West Bengal Judicial Service (Mains) 2021

Law of Limitation and Law of Prescription · optional paper

Time: 3 hours · Full marks: 100

Group A: answer Question No. 1 and any two from the rest

1. (a) "Law of Limitation bars remedy but does not extinguish right" — Explain.
(b) Distinguish between limitation and prescription. (10+10=20)

2. Describe the general principles for extension of time or prescribed period under section 5 of the Limitation Act, 1963. (20)

3. Discuss the effect of acknowledgement, payment and substituting or adding new plaintiff or defendant under Limitation Act, 1963 (Sections 18-22). (20)

4. Explain the rules relating to interpretation of Limitation Act, 1963. (20)

Group B: answer any two questions

5. Discuss the doctrine of disability under sections 6 to 9 of the Limitation Act, 1963. (20)

6. Explain the following terms: (a) Plaintiff and Defendant; (b) Bond; (c) Bar of Limitation; (d) Applicant and Application (5×4=20)

7. (a) Discuss the rule of acquisition of easement by prescription under section 25 of the Limitation Act, 1963.
(b) Write a note on extinguishment of Right to Property. (10+10=20)