West Bengal Judicial Service (Mains) 2021

Civil Procedure Code · compulsory paper

Time: 3 hours · Full marks: 100

Group A: answer all questions

1. Explain the scheme, scope and object of the Code of Civil Procedure 1908. (10)

2. What do you mean by 'suit of civil nature'? Give examples of 'suits impliedly barred' and 'suits expressly barred'. (5+5=10)

3. What do you mean by the doctrine of 'Res judicata'? Explain the principles with suitable judicial decisions. (10)

4. Sections 15-20 of the Code of Civil Procedure lay down the rules prescribing the venue or the place for the institution of civil suits in India. — Explain your answer with suitable illustration. (10)

5. Write short notes on any two of the following: (a) Representative Suit; (b) Interpleader Suit; (c) Constructive Res-judicata; (d) Service of summons in special cases (5×2=10)

Group B: answer any five questions

6. What are the powers of Court to enforce execution? Comment on the enforcement of the decree against legal representative. (5+5=10)

7. When can a 'Receiver' be appointed? What are the powers, duties and liabilities of a 'Receiver'? (10)

8. What are the grounds of 'Review'? State the differences between 'Review' and 'Revision'. (5+5=10)

9. What are the inherent powers of the Court under the Code of Civil Procedure 1908? (10)

10. Write short notes on any two of the following: (a) Letter of Request; (b) Suits by or against minors and persons of unsound mind; (c) Decree and Order; (d) Set-off and Counter-claim (5×2=10)

11. Write down the power of Court to issue 'Commissions'. (10)