

Roll No.

9647

**B.A. LL.B. (Hons.) 5 year Course 9th Sem.
Common with LL. B. (Hons.) 3 year course
5th Semester
Examination – March, 2021**

CIVIL PROCEDURE CODE AND LIMITATION

Paper : 901

Time : Three hours] [Maximum Marks : 80

Before answering the questions, candidates should ensure that they have been supplied the correct and complete question paper. No complaint in this regard, will be entertained after examination.

Note : Attempt *four* questions from Sections I to IV, selecting *one* question from each Section. These questions carry 14 marks each. Section V is *compulsory* and each question in this Section shall carry 3 marks.

SECTION – I

1. The object of section 10 is to prevent court of concurrent jurisdiction from simultaneously entertaining and adjudication upon two parallel litigations in respect of the same cause of action, the same subject matter and the same relief. Discuss.

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P. T. O.

2. Define pleading. Discuss in detail the fundamental principles of pleadings.

SECTION – II

3. What do you mean by counter-claim ? Discuss in detail the distinction between set-off and counter-claim.
4. Define judgment. Discuss in detail the essentials of a judgment.

SECTION – III

5. What do you mean by appellate court ? Discuss in detail the powers of an appellate court while hearing first appeals. <https://www.mdustudy.com>
6. Discuss the powers of an appellate court while hearing first appeal.

SECTION – IV

7. What do you mean by review ? Discuss the difference between review and reference.
8. Explain the circumstances in which delay will be condoned under limitation Act.

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(2)

SECTION - V

9. Write short notes on the following :

- (a) Ex dole malo non oritur actio
- ✕(b) Interlocutory orders
- ✕(c) Restitution
- (d) Service of summons
- (e) Res sub judice
- (f) Decree
- (g) Framing of Issue
- (h) Inherent powers of courts

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