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V Semester 3 Year LL.B./IX Semester 5 Year B.A. LL.B./B.B.A. LL.B./B.A. LL.B. (Maj.-Min. System)/B.Com. LL.B. Examination, Sept./Oct. 2023 (June 2023)

CIVIL PROCEDURE CODE AND LIMITATION ACT

Duration : 3 Hours Max. Marks : 100

Instructions : 1. Answer Q. No. 9 and any five of the remaining.

2. Q. No. 9 carries 20 marks and the remaining questions carry 16 marks each.
3. Answers should be written either in English or Kannada completely.

Q. No. 1. Explain the different kinds of jurisdiction of the civil courts. Marks : 16

ದಿವಾನಿ ನ್ಯಾಯಾಲಯಗಳ ವಿವಿಧ ಪ್ರಕಾರದ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯನ್ನು ವಿವರಿಸಿರಿ. (6)

Q. No. 2. Briefly explain the different parts of a plaint. Marks : 16

ವಾದ ಪತ್ರದ ವಿವಿಧ ಭಾಗಗಳನ್ನು ಸಂಕ್ಷಿಪ್ತವಾಗಿ ವಿವರಿಸಿರಿ. (6)

Q. No. 3. Explain the object for which 'commission' can be appointed. Marks : 16

What are the powers of commissioners ?

'ಕಮಿಷನ್'ಗಳನ್ನು ನೇಮಕ ಮಾಡುವ ಉದ್ದೇಶಗಳನ್ನು ವಿವರಿಸಿರಿ. ಕಮಿಷನರ್‌ಗಳ ಅಧಿಕಾರಗಳು ಯಾವವು ?

Q. No. 4. Who are the parties to a suit ? Discuss joinder of parties and effect of non-joinder of parties. Marks : 16

ಒಂದು ದಾವೆಯ ಪಕ್ಷಗಾರರು ಯಾರು ? ಪಕ್ಷಗಾರರ ಸೇರ್ವಡೆ ಮತ್ತು ಸೇರ್ವಡಿಸಿರುವೆಯ ಪರಿಣಾಮಗಳನ್ನು ಚರ್ಚಿಸಿರಿ.

Q. No. 5. What is attachment ? Explain the properties which are not liable for attachment and sale in execution of a decree. Marks : 16

ಜಪ್ತಿ ಎಂದರೆನು ? ಡಿಕ್ಸೆ ಜಾರಿಯಲ್ಲಿ ಜಪ್ತಿ ಹಾಗೂ ಮಾರಾಟ ಮಾಡಲಾಗದ ಸ್ವತ್ತಗಳು ಯಾವವು ಎಂಬುದನ್ನು ವಿವರಿಸಿರಿ.



Q. No. 6. Distinguish between judgement and decree. Marks : 16

తీప్పు మత్తు డిక్టిగాలిగియవ వ్యత్యాసగళన్న తిళిసిరి.

Q. No. 7. What is legal disability ? Discuss the provisions in the Limitation Act affording protection under such disability. Marks : 16

కానూనినిధ్యాయింద అనహటే ఎందరేను ? కాలపరిమితి అధినియమదల్లి ఇంతక అనహటేగే ఇరువ రక్షణేయ ఉపభంధగళన్న చెబిసిరి.

Q. No. 8. Write short notes on **any two** of the following : Marks : $8 \times 2 = 16$

ఈ కేళగినవుగళల్లి యావుదాదరూ ఎరడక్కే కిరు టిప్పణి బరేయిరి :

(a) Stay of suits.

దాచేయ తడె.

(b) Re-view.

పునర్-అవలోకన.

(c) Affidavit.

ప్రమాణ పత్ర (తపథ పత్రగళు).

Q. No. 9. Solve **any two** of the following problems : Marks : $10 \times 2 = 20$

కేళగినవుగళల్లి యావుదాదరూ ఎరడు సమస్యగళన్న పరిషారిసిరి :

(a) 'X' has instituted a suit against his wife 'Y' in the civil court at Kalaburgi. 'Y' is residing at Kolar with her parents. She has no income of her own and therefore, she is finding it difficult to travel to Kalaburgi frequently to attend the proceedings. Advice her.

'X'ను తన్న ప్రతి 'Y'ల విరుద్ధ కలుబురగియ దివాని న్యాయాలయదల్లి దావేయాందన్న హాడిద్దానే. 'Y'లు తన్న పాలకరోందిగే హోలారదల్లి వాసిస్తుటిద్దాటే. అవాగే తన్నదే ఆద ఆదాయపిల్లు హీగాగి అవాగే పదే పదే కలుబురగిగె దావేయల్లి హాజరాగలు హోగువుదు కష్టకరవాగిదే. అవాగే సలహ నీడిరి.



(b) Prakash had sued Ashok for defamation. The suit was decided in favour of Prakash. Ashok preferred an appeal against the judgement of trial court. Prakash died during the pendency of appeal. Legal representatives of Prakash have applied for being impleaded as respondents. Decide.

ಪ್ರಕಾಶನು ಅಶೋಕನ ವಿರುದ್ಧ ಮಾನಹಾನಿಗಾಗಿ ದಾವೆಯನ್ನು ಮಾಡಿದನು. ಆ ದಾವೆಯು ಪ್ರಕಾಶನ ಪರವಾಗಿ ಇತ್ಯಾರ್ಥವಾಗಿತ್ತು. ನ್ಯಾಯಾಲಯದ ಆದೇಶದ ವಿರುದ್ಧ ಅಶೋಕನು ಮೇಲ್ಮೈಯನ್ನು ಮಾಡಿದ್ದಾನೆ. ಮೇಲ್ಮೈಯು ಇತ್ಯಾರ್ಥವಾಗುವ ಮುಂಚೆಯೇ ಪ್ರಕಾಶನು ನಿಧನ ಹೊಂದಿದ್ದಾನೆ. ಪ್ರಕಾಶನು ಕಾನೂನು ಸಮೃದ್ಧಿ ಪ್ರತಿನಿಧಿಗಳು ತಮ್ಮನ್ನು ಎದುರುಗಾರರಿಂದ ಸೇರ್ವೆಂಸ್‌ಗೆ ನೋಡಿಸಬೇಕೆಂದು ಅರ್ಜಿಯನ್ನು ಹಾಕಿದ್ದಾನೆ. ನಿರ್ಧರಿಸಿರಿ.

(c) Right to sue arises to 'X' during his minority. 'X' dies one day after attaining majority. He is succeeded by his son 'Y' who is minor. Determine the effect on the period of limitation.

'X'ನು ಅಪ್ಪಾಪ್ತಿ ವಯಸ್ಸುನಾಗಿರುವಾಗ ಆತನಿಗೆ ದಾವೆಯ ಹಕ್ಕು ಲಭಿಸುತ್ತದೆ. 'X' ಪ್ರಾಪ್ತ ವಯಸ್ಸುನಾದ ಒಂದು ದಿನದ ನಂತರ ಮರಣ ಹೊಂದುತ್ತಾನೆ. ಅವನ ಅಪ್ಪಾಪ್ತಿ ವಯಸ್ಸು ಮಗನಾದ 'Y'ನು ಆತನ ಉತ್ತರಾಧಿಕಾರಿಯಾಗುತ್ತಾನೆ. ಕಾಲಮಿತಿ ಅವಧಿಯ ಮೇಲೆನ ಪರಿಣಾಮಗಳನ್ನು ನಿರ್ಧರಿಸಿರಿ.