

(Please write your Exam Roll No.)

Exam Roll No.

END TERM EXAMINATION

SIXTH SEMESTER [LLB] NOVEMBER 2020

Paper Code: LLB-302

Subject: Code of Civil Procedure-II

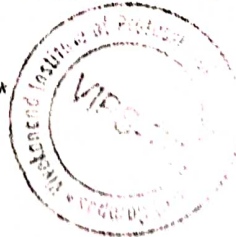
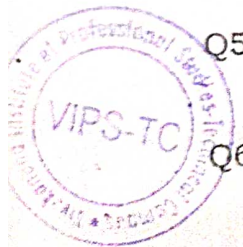
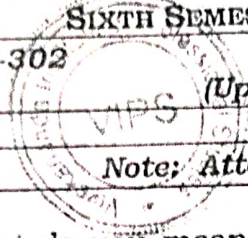
(Upto Batch 2014)

Time: 2 Hours

Maximum Marks: 75

Note: Attempt any three questions.

- Q1 a) What do you mean by Decree? Explain its essentials and types of Decrees. (15)
b) Distinguish between Decree and Judgment. (10)
- Q2 When is a judgment pronounced? What are its contents? Is there any time limit for pronouncing the judgment? (25)
- Q3 What do you mean by Execution of Decree? Discuss the various modes of execution of decree. (25)
- Q4 What are the Questions to be determined by the Court executing decree? Explain Sections 47, 49 and 50 of Code of Civil Procedure. (25)
- Q5 What is Appeal? What are the differences between First Appeal and Second Appeal? (25)
- Q6 a) Define the grounds on which an appeal lies to the Supreme Court in civil matters. (15)
b) Explain Order XXXIV. (10)
- Q7 What are the differences between Review and Revision? Cite the relevant case laws. (25)
- Q8 With the help of relevant case laws, discuss the provisions on which a reference is maintainable. (25)



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SIXTH SEMESTER [LLB] MAY 2017

Paper Code: LLB-302

Subject: Code of Civil Procedure-II

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q no.1 of Part A which is compulsory. Select one question from each unit of Part B.

PART-A

(5x5=25)

Q1 Write short notes on the following:-

- Stay of Execution
- Garnishee Order
- Memorandum of Appeal
- Differentiate between Judgement and Decree.
- Substantial question of law

PART-B UNIT-I

Q2 Define the Term 'decree'. What are its contents? Explain the procedural aspect of decree and Judgement under Civil Procedure Code, 1908. (12.5)

- Q3 (a) Explain the concept of 'costs'. What are different kinds of 'cost' under C.P.C. (12.5)
- (b) Explain the term 'Interest'.

UNIT-II

Q4 Describe the provisions of attachment under the Civil Procedure Code. State its exception, if any. (12.5)

Q5 Explain in detail the different modes of execution of a decree under the Civil Procedure Code. (12.5)

UNIT-III

Q6 Describe the procedure for filing an Appeal to Supreme Court. (12.5)

Q7 Describe the procedure for filing an Appeal from Original Decree. What are the differences between first appeal and second appeal? (12.5)

UNIT-IV

Q8 Discuss the circumstances under which a court can 'Review' its own decision. (12.5)

Q9 Describe the procedure for making a 'Reference' to High Court. What is the difference between 'Reference and Revision'? (12.5)

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END TERM EXAMINATION

SIXTH SEMESTER [LLB] MAY-JUNE-2016

Paper Code: LLB-302

Subject: Code of Civil Procedure - II

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q.No 1 of Part A which is compulsory. Select one question from each unit of Part B.

PART-A

(5x5=25)

- Q1 Write short notes on the following:
- Decree and Order
 - Grounds of Review
 - Judgment
 - Interest
 - Duties of first Appellate Court

PART-B

UNIT-I

- Q2 "Costs are only an indemnity and never more-than indemnity". Elucidate and state whether there is an exception to this rule. (12.5)
- Q3 Define decree stating its essentials. Explain the kinds of decree with examples of suits in which they can be passed. (12.5)

UNIT-II

- Q4 Explain the "Courts which can execute decrees" along with its powers. (12.5)
- Q5 State the different modes of execution. Is simultaneous execution possible? (12.5)

UNIT-III

- Q6 State the powers of the First Appellate court in detail. Support your answer with case-law. (12.5)
- Q7 Describe the conditions under which an appeal can be preferred to Supreme Court under the provisions of CPC. (12.5)

UNIT-IV

- Q8 Under what circumstances is a revision maintainable. Elucidate. (12.5)
- Q9 How is a reference different from revision. Explain in detail keeping in mind the scope of reference. (12.5)



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MERCY CHANCE EXAMINATION

SIXTH SEMESTER [LLB] AUGUST 2016

Paper Code: LLB-302

Subject: Code of Civil Procedure-II
(Batch 2005-2013)

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q.no.1 which is compulsory.
Select one question from each Unit.

