

2022**LAW****Civil Procedure Code and Limitation Act****Paper - 701****(NEW SYLLABUS)**

Full Marks : 80

Time : 3 Hours

*The figures in the right-hand margin indicate 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: $2 \times 10 = 20$

- i) Name the different kinds of decree under the Code of Civil Procedure 1908.
- ii) Write in brief about the nature of CPC, 1908.
- iii) Write about the appointment procedure of a receiver.
- iv) Define injunction.
- v) Distinguish between order and judgement.
- vi) Write about the objectives of resjudicata.
- vii) Explain in brief about the concept of 'prescribed period' under the limitations Act, 1963.

[Turn over]

- viii) Illustrate the term 'cause of action' under CPC.
 - ix) Write about the concept of setoff.
 - x) Illustrate briefly the concept of counter claim.
 - xi) Write about attachment before judgement.
 - xii) Distinguish between resjudicata and estoppel.
2. Elucidate the concept of constructive resjudicata with case law. Does the concept of resjudicata apply in case of writs? 6+6=12
 3. Write down the essential things to be mentioned in a plaint. Can a plaint be amended subsequent to the filing of a suit? 6+6=12
 4. Write down about the different kinds of jurisdiction of civil courts under the Code of Civil procedure 1908. 12
 5. Write down the consequences of appearance and non appearance of parties to suit. 12
 6. Distinguish between the following : 4×3=12
 - i) Plaint and Written Statement.
 - ii) Resjudicata and Res sub judice.
 - iii) Dominant Heritage and Servient Heritage.
 7. Explain briefly about the computation of period of limitation under the limitation Act, 1963. 12

8. Write short notes on :

4×3=12

- i) Condonation of Delay
- ii) Good faith
- iii) Concept of Legal disability under the Limitation Act, 1963.

9. Write briefly about the concept of acquisition of ownership of possession under the limitation Act, 1963.

12