

Multiple Choice Questions

on

The Code of Civil Procedure, 1908

- Under the provisions of Civil Procedure Code plea of adverse possession is a defence available**
 - only to plaintiff against defendant
 - only to defendant against plaintiff
 - both plaintiff and defendant
 - only to movable property.
- The reappraisal of evidence in second appeal**
 - is subject to review
 - is permissible
 - is not permissible
 - is an admitted fact.
- Sweeping change introduced by Civil Procedure Code (Amendment) Act, 2002 is with the object to**
 - give more power to Civil Courts
 - reduce the power of Civil Courts
 - cut short delay in disposal of suit
 - make provisions stringent.
- Preliminary decree can be passed in a suit**
 - for partition
 - of partnership
 - for possession and mesne profits
 - all the above.
- Preliminary decree is one**
 - which determines the rights of the parties with regard to some or one of the matters in controversy in the suit but does not finally dispose of the suit
 - which determines the rights of the parties with regard to some or one of the matters in controversy in the suit, which may have the effect of final disposal of the suit
 - both (a) & (b)
 - neither (a) nor (b).
- A decree becomes final**
 - when it conclusively determines the rights of the parties
 - when no appeal has been preferred against the decree
 - both (a) & (b)
 - neither (a) nor (b).
- Which of the following is not a decree**
 - dismissal in default
 - rejection of a plaint
 - both (a) & (b)
 - neither (a) nor (b).
- Order has been defined as a formal expression of any decision of a civil court which is not a decree, under**
 - section 2(1) of CPC
 - section 2(14) of CPC
 - section 2(9) of CPC
 - section 2(16) of CPC.
- A decree holder has been defined as a person in whose favour a decree has been passed or an order capable of execution has been made, under**
 - section 2(3) of CPC
 - section 2(13) of CPC
 - section 2(4) of CPC
 - section 2(16) of CPC.
- A decree holder**
 - need not be a party to the suit
 - the term is not confined to plaintiff
 - both (a) & (b)
 - neither (a) nor (b).
- Foreign court under section 2(5) of CPC means**
 - a court situated outside India
 - a court situated outside India and not established under the authority of Government of India
 - a court situated in India applying foreign law
 - all the above.
- Judgment under section 2(9) means**
 - a decree
 - dismissal of an appeal summarily
 - statement of grounds of an order or decree
 - all the above.
- Legal representative under section 2(11) of CPC means a person who is a**
 - Relative of parties to the suit
 - co-sharer of the benefits assuming to the parties to the suit

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AW Rasmussen



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