Q1 Write short notes on the following:

- (a) Substantial question of Law
- (b) Appeal by indigent persons
- (c) Garnishee Order
- (d) Stay of execution
- (e) Questions to be determined by the court, executing the decree.

(5x5=25)

Unit-I

Q2 What do you understand by Judgment? Explain the provisions of order XX CPC, in detail relating to pronouncement of judgment and its alteration. (12.5)

- Q3 (a) Define 'interest' and kinds of interest under Civil Procedure Code, 1908. (6.25)
- (b) Explain the concept of 'Cost' and various types of "Costs" under Civil Procedure Code, 1908. (6.25)

Unit-II

Q4 Describe the provisions of attachment under the Civil Procedure Code. State its exception if any. (12.5)

Q5 Explain in detail different modes of execution provided under the code of Civil Procedure referring case law on the subject. (12.5)

Unit-III

Q6 Discuss the procedure for filling an appeal from original decree. What are the differences between first appeal and second appeal? (12.5)

Q7 Describe the procedure for filling an appeal to Supreme Court. (12.5)

Unit-IV

Q8 Discuss the circumstances under which a court can 'Review' its own decision. (12.5)

Q9 Describe the procedure for making a 'reference' to High Court. What is the difference between Reference and Revision? (12.5)

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END TERM EXAMINATION

SIXTH SEMESTER [LLB] MAY-JUNE-2015

Paper Code: LLB302

Subject: Code of Civil Procedure-II

Time: 3 Hours

Maximum Marks: 75

Note: Attempt any five questions including Q no.1 of part A which is compulsory. Select one question from each unit of part B.

PART-A

- Q1 Write short notes on the following:-
- (a) Contents of Application for execution (5)
 - (b) Substantial question of law (5)
 - (c) Interest (5)
 - (d) Appeal by indigent person (5)
 - (e) Stay of Execution. (5)

PART-B

UNIT-I

- Q2 Define 'Judgment'. Explain the provisions of Order XX CPC in detail relating to pronouncement of judgment and its attention. (12.5)
- Q3 What Considerations are borne in mind by a court while imposing costs on one of the parties? Also explain the different kinds of cost provided in CPC. (12.5)

UNIT-II

- Q4 Describe the provisions of attachment under the Civil Procedure Code. State its exception if any. (12.5)
- Q5 Explain in detail the different modes of execution of a decree under the civil procedure Code, 1908. (12.5)

UNIT-III

- Q6 Describe the procedure for filling an appeal from original decree. What are the differences between first appeal and second appeal. Substantiate your answer with judicial interpretation. (12.5)
- Q7 Describe the procedure for filling an Appeal to Supreme Court in civil and criminal cases. (12.5)

UNIT-IV

- Q8 Describe the procedure for making a 'Reference' to High Court. What is the difference between Reference and Revision? (12.5)
- Q9 Discuss the circumstances under which a Court can 'Review' its own decision. Whether the review of its own decision amount to appeal? (12.5)

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MERCY CHANCE EXAMINATION

SIXTH SEMESTER [LLB] AUGUST-SEPTEMBER 2015

Paper Code: LLB302

Subject: Code of Civil Procedure-II

Time : 3 Hours

Maximum Marks :75

Note: Attempt any five questions including Q.no.1 of Part-A which is compulsory. Select one question from each unit of Part-B.

PART-A

Q1 Answer the following:-

- (a) Provisions relating to Costs and its kinds.
- (b) Difference between Judgement and Decree.
- (c) Who may file an application for execution and against whom?
- (d) Order XLIV of C.P.C.
- (e) What is a 'Substantial Question of Law'?

(5x5=25)

PART-B

(12.5x4=50)

UNIT-I

Q2 "Once the Judgement is signed and pronounced by the court, it becomes factus officio and has no jurisdiction to alter it." Discuss this statement. Is there any time limit for pronouncing the judgement?

Q3 What do you mean by Interest? Discuss various kinds of interest under the Civil Procedure Code.

UNIT-II

Q4 Explain the various modes of execution of a decree under the Civil Procedure Code.

Q5 Explain the procedure for payment under a decree. Discuss the questions to be determined by the court executing decree.

UNIT-III

Q6 Under what circumstances, Second Appeal against a decree would lie? Discuss with the help of case laws.

Q7 Explain the grounds on which an appeal lies to the Supreme Court in civil matters under the Civil Procedure Code?

UNIT-IV

Q8 When can a reference be made to High Court? Discuss the powers of the High Court in reference.

Q9 Elaborate the grounds for Review by referring to the relevant case laws.

