

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 - 2024
NINETH / FIFTH SEMESTER

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

Date : 17/05/2024

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) In what circumstances the court may grant and refuse the temporary injunction?

OR

B) Describe the manner in which a suit against minor can be instituted?

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

A) Describes the reason and circumstances under which a court is authorized to condone the delay on filling the suit?

OR

B) What is the basis of the doctrine of 'res-judicata'? Distinguish 'res-judicata' from 'res-subjudice'

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

a) Golden Rules of Pleadings

b) Explain the territorial and pecuniary jurisdiction of court?

c) Discuss upon the different stages of a suit?

d) Difference Between Counter Claim and Set-off

e) Suit bt Indigent Person under Civil Procedure Code

f) Difference Between Interrogatories and Pleadings

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

A) Explain 'Error within the Jurisdiction and outside the Jurisdiction'

OR

B) In a suit between A and B regarding a certain plot of land there are two matters in issue: (i) whether A is the heir of D and (ii) whether A is the owner of the said plot by adverse possession. The first issue is decided in the negative but as to the other issue the court decides that A is the owner by adverse possession. In a subsequent suit between A and B, A again takes the plea that he, that is, A is the heir of D. Is the plea barred by res-judicata? Give reasons for your answer.