



BRAINWARE UNIVERSITY

Term End Examination 2022 Programme – BBA LL.B.-2019/BBA LL.B.-2020 Course Name – Code of Civil Procedure Course Code - BBALLB504 (Semester V)

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) Concept and application of Restitution has been provided in:- Choose the correct option
 - a) Section 141 of Code of Civil Procedure, 1908
 - c) Section 143 of Code of Civil Procedure, 1908
- b) Section 142 of Code of Civil Procedure, 1908
- d) Section 144 of Code of Civil Procedure, 1908
- (ii) According to Section 2(3) of The Code of Civil Procedure, 1908 a decree holder means. Identify the correct option
 - a) any person in whose favour a decree has been passed or an order capable of execution has been made
 - c) any person in whose favour a review has been passed
- b) any person against whom a decree has been passed or an order capable of execution has been made
- d) any person in whose favour a revision has been passed
- (iii) Identify the correct provision for legal representative
 - a) Identify the correct provision for legal representative
 - c) Section 2(11) of The Code of Civil Procedure, 1908
- b) Section 2(10) of The Code of Civil Procedure, 1908
- d) Section 2(12) of The Code of Civil Procedure, 1908
- (iv) Identify the main provision for Mesne Profit
 - a) Section 2(9) of The Code of Civil Procedure, 1908
 - c) Section 2(11) of The Code of Civil Procedure, 1908
- b) Section 2(10) of The Code of Civil Procedure, 1908
- d) Section 2(12) of The Code of Civil Procedure, 1908
- (v) Concept of pleadings has been provided in:- Select the correct option
 - a) Order V of CPC,1908

b) Order VI of CPC,1908

c) Order VII of CPC,1908

- d) Order VIII of CPC,1908
- (vi) General principles of pleadings are:- Select the correct option
 - a) Pleadings should state facts and not law and the facts should be material facts(
- b) Pleadings should not state the evidence

c) The facts should be stated in a concise form (vii) Identify when Code of Civil Procedure, 1908 ca		
a) January 1,1909	b) February 1,1909	
c) March 1,1909	d) April 1,1909	
(viii) Identify the total number of sections in The Co		
a) 155 sections c) 157 sections	b) 156 sections d) 158 sections	
(ix) The intimation which is sent to the defendant be correct option	•	
a) Plaint	b) Written statement	
c) Summon	d) Review	
(x) State the nature of The Code of Civil Procedure		
a) Adjective Law	b) Procedural Law	
c) Primary Law(xi) Bill of exchange is in :- Write the option	d) Secondary Law	
a) Section 2(a)	b) Section 2(e)	
c) Section 2 (c)	d) Section 2(g)	
(xii) Period of Limitation is in :- Write the correct option		
a) Section 2(f) c) Section 2(h	b) Section 2(g d) Section 2(j)	
(xiii) Written statement by the defendant is a reply of		
a) Plaint	b) Written statement	
c) Summon	d) Review	
(xiv) Written Statement is a reply of plaint made by:		
a) Advocatec) Plaintiff	b) Judge d) Defendant	
(xv) Concept of Res Sub-Judice has been provided in	•	
a) Section 9 of Code of Civil Procedure, 1908		e, 1908
c) Section 11 of Code of Civil Procedure, 1908	d) Section 12 of Code of Civil Procedur	e, 1908
Group-B		
(Short Answer Ty	ype Questions)	3 x 5=15
2. Explain temporary injunction		(3)
3. Write about the concept of receiver		(3)
4. Discuss the provision for Withdrawal of suit without leave of court.		(3)
5. Explain the provision for Second appeal6. Write a short note on Legal Disability		(3) (3)
Ol	R	(-)
Write a note on review of the judgment and men	tion the limitation period.	(3)
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(Long Answer Ty	/pe Questions)	5 x 6=30
7. Describe in detail the essential elements of decre	ee.	(5)
8. Distinguish between plaint and written statement		(5)
9. Write a short note on summary procedure.		(5)
10. Explain in brief the concept of appeal.11. Explain the grounds of Second Appeal.		(5) (5)
12. "Once limitation runs it continues."- Justify the statement		(5)
OR		
"Delay will be condoned, if there is sufficient cau	ise." Justify the statement	(5)
