

4(LL.B)H

5 Yr.B.A.LL.B(H)8th Sem/801/24

2024

LAW

Civil Procedure Code and Specific Relief Act

Paper : 801

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: 2×10=20
- i) Define Injunction.
 - ii) Who may obtain specific performance?
 - iii) Define revision.
 - iv) What do you mean by an order?
 - v) Who is a trustee under the Specific Relief Act 1963?
 - vi) Distinguish between obligation and settlement.
 - vii) Under what circumstances the court may grant perpetual injunction?
 - viii) What is a mandatory injunction?

[Turn Over]

- ix) What is summon?
- x) Explain the term 'notice'.
- xi) Point out any two distinctions between appeal and review.
- xii) Distinguish between temporary injunction and permanent injunction.
2. Explain the procedure laid down in the CPC relating to the filing of suits by an indigent person. 12
3. Define appeal from original decree. Explain the provisions relating to second appeal in the code of civil procedure. 2+10=12
4. The objective settlement of disputes outside the court is of blending judicial and non-judicial dispute resolution mechanisms and bringing alternate dispute mechanisms to the centre of the Indian judicial system. —Discuss. 12
5. Point out the distinction between Review, Reference and Revision. 12
6. Whether all orders are appealable? Give two examples of appealable orders. Explain the provisions relating to filing of appeal to the Supreme Court. 2+2+8=12

7. What do you mean by specific performance of a contract? Under which cases specific performance of the contract is enforceable? $4+8=12$

8. The provisions relating to declaration of status or rights under the Specific Relief Act of 1963 is completely a discretionary power of the court.—
Explain. 12

9. Define the following: $4 \times 3 = 12$

a) Trustee

b) Obligations

c) Suits by or against minors.