

2019

LL.B

4th Semester Examination

**CIVIL PROCEDURE CODE - II
AND LIMITATION**

Paper - 4.3

Full Marks : 80

Time : 3 Hours

*The figures in the margin indicate full marks.
Candidates are required to give their answers
in their own words as far as practicable.*

Answer any five questions.

1. (a) 'A court executing a decree can not go behind the decree' Is there any exception to this rule—
Explain.
- (b) What question can be determined by the
executing Court ? 10+6
2. (a) On what grounds does a second appeal lie to
the High Court ?
- (b) When can High Court determine an issue of fact
in a second appeal ? 10+6

[Turn Over]

3. What is review ? Under what circumstances can a person apply for review of a Judgment ? 16
 4. Under what circumstances and on what grounds will the High Court be Justified in exercising its revisional power ? 16
 5. Which Courts have power to transfer suits and under what circumstances such power can be exercised ? 16
 6. Discuss the object for which Limitation Act has been enacted ? 16
 7. Explain the Principle of 'sufficient cause' within the meaning of sec 5 of the Limitation Act 1963 for the purpose of filling an application or appeal. 16
 8. Write short notes on any *two* : 8+8
 - (a) Reference
 - (b) Inherent power of Courts.
 - (c) Stay of execution
 - (d) History of Law of Limitation in India.
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