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Reg. No.....

Name.....

**FIVE YEAR LL.B. (HONOURS) DEGREE EXAMINATION, MAY 2025**

**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))

(2022 Admissions—Regular/2018 to 2021 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. Rejection of a plaint.
2. *Res Subjudice.*
3. Multifarious suits.
4. Suits by or against the Government.
5. Attachment before judgment.
6. Continuous running of time.

(5 × 3 = 15 marks)

**Part B**

*Answer any three of the following problems.*

*Each question carries 10 marks.*

7. 'D' resides at Delhi and 'P' at Chennai. 'D' publishes in Calcutta statements defamatory of 'P'. 'P' institutes a suit against 'D' in Chennai Court. Decide whether the suit is maintainable.
8. 'A' is a permanent resident of Kannur and 'B' is a permanent resident of Kochi. 'A' has made an agreement with 'B' at Kochi for supply of a fixed quantity of certain goods every month. The parties to the agreement have agreed that if any dispute arises between them, the same shall be subject to the jurisdiction of Civil Court at Kozhikode. Decide the validity of the agreement referring to judicial decisions.

Turn over

9. During the pendency of a suit for damages for defamation, the plaintiff dies. The legal heirs of the deceased plaintiff make an application for being impleaded as plaintiffs. Decide.
10. 'X' obtained a decree for possession of property against 'Y' and filed an execution petition against him. One Mr. 'A' had purchased the property from 'X' before the said decree. 'A' questions the validity of the decree in the executing court. Can the executing court entertain the objection?

(3 × 10 = 30 marks)

### Part C

*Answer any two of the following questions.*

*Each question carries 15 marks.*

11. "The conclusiveness of a foreign judgment is subject to a number of exceptions". Explain in detail referring to judicial decisions. How is a foreign judgement enforced in India?
12. What do you understand by 'pleadings'? Describe the basic principles governing pleadings. When is it allowed to make amendments to pleadings? Under what circumstances might permission to amend pleadings be denied? Substantiate your answer referring to judicial decisions.
13. Discuss in detail the provisions of the Code of Civil Procedure relating to appeals. How is an appeal different from 'review' and 'revision'?

(2 × 15 = 30 marks)