

School of Law

Bachelor of Law

Mid Term Examination - Nov 2023

Duration : 90 Minutes

Max Marks : 50

Sem III - J1UA305T - Civil Procedure Code and Limitation ActGeneral Instructions*Answer to the specific question asked**Draw neat, labelled diagrams wherever necessary**Approved data hand books are allowed subject to verification by the Invigilator*

- 1) What is joinder of defendants? K2 (2)
- 2) Write a short on cause of action? K1 (3)
- 3) Write a short note on the difference between Act and Code? K2 (4)
- 4) State the essential features of the rule of res-judicata? K2 (6)
- 5) What is the course left open to a plaintiff when the defendant refuses to accept summons? K3 (6)
- 6) What should a court do in the following circumstances and what is the remedy open to the party affected by the adverse order: (i) When both parties are absent (ii) When the plaintiff is absent and the defendant is present and vice-versa? K3 (9)
- 7) State the main changes brought about by the Code of Civil Procedure (Amendment) Act, 2002 into the Code of 1908. What is their chief object? K4 (8)
- 8) What is necessary and proper parties? Can a suit be defeated because of non-joinder of necessary parties? K4 (12)

OR

- (a) What do you understand by misjoinder. (i) of parties, (ii) of causes of action ? (b) Can a plea of misjoinder of parties or of causes of action prevail in court of appeal? K4 (12)