

Total No. of printed pages = 3

5 SEM LLB 2 CPC

2011

(July)

**CIVIL PROCEDURE CODE AND
LIMITATION ACT**

Paper : 502

Full Marks – 80

Time – Three hours

The figures in the margin indicate full marks for the questions.

Answer any *five* questions.

1. The principle of Res Judicata can be invoked only in respect of separate proceedings and not in respect of subsequent stage of the same proceeding.
– Discuss. 16
2. Define a 'decree' and point out the distinction between preliminary decree and final decree with examples. 16

3. (a) A filed a suit in place C and it proceeded in the said place. However, all the evidences necessary for establishing the suit are found in place D. What the court will do? What provisions are laid down in the code to deal with the situation? Discuss
- (b) Discuss the principles for availing the power u/s 24 of the C.P.C by a party to the suit.
- 8+8=16
4. Explain briefly different steps in the progress of a suit from the time of the institution till final disposal.
- 16
5. What do you mean by summons? What are its essentials? State the modes of service of summons.
- 2+2+12=16
6. Define and explain Reference, Review and Revision.
- 16
7. Discuss the grounds for seeking a temporary injunction from a Civil Court. What are the consequences of disobedience or breach of injunction?
- 10+6=16

8. Explain the principles of continuous running of time. Is there any exception to the general rule ?

8+8=16

9. State the principles which are to be followed in computing the period of limitation for filing any suit, appeal and application. 16

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