



## BRAINWARE UNIVERSITY

**Term End Examination 2023-2024**

**Programme – BBA LL.B.-2019**

**Course Name – Drafting, Pleading & Conveyancing**

**Course Code - BBALLB1003**

**( Semester X )**

**Full Marks : 60**

**Time : 2:30 Hours**

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

### **Group-A**

(Multiple Choice Type Question)

1 x 15=15

1. *Choose the correct alternative from the following :*

(i) Select the two initial pleadings in a civil lawsuit.

a) Evidence and Verdict

b) Interrogatories and Depositions

c) Complaint and Written Statement

d) Summons and Judgment

(ii) Select: A party can incorporate additional pleadings by way of an amendment under:

a) Order VII, rule 16 of the Civil Procedure Code, 1908

b) Order VI, rule 17 of the Civil Procedure Code, 1908

c) Order V, rule 10 of the Civil Procedure Code, 1908

d) Order IV, rule 7 of the Civil Procedure Code, 1908

(iii) Illustrate the person who may file a written statement in a court case.

a) The judge handling the case

b) The defendant or his duly authorized agent

c) A witness in the case

d) The plaintiff or his duly authorized agent

(iv) A party has failed to file his written statement within the prescribed 90 days. Infer whether this time limit for filing a written statement can be extended or not.

a) It cannot be extended under any circumstances

b) It may be extended by way of exception by the court

c) It may be extended only in commercial suits

d) It may be extended in the plaintiff agrees

(v) Outline the situation described in Order VIII Rule 5 where the law presumes an admission has been made.

a) Fact denied by necessary implication

b) Fact admitted in the written statement

c) Fact admitted by the plaintiff only

d) Fact not denied specifically or by necessary implication

(vi) Identify the remedy available under Hindu Marriage Act, 1955 to a husband whose wife has left his company without a reasonable cause.

a) Divorce

b) Judicial separation

c) Restitution of conjugal rights

d) Maintenance under Section 125 of Cr.P.C.

(vii) Choose the nature of facts or evidence by which the material facts are to be proved.



9. Analyse the role of Public Interest Litigation towards the achievement of 'clean environment as a fundamental right'. (5)
10. Explain the difference between the 'writ of prohibition' and 'writ of certiorari.' (5)
11. Evaluate the points to be considered in drafting of a mortgage deed. (5)
12. Analyse the effect of non-joinder of necessary party or proper party. (5)

**OR**

Explain representative suit. (5)

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