

End Semester/Reappear (Semester IV) Examination, May 2025

Programme: LLB

Course: Civil Procedure Code & Limitation Act

Course Code: 24D.253

Enrolment no. _____

Full Marks: 70

Time: 3 Hrs.

Section I

1. Short Answer type questions. Answer any four.

4 x 5 = 20

- a. What do you understand by the term foreign judgment and foreign court under the Civil Code of Procedure, 1908?
- b. Explain section 16 Civil Code of Procedure 1908.
- c. Define the term suit of civil nature given in Code of Civil procedure, 1908
- d. Can permission to sue as an indigent person once granted be withdrawn under certain circumstances?
- e. Under what circumstances a second appeal against a decree would lie?
- f. What is jurisdiction? Outline the different types of jurisdictions.

Section II

Long Answer type questions. Answer any three.

3 x 10 = 30

2. Elucidate meaning of Decree? What are the differences between decree and order?
3. Jurisdiction in law can be categorized into several types. Describe the kinds of jurisdictions.
4. Identify the parties who are cannot file an interpleader suit and provide an explanation for such exclusions.
5. Discuss the various grounds for seeking a Review in under Civil Code of Procedure 1908
6. Differentiate between a Complaint and a Written Statement in legal proceedings, highlighting their respective roles, procedural requirements, and significance in civil litigation.

Section III

Application based questions. Answer any one.

1 x 20 = 20

7. Section 51 and Order XXI of the Code of Civil Procedure, 1908, outline the statutory mechanisms for executing civil decrees in India.
8. Analyze the legal principles and statutory provisions under the Code of Civil Procedure, 1908, that govern the appointment of a receiver. Examine the scope of their powers and responsibilities as outlined in Order XL, and evaluate the legal basis and procedural safeguards for their removal. Discuss how judicial discretion is exercised to balance effective property management with the protection of litigants' rights.
9. Examine the appellate system under the Code of Civil Procedure, 1908, by analyzing the different types of appeals it recognizes. Discuss their scope, procedural requirements, and the judicial reasoning behind their hierarchical arrangement.