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SUPPLEMENTARY EXAMINATION

SIXTH SEMESTER [LLB] SEPTEMBER-OCTOBER 2014

Paper Code: LLB302

Subject: Code of Civil Procedure-II

Time : 3 Hours

Maximum Marks :75

Note: Attempt any five questions including Q.no.1 of Part-A which is compulsory. Select one question from each unit of Part-B.

PART-A

Q1 Explain the following :-

- (a) Simultaneous execution.
- (b) Appeal by an indigent person.
- (c) Differences between Judgement and Decree.
- (d) Stay of execution by the Executing court.
- (e) Reference u/s 113 of C.P.C.

(5x5=25)

PART-B

UNIT-I

Q2 What is meant by "interest"? State the kinds of interest that can be awarded by a court while deciding a case. (12.5)

Q3 State the kinds of costs that can be awarded by the court and the principal on the basis of which costs are awarded. (12.5)

UNIT-II

Q4 Discuss the different modes of executions by which a decree may be executed? (12.5)

Q5 Discuss with the help of statutory provision and decided cases, the kinds of question which can be determined by an Executing court. (12.5)

UNIT-III

Q6 What do you understand by the expression "Substantial question of law"? State its relevance in the court of Second Appeal. Support your answer with relevant case law. (12.5)

Q7 State the powers of the Court of First Appeal in the matters relating to:

- (a) Grant of Stay
- (b) Remand
- (c) Additional Evidence
- (d) Modification of Decree

(12.5)

UNIT-IV

Q8 What is meant by 'review'? Elaborate the grounds for seeking review, with the help of case law. (12.5)

Q9 Discuss the scope of Revision with the help of decided cases. (12.5)



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Exam Roll No. 2

END TERM EXAMINATION

SIXTH SEMESTER [LLB] MAY-JUNE 2014

Paper Code: LLB-302

Subject: Code of Civil Procedure-II

Time: 3 Hours

Maximum Marks: 75

Note: Attempt five questions including Part-A which is compulsory.
Attempt four questions from Part-B, Selecting one question from each Unit.

Part-A

(5x5=25)

Write short notes on the following:-

- Stay of Execution.
- Contents of an application of Execution.
- Concept of 'Interest' under CPC.
- Appeal to Supreme Court.
- Concept of 'Revision' under CPC.



Part-B Unit-I

(12.5x4=50)

- Explain the concept of 'Costs' under Civil Procedure Code. What consideration are borne in mind by a court while imposing costs on one of the parties? Also explain the different kinds of cost provided in CPC.
- Define judgment. Differentiate between 'decree' and 'judgment'. Explain the various types of decree recognized by the Civil Procedure Code.

Unit-II

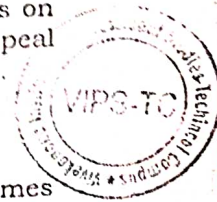
- Discuss the various modes of execution of decree provided under CPC.
- Are the following liable for attachment in the execution of a decree:-
 - Salary of a person.
 - Wages of labour.
 - Salary of a person in execution of a decree for maintenance.
 - Decree.



- Elucidate in detail the process of attachment of immovable property leading to sale

Unit-III

- Describe the procedure for filing an appeal from a Decree. Also explain the power and duties of first Appellate Court.
- Discuss the provisions of the Code of Civil Procedure regarding grounds on which a second appeal may be preferred. Differentiate between First Appeal & Second Appeal.



Unit-IV

- "Once the judgment is signed and pronounced by the court, it becomes functions officio and has no jurisdiction to alter it"? Discuss its exceptions.
- Discuss the concept of 'reference'. When a reference can be made to High Court? Discuss the powers of the High Court in reference.



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MERCY CHANCE EXAMINATION

SIXTH SEMESTER [LLB] JULY-2013

Paper Code: LLB302

Subject: Code of Civil Procedure-II

(Batch: 2004)

Time : 3 Hours

Maximum Marks :75

Note: Attempt any five questions.

- Q1 When the court can proceed ex parte in a suit? Under what circumstances the ex parte orders can be set aside by the court? (15)
- Q2 Discuss briefly Reference, Review and Revision. (15)
- Q3 What is a pauper suit, discuss briefly as to how such suit is to be filed? (15)
- Q4 (a) What do you mean by Second Appeal, when and how the same can be filed? (7)
(b) How a decree passed by a court in one state, can be executed in another state? (8)
- Q5 Discuss *Res judicata* and *Constructive Res judicata*. (15)
- Q6 Write short notes on any three of the following: (5x3=15)
(a) Cause of action.
(b) Adjournment in a case.
(c) Attachment of property before judgement.
(d) Stay of execution by court.
(e) Costs in a suit.
- Q7 What are pleadings, what should pleadings contain? How can the pleadings be amended? (15)
- Q8 When interim order/injunction can be granted by a court? Can such an order be claimed as a matter of right or it is by way of discretion of the court? (15)



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SUPPLEMENTARY EXAMINATION

SIXTH SEMESTER [LLB] SEPTEMBER 2013

Paper Code: LLB 302

Subject: Code of Civil Procedure-II

Time : 3 Hours

Maximum Marks :75

Note: Part-A is compulsory. In Part-B attempt one question from each unit.

