

(64 & 74) Seat No.: _____

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SARDAR PATEL UNIVERSITY
BA /B.COM /BBA LL.B (Hon.) (V YEARS INTEGRATED COURSE)
Fifth Semester Examination

2016

Saturday, 19th November

2.00 PM to 4.00 PM

UL05CBLH04: Civil Procedure Code and Limitation Act

Max. Marks: 50

Q1. Solve any two

[10]

1. A filed a suit against B for matter of road in the year 2012 and the court decided the matter in favour of A. B complied with the order that is passed by the Hon'ble Court. Later in the year 2016 B made the same issue against A. A files a suit against B in the Court. Will A succeed the case that is filed? Justify
2. P filed a suit against R a money suit. While drafting the plaint P drafted the plaint in a normal way without giving importance to the financial matters. The Court rejected the plaint on the ground of Order IV. Please advise P in this regard.
3. S filed a suit against T and Court disposed off the suit by giving the Judgement in favour of T. On this S the aggrieved party was availing two rights. S pleaded that some important facts of the case has not be considered and the Court has not looked upon those issues carefully. He pleaded in the same court from which he obtained the aggrieved order. Guide S in this regard with respect to his rights available in this case.
4. Q was a Judgement Debtor (JD) and the judgement is against him. He has to pay a sum of Rs. 50000/- to H (JC) along with interest at 10% per annum. The JD has to comply with the order within a period of 45 days from the date of the judgement, passed on 16.06.2016. However on 24.06.2016 he was supposed to go to US trip for another 40 days to attend various meetings and other business related matters. What remedy is available with him. Guide Q.

Q2. Who is a receiver and a commissioner under the code of civil procedure? Explain the duties and liabilities of Receiver and scope of commissioner.

[15]

OR

Q2. Explain the provisions related to temporary injunctions

[15]

Q3. Explain the object of Limitation act and when extension and suspension of limitation is applicable.

[15]

OR

Q3. What is revision and reference? Explain the provisions that are applicable to revision under the code of civil procedure

[15]

(1)

(P.T.O)

Q4. Short Notes- any two

[10]

1. Contents of plaint
2. Written statement
3. Transfer of decree
4. Rules applicable for suit by or against corporations.

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