

7. Which of the following is material for deciding the jurisdiction of the Civil Court in the light of the Code of Civil Procedure, 1908 ?
(A) Averments made in the plaint (B) Averments made in the written statement
(C) Both (A) & (B) (D) Neither (A) nor (B)
8. Which of the following cannot be considered as the suit of civil nature for Section 9 of the Code of Civil Procedure, 1908 ?
(A) Suit for recovery of voluntary payments or offerings.
(B) Suit for rights of franchise.
(C) Suit for specific reliefs.
(D) Suit relating to rights of worship.
9. Which of the following provision of the Code of Civil Procedure, 1908 makes the doctrine of *res judicata* applicable in representative suit ?
(A) Section 11, Explanation V (B) Section 11, Explanation VI
(C) Section 11, Explanation VII (D) Section 11, Explanation VIII
10. In which of the following situations a court will not issue summons for personal appearance to the defendant ?
(A) If defendant reside within the local limit of the court's jurisdiction.
(B) If defendant resides with within 40 miles from the court.
(C) If defendant resides 250 miles away from the court in an area having public conveyance available.
(D) Woman to whom Section 132 of the Civil Procedure Code, 1908 does not apply.
11. In which of the following situation plaintiff is precluded from bringing a fresh suit as per the Code of Civil Procedure, 1908 ?
(A) Dismissal of suit where summons not served in consequence of plaintiff's failure to pay costs.
(B) Dismissal of suit because neither party appeared.
(C) Dismissal of suit in because plaintiff did not appear.
(D) Dismissal of suit because plaintiff did not apply for fresh summons within given time limit once it returned unserved.
12. How many times at max. may an adjournment be granted to a party during hearing of the suit as per the Code of Civil Procedure, 1908 ?
(A) Two times (B) Three times (C) Four times (D) No limit prescribed

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Michael Seilmaier



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