## Q.P. Code :08251

Please check whether you have got the right question paper.  Q.1 Answer in one or two sentences. a) Who is a Next friend of Minor? b) Who is a 'Indigent Person' under the Civil Procedure Code? c) What is Preliminary Decree? d) What is meant by 'Inherent Powers of the court'? e) When foreign judgment not conclusive. f) How summons are served, where defendant resides in another states. g) Who is a Judgment debtor? h) What do you mean by 'Abatement of suit'? i) When cost are levied on to parties litigation in a suit. j) What is Review?  Q.2 Write short explanatory notes on any four a) Foreign Judgment b) Interim Order and Stay. c) Second Appeal d) Counter claim e) Interpleader Suit f) Adverse possession.  Q.3 Answer any two with reasons. a) 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
a) Who is a Next friend of Minor? b) Who is a 'Indigent Person' under the Civil Procedure Code? c) What is Preliminary Decree? d) What is meant by 'Inherent Powers of the court'? e) When foreign judgment not conclusive. f) How summons are served, where defendant resides in another states. g) Who is a Judgment debtor? h) What do you mean by 'Abatement of suit'? i) When cost are levied on to parties litigation in a suit. j) What is Review?  Q.2 Write short explanatory notes on any four a) Foreign Judgment b) Interim Order and Stay. c) Second Appeal d) Counter claim e) Interpleader Suit f) Adverse possession.  Q.3 Answer any two with reasons. a) 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
b) Who is a 'Indigent Person' under the Civil Procedure Code? c) What is Preliminary Decree? d) What is meant by 'Inherent Powers of the court'? e) When foreign judgment not conclusive. f) How summons are served, where defendant resides in another states. g) Who is a Judgment debtor? h) What do you mean by 'Abatement of suit'? i) When cost are levied on to parties litigation in a suit. j) What is Review?  Q.2 Write short explanatory notes on any four a) Foreign Judgment b) Interim Order and Stay. c) Second Appeal d) Counter claim e) Interpleader Suit f) Adverse possession.  Q.3 Answer any two with reasons. a) 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
c) What is Preliminary Decree? d) What is meant by 'Inherent Powers of the court'? e) When foreign judgment not conclusive. f) How summons are served, where defendant resides in another states. g) Who is a Judgment debtor? h) What do you mean by 'Abatement of suit'? i) When cost are levied on to parties litigation in a suit. j) What is Review?  Q.2 Write short explanatory notes on any four a) Foreign Judgment b) Interim Order and Stay. c) Second Appeal d) Counter claim e) Interpleader Suit f) Adverse possession.  Q.3 Answer any two with reasons. a) 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
d) What is meant by 'Inherent Powers of the court'? e) When foreign judgment not conclusive. f) How summons are served, where defendant resides in another states. g) Who is a Judgment debtor? h) What do you mean by 'Abatement of suit'? i) When cost are levied on to parties litigation in a suit. j) What is Review?  Q.2 Write short explanatory notes on any four a) Foreign Judgment b) Interim Order and Stay. c) Second Appeal d) Counter claim e) Interpleader Suit f) Adverse possession.  Q.3 Answer any two with reasons. a) 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
e) When foreign judgment not conclusive. f) How summons are served, where defendant resides in another states. g) Who is a Judgment debtor? h) What do you mean by 'Abatement of suit'? i) When cost are levied on to parties litigation in a suit. j) What is Review?  Q.2 Write short explanatory notes on any four a) Foreign Judgment b) Interim Order and Stay. c) Second Appeal d) Counter claim e) Interpleader Suit f) Adverse possession.  Q.3 Answer any two with reasons. a) 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
f) How summons are served, where defendant resides in another states. g) Who is a Judgment debtor? h) What do you mean by 'Abatement of suit'? i) When cost are levied on to parties litigation in a suit. j) What is Review?  Q.2 Write short explanatory notes on any four a) Foreign Judgment b) Interim Order and Stay. c) Second Appeal d) Counter claim e) Interpleader Suit f) Adverse possession.  Q.3 Answer any two with reasons. a) 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
