

2021

CIVIL PROCEDURE CODE AND LIMITATION ACT

Third Paper

Full Marks : 80

*The figures in the margin indicate full marks.
Candidates are required to give their answers in their own words
as far as practicable.*

Group - A

Answer *any four* questions.

1. (a) Define 'Decree'. What are the essential ingredients of a decree?
(b) What do you mean by Order? Write the distinctions between Decree and Order. (4+4)+(4+4)
2. Define Summons. What are the modes of service of Summons? Discuss the procedure for the service of Summons in special cases. 4+6+6
3. Discuss the doctrine of Res-Judicata. What are the conditions for application of Res-Judicata? How does it differ from Res-Subjudice? 4+6+6
4. Define the term 'Injunction'. In which cases Temporary Injunction may be granted? Against whom Injunction may be issued? What are the consequences of disobedience or breach of injunction? 2+6+4+4
5. Write down the formalities of filing a suit against Government. Can a suit be filed against a Government servant without serving notice as required? If so, when? 10+6
6. (a) In which cases Reference, Review and Revision are maintainable? Explain with suitable case Laws.
(b) Point out the differences between Reference and Review. 10+6
7. (a) Discuss the law relating to execution of decree.
(b) Write a short note on 'Attachment'. 10+6
8. (a) What is the procedure for filing an appeal? Discuss the form and contents of an appeal.
(b) Is the appellate court bound to decide an appeal on the basis of material record when the appellant appears but does not address the court? 5+5+6

Please Turn Over

Group - B

Answer *any one* question.

9. (a) Discuss the provisions of law relating to computation of period of limitation under the Limitation Act, 1963.
- (b) Explain the words 'Extension of Prescribed Period' under Section-5 of the Limitation Act, 1963. 8+8
10. What is Legal disability? Write in brief the combined effect of Section-6 and Section-7 of the Limitation Act, 1963. 6+10
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