

International Islamic University Chittagong
Department of Law

Final Examination (Online) Spring, 2020
Semester: 7th

Course Code: Law-4707

Course Title: The Code of Civil Procedure-I

Total Marks: 30

Time: 5 Hours maximum

Instructions: The exam is online based due to pandemic, bearing 50 marks in total. Figures in the margin indicate the marks for each. 20 marks are allotted for virtual viva-voce. Start answering each of the following topics from fresh sheet mentioning your ID and signature by different color at the top of your script on each page. Include page number at the bottom sequentially, and submit the visible images/pdf of your copies to (manjuiiucaw3@gmail.com) along with the attachment of your admit card at the beginning of the script, via Email / Google classroom as per instruction on the fixed date within 5hs. Preserve original Hard Copy of the Script that must be delivered to the Department as per instruction later. Avoid plagiarism & follow the online communication etiquettes and use your own e mail account in communication.

Solve the following problems referring the relevant provisions of law:

- 1 a. Karim carries on business in Dhaka. Rahim carries on business in Sylhet. Rahim, by his agent in Dhaka, buys goods of Karim and requests Karim to deliver the goods to the Bangladesh Biman at Hazrat Shahjalal International Airport. Karim delivers the goods accordingly. Now Karim wants to file a suit against Rahim for the price of the goods. Advise Karim where he can file the suit. 5
- b. 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. 'X' filed a suit against Mr. 'Y' where he (Mr. 'X') united three causes of action. Mr. 'Y' raised objection on the ground of misjoinder of causes of action after the settlement of the issues of the suit. Explain the consequences of the objection of Mr. 'Y'. 5
- b. Mrs. Sanjida Islam lets a shop to Mr. Shorifur Rahman at monthly rent of TK. 15000/= . The rent for the month from January 2019 to June 2020 is due and unpaid. Mrs. Sanjida Islam relinquishing rent for two months sues against Mr. Shofiqur Rahman for the rent of rest months and the suit is dissolved. Afterwards Mrs. Sanjida Islam wants to file a suit for the rent of two months which she has relinquished. Explain the result of the later suit of Mrs. Sanjida Islam. 5
- 3 a. 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. 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