Part-A

Q1. Write short notes on the following:

- Precepts
- Distinguish between 'Reference and Appeal'
- Courts which may execute decree
- Stay of Execution
- Memorandum of Appeal



(5x5 = 25)

Part-B

Unit-I

- Q2. Define 'Judgment'. Explain the provisions of order XX CPC in detail relating to pronouncement of judgment and its alteration.
- Q3. What considerations are borne in mind by a court while imposing costs on one of the parties? Also explain the different kinds of cost provided in CPC.

Unit-II

- Q4. Describe the provisions of attachment under the Civil Procedure Code. State its exception if any.
- Q5. Explain in detail the different modes of execution of a decree under the Civil Procedure Code, 1908.

Unit-III

- Q6. Explain the powers and duties of the court of the first appeal in detail.
- Q7. Discuss in detail the procedure for filing an appeal to the Supreme Court.

Unit-IV

- Q8. "Once the judgment is signed and pronounced by the court, it becomes functio officio and has no jurisdiction to alter it. Any exception to it Discuss.
- Q9. Discuss the scope of Revision and explain how is it different from reference.





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MERCY CHANCE EXAMINATION

SIXTH SEMESTER [LLB] JULY-2013

Paper Code: LLB302

Subject: Code of Civil Procedure-II
(Batch: 2004)

Time : 3 Hours

Maximum Marks :75

Note: Attempt any five questions.

- Q1 When the court can proceed ex parte in a suit? Under what circumstances the ex parte orders can be set aside by the court? (15)
- Q2 Discuss briefly Reference, Review and Revision. (15)
- Q3 What is a pauper suit, discuss briefly as to how such suit is to be filed? (15)
- Q4 (a) What do you mean by Second Appeal, when and how the same can be filed? (7)
(b) How a decree passed by a court in one state, can be executed in another state? (8)
- Q5 Discuss *Res judicata* and *Constructive Res judicata*. (15)
- Q6 Write short notes on any three of the following:- (5x3=15)
(a) Cause of action.
(b) Adjournment in a case.
(c) Attachment of property before judgement.
(d) Stay of execution by court.
(e) Costs in a suit.
- Q7 What are pleadings, what should pleadings contain? How can the pleadings be amended? (15)
- Q8 When interim order/injunction can be granted by a court? Can such an order be claimed as a matter of right or it is by way of discretion of the court? (15)



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END-TERM EXAMINATION

SIXTH SEMESTER [LLB(H)] MAY- JUNE 2007

Paper Code: LLB(H)-302

Subject: Civil Procedure Code - II

Time: 3 Hours

Maximum Marks : 75

Note: Part 'A' is compulsory and carry 25 marks. Attempt any five questions from part 'B'
All questions carry 10 marks each.

PART A

(5x5=25)

10) Q.1 Answer the following:

- (a) Code of Civil Procedure is an adjective law. It neither creates nor takes away any right. Explain briefly.
- (b) What is a 'substantial question of law'?
- (c) Write a short note on 'precepts'.
- (d) Distinguish between reference, review and revision.
- (e) Comment on 'Garnishee order'.

PART B

(5x10=50)

- Q.2 (a) Discuss the various modes of execution of decree provided under Civil Procedure Code.
(b) Are the following liable for attachment in the execution of a decree?
 - (i) Salary of a person
 - (ii) Wages of labour
 - (iii) Salary of a person in execution of a decree for maintenance.
 - (iv) Property of a person
- Q.3 (a) Which orders under section 104 CPC can be appealed under order XLIII?
(b) Differentiate between 'Judgement and Decree'.
- Q.4 Who can appeal as an indigent person? Whether court fee is to be paid by an indigent person?
- Q.5 When can a reference be made to a High Court? Discuss the powers of the High Court in reference.
- Q.6 Explain the provisions relating to filling an appeal from original decree and for obtaining stay of execution of the decree passed.
- Q.7 Describe the grounds on which an appeal lies to the Supreme Court in civil matters.
- Q.8 Under what circumstances a second appeal against a decree would lie? Discuss with the help of case law.
- Q.9 (a) Outline the provisions for settlement of disputes outside the court under section 89 of C.P.C., 1908.
(b) How can a Special Case can be filed under order XXXVI, C.P.C?