g) Who is a Judgment debtor? h) What do you mean by 'Abatement of suit'? i) When cost are levied on to parties litigation in a suit. j) What is Review?  Q.2 Write short explanatory notes on any four a) Foreign Judgment b) Interim Order and Stay. c) Second Appeal d) Counter claim e) Interpleader Suit f) Adverse possession.  Q.3 Answer any two with reasons. a) 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
h) What do you mean by 'Abatement of suit'?  i) When cost are levied on to parties litigation in a suit. j) What is Review?  Q.2 Write short explanatory notes on any four a) Foreign Judgment b) Interim Order and Stay. c) Second Appeal d) Counter claim e) Interpleader Suit f) Adverse possession.  Q.3 Answer any two with reasons. a) 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
<ul> <li>i) When cost are levied on to parties litigation in a suit.         j) What is Review?</li> <li>Q.2 Write short explanatory notes on any four         a) Foreign Judgment         b) Interim Order and Stay.         c) Second Appeal         d) Counter claim         e) Interpleader Suit         f) Adverse possession.</li> <li>Q.3 Answer any two with reasons.         a) 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</li> </ul>
<ul> <li>j) What is Review?</li> <li>Q.2 Write short explanatory notes on any four <ul> <li>a) Foreign Judgment</li> <li>b) Interim Order and Stay.</li> <li>c) Second Appeal</li> <li>d) Counter claim</li> <li>e) Interpleader Suit</li> <li>f) Adverse possession.</li> </ul> </li> <li>Q.3 Answer any two with reasons. <ul> <li>a) 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</li> </ul> </li> </ul>
<ul> <li>Q.2 Write short explanatory notes on any four <ul> <li>a) Foreign Judgment</li> <li>b) Interim Order and Stay.</li> <li>c) Second Appeal</li> <li>d) Counter claim</li> <li>e) Interpleader Suit</li> <li>f) Adverse possession.</li> </ul> </li> <li>Q.3 Answer any two with reasons. <ul> <li>a) 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</li> </ul> </li> </ul>
<ul> <li>a) Foreign Judgment</li> <li>b) Interim Order and Stay.</li> <li>c) Second Appeal</li> <li>d) Counter claim</li> <li>e) Interpleader Suit</li> <li>f) Adverse possession.</li> </ul> Q.3 Answer any two with reasons. <ul> <li>a) 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</li> </ul>
<ul> <li>b) Interim Order and Stay.</li> <li>c) Second Appeal</li> <li>d) Counter claim</li> <li>e) Interpleader Suit</li> <li>f) Adverse possession.</li> </ul> Q.3 Answer any two with reasons. <ul> <li>a) 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</li> </ul>
c) Second Appeal d) Counter claim e) Interpleader Suit f) Adverse possession.  Q.3 Answer any two with reasons. a) 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
d) Counter claim e) Interpleader Suit f) Adverse possession.  Q.3 Answer any two with reasons. a) 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
e) Interpleader Suit f) Adverse possession.  Q.3 Answer any two with reasons. a) 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
f) Adverse possession.  Q.3 Answer any two with reasons.  a) 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
Q.3 Answer any two with reasons.  a) 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
<ul> <li>a) A filed a suit against B for declaration that the religious rites performed by B during the Village</li> <li>Puja of the deity were not proper. B contends that he has been performing the village puja as</li> </ul>
Puja of the deity were not proper. B contends that he has been performing the village puja as
per the Hindu religious rites.
i) Is the suit maintainable by a civil Court? Decide.
ii) Whether the right to worship in a temple is a civil right and is the suit is of civil nature or not?
b) 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.
i) What is the remedy available to Arnab, on recovering from hospital? ii) What proof he should provide before the court?
c) Decree passed against an adult person who had been sued as a minor, in ignorance that he had become major.
i) What should the plaintiff do on learning the truth? ii) Can the defendant refuse to honour the decree on the ground that the Original Plaint describes him wrongly?

