| Roll No. | | | | | | | | | | | | |
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# PRESIDENCY UNIVERSITY

## BENGALURU

**End - Term Examinations – December 2025**

**Date:** 10- 12- 2025 **Time:** 1.00pm to 04.00pm

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| **School:** SOL | **Program:** BA/BBA/B.Com LL.B (Hons.) | |
| **Course Code:** LAW2050 | **Course Name:** Civil Procedure Code and Limitation Act-II | |
| **Semester**: V | **Max Marks**:100 | **Weightage**: 50% |

| **CO - Levels** | **CO1** | **CO2** | **CO3** | **CO4** | **CO5** |
|---|---|---|---|---|---|
| **Marks** | **20** | **20** | **25** | **15** | **20** |

## Part A

**Answer ALL the Questions. Each question carries 2marks.** **10Q x 2M=20M**

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| **1** | Define a special suit under CPC. | **2 Marks** | **L1** | **CO1** |
| **2** | Define "Preliminary decree". | **2 Marks** | **L1** | **CO1** |
| **3** | Define the amendment of a Judgement. | **2 Marks** | **L1** | **CO1** |
| **4** | What is "Execution Petition"? | **2 Marks** | **L1** | **CO1** |
| **5** | Meaning of "Attachment before judgment." | **2 Marks** | **L1** | **CO1** |
| **6** | Explain the procedure for the transfer of cases under the CPC. | **2 Marks** | **L2** | **CO2** |
| **7** | What is meant by a stay of Execution? | **2 Marks** | **L2** | **CO2** |
| **8** | What is "Sufficient Cause"? | **2 Marks** | **L2** | **CO2** |
| **9** | Define Summary Procedure. | **2 Marks** | **L2** | **CO2** |
| **10** | What is "Final decree"? | **2 Marks** | **L2** | **CO2** |

## Part B

**Answer the Questions** **Total 80 Marks**

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| **11.** | | Explain the provisions under Section 80 of the Civil Procedure Code regarding the notice required before filing a suit against the Government or public officers. Discuss its purpose and any exceptions to this requirement. | **10 Marks** | **L1** | **CO1** |

**or**

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| **12.** | | Explain the scope and application of Section 151 of the Civil Procedure Code, which deals with the inherent powers of the court. Discuss the circumstances under which a court can exercise its inherent power under this section and provide examples of its use in ensuring justice. | **10 Marks** | **L1** | **CO1** |

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| **13.** | | Explain the process of execution of money decrees under CPC. | **10 Marks** | **L2** | **CO2** |

**Or**

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| **14.** | | Explain the procedure for the execution of a decree under Order 21 of the Civil Procedure Code. | **10 Marks** | **L2** | **CO2** |

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| **15.** | | Discuss the grounds for seeking a review of a judgment under Order 47, Rule 1 of the CPC. How does the court assess the maintainability of a review petition? | **10 Marks** | **L3** | **CO3** |

**Or**

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| **16.** | | Describe the various modes of execution of a decree under Order 21 of the Civil Procedure Code, including attachment of property, arrest and detention, and appointment of a receiver. | **10 Marks** | **L3** | **CO3** |

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| **17.** | | An appellant files an appeal but does not submit a certified copy of the judgment. The respondent argues that the appeal should be dismissed.<br><br>Discuss whether the appeal is maintainable without the certified copy of the judgment, according to the provisions of the Civil Procedure Code. | **15 Marks** | **L3** | **CO3** |

**Or**

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| **18.** | | A party files a caveat to prevent an ex parte order. The opposite party files the suit and seeks an interim order without notifying the caveator.<br><br>Explain the effect of the caveat on the suit and the rights of the caveator under the Civil Procedure Code. | **15 Marks** | **L3** | **CO3** |

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| **19.** | | A plaintiff, unable to pay court fees due to financial hardship, files an application to sue as an indigent person under Order 33 of the CPC. The defendant challenges the application, arguing that the plaintiff is not truly indigent.<br><br>Discuss the procedure for an indigent person to file a suit under the CPC and the conditions the court must consider before allowing the application. | **15 Marks** | **L4** | **CO4** |

**Or**

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| **20.** | | A decree-holder applies for the execution of a money decree. The judgment-debtor contends that he has no assets to satisfy the decree and is unable to pay.<br><br>Discuss the procedure for the execution of a decree under Order 21 of the CPC, and explain the options available to the court when the judgment-debtor claims an inability to pay. | **15 Marks** | **L4** | **CO4** |

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| **21.** | | A suit is filed by a minor through his next friend. The defendant challenges the suit on the grounds that the minor is of unsound mind and incapable of maintaining the suit, even though a next friend.<br><br>Discuss the legal provisions under the CPC regarding the filing of a suit by a minor or a person of unsound mind. How does the court address the issue of unsoundness of mind in such cases? | **20 Marks** | **L5** | **CO5** |

**Or**

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| **22.** | | A property dispute arises between two parties who both claim ownership of the same property. One of them files an interpleader suit under Order 35 of the CPC, seeking a declaration of their rights and protection from liability.<br><br>Discuss the procedure for filing an interpleader suit under the CPC. What are the conditions for the maintainability of such a suit, and how does the court handle conflicting claims in interpleader proceedings? | **20 Marks** | **L5** | **CO5** |