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Reg. No.....

Name.....

FIVE YEAR LL.B. (HONOURS) DEGREE EXAMINATION, JUNE 2024

Fifth Semester

FL 13—CIVIL PROCEDURE CODE AND LIMITATION ACT

(Common to B.A., LL.B. (H), B.Com., LL.B. (H) and B.B.A., LL.B. (H))

[2021 Admissions—Regular/2018 to 2020 Admissions—Supplementary]

Time : Three Hours

Maximum : 75 Marks

Part A

Write short notes on any five of the following

Each question carries 3 marks.

1. *Mesne profits.*
2. *Withdrawal and compromise of a suit.*
3. *Interpleader suit.*
4. *Inherent powers of the Court.*
5. *Garnishee Order.*
6. *Essentials of valid 'acknowledgement'.*

(5 × 3 = 15 marks)

Part B

Answer any three of the following questions.

Each question carries 10 marks.

7. *'X' and 'Y' are neighbours. There is a boundary dispute between them. 'X' apprehends that 'Y' would initiate a civil action and obtain an *ex-parte* interim order against him. Advise 'X'.*
8. *The trial Court allows amendment of a plaint just before pronouncement of judgment. Examine whether it is lawful for the Court to do so. Refer to decided cases.*
9. *'A' files a suit for money against 'X', 'Y' and 'Z' On the date of first hearing, 'X' and 'Y' appear in court. 'A' prays for an *ex-parte* decree. Can it be granted ? Decide giving reasons.*

Turn over

10. 'P' files a suit on behalf of his minor son 'Q' against 'X'. During pendency of the suit, 'Q' attains majority and seeks your advice for further course of action. Advise 'Q'. If 'Q' happens to be a co-plaintiff, does it make any difference ?

(3 × 10 = 30 marks)

Part C

Answer any two of the following questions.

Each question carries 15 marks.

11. Explain the provisions of the Code of Civil Procedure relating to place of suing. Also discuss the law relating to joinder and non-joinder of parties.
12. Discuss in detail the provisions relating to discovery, inspection and production of documents under the Code of Civil Procedure.
13. Explain the powers of an executing Court and the various modes of execution of a Decree.

(2 × 15 = 30 marks)