

LAW OF CIVIL PROCEDURA AND LIMITATION

Time: 3 Hours

Maximum Marks: 50

Answer ANY FIVE of the following. Each question carries TEN marks

(5x 10 = 50)

- I. Describe the procedure for issue of summons to defendants and witnesses. What is substituted service of summons?
- II. Explain the rules relating to filing of a plaint before a civil court.
- III. "The distinction between *res judicata* and constructive *res judicata* is often not too obvious to an untrained eye." Do you agree? Answer in the light of the ingredients of the same and case law.
- IV. How can arrest and attachment before judgement be ordered by a civil court?
- V. "Temporary injunction and appointment of commissions, though provided as statutory remedies, continues to be dependent on the discretionary powers of the court". Comment in the light of judicial pronouncements.
- VI. Explain the rules relating to appeals and revisions as provided in the Code of Civil Procedure.
- VII. What all periods of time can be excluded from computation of limitation period? When can delay in filing an application or an appeal be condoned?
- VIII. Write short notes on ANY TWO of the following:
 - (a) Parties to a suit
 - (b) Proclamation and sale during execution proceedings
 - (c) Production, discovery and impounding of documents
 - (d) Effect of acknowledgement on limitation period
