

**TILAK MAHARASHTRA VIDYAPEETH, PUNE**  
**BACHELOR OF LAWS (LL.B.) (Three Years Semester Pattern)/**  
**B.A. LL.B. (ACADEMIC LAW)**  
**(FIVE YEARS SEMESTER PATTERN) CREDIT SYSTEM**  
**EXAMINATION : DECEMBER - 2022**  
**NINETH SEMESTER/FIFTH SEMESTER**  
**Sub.: The Code of Civil Procedure 1908 and limitation Acts 1963 (LW-9001-501)**

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**Date : 05/12/2022**

**Total Marks : 60**

**Time: 10.00 am to 12.30 pm**

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**Instructions:** 1) All questions are compulsory.  
2) Figure indicate to the right full marks.

**Q. 1. Answer the following question. (15)**

A) Explain the principle of Res-Judicata? Distinguish it with res-subjudice.

OR

B) Discuss the powers of the Civil Court with respect to the 'Discovery' and 'Inspection'?

**Q. 2. Answer the following question. (15)**

A) Explain the provisions in regards to temporary Injunction and give the instances in which cases temporary injunction is granted?

OR

B) Explain the provisions of the code of civil Procedure, 1908 regarding 'Reference', 'Review' and 'Revision'.

**Q. 3. Write Short Notes. (any four) (20)**

- a) Set off and Counter claim
- b) Appointment of Receiver
- c) Joinder and Misjoinder of parties to suit.
- d) Continuous running of time
- e) Limitation bars the right but not extinguish it.
- f) Caveat u/s 148 A

**Q. 4. Answer the following questions. (10)**

A) X, Y, and Z are joint owners of property that is situated in Bombay. X lives in Delhi, Y lives in Karnataka, and Z lives in Bombay. Disputes regarding property arise between them, and they want to file a suit for partition. In which court or courts can a partition suit be filed? Give reason.

OR

B) 'A' poor person wants to file suit for damages against 'B'. Advise 'A' which step he will take to file a suit.