

Please check whether you have got the right question paper.

- Q.1** Answer in one or two sentences. 20
- Who is a Next friend of Minor?
  - Who is a 'Indigent Person' under the Civil Procedure Code?
  - What is Preliminary Decree?
  - What is meant by 'Inherent Powers of the court'?
  - When foreign judgment not conclusive.
  - How summons are served, where defendant resides in another states.
  - Who is a Judgment debtor?
  - What do you mean by 'Abatement of suit'?
  - When cost are levied on to parties litigation in a suit.
  - What is Review?
- Q.2** Write short explanatory notes on any four 20
- Foreign Judgment
  - Interim Order and Stay.
  - Second Appeal
  - Counter claim
  - Interpleader Suit
  - Adverse possession.
- Q.3** Answer any two with reasons. 12
- A filed a suit against B for declaration that the religious rites performed by B during the Village Puja of the deity were not proper. B contends that he has been performing the village puja as per the Hindu religious rites.
    - Is the suit maintainable by a civil Court? Decide.
    - Whether the right to worship in a temple is a civil right and is the suit is of civil nature or not?
  - Arnab's suit is fixed for hearing on 1<sup>st</sup> December 2016. He met with an accident and is seriously injured and was admitted to hospital on 30<sup>th</sup> November 2016 a day before his hearing. He is unable to inform his Advocate and hence Ex-parte Decree is passed by the court against Arnab on 1<sup>st</sup> December 2016.
    - What is the remedy available to Arnab, on recovering from hospital?
    - What proof he should provide before the court?
  - Decree passed against an adult person who had been sued as a minor, in ignorance that he had become major.
    - What should the plaintiff do on learning the truth?
    - Can the defendant refuse to honour the decree on the ground that the Original Plaintiff describes him wrongly?

- Q.4 Write essay type detail answer of any four
- a) Give a brief account of different kinds of jurisdictions under the CPC.
  - b) Appeals to High courts & the Supreme Court?
  - c) Define the Summons. What are the different modes for serving summons under CPC?
  - d) Discuss the law relating to suit by or against the government? Is there any exemption from arrest and personal appearance?
  - e) Define 'Injunction' Explain the grounds to grant temporary injunction?.
  - f) Elucidate the general principle of limitation under the Limitation Act, 1963?
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