



Reg. No. :

Name :

**Fifth Semester B.A.LL.B./B.Com.LL.B./B.B.A. LL.B. (Five Year Integrated)
Degree Examination, July 2018
Paper – III : CIVIL PROCEDURE CODE AND LIMITATION ACT
(2013 Admission)**

Time : 3 Hours

Max. Marks : 80

I. Explain **any five** of the following. **Each** question carries **2** marks. Answers should **not** exceeds **50** words **each** :

- a) Reference
- b) Foreign judgment
- c) Interlocutory order
- d) Pecuniary jurisdiction of civil courts
- e) Pleadings
- f) Cause of action
- g) Easement by prescription.

(5×2=10 Marks)

II. Answer **any four** of the following. **Each** question carries **4** marks. Answers should **not** exceed **120** words **each** :

- a) Explain contents of a decree.
- b) What is meant by setting aside an exparte decree ?
- c) Provisions relating to legal disability under Limitation Act.
- d) Distinction between set off and counterclaim.
- e) What are the properties not liable to attachment ?

(4×4=16 Marks)

III. Answer **any four** of the following. **Each** question carries **6** marks :

- a) X has given his house to Y for rent for Rs. 10,000/- per month. Later X borrowed a sum of Rs. 1,00,000/- from Z and Z has obtained decree against X for the same. Z's execution petition is pending in the court but X is not making any payment to Z. Z knows that X is getting the amount from Y as rent. Explain the remedy available to Z.



- b) A is a workman who has been suspended by an industrial dispute court. He filed a suit in a civil court alleging that the order is void and illegal. Is the suit maintainable ?
- c) A is residing at Trivandrum, publishes in Kollam a defamatory article of B. B wants to file a suit against A. Decide the territorial jurisdiction of the court.
- d) X is a civil surgeon in a government hospital. Y filed a suit against X to attach arrears of salary of X to realize a debt amount. Decide.
- e) P, the husband, died after obtaining the ex parte divorce decree against the wife, Q. Later wife moved an application for setting aside ex parte decree by impleading the legal heirs of the deceased husband. Is it maintainable ?

(4x6=24 Marks)

IV. Answer any three of the following. Each question carries 10 marks :

- a) State the law relating to suit by or against the firm.
- b) When can a receiver be appointed ? What are his duties and powers ?
- c) Explain the law relating to res judicata.
- d) What are the provisions dealing with second appeal ?

(3x10=30 Marks)

(5x2=10 Marks)

II. Answer any four of the following. Each question carries 4 marks. Answers should not exceed 120 words each :

- a) Explain contents of a decree.
- b) What is meant by setting aside an ex parte decree ?
- c) Provisions relating to legal disability under Limitation Act.
- d) Distinction between set off and counterclaim.
- e) What are the properties not liable to attachment ?

(4x4=16 Marks)

III. Answer any four of the following. Each question carries 6 marks :

- a) X has given his house to Y for rent for Rs. 10,000/- per month. Later X borrowed a sum of Rs. 1,00,000/- from Z and Z has obtained decree against X for the same. Z's execution petition is pending in the court but X is not making any payment to Z. Z knows that X is getting the amount from Y as rent. Explain the remedy available to Z.