

G 3335

(Pages : 2)

Reg. No.....

Name.....

FIVE YEAR LL.B. (HONOURS) DEGREE EXAMINATION, MAY 2023

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))

[2019 Admissions—Regular/2018 Admissions—Supplementary]

Time : Three Hours

Maximum : 75 Marks

Part A

*Write short notes on any five of the following questions.
Each question carries 3 marks.*

1. Define mesne profits.
2. Precept.
3. Affidavit.
4. Condoning the delay.
5. Foreign judgement.
6. Bar of period of limitation.

(5 × 3 = 15 marks)

Part B

*Answer any three questions.
Each question carries 10 marks.*

7. A sues B on a Bill of exchange of Rs. 5,000. B holds a judgement against A of Rs. 5,000. Is it lawful to set-off the two claims.
8. 'X' sues 'Y' for possession of property based on ownership which was dismissed. 'X' files another suit for possession based on adverse possession against 'Y'. Can 'X' succeed? Explain.
9. 'P' filed a suit for declaration of his rights against 'Q' who transgressed onto his lands. The suit was dismissed for default on lower court. What procedure can be adopted by 'P' for continuation of the suit.
10. A deposits a box of jewels with B as his agent. C alleges that the jewels were wrongfully obtained from him by A and claims from B. B wants to institute an interpleads suit. Advise B.

(3 × 10 = 30 marks)

Turn over

Part C

Answer any two of the following questions.

Each question carries 15 marks.

11. Describe different stages in a civil suit.
12. Distinguish between preliminary decree and final decree. Under what circumstances a final decree can be passed.
13. Explain what is meant by reference. To which court reference can be made ? Distinguish between reference and revision.

(2 × 15 = 30 marks)