

LHA – 0916

LL.B. (Hons.) (Semester – IX) Examination, April 2016

CIVIL PROCEDURE CODE

Duration : 3 Hours

Total Marks : 75

Instructions : 1) Q. No. 13 and Q. No. 14 are **compulsory**.

2) Answer **any eight** questions from Q. No. 1 to Q. No. 12.

3) Figures to the **right** indicate **full** marks.

1. "Suits of civil nature shall be tried by civil court". Explain. **(8×8=64)**
2. "No court shall proceed with the trial of any suit in which the matter in issue is previously pending in the same or any other court in India". Explain.
3. What is constructive Res judicata ? Explain with the help of case laws.
4. Discuss and enumerate the importance of the concept of foreign judgment in CPC.
5. Write a note on jurisdiction with special reference to pecuniary and territorial jurisdiction.
6. What is representative suit ? Elaborately discuss the rules concerning representative suit.
7. "If a party finds it necessary, they can make changes in the pleadings with the permission of the court. Such changes are allowed before or during trial". Comment.
8. What is counter claim ? Distinguish it from set off.
9. Discuss importance of 'discovery' and 'interrogatories' in civil proceedings.
10. "The power of the court to issue commission is discretionary and can be exercised by the court for doing full and complete justice between the parties". Explain.

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11. "In a suit by or against minor, the law has been enacted with the principle that it has to protect the interest of the minor as a paramount importance". Comment.
12. Discuss :
- a) Reference
 - b) Review
13. Write short note on **any two** : (3×2=6)
- a) Restitution
 - b) Caveat
 - c) Inherent power of the court
14. Write short note on **any two** : (2.5×2=5)
- a) Interpleader suit
 - b) Costs
 - c) Attachment of property.