

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 : MAY-JUNE - 2023
NINETH/FIFTH SEMESTER

Sub.: The Code of Civil Procedure 1908 and limitation Acts 1963 (LW-9001-501)

Date : 29/05/2023

Total Marks : 60

Time: 10.00 am to 12.30 pm

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

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

A) "Every suit shall be instituted in the court of lowest grade competent to try it".
Explain the provisions in regards to institution of suit and stages of civil suit.

OR

B) Explain the meaning of term 'Execution' and discuss in detail various modes of execution of decree in a civil suit.

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

A) Explain provisions relating to arrest before judgement and attachment before judgement.

OR

B) Who is minor under the Indian Law? State the procedure to be adopted for a suit by or against a minor and person of unsound mind.

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

- a) Res Judicata
- b) Modes of service of summons
- c) Difference between Decree and Order
- d) Garnishee Order
- e) Effects of fraud and mistake under Limitation Act, 1963
- f) Bar of Limitation

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

A) 'A' plaintiff could not reach the court on the date fixed by the court, so his suit was dismissed for default by the court. Suggest 'A' legal provisions to set aside above the dismissal order.

OR

B) Sita was born on 1st July 2000. A cause of action accrued to her on 1st July 2011. The limitation period for filing the suit is three years. Determine the date by which Sita should file the suit, with the support of the relevant legal provisions.