

Reg. No. :

Name :

**Fifth Semester B.A. LL.B./ B.Com. LL.B./ B.B.A. LL.B. (Five Year
Integrated) Degree Examination, June 2024**

Paper III : CIVIL PROCEDURE CODE AND LIMITATION ACT

(2020 Admission Onwards)

Time : 3 Hours

Max. Marks : 80

PART – A

1. Answer **any six** questions not exceeding **50** words. Each question carries **2** marks.
1. Define Legal Representative.
 2. Compensatory Costs.
 3. Place of suing.
 4. Who is a Receiver?
 5. Revision Petition.
 6. Set off.
 7. What is the effect of fraud or mistake on the period of limitation prescribed for suit?
 8. Garnishee Order.

(6 × 2 = 12 Marks)

P.T.O.

PART – B

- II. Answer any **four** questions in not exceeding **150** words each. Each question carries **5** marks.
1. What are the distinction between Substantive law and Procedural Law?
 2. Explain non joinder and mis joinder of parties.
 3. Explain the suit relating to Minor.
 4. What are the provisions in the Civil Procedure Code relating to appeal to the Supreme Court?
 5. Explain Exparte Decree.
 6. Discuss the rules relating to Interlocutory Proceedings.

(4 × 5 = 20 Marks)

PART – C

- III. Answer any **four** questions. Each question carries **6** marks.
1. A Receiver is appointed to collect the rents of an estate. He delegates his powers to his clerk. The rents received by the clerk are misappropriated. Whether the receiver is bound to make good the loss? Decide.
 2. Sooraj married Rajani at Guruvayoor temple and they lived together at Chennai. Rajani is now residing with her brother at Ernakulam due to cruelty by husband. She wants to file a petition for divorce. Advise.
 3. A files a suit against B. Both parties fails to appear to the hearing. The court makes an order dismissing the suit. A wants to file a fresh suit against B on the same grounds alleged in the first suit which was dismissed. Advise A.

4. M along with many others had filed a representative suit in a civil court against Z. During the pendency of the suit M died. What is the consequence of the suit?
5. The plaintiff in a suit sought the permission of the court to withdraw the suit for adding a new factual plea. Whether the court can grant permission to withdraw the suit or amend it.

(4 × 6 = 24 Marks)

PART – D

IV. Answer any **two** questions. Each question carries **12** marks.

1. What is the procedure required to be followed during hearing of suit and examination of witnesses?
2. What are Pleadings? Explain the provision relating to return and rejection of plaint.
3. State the conditions and applicability of doctrine of resjudicata.

(2 × 12 = 24 Marks)