

LAHORE HIGH COURT, LAHORE
THE 6th DEPARTMENTAL EXAMINATION OF
ADDITIONAL DISTRICT & SESSIONS JUDGES 2020
PAPER- (CIVIL LAW-II)

Time allowed: (Three Hours)

Total Marks: 100
Pass Marks: 55%

Attempt any five questions. All questions carry equal marks.

1. (a): Muhammad Aslam filed a suit for declaration and possession with respect to a specific property in the year 2000 against Bashir which was vehemently contested. Ashiq Hussain was the only legal heir of Bashir (defendant) who also appeared in witness box to testify in favour of Bashir. The suit was finally decreed in favour of Muhammad Aslam in the year 2003. Bashir died in the year 2007 survived by Ashiq Hussain. Subsequently, in the year 2009, Ashiq Hussain filed an application u/s 12 (2) CPC contending that suit property decreed in favour of Muhammad Aslam was sold by Bashir to him through an agreement to sell dated 2001 and he is the sole owner in possession of the suit property which was decreed in favour of the Muhammad Aslam in the year 2003 and sought the setting-aside of the decree passed in favour of the Muhammad Aslam in year 2003 merely on the basis of the agreement to sell executed in his favour by Bashir in year 2001. What is the fate of the application u/s 12 (2) CPC?

(b). Can a party, who has failed to file an appeal against a judgment and decree, subsequently, be allowed to object the same decree, in other's appeal? If so, under what circumstances and under what provisions of law.

2. (a) Who may appeal as an indigent person and what is the procedure of such an appeal? Discuss with relevant provision of Civil Procedure Code 1908.

(b) Discuss in detail "Power of Remand of Appellate Court" with relevant provision of law.

3. (a) " General rule of evidence is that the evidence to prove a fact must be direct and hearsay facts are not admissible in evidence". What are the exceptions to this general rule? Describe with relevant provisions of law.

(b) What is doctrine of Estoppel? Differentiate doctrine of Estoppel and principle of Res-judicata?

4. Describe the proof of a document through primary evidence. Under what circumstances primary evidence may be dispense with? Discuss with relevant provisions of Qanun e Shahadat Order 1984.

5. (a) Who may present a document for Registration. What are prerequisites of registration of a document.? Can a person presenting a document enforce the appearance of executants? Under what circumstances appearance of executants is exempted?

(b) What is the effect of registration and non-registration of a document?

6. (a) What are the general rules of Interpretation of Statute?
(b) What are the effects of repeal as described in General Clauses Act 1897.
7. Write note on the following topics:-
- i. Power to make up deficiency of court fee.
 - ii. Effect of non-payment of deficit court fee.
 - iii. Equitable set off.
 - iv. Mis-Joinder and Non-Joinder of parties.
 - v. Time of operation of document.
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LAHORE HIGH COURT, LAHORE

**THE 7th DEPARTMENTAL EXAMINATION OF
ADDITIONAL DISTRICT & SESSIONS JUDGES**

PAPER- (CIVIL LAW-II)

Time allowed: (Three Hours)

Total Marks: 100

Pass Marks: 55%

Attempt any five questions. All questions carry equal (20) marks.

1. (a) Plaintiff is precluded or barred to institute a subsequent suit? Discuss with relevant provisions of law.
(b) Describe and differentiate principles of Res-Subjudice, Res-judicata and Res-geta.
2. (a) What are the provisions related to "Revision" in CPC. Describe qualifications and scope of "Revision". Explain difference between Review and revision?
(b) Whether an order of rejection of review petition is appealable?
3. (a) "The Judge may put, in order to discover or to obtain proper proof of relevant facts, any question he pleases, in any form and at any time, of any witness." Comment in the light of relevant provision of Qanun-e-Shahadat Order 1984.
(b) Describe the use of technology in judicial proceedings with reference to provisions of Qanun-e-Shahadat Order 1984.
4. (a) What are "Mandatory" and "Directory" provisions in Statute? Explain.
(b) What are the effects of repeal as described in General Clauses Act 1897.
5. (a) What documents require compulsory registration and what is the effect of non-registration of a document? Discuss with relevant provisions of The Registration Act 1908.
(b) What is the time of operation of document?
6. (a) Explain all aspects of section 7(iv)(c) of The Court Fee Act 1870.
(b) Describe the effect of non-payment of deficit court fee with provisions of The Court Fee Act 1870.
7. Write note on the following topics:-
 - i. Alternate Dispute Resolution.
 - ii. Issues of Law and issue of fact
 - iii. Subsequent proceedings
 - iv. Attachment before judgment
 - v. Production of documentary evidence

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LAHORE HIGH COURT, LAHORE
THE 8th DEPARTMENTAL EXAMINATION OF
ADDITIONAL DISTRICT AND SESSIONS JUDGES

CIVIL LAW-II (PAPER-IV)

Time Allowed: (Three Hours)
Total Marks: 100

Attempt FIVE questions. All questions carry equal marks.

