Instructions:
  i.   Answer all the Questions.

Part A [Memory Recall Questions]

Answer all the Questions. Each Question carries five marks.   (4Qx5M=20M)

1. What do mean by proper party and necessary party and also state the effect o
    non-joinder or miss-joinder of such parties?   (C.O.NO.1) [Knowledge]

2. Write the circumstances given under relevant provision of CPC where Indian court
    may not be bound by the doctrine of res judicata in respect of foreign judgment.
                                                           (C.O.NO.1) [Knowledge]

3. What will be the effect on the final decree passed during the pendency of the
    appeal against the preliminary decree, in case the appeal is allowed?
                                                           (C.O.NO.1) [Knowledge]

4. Which orders are not included in the definition of Decree, give the answer with the
    help of relevant provision of CPC?   (C.O.NO.1) [Knowledge]

Part B [Thought Provoking Questions]

Answer both the Questions. Each Question carries ten marks.   (2Qx10M=20M)

5. Does CPC make any provision for preventing courts of concurrent jurisdiction from
    trying at the same time two parallel suits ion respect of the same matter in issue?
                                                           (C.O.NO.1) [Comprehension]

6. What do you mean by doctrine of constructive res judicata, site the relevant provision of CPC and also relevant case on this doctrine?

(C.O.NO.1) [Comprehension]

Part C [Problem Solving Questions]

Answer both the Questions. Each Question carries ten marks.   (2Qx10M=20M)

7. A publishes a series of books under the title 'The oxford and Cambridge Publication' so as to induce the belief that the books are the publications of the oxford and Cambridge Universities or either of them. The two Universities join as plaintiffs in one suit to restrain A from using the title. Discuss with reasons whether both the Universities can jointly sue A or not.   (C.O.NO.1) [Application]

8. What do you mean by place of suing? Write all the relevant provisions relating to place of suing.   (C.O.NO.1) [Application]

SCHOOL OF -LAW

GAIN MORE KNOWLEDGE
REACH GREATER HEIGHTS

Semester: V

Course Code: LAW 116

Subject- Civil Procedure Code & Limitation Act

Date: 18-10-19

Time: 2 H

Max Marks: 60

Weightage: 30%

Extract of question distribution [outcome wise & level wise]

Q.NO.	C.O. NO	Unit/Module Number/Unit /Module Title	Memory recall type [Marks allotted] Bloom's Levels		Thought provoking type [Marks allotted] Bloom's Levels		Problem Solving type [Marks allotted]		Total Marks
			K		C		A		
1 2 3 4	C.O .1	MODULE 1/ DEFINITION AND INSTITUTION OF SUITS	4 x 5= 20						20 MARKS
5 6	C.O . 1	MODULE 1/ DEFINITION AND INSTITUTION OF SUIT			2 x 10= 20				20 MARKS
7 8	C.O .	MODULE 1/ DEFINITION AND INSTITUTION OF SUIT					2 x 10= 20		20 MARKS

i

	Tot al Mar ks													60 MARKS

K =Knowledge Level   C = Comprehension Level, A = Application Level

Note: While setting all types of questions the general guideline is that about 60%

Of the questions must be such that even a below average students must be able to attempt, About 20% of the questions must be such that only above average students must be able to attempt and finally 20% of the questions must be such that only the bright students must be able to attempt.

Annexure- II: Format of Answer Scheme

SCHOOL OF -LAW

SOLUTION

Semester: V

Course Code: LAW 116

Subject- CPC

Date: 18-10-19

Time: 9:30-10:30

Max Marks: 60

Weightage: 30%

Part A   (4x 5 =20 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
1	Order I, rule 9	Five marks for correct answer, no other method of marking.	10 mint.
2	Sections 13 and 14 of CPC	Five marks for correct answer, no other method of marking.	10 Mint.
3	Final decree shall be cancelled	Five marks for correct answer, no other method of marking.	10 Mint.
4	Section 2(2) r/w section 104 of CPC	Five marks for correct answer, no other method of marking.	10 Mint.

Q No	Solution	Scheme of Marking	Max. Time required for each Question
5	Section 10 of CPC which provides for doctrine of res subjudice.	Ten marks for correct and full answer and If a student has made an attempt to write the answer but not fully may get 2-3 marks.	15 Mint.
6	Provision of section 11 explanation iv shall be applied in this question	Ten marks for correct and full answer and If a student has made an attempt to write the answer but not fully may get 2-3 marks.	15 Mints.

Part C   (2 x 10= 20Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
7	Yes, Both can be joined as plaintiffs given under order I	Ten marks for correct and full answer and if a student has made an attempt to write the answer but not fully will get 3-4 marks.	20 Mints.
8	Place of suing is related to the jurisdiction of court where party may file his suit. Provision for the same has been given under sections 15-21	Ten marks for correct and full answer and if a student has made an attempt to write the answer but not fully will get 3-4 marks.	20 Mints.

