

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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Clemens Wendtner



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Table of Contents Hawkins Previous Paper Solved

1. Understanding the eBook Hawkins Previous Paper Solved
 - The Rise of Digital Reading Hawkins Previous Paper Solved
 - Advantages of eBooks Over Traditional Books
2. Identifying Hawkins Previous Paper Solved
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Hawkins Previous Paper Solved
 - User-Friendly Interface
4. Exploring eBook Recommendations from Hawkins Previous Paper Solved
 - Personalized Recommendations

- Hawkins Previous Paper Solved User Reviews and Ratings
- Hawkins Previous Paper Solved and Bestseller Lists
- 5. Accessing Hawkins Previous Paper Solved Free and Paid eBooks
 - Hawkins Previous Paper Solved Public Domain eBooks
 - Hawkins Previous Paper Solved eBook Subscription Services
 - Hawkins Previous Paper Solved Budget-Friendly Options
- 6. Navigating Hawkins Previous Paper Solved eBook Formats
 - ePub, PDF, MOBI, and More
 - Hawkins Previous Paper Solved Compatibility with Devices
 - Hawkins Previous Paper Solved Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Hawkins Previous Paper Solved
 - Highlighting and Note-Taking Hawkins Previous Paper Solved
 - Interactive Elements Hawkins Previous Paper Solved
- 8. Staying Engaged with Hawkins Previous Paper Solved
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Hawkins Previous Paper Solved
- 9. Balancing eBooks and Physical Books Hawkins Previous Paper Solved
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Hawkins Previous Paper Solved
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Hawkins Previous Paper Solved
 - Setting Reading Goals Hawkins Previous Paper Solved
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Hawkins Previous Paper Solved
 - Fact-Checking eBook Content of Hawkins Previous Paper Solved

- Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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