

Reg. No. : .....

Name : .....

**Fifth Semester B.A. L.L.B / B.Com. L.L.B./B.B.A L.L.B (Five Year Integrated) Degree Examination, May 2023**

**Paper III : CIVIL PROCEDURE CODE AND LIMITATION ACT**

**(2020 Admission)**

Time : 3 Hours

Max. Marks : 80

**SECTION – A**

- I. Answer any **Six** questions not exceeding 50 words each. **Each** question carries **2** marks.
1. Distinguish between Decree and Order.
  2. Principle of Constructive Resjudicata.
  3. What are the various kinds of Jurisdiction of Civil courts?
  4. Non joinder of parties.
  5. Counter Claim.
  6. Review.
  7. Foreign Judgement.
  8. Computation of the period of limitation.

**(6 × 2 = 12 Marks)**

P.T.O.

SECTION – B

- II. Answer **any four** questions in not exceeding 150 words each. **Each** question carries **5** marks.
1. The power to grant temporary injunction is the discretion of the court. Explain.
  2. Write note on return of plaint.
  3. Explain suit of civil nature.
  4. Explain compensatory costs and costs for causing delay.
  5. Explain Inter-pleader suit.
  6. What are the powers of Appellate Courts? When can additional evidence be allowed by Appellate Court?

(4 × 5 = 20 Marks)

SECTION – C

- III. Answer **any four** questions. **Each** question carries **6** marks.
1. An immovable property is situated partly within the Jurisdiction of a Munsiff Court in Thrissur and partly of a Munsiff Court in Ernakulam. In which court the suit can be instituted. Explain.
  2. Raju sues Suresh for damages for breach of contract. The suit is dismissed. Later Raju files another suit against Suresh for specific performance of the contract. Examine whether sub sequential suit is maintainable.
  3. A deposit 500 soverigns of gold ornaments in a bank. After "A's death the son and daughter of 'A' demanded the ornaments. Bank is ready to deliver the ornaments. What is the remedy available to the bank?

4. A sues B. After hearing the suit is posted for judgement. A dies before the pronouncement of judgement. Decide whether the suit abates by reason of the death of A.
5. M along with many others had filed a representative suit in a civil against Z. During the pendency of the suit M died. What is the consequence of the suit?

**(4 × 6 = 24 Marks)**

SECTION – D

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

1. Explain the provision relating to issue and service of summons.
2. Who is an indigent person? Describe the procedure for institution of suit by such a person.
3. Explain Execution Petition. What are the questions to be determined by an Execution Court?

**(2 × 12 = 24 Marks)**