

**International Islamic University Chittagong**  
**Department of Law**

Final Examination (Online) Autumn, 2019

Semester: 7<sup>th</sup>

Course Code: Law-4707

Course Title: The Code of Civil Procedure-I

Total Marks: 40

Time: 24 Hours maximum

Answer the following questions. Figures in the right hand margin indicate marks. Mention relevant provisions of law where it is necessary. Answers should be in brief.

- 1
  - a. Mr. "X" lives in Chattogram metropolitan area and Mr. "Y" lives in Noakhali. "X" wants to file a suit against "Y" for the recovery of possession of a property situated in Sitakunda. Suppose you are a lawyer. Advise Mr. "X" where he can file the suit. 5
  - b. A suit is pending between Mr. "X" and Mr. "Y" and the suit is at stage of framing issues. Now Mr. "X" wants to transfer the suit to another court. Suppose you are a lawyer of Mr. "X". Advise him whether it is possible to transfer the suit? 5
  - c. Learned Joint District Judge Court-3, Chattogram awarded a decree in favor of Mr. "X" and against Mr. "Y". Whether the decree can be transferred to another court for the execution of the decree? 5
  - d. Mr. 'A' filed a suit against Mr. B, C, D and E. In this suit Mr. 'A' due to *bona fide* mistake wrongly included Mr. 'C' as defendant and did not include Mr. 'F'. Explain the consequences of the suit. 5
- 2
  - a. Mr. 'A' filed a suit against Mr. 'B' and the suit is at stage of final hearing. Mr. 'A' finds out that he has made a mistake in his pleading. Now he wants to amend his pleading. Is it possible? Explain. 5
  - b. Mr. "X" has only 1 acre of land other than his necessary wearing apparel. Mr. 'Y' wrongfully possessed the property. Whether Mr. 'X' can file a suit against Mr. 'Y' as a pauper? If so, what should contain in the plaint? 5
- 3 Mr. 'X' filed a suit against Mr. 'Y' who is out of reach of. Suppose you are a lawyer of Mr. 'X'. How service of summons can be made? Explain. 10