

Examination of Articled Clerks

Paper I

Practice and Procedure

MONDAY 11<sup>TH</sup> MAY 2015

TIME 3 HOURS (1-00PM TO 4-00PM)

(Total Marks -100 )

- Q 1. Briefly discuss any three of the following:-- 9
- a) Reference.
  - b) Review.
  - c) Revision.
  - d) Appeal from orders.
  - e) Appeals to the supreme court.
- Q2. Explain any five of the following:-- 10
- a) Pleadings generally.
  - b) Parties to suits.
  - c) Framing issues.
  - d) Notice under section 80 Code of Civil Procedure 1908.
  - e) Clause XII of the Letters Patent.
  - f) Resjudicata.
  - g) Leave under OII R2 Code of Civil Procedure 1908.
- Q3. a) Explain Notice of Motion and Chamber Summons and 8  
discuss in brief reliefs that can be sought under each of  
the said proceeding.
- b) Draft a prayer for appointment of Court Receiver. 2
  - c) Draft a prayer for temporary injunction 2
- Q4. Describe in detail the various kinds of Writs under Article 9  
226 of the Constitution of India that the High Court can  
issue.

- Q5. Explain Written statement, Set-off and Counter Claim. 8
- Or
- Explain summary procedure under the provisions of Order XXXVII of the Code of Civil Procedure 1908.
- Q6. Explain any 6 of the following:-- 12
- a) Commercial causes.
  - b) Caveat under section 148 A of the CPC 1908
  - c) Exparte decree
  - d) Suits by indigent persons
  - e) Inspection of documents referred to in pleadings or affidavits
  - f) Article 136 of the Constitution of India
  - g) Inherent powers of the court
  - h) Foreign Judgement
  - i) Place of suing
- Q7. Discuss Amendment of Pleadings. 10
- Or
- Q.7 Please discuss Interpleader Suits.
- Q8. What is originating Summons, who can apply for the issue of originating Summons and what questions can be decided on an originating summons. 14
- Q9. Write short notes on any 3 of the following:-- 6
- a) Precept
  - b) Representative suit
  - c) Powers of the court to issue commission
  - d) Interest
  - e) Compensatory Costs
- Q10. Discuss which type of contracts can be specifically enforced and which cannot be. 10
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