West Bengal Judicial Service (Mains) 2022

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. Write notes on the following: (a) Application of law of limitation in writ petitions; (b) Law of limitation bars remedy but does not extinguish right (10+10=20)

2. Discuss the law relating to limitation of suits, appeals and applications (Sections 3 to 11). (20)

3. Write distinction between any two of the following: (a) Period of limitation and Prescribed period; (b) Legal disability (Section 6) and Disability of one of the several persons (Section 7); (c) Suits against trustees (Section 10) and Rule of Lex Fori (Section 11) (10×2=20)

4. Discuss law relating to computation of the period of limitation under Sections 12 to 24 of the Limitation Act 1963. (20)

Group B: answer any two questions

5. Write a critical note on the distinction between law of limitation and law of prescription. (20)

6. Discuss the law relating to acquisition of easement by prescription. (20)

7. Write notes on the following: (a) Concept of Easement; (b) Law of Prescription (10+10=20)