



‘समानो मन्त्रः समितिः समानी’

UNIVERSITY OF NORTH BENGAL

B.A./BBA/B.Com. LL.B. Honours 7th Semester Examination, 2023

CIVIL PROCEDURE CODE AND LIMITATION ACT

PAPER CODE: CC18/CC20

Time Allotted: 3 Hours

Full Marks: 100

The figures in the margin indicate full marks.

Answer Question No. 7 and any four from the rest

1. Define Res Judicata. What is Constructive Res Judicata? Make a comparative study between Res Judicata and Res Sub Judice. 8+6+6
2. (a) Define Pleading. What are the essentials of Pleading? 4+8
(b) Make a note on Framing and Settlement of Issues. 8
3. (a) Define : Jurisdiction. 2
(b) ‘Consent cannot confer nor take away jurisdiction of a Court’ — Explain the statement. 2
(c) What do you mean by Jurisdiction of the Civil Courts? 3
(d) Write a note on Stay of the Suit. 5
4. (a) Discuss the provisions relating to Joinder of Plaintiffs and Joinder of defendants with suitable illustration. 10
(b) Define the following terms: 2 $\frac{1}{2} \times 4 = 10$
Non-joinder of Parties, Mis-joinder of Parties, Necessary Party, Proper Party
5. (a) Under what conditions can a suit be stayed? 6
(b) Can one of the two cross-suits be stayed? 4
(c) Is there any resemblance between the rule contained in Sec 10 of CPC with Sec 11 of CPC? Give reason. 10
6. (a) Define a ‘decree’ and point out the essential features of a ‘decree’. 10
(b) Are the following decisions decree? 10
(i) A decision on a preliminary issue that the suit is within limitation.
(ii) An admission or rejection of an application or leave to sue by an indigent person.
(iii) An order returning a plaint for presentation to the proper court.
(iv) A determination of question of fact.
7. Write short notes on: (any four) 5×4 = 20
(a) Foreign judgement
(b) Interpleader suit
(c) Representative suit
(d) Attachment before judgement
(e) Revision
(f) Suit of civil nature.

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