. **(Refer Civil Procedure Code & Limitation Act, Volume – II Separate Book)**

DECEMBER 2016

CIVIL PROCEDURE CODE AND LIMITATION ACT

Duration: 3 Hours

Max. Marks:100

- Instructions: 1. Answer Q. No. 9 any five of the remaining
2. Q.No.9 carries 20 marks and the remaining questions carry 16 marks each.
3. Answers should be written either in English or Kannada completely.

1. Discuss the provisions of CPC relating to place of suing. **(Refer Page No.)**
2. What is a written statement? What should it contain? **(Refer Page No.)**
3. What is an ex-parte decree? What are the remedies available against an ex-parte decree? **(Refer Page No.)**
4. What are issues? Explain how they are framed, amended and struck off. **(Refer Page No.)**
5. Who are the parties to a suit? Discuss joinder of parties and effect of non-joinder. **(Refer Page No.)**
6. What is the procedure for institution of suit by an indigent person? **(Refer Page No.)**
7. Explain the provisions of the Limitation Act in respect of condonation of delay. **(Refer Page No.)**
8. Write notes on any two of the following:
 - a) Stay of Suits. **(Refer Page No.)**
 - b) Interlocutory applications. **(Refer Page No.)**
 - c) Prescription. **(Refer Page No.)**
9. Answer any two of the following:

- a) Subhash is a permanent resident of Ballary and Anand is a permanent resident of Kolar. Subhash has made an agreement with Anand at Ballary for supply of certain quantity of paper every month. The parties to the agreement have agreed that if any dispute arises between them, the same shall be subject to the jurisdiction of Civil Court at Tumkur. Decide the validity of the agreement. **(Refer Civil Procedure Code & Limitation Act, Volume – II Separate Book)**
- b) Mahesh has sued Anirudh for defamation. Mahesh died during the pendency of the suit. LRs (Legal heirs) of Mahesh have made an application for being impleaded as plaintiffs. Decide. **(Refer Civil Procedure Code & Limitation Act, Volume – II Separate Book)**
- c) Ramesh has taken a loan of Rs. 50,000 from Ashok on 20-10-2010. He has not repaid the loan till today. Ashok has instituted a suit against Ramesh for the recovery of the said loan, on 15-9-2015. Ramesh has not raised any objection regarding limitation, in his written statement. Can the Court hear and decide the suit? **(Refer Civil Procedure Code & Limitation Act, Volume – II Separate Book)**