

Reg. No. :

Name :

**Fifth Semester B.A. LL.B./B.Com. LL.B./B.B.A. LL.B.
(Five Year Integrated) Degree Examination, September 2022**

Paper III — CIVIL PROCEDURE CODE AND LIMITATION ACT

Time : 3 Hours

Max. Marks : 80

1. Explain **any five** of the following. Each question carries **2** marks. Answer should not exceed **50** words.
- (a) Pecuniary jurisdiction
 - (b) Set off
 - (c) Acknowledgement
 - (d) Decree holder
 - (e) Representative suit
 - (f) Cause of action
 - (g) Counter claim

(5 × 2 = 10 Marks)

2. Answer **any four** of the following. Each question carries **4** marks. Answer should not exceed **120** words each.
- (a) Foreign judgement
 - (b) Rejection of plaint
 - (c) Dismissal of suit for default
 - (d) 'Limitation bars the remedy but does not extinguish the right' – Explain.
 - (e) Write a note on Reference.

(4 × 4 = 16 Marks)

3. Answer **any four** of the following. Each question carries **6** Marks.

- (a) Mr. X residing at Trivandrum enters into contact with Y residing at Kottayam at Ys' residence, for supply of N95 masks. But X makes breach of contract and Y wants to file a suit. Advise Y.
- (b) A obtains a foreign judgement against B. B alleges that judgement was obtained by fraud. A wants to execute it. Can the judgement be executed by A?
- (c) Within the expiry of the period of limitation of three years, debtor Aneesh makes a part payment of debt to creditor Deepu. Deepu then files a suit for the recovery of debt after 2 years from the date of part payment. Decide.
- (d) A filed a suit against B. The suit was dismissed for non-appearance of Plaintiff. A approaches you. Advise.
- (e) A suit for specific performance was filed by A against B for the breach of contract. A claims Rs.30000 as damages, B wants to set off a debt due to him. Advise.

(4 × 6 = 24 Marks)

4. Answer **any three** of the following. Each question carries **10** marks.

- (a) Explain different stages of civil suit.
- (b) Explain the conditions for the applicability of Doctrine of res judicata.
- (c) Discuss the principles governing the grant of temporary Injunction.
- (d) Discuss the provisions regarding production, impounding and return of documents.

(3 × 10 = 30 Marks)