

Roll No



**PRESIDENCY UNIVERSITY
BENGALURU**

**SCHOOL OF LAW
MID TERM EXAMINATION - APR 2024**

Semester : Semester VIII

Course Code : LAW116

Course Name : Sem VIII - LAW116 - CPC and Limitation Act

Program : BA LLB Honors

Date : 02-APR-2024

Time : 9.30AM-11.00AM

Max Marks : 60

Weightage : 30%

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Scientific and non-programmable calculator are permitted.
- (iii) Do not write any information on the question paper other than Roll Number.

PART A

ANSWER ANY 6 QUESTIONS

6Q X 10M = 60

1. HCL has its registered office in New Delhi and used to run business in Cochin through its branch. As per official information, the Head Office only has jurisdiction for civil remedy. One Mrs. Sundari who resides in Cochin was aggrieved by the branch HCL Company. She instituted and initiated a damages civil suit at Cochin. The court returned the plaint. Discuss the remedy available to Mrs Sundari.
(CO1) [Application]
2. Analyze the implications of Rule 10 in Order VII of the Code of Civil Procedure, 1908 regarding the return of a plaint by the court, and assess whether the plaintiff has the right to appeal such a decision.
(CO1) [Comprehension]
3. "Every suit shall be instituted in a court of lowest grade competent to try it." Explain.
(CO1) [Comprehension]
4. Explain with illustrations the circumstances under which the court will allow or refuse amendment in pleadings under Order VI Rule 17.
(CO1) [Comprehension]
5. Explain the doctrine of Forum Shopping. Illustrate the term with case laws.
(CO2) [Comprehension]
6. Explain the following term along with case laws :
1) Legal Representatives
2) Costs
(CO2) [Application]
7. Can a court award the mesne profits by way of a Decree without conducting an inquiry in the course of the civil proceedings in favor of the decree-holder. Discuss your answer as per clause 12 of Section 2 of the Code of Civil Procedure, 1908? Comment.
(CO2) [Application]
8. Discuss the following terms with relevant case laws:-
i. Interes
ii. Return Of Pla
(CO2) [Application]