

BALLB (H)/BBALLB (H)/BCOMLLB (H) V/LLB (H) III
Re-appear, Examination
Dec, 2024
SOLS307A Civil Procedure Code, 1908 and

Time:2.5Hours

Maximum Marks: 50

Instructions:

- 1) Question No. 1 under Section-A is compulsory.
- 2) Attempt any four from Q. No. 2 to Q. No. 6 under Section-B
- 3) Attempt any two from Q. No. 7 to Q. No.9 under Section-C

Section-A(Compulsory)

1. (a) Define foreign judgment. 3[CO-] [L-]
- (b) Discuss the territorial jurisdiction of a case related to title of immovable property. 2[CO-] [L-]
- (c) Define constructive res judicata. 2[CO-] [L-]
- (d) Match the items given in Column-A with those in Column-B: 3[CO-] [L-]
- | Column-A | Column-B |
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| (i) Res Judicata | (a) Section 11 |
| (ii) Foreign Judgment | (b) Section 2 |
| (iii) Conclusivity of Foreign judgment | (c) Section 13 |

Section-B

1. (a) What do you understand by the term 'suit of civil nature'? 5[CO-] [L-]
(b) Define reference and review.
2. Write a note on Court of limited jurisdiction in relevance to the concept of res judicata? 5[CO-] [L-]
3. Discuss "conclusivity of foreign judgment" under Section 13. 5[CO-] [L-]

4. What do you understand by joinder, mis-joinder and non-joinder of parties? **5[CO-] [L-]**
5. When and where the objections to jurisdiction has to be initiated? **5[CO-] [L-]**
6. (a) Explain 'Doctrine of Temporary Injunction' with the help of relevant provisions. **5[CO-] [L-]**
(b) Explain 'Constructive Resjudicata' with the help of relevant provisions.

Section-C

7. Define Res Judicata. Elucidate the differences between res judicata and res subjudice. **10[CO-] [L-]**
8. (a). Discuss suit by or against government. **10[CO-[L]**
(b) Right to institute a civil suit'. This was held by the Hon'ble Apex Court in which landmark case. Discuss and elaborate the concept on the jurisdiction of civil courts provided under Section 9 of Code of Civil Procedure, 1908.
9. Discuss the general provisions related to appeal under the Code. **10[CO-] [L-]**
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