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TR/CLP/III/CST/JUNE/23

**DEPARTMENTAL EXAMINATION OF IAS/  
TCS GRADE-II OFFICERS, JUNE-2023**

**CIVIL LAW AND PROCEDURE**

**(Law Paper-III)**

**(With Books)**

**Full Marks – 100**

**Time – Three hours**

The figures in the margin indicate full marks  
for the questions.

- Answer Question No.1 of GROUP-A, 6 (six) questions from GROUP-B and 5 (five) questions from GROUP-C.

**GROUP-A**

- Very short answer type questions :

1. Answer the following questions :  $2 \times 10 = 20$ 
  - (a) Define "Plaintiff" as per the Limitation Act, 1963.
  - (b) Define "Court".

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- (c) Define "Gift" as per the Transfer of Property Act .
  - (d) What does "Preliminary decree" mean ?
  - (e) What is meant by "Contract guarantee" ?
  - (f) Define "Lease".
  - (g) Define "Judge" as per the Code of Civil Procedure, 1908 .
  - (h) What is "Agreement" ?
  - (i) What does "Public officer" mean as per the Code of Civil Procedure ?
  - (j) Define "Immovable property".

#### GROUP-B

Answer any 6 (six) questions (Answers should be in brief)

5×6=30

- 2. Discuss in brief the particulars that should be mentioned in a 'Written statement'. 5
- 3. Explain "Actionable claim" according to the Transfer of Property Act. 5
- 4. What does Rescission of Contract mean ? When rescission of contract may be granted ? 2+3=5



5. Write short notes on the following : 5
  - (a) Status Quo,
  - (b) Summons.
6. Discuss the essential elements of a Gift. 5
7. State the essentials of a valid tender. 5
8. State the distinction between Order and Decree. 5
9. Discuss the provisions of Limitation Act relating to 'condonation of delay'. 5

### GROUP-C

- Long answer type questions :

Answer any 5 (*five*) questions :  $10 \times 5 = 50$

10. Discuss in details the particulars that should be mentioned in a plaint. 10
11. What is a contract ? State the essentials of a valid contract. 10
12. What is meant by Constructive res judicata ? State the principles of constructive res judicata with illustrations.  $2+8=10$
13. Discuss the various types of mortgage in details. 10

14. Section 14 of the Limitation Act, 1963 permits a court to give exclusion of time for a bonafide proceeding erroneously instituted before a wrong court—Discuss. 10

15. What is meant by remand ? Discuss the relevant provisions for remanding a case by an appellate court to a trial court as laid down in the Code of Civil Procedure, 1908 . 2+8=10

16. Define Contract of guarantee . State the main features of contract of guarantee. 2+8=10