



‘समानो मन्त्रः समितिः समानी’

UNIVERSITY OF NORTH BENGAL
LL.B. (3 yr.) 4th Semester Examination, 2023

CIVIL PROCEDURE CODE AND LIMITATION ACT

PAPER CODE: CC14

Time Allotted: 3 Hours

Full Marks: 100

The figures in the margin indicate full marks.

Answer Question No. 7 and any four from the rest

1. (a) “Pleading to State material facts and not Evidence.” Explain what is pleading and what are fundamental rules of pleading? 13
- (b) Discuss the circumstances under which the amendment of the pleading is allowed by the court. 7
2. (a) What do you understand by “Set off”? What are essentials of “Set off”? 7
- (b) ‘A’ sues ‘B’ on a bill of exchange. ‘B’ alleges that ‘A’ has wrongfully neglected to insure ‘B’ goods and is liable to compensate him, which he claims to set-off. Answer with reasons. 6
- (c) Distinguish between Legal Set-off and Equitable Set-off. 7
3. (a) Explain the Principle of ‘Res-judicata’. How does it differ from ‘Stay of suit’? Also state whether ‘Res-judicata’ applies to execution proceedings. 15
- (b) Explain constructive res judicata. 5
4. (a) What is meant by jurisdiction of a civil court? 10
- (b) Discuss the meaning of expression ‘Suit of civil nature’ as described in Section-9 of civil procedure code. 10
5. (a) What do you understand by ‘Foreign judgment’? When it is deemed to be conclusive? Discuss. 12
- (b) When and how a decree of Foreign Court can be exercised in India? 8
6. (a) State the Provision which govern the determination of the place of Suing. 10
- (b) Explain the provision relating to raising of objection to the jurisdiction of the court under code of Civil Procedure, 1908. 10
7. Answer any **four** from the following: 5×4 = 20
 - (a) Decree
 - (b) Essentials of Plaintiff and grounds for rejection of plaintiff
 - (c) Condonation of delay under limitation Act
 - (d) Define judgment and order
 - (e) Review
 - (f) Legal Representative.

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