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School of Law

Integrated Bachelor of Arts - Bachelor of Law
Mid Term Examination - May 2024

Duration : 90 Minutes
Max Marks : 50

Sem VI - J1UB602T - 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 do you mean by interrogatories? K2 (2)
- 2) Explain in brief the meaning of pleading focusing on Order 6 of CPC? K1 (3)
- 3) Write a short note on power of courts to transfer suits and also the rights of parties to get a suit transferred from one court to another. K2 (4)
- 4) What do you mean by "Foreign Judgment"? Write about presumption as to foreign judgments and also enumerate the conditions in which a foreign judgment is not conclusive under Section 13 of Civil procedure Code, 1908. K2 (6)
- 5) "It would be fair and just that the parties to raise all available pleas in the suits or proceedings when the action is initiated." In the light of the above statement explain the principle of constructive res judicata. K3 (6)
- 6) Explain the following concepts: K3 (9)
 - i. Joinder of parties
 - ii. Joinder of cause of actions
 - iii. Multifariousness
- 7) State the provisions which govern the place of suing. Also state at what stage can the objections to jurisdiction be taken. K4 (8)
- 8) "The principle of res judicata is conceived in the larger public interest which requires that all litigation must, sooner than later, come to an end." While referring to this statement explain in detail the principle of res judicata. K4 (12)

OR

A resides at Shimla, B at Calcutta and C at Delhi. A, B and C being together at Banaras, B and C executed a joint promissory notes payable on demand and delivered it to A. At what place can A sue B and C? Under what circumstances would leave of the court be necessary? K4 (12)