



'সমানো মন্ত্র: সমিতি: সমানী'

## UNIVERSITY OF NORTH BENGAL

B.A./BBA/B.Com. LL.B. Honours 7th Semester Examination, 2021

### CODE OF CIVIL PROCEDURE

#### PAPER CODE: CC18/CC20

Time Allotted: 3 Hours

Full Marks: 100

*The figures in the margin indicate full marks.*

*The students are advised to follow the word limit mentioned below strictly while answering questions.*

*The marks will be deducted if answers exceed word limit.*

*16-20 marks- 400 words / 10-15 marks- 300 words / 6-9 marks- 200 words / 2-5 marks- 100 words*

#### Answer question no. 7 and any *four* from the rest

1. In the light of judgments make a comparative analysis of the phrases “matters directly and substantially in issue” and “matters collaterally or incidentally in issue” under the principle of Res Judicata. 20
2. Define Preformat Defendant. Discuss in the light of the provisions the differences between first and second appeals. When and under what circumstances such appeals may be preferred?
3. Define Pleading. What are the essentials of Pleading? Discuss in brief the grounds in which a plaint can be rejected. 20
4. What do you mean by Place of Suing? Discuss in detail the concept of framing and settlement of issues with suitable judicial decisions and illustrations. 20
5. (a) What is the scope and object of the Doctrine of Res Judicata? 10+10  
(b) Discuss the conditions necessary for its application to the legal proceedings.
6. Explain the concept of Interim order and mention under what circumstances an interim order may be granted by the Court?
7. Answer any *four* questions from the following: 5×4 = 20
  - (a) Caveat
  - (b) Mesne profit
  - (c) Mobilia sequuntur personam
  - (d) Inherent powers of Court
  - (e) Judgment debtor
  - (f) Exparte decree.

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