



BRAINWARE UNIVERSITY

Term End Examination 2022
Programme – LL.B.-2020/LL.B.-2021
Course Name – Code of Civil Procedure
Course Code - LLB302
(Semester III)

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

Choose the correct alternative from the following:

(i)	Identify when Code of Civil Procedure was enacted			
	a) 1907	work to a	b) 1908	
	c) 1909		d) 1910	
(ii)	Identify the total number of sections in The Code of Civil Procedure, 1908			
	a) 155 sections		b) 156 sections	
	c) 157 sections		d) 158 sections	
(iii)	State the nature of The Code of Civil Procedure, 1908			
	a) Adjective Law		b) Procedural Law	
	c) Primary Law		d) Secondary Law	

- (iv) Written Statement is a reply of plaint made by:- Choose the correct option

 a) Advocate
 b) Judge
 c) Plaintiff
 d) Defendant
 - c) Plaintiff d)
 Concept of Res Sub-Judice has been provided in:- Ch
- (v) Concept of Res Sub-Judice has been provided in:- Choose the correct option
 a) Section 9 of Code of Civil Procedure, 1908
 b) Section 10 of Code of Civil Procedure, 1908
 - a) Section 9 of Code of Civil Procedure, 1908 c) Section 11 of Code of Civil Procedure, 1908
- d) Section 12 of Code of Civil Procedure, 1908
- (vi) Concept of Res Judicata has been provided in:- Choose the correct option
 - a) Section 9 of Code of Civil Procedure, 1908 c) Section 11 of Code of Civil Procedure, 1908
 - b) Section 10 of Code of Civil Procedure, 1908d) Section 12 of Code of Civil Procedure, 1908
- (vii) The procedure relating to suit has been provided in:- Select the correct option
 - a) Section 1-8 of CPC, 1908c) Section 26-35B of CPC, 1908
- b) Section 16-20 of CPC, 1908 d) Section 15-21A of CPC, 1908
- (viii) Essential of suit as provided in Rule 1(1) are:- Select the correct option
 - a) Opposing parties

b) Subject matter in dispute

c) Cause of action and relief

d) All of these

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	(ix) identify the correct option for Decisions which	ch are not decree.	
,	 a) Order of abatement of suit c) Appointment of Commissioner to take accounts (x) Explain decree holder 	 b) Dismissal of appeal as time barr d) Dismissal of suit or appeal for we evidence or proof 	red rant of
	 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. (xi) According to Section 2(3) of The Code of Civil Identify the correct option 	 b) any person against whom a decreased or an order capable of expect been made d) any person in whose favour a respect been passed. Procedure, 1908 a decree holder means	vision has
	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. (xii) Rejection of plaint can be done when:- Select	b) any person against whom a decrepassed or an order capable of expensed any person in whose favour a revenue.	ee has been ecution has
	a) Where plaint does not disclose cause of action c) Where plaint is insufficiently stamped.	b) Where relief claimed is undervalued	ued
	 (xiii) Return of plaint is contained in:- Select the cora a) Order VII, Rule 1-4 of CPC,1908 c) Order VII, Rule 17-18 of CPC,1908 (xiv) Legal Disability is in section:- Write the correct 	b) Order VII, Rule 10 of CPC,1908	
	a) Section 6c) Section8(xv) Continuous running of time:- Write the correcta) Section8	b) Section 7	
	c) Section 10	d) Section11 up-B	
		Type Questions)	3 x 5=15
	 Explain permanent injunction Write about the situation of the civil suit if there ar Write a short note on indigent person. Explain when An appeal cannot be made against ex Write a short note in regard to the applicability of the 	vparto docum	(3) (3) (3) (3) (3)
	Write a short note on limitation for suits relating to limitation.	R accounts and mention the period of	(3)
	Grou	ın-C	
	(Long Answer Ty		5 x 6=30
8 9 1	 Describe in detail the essential elements of decree Distinguish between preliminary decree and deem Write a short note on Interim order. "Delay will be condoned, if there is sufficient cause Distinguish between Judgment Debtor and Decree 	ed decree.	(5) (5) (5) (5)
			(5)

Differentiate between foreign court and foreign judgment
 OR
 Indigent person and insolvent person are the reverse of same coin. Explain