

Q. P. Code : 305202

(3 Hours)

[Marks : 100]

- N.B.:** (1) All questions are compulsory.
(2) Figures at right indicate full marks.

1. Answer in one or two sentences.

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- What is a Judgment?
- What is a foreign Judgment?
- How is Writ of Summons served when Defendant resides in another state?
- When is cost awarded by Court to a party to the suit?
- What is Precept- in Execution of decree?
- What is the effect of Part-payment on limitation?
- What is jurisdiction?
- What are inherent powers of court?
- Who is a Pauper or Indigent person?
- What is Abatement of suit?

2. Write short Notes on any four.

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- Stay of Suits and Res-judicata.
- Adverse Possession under the Limitation Act.
- Set-off and Counter-claim.
- Appointment of Receiver.
- Suits by and against Government and Corporations.
- Caveat.

3. Answer any two with reasons.

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- Rahul wants to file a suit in court. Today is the last day of limitation but the Court is closed due to holiday. Advise Rahul.
 - What can Rahul do?
 - Will his suit be dismissed if filed after court holiday is over?
- Akshay has filed a suit against Bhaskar for recovery of an immovable Property based on an Agreement to sale with Bhaskar. During the pendency of the suit, Bhaskar dies.
 - What is Akshay's remedy?
 - If Bhaskar's heirs are not joined as parties, what will happen to the suit?

TURN OVER

- (c) John has given a loan of Rs.2,00,000/- to Peter. The limitation period for Repayment has expired. But when John demands repayment of the loan amount Peter gives an Acknowledgement in writing to pay it after 6 months.
- Will the limitation be extended by such writing?
 - Would it have made any difference if the Acknowledgement in writing to pay it would have been given before expiry of limitation?

4. Write Essay type answers on any four:

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- When does the Court issue commission and for what purposes?
- What is an Interpleader suit?
- Arrest and Attachment before Judgment.
- Provisions relating to Appearance of Parties in Court, Consequences of Non-appearance and Remedies available to the absent party.
- What is limitation? When is it extended by courts?
- Appeals to Appellate Courts and the Supreme Court.