P.T.O

48

- **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?

## [वेळ: तीन तास]

[गुण:१००]

Please check whether you have got the right question paper.

प्र.१ दोन वाक्यात उत्तरे लिहा.

२०

- अ) वादमित्र (Next friend of Minor) म्हणजे कोण?
- ब) निर्धन व्यक्ती (Indigent Person) म्हणजे कोण?
- क) प्राथमिक ह्कुमनामा म्हणजे काय?
- ड) न्यायालयाचे अंगभूत अधिकार (Inherent Powers of the court) म्हणजे काय?
- ई) परदेशी न्यायलयाने दिलेल्या न्यायनिर्णय केव्हा निर्णायक ठरू शकत नाही?
- फ) परराज्यात राहाणाऱ्या प्रतिवादीस समन्स कोणत्या पद्धतीने बजावले जाते?
- ग) निर्णित ऋणको (Judgment debtor) म्हणजे काय?
- ह) दावा समाप्त (Abatement of suit) म्हणजे काय?
- इी) पक्षकारांकडून वादखर्च केव्हा आकारण्यात येतो?
- ज) प्नर्विलोकन म्हणजे काय?
- प्र.२ टिपा लिहा.

२०

- अ) परदेशी न्यायनिर्णय?
- ब) अंतरिम आदेश?
- क) द्वीतीय अपिल?
- ड) प्रतिमागणी हक्क (Counter claim)
- ई) अंतर्वाद दावा (Interpleader Suit)
- फ) प्रतिकूल कब्जा (Adverse possession)
- प्र.3 क्ठल्याही दोन प्रश्नांची उत्तरे लिहा.

१२

- अ) 'अ' ने 'ब' वर दावा केला आहे कि 'ब' हा गावच्या देवीची पूजा धार्मिक चालीरीतीप्रमाणे योग्यरिता केली गेली नाही. न्यायालयाने घोषित करावे अशी दाद 'अ' ने मागितली आहे. 'ब' चे असे म्हणणे आहे की तो गावाच्या देवींची पूजा हिंदू धार्मिक चालीरीतीप्रमाणे करत आलेला आहे.
- १) सदर दावा दिवाणी न्यायालयात चालाविण्यायोग्य आहे का?
- २) देवळा मध्ये देवीची पूजा करणेचा अधिकार हा नागरी हक्क आहे का? हा दावा दिवाणी स्वरूपाचा आहे का?
- ब) अर्णबच्या खटल्याची सुनावणी १ डिसेंबर १०१६ रोजी होती. ३० नोव्हेंबर २०१६ रोजी त्याला अपघात झाला, त्यात तो गंभीररीत्या जखमी झाला, तो त्याच्या विकलाला कळवू शकला नाही. तो त्यामुळे मा.न्यायालयाने त्याच्या विरुद्ध एकतर्फी हुमुकनामा पारित १ डिसेंबर २०१६ रोजी केला.
- १) अर्णब बरा झाल्यावर याविरोधात कोणात्या पद्धतीने दाद मागू शकतो?
- २) त्याने या करीता मा न्यायालयासमोर कोणता पुरावा सादर करावयास हवा?

(पुढे पहा.)

- क) एका संज्ञान व्यक्ती विरुद्ध मा. न्यायालयाने हुकूमनामा पारित केला आहे. परंतु नजरचुकीने या व्यक्ती विरोधात हा दावा अज्ञान व्यक्ती (minor) म्हणून दाखल केला होता
- १) वादीला याबाबतीतले सत्य कळल्यावर त्याने काय काय करायला हवे?
- २) प्रतीवादीला हा हुक्मनामा तो अज्ञान नाही परंतु संज्ञान होतो या युक्तिवादावर नाकारू शकतो का?

## प्र.४ विस्त्रुत्पणे उत्तरे लिहा.

85

- अ) न्यायालयाच्या अधिकारीतेचे विविध प्रकार सविस्तर स्पष्ट करा?
- ब) मा. उच्च न्यायालय व मा. सर्वोच्च न्यायालयांमध्ये अपिल
- क) समन्स म्हणजे काय? दिवाणी प्रक्रिया सिहंतेर्गृत समन्स बजावणिचे विविध प्रकार कोणते?
- ड) शासनातर्फे व शासनाविरुद्ध दाखल करण्यात येणाऱ्या दाव्यासंबंधीचा कायदा चर्चा करा. या दाव्यांमध्ये अटक व व्यक्तिगत हजेरी यापासून सुट आहे का?
- ई) मनाई हुकुमनामा म्हणजे काय? कोणत्या परिस्थितीमध्ये तात्पुरता मनाई हुकूमनामा पारित केला जातो?
- फ) मुदत अधिनियम १९६३, प्रमाणे मुदतीच्या सर्वसाधारण सिद्धांन्ताचे स्पष्टीकरण करा.