

School of Law

**Integrated Bachelor of Arts - Bachelor of Law
Semester End Examination - Jun 2024**

**Duration : 180 Minutes
Max Marks : 100**

Sem VI - J1UB602T- BALB3023 - BBLB3023 - Civil Procedure Code and Limitation Act*General 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 the mandatory time period for sending notice before filing suit against government? K1(2)
- 2) What is plaint? Describes its essentials contents. K2(4)
- 3) Explain different types of decree. K2(6)
- 4) What is meant by the phrase inherent powers of the Court? Explain its nature and scope. K3(9)
- 5) What is the effect of omission to frame issues on some facts by the trial Court? From what materials are issues framed? Is a Court empowered to amend or strike out an issue? K3(9)
- 6) What do you understand by written statement? Write a short note on it. K5(10)
- 7) Answer the following questions: K4(12)
 - (a) State with reasons if, in the following cases the court in which the suit has been instituted has jurisdiction to try.
 - (i) A suit for accounts against an agent by his principal at a place where the principal resides, when the agent residing at a different place;
 - (ii) A suit for restitution of conjugal rights by the husband at a place where he resides, when the wife is residing at a different place.
 - (b) Where can an objection to jurisdiction be raised? If a court acts without jurisdiction, will that judicial act be null and void ?
- 8) How is a suit by or against a minor instituted? What is the effect of a suit in which minor has sued or has been sued without observing the prescribed rules of procedure ? K5(15)
- 9) On what grounds can a suit be withdrawn and when shall an application for withdrawal of a suit be rejected? Can one of the plaintiffs withdraw without the consent of other plaintiffs ? What is the effect of withdrawal of a suit? K5(15)
- 10) Answer the following in relation to Res-Judicata: K6(18)
 - (a) Is res-judicata a rule of substantive law or a rule of procedure?
 - (b) On what grounds is constructive res-judicata based?
 - (c) Does the principle of constructive res-judicata apply to execution proceedings?