

International Islamic University Chittagong

Department of Law

Final Term Examination, Autumn 2023

Program: LL.B. (Hons), Semester: 6th

Course Code: Law 3204,

Course Title: Law of Specific Relief, Limitation, Registration, Public Demand Recovery

Time: 2 Hours 30 Minutes

Total Marks: 50

Answer the following questions. Start answering each question from a fresh sheet.

1. (a) Define Condonation of Delay and Prescription . (3)
(b) The last date of filing of a civil suit was 10/12/2022 But due to death of the mother of the plaintiff, the suit could not be filed on that day. 11/12/2022 was public holiday and on 12/12/2020 the Judge concerned was on leave. Is the benefit of section 5 of The Limitation Act,1908 available in case of filing the suit? Justify your answer with reason. (3)
(c) A Right to sue to enforce rights of pre-emption of Aziz arises during the period of his insanity. Aziz dies before becoming Sane and His right to sue devolves to his minor son Bappy. When will the period of limitation against Bappy begin? Justify your answer with proper reference. (4)
2. (a) Arif owns the surface of a field. Nayan owns the subsoil. Nayan digs coal thereout without causing any immediate apparent injury to the surface, but at last the surface subsides. Illustrate the time from When The Period of Limitation in case of suit by Arif against Nayan shall run. (4)
(b) Jamil owned a land by inheritance. He was dispossessed by Sadek. After that, Sadek Remained in the Possession of that land. During That period, Jamil died by leaving his successor Minhaz. After 17 years, Minhaz attained Majority. But within that time Sadek enjoyed the land freely and publicly for a total of 25 years. Will Sadek be entitled to that Property under the principle of Adverse Possession? Answer the Fact with Reason and Provisions. (6)
3. (a) Define Public Demands and Certificate. (3)
(b) " Proper Serving of Notice plays an important role in execution of certificate under The Public Demands Recovery Act, 1913."-- Analyze this statement by mentioning provisions regarding service of notice and legal effects of it. (7)

4. (a) "Not all properties can be attached for execution of certificate."-- Is it true? Justify your answer. (4)
- (b) An immovable property has been sold in execution of certificate. Certificate Debtor of that proceedings wants to get back his property. Suppose, You are a lawyer of that certificate debtor. Advice him about remedies available to him. (4)
- (c) Explain the provision of Review under The Public Demands Recovery Act, 1913. (2)
5. (a) "Registration of all documents are not required. Registration of some are compulsory and some are optional."-- Is it true? Justify your answer with legal provisions. (8)
- (b) Mention the limitation period for registration of will. (2)

Or,

- (a) From Legal perspective Registration is an important part. But Registration fees are not same for all types of documents. Analyze this statement by mentioning provisions regarding Registration Fee for Contract for sale, Instruments of Heba, Gift, Mortgage, Partition. (8)
- (b) Explain the provision regarding documents which are executed out of Bangladesh. (2)