PRESIDENCY UNIVERSITY
BENGALURU

SCHOOL OF LAW

END TERM FINAL EXAMINATION

Semester: Odd Semester: 2019 - 20

Course Code: LAW116

Course Name: CIVIL PROCEDURE CODE AND LIMITATION ACT

Program & Sem: BBA/B.Com/BA.,LLB. (Hons) & V

Date: 20 December 2019

Time: 1:00 PM to 4:00 PM

Max Marks: 80

Weightage: 40%

Instructions:
(i) Read the all questions carefully and answer accordingly.

Part A [Memory Recall Questions]

Answer all the Questions. Each Question carries 10 marks.   **(2Qx10M=20M)**

1. **Give the answer of the following questions each question carries 2 marks**

    a. Under which section of CPC the term order has been defined?   (C.O.No.1) [Knowledge]

    b. Under which section of CPC the pecuniary jurisdiction of the Court has been given
                                                                  (C.O.No.1) [Knowledge]

    c. Under which provision of CPC the grounds of the rejection of plaint have been given?
                                                                  (C.O.No.1) [Knowledge]

    d. Which provision of CPC provides for Suit by minor and against minor?
                                                                  (C.O.No.1) [Knowledge]

    e. Under which order of CPC provision for affidavit has been given?

                                                                  (C.O.No.1) [Knowledge]

2. What do you mean by doctrine of res judicata and how it is different from the doctrine of
    res sub judice?   (C.O.No.1) [Knowledge]

Part B [Thought Provoking Questions]

Answer both the Questions. Each Question carries 15 marks.   **(2Qx15M=30M)**

3. What do you mean by the term place of suing, answer the question with relevant provision of
   CPC?   (C.O.No.2) [Comprehension]

4. What do you mean by Plaint, write the particulars of plaint and also various grounds of the
   rejection of plaint?   (C.O.No.2) [Comprehension]

Part C [Problem Solving Questions]

Answer both the Questions. Each Question carries 15 marks. (2Qx15M=30M)

5. What is the meaning of interim orders and what are the kinds of interim orders under CPC, special reference to interim injunction? (C.O.No.3) [Application]

6. How many kinds of special suits have been given under CPC, special reference to suit by and against minor? (C.O.No.3) [Application]

SCHOOL OF LAW

END TERM FINAL EXAMINATION

Extract of question distribution [outcome wise & level wise]

Q.NO.	C.O.NO (% age of CO)	Unit/Module Number/Unit /Module Title	Memory recall type [Marks allotted] Bloom's Levels	Thought provoking type [Marks allotted] Bloom's Levels	Problem Solving type [Marks allotted]	Total Marks
			K	C	A	
1 A. B. C. D. E.		Module 1 Module 2 Module 3 Module 4 Module 5	10M			10M
2		Module 1/ Definition and institution of suit	10M			10M
3		Module 2/ Trial of the suit		15M		15M
4		Module 2/ Trial of the suit		15M		15M
5		Module 5/ Special suit			15M	15M
6		Module 3/ Suit and its Trial			15M	15M
	Total Marks= 80					

K =Knowledge Level   C = Comprehension Level, A = Application Level

Note: While setting all types of questions the general guideline is that about 60%

Of the questions must be such that even a below average students must be able to attempt, About 20% of the questions must be such that only above average students must be able to attempt and finally 20% of the questions must be such that only the bright students must be able to attempt.

I hereby certify that all the questions are set as per the above guidelines.

Faculty Signature:

Reviewer Commend:

Format of Answer Scheme

SCHOOL OF LAW

SOLUTION

GAIN MORE KNOWLEDGE
REACH GREATER HEIGHTS

Semester: Odd Sem. 2019-20

Course Code: LAW 116

Course Name: The code of civil procedure and Limitation Act

Date: 20.12.2019

Time: 3 HRS

Max Marks: 80

Weightage: 40%

Part A   (2Q x 10M = 20Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
1 a. b. c. d. e.	Under section 2(2) the term decree has been defined. Under section 15 of CPC. Under Order VII rule 11. Under order 32 of CPC Order 19.	Stick to average marking	10 M
2	Under section 11 of the CPC the doctrine of res judicata has been given	Stick to average marking	10M

Part B   (15Q x 2M = 30 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question

Q No	Solution	Scheme of Marking	Max. Time required for each Question
3	The provisions for place of suing have been given under ss. 15-21 of CPC.	**Stick to average marking**	15M
4	The provision for the plaint has been given under order VII of CPC	**Stick to average marking**	15M

Part C   (15Q x 2M = 30Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
5	There are eight kinds of interim orders, provisions for interim injunction have been given under order xxxix	**Stick to average marking**	15M
6	There are many kinds of special suits under CPC and for minor suit provisions have been given under order XXXII	**Stick to average marking**	15M