

2022

LAW

Civil Procedure Code and Specific Relief Act

Paper : 801

[NEW SYLLABUS]

Full Marks : 80

Time : 3 Hours

The figures in the right-hand margin indicate full marks.

Candidates are required to give answers in their own words as far as practicable.

Answer Question No. 1 and any five from the rest.

1. Answer any **ten** questions from the following:

$2 \times 10 = 20$

- i) What is review?
- ii) What is the Doctrine of cy pres?
- iii) What is Appeal?
- iv) Who may file Revision?
- v) Which provisions deal with Appeal to the Supreme Court in the Code of Civil Procedure?
- vi) Who is minor?

[Turn Over]

- vii) Which Section deals with Reference in the Code of Civil Procedure?
 - viii) What are the provisions that deal with suits by or against Government or public officers under the Code of Civil Procedure?
 - ix) Who may file Cross-objections?
 - x) Which provision deals with Appeals by indigent persons in the Code of Civil Procedure?
 - xi) What is Injunction?
 - xii) What are the types of Injunctions?
2. Discuss the law relating to 'Second Appeal' as embodied under Section 100 of the Code of Civil Procedure and explain in this connection the expression "Substantial question of law". 8+4
 3. Discuss in detail about the suit by or against minors and lunatics. 12
 4. Who is an indigent person? Explain the provisions for filing suit by an indigent person. 4+8
 5. What do you understand by the term Revision? Discuss in detail. 12
 6. a) What do you understand by the expression "Specific Relief"?

- b) State the different modes prescribed by the Specific Relief Act, 1963 for giving such relief. 4+8
7. a) What is temporary injunction? Distinguish it from mandatory injunction.
- b) Discuss briefly the law relating to grant of injunction. (3+3)+6
8. Is specific performance a part of contract? Under what conditions contracts are not specifically enforceable? 4+8
9. What do you mean by "Preventive Relief"? Discuss in detail. 12
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