- Q. No.1. What are the questions which can be raised before the executing Court?
Discuss it with reference to object, scope and extent of Section 47 of CPC.
- Q. No.2. What is the scope of "Review" and what are the essentials which are pre-requisites for entertaining a review petition in view of Order 47 of CPC?
- Q. No.3. How execution of a document which is required to be attested, but its execution is denied by the other party, can be proved? Discuss in detail keeping in view Articles 79 to 81 of Qanoon-e-Shahadat Order, 1984.
- Q. No.4. What are the effects of the non-production of material evidence?
Elaborate it in the light of relevant provision of Qanoon-e-Shahadat Order, 1984.
- Q. No.5. Can the registration of a document which requires compulsory registration, be refused by the Registrar? If so, under what circumstances? Also explain the remedy available to the aggrieved person.
- Q. No.6. Write short notes, with reference to the General Clauses Act, 1897, on the following:
- i. Non-speaking Order, its characteristics and effects.
 - ii. Powers to review its own order by the competent authority.

Q. No.7. Which are the documents which are exempted from affixation of Court Fee?

Q. No.8. What modes are available under the relevant law to record the evidence through Audio-Video Link? Whether it is a safe method for recording the evidence through Audio-Video Link and now a day's how crucial is the audio, video evidence in adjudication process? What are the modes available under the relevant statutory provisions to place, present and to prove the contents of an audio, video evidence? Can, in any situation, the mode of proving the audio, video evidence presented before the court dispensed with?

Q. No.9. Discuss the nature, purpose and extent of inherent powers of a court under section 151 CPC.

LAHORE HIGH COURT LAHORE

9th DEPARTMENTAL EXAMINATION OF ADDITIONAL DISTRICT AND SESSIONS JUDGES 2022

(PAPER-4)

CIVIL LAW-II (PROCEDURAL)

Total Marks: 100

Time Allowed 3 Hours

Attempt five (5) questions.

All questions carry equal marks.

- Q. No. 1. Who has powers to add, amend, vary and rescind the rules, orders & bye-laws according to Punjab General Clauses Act, 1956?
- Q. No. 2. Which documents are exempted from affixation of the Court fee?
- Q. No. 3. What is the scope of "Review" and what are the essentials which are prerequisites for entertaining a review petition in view of Order 47 of CPC?
- Q. No. 4. What are modes of execution in money decree? Whether executing court can entertain objections against the money decree? If so, under what provision of law and in what manner?
- Q. No. 5. Discuss Res-subjudice & Res-judicata with the relevant provision of law.
- Q. No. 6. Define the term "competent witness"? Under what circumstances does a minor can be a competent witness? Describe enabling Articles.
- Q. No. 7. What are the effects of the non-production of material evidence? Elaborate it in the light of the relevant provision of the Qanoon-e-Shahadat Order, 1984.

LAHORE HIGH COURT LAHORE

10TH DEPARTMENTAL EXAMINATION OF ADDITIONAL
DISTRICT AND SESSIONS JUDGES 2023

(PAPER -4)

CIVIL LAW – II (PROCEDURAL)

TOTAL Marks: 100
Hours

Time Allowed 3

Attempt five (5) questions
equal

All questions carry

Marks

Q:1 What procedure is laid down where the defendant is called upon to furnish security for appearance?

Q:2 Define “review” and “revision”. It’s scope

Whether there is any distinction in exercise of powers by the High Court and the first appellate (District court) while entertaining a revision.

Q:3 What procedure is required regarding application for injunctions and other

miscellaneous applications and issues with reference to section 141 CPC ?

Q:4 Whether the appellate court may order for refund of court fee paid on memorandum of appeal. What procedure is laid down .Discuss with relevant law and rules.

Q:5 a) Document compulsorily registerable, if not registered what will be the effect of that.

b) Whether a will is compulsorily registerable.

Q:6 Define secondary evidence with the reference of "Qanoon-e-shahadat 1984".

When it can be allowed by the court.

Q:7 a) Define Public documents. Whether such document are per-see admissible.

b) Under what provision of law the certified copies of public documents are admissible in evidence.

Q:8 Write note on the following topics:

- a) Alternate dispute resolution**
- b) Res-judicata**
- c) Public nuisance**
- d) Power of remand by the appellate court**
- e) Whether a decree can be reversed or substantially varied, remanded in appeal on account of any misjoinder of parties or causes of actions or any error, defect or irregularity in any proceedings in the suits, not affecting the merits of the case or the jurisdiction of the court.**

12TH Departmental Examination For
Additional & Sessions Judges

Total Marks: 100

Provided Time: 3 hours

Attempt any five questions, each carrying equal marks.

Q1. While keeping in mind, Section 107 & Order XLI Rule 33 CPC, summarise the scope of powers available to the Appellate Court.

Q2. What are the parameters to allow a party to examine additional evidence at appellate stage. Whether such permission can also be allowed to either of the parties while exercising revisional jurisdiction.

Q3. In what circumstances, the Appellate Court may demand a suit and in what situations the said forum may proceed further to decide the lis at its own level.

Q4. Explain the procedure to proceed with a suit based upon negotiable instrument.

Q5. Specify the orders against which an appeal lies under the provisions of Section 104 CPC.

2.

DATE

Q6. While referring relevant provisions of Qanun-e-Shahadat Ordinance 1984, explain the modes to prove the contents and execution of a disputed document.

Q7. What are the effects of repeal as mentioned in the General Clauses Act, 1897?

Q8. Mention the documents, which are compulsorily registrable. Also explain the consequences and effect if such document is not registered.