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PRESIDENCY UNIVERSITY

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Bengaluru

Mid Term Examinations - October 2026

Date: 06/10/2026 **Time:** 11:45 AM - 01:15 PM

Course Code: LAW2061 **Course Name:** Civil Procedure Code and Limitation Act- II

Semester: Fifth Semester **Max. Marks:** 50 **Weightage:** 50%

CO - Levels	CO1	CO2	CO3	CO4
Marks	10	40	20	20

PART A: Answer Following Questions. 10 M

Q.N.	Questions	M	CO	BT
1	What is meant by “execution” of a decree?	2	CO1	BT1
2	What is “rateable distribution” under Section 73 of the CPC?	2	CO1	BT1
3	Name any four properties that are exempt from attachment under Section 60 of the CPC.	2	CO1	BT1
4	What is an interpleader suit?	2	CO1	BT1
5	Who is an “indigent person” under Order XXXIII Rule 1 of the CPC?	2	CO1	BT1

PART B : Answer Any 1 Following Questions. 10 M

Q.N.	Questions	M	CO	BT
6	Explain how different kinds of decrees are executed under Order XXI Rules 30 to 36 of the CPC. Nikhil obtains a decree directing Pooja (i) to deliver a specific antique painting to him, and (ii) to execute a sale deed of a plot in his favour. Pooja refuses to do either. Explain how each part of the decree will be executed.	10	CO2	BT2
7	Explain the provisions relating to stay of execution under Order XXI Rules 26 to 29 and Order XLI Rule 5 of the CPC. Farhan obtained a decree for ₹12,00,000 from a Civil Court in Delhi against Gopal. The decree was sent to Bengaluru for execution. Gopal has filed an appeal in Delhi and tells the Bengaluru court that execution is automatically stayed. He has also filed a suit against Farhan in the same Delhi court, alleging the decree was obtained using forged receipts. Explain the legal position.	10	CO2	BT2

PART C: Answer Any 1 Following Questions. 10 M

Q.N.	Questions	M	CO	BT
8	Explain the law relating to attachment and sale of property in execution of a decree. Harish holds a decree for ₹4,00,000 against Irfan, who owns Plot A (worth ₹5,00,000) and Plot B (worth ₹25,00,000). The executing court ordered attachment and sale of both plots. After Plot A was attached, Irfan sold it to Jaya. Explain the legal position.	10	CO2	BT2
9	Explain the grounds on which an execution sale of immovable property may be set aside under Order XXI Rules 89 to 92 of the CPC. Kumar’s plot was sold at a court auction to Lakshmi for ₹20,00,000. The sale proclamation stated the plot’s area wrongly. Thirty days after the sale, Kumar wants the sale set aside. Explain the remedies available to him.	10	CO2	BT2

PTO (Please Turn Over)

PART D: Answer Any 1 Following Questions. 10 M				
Q.N.	**Questions**	**M**	**CO**	**BT**
10	Rajesh runs a business alone under the name “Sharma Electricals”. “Metro Traders” is a partnership of Lalit, Mohan and Naveen. Omkar supplied goods worth ₹6,00,000 to each of them and has not been paid. Mohan died after the cause of action arose. Applying Order XXX of the CPC, answer: (a) How should Omkar frame his suits? (b) Can “Sharma Electricals” file a suit against a customer in that name? (c) Must Mohan’s legal representatives be made parties?	10	CO3	BT3
11	Naik Prakash is serving in the Indian Army at a high-altitude post in Ladakh. His neighbour Suma has sued him in Dharwad over the boundary of their ancestral land. Prakash cannot get leave to attend court. Suma also argues that because Prakash is a public officer, a notice under Section 80 of the CPC should have been given. Applying the relevant provisions of the CPC, advise Prakash.	10	CO3	BT3

PART E: Answer Any 1 Following Questions. 10 M				
Q.N.	**Questions**	**M**	**CO**	**BT**
12	In 2020, Arvind mortgaged his house to Bharat Bank for ₹10,00,000 (simple mortgage). In 2022, he mortgaged the same house to Chitra for ₹5,00,000. Arvind has defaulted. The Bank has filed a suit for sale, naming only Arvind as defendant. Analyse under Order XXXIV of the CPC: (a) Is the suit properly constituted? (b) What are the stages of the decree? (c) If the sale yields only ₹8,00,000, what can the Bank do? (d) Can Arvind still redeem the house after the preliminary decree?	10	CO4	BT4
13	Vikram Constructions, an Indian contractor, renovated the embassy building of the Republic of Zenovia in New Delhi under a contract, and ₹80,00,000 remains unpaid. The Republic also runs a commercial tourism office in Mumbai. Vikram wants to sue the Republic and its Ambassador personally in Delhi, and later to attach the embassy’s bank account. Analyse Vikram’s position under Sections 83 to 87 of the CPC.	10	CO4	BT4