BLOGS

Important Questions on Limitation Act for CLAT PG

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Practice these important Questions on the Limitation Act for CLAT PG and gauge your preparation for the upcoming CLAT examination today!

QUESTIONS

1. Under the Limitation Act, the period of limitation for a suit by a mortgagor to redeem or recover possession of immovable property is:

A) 12 years
B) 30 years
C) 3 years
D) 60 years

Correct Answer: B) 30 years

Explanation: According to Article 61(a) of the Schedule to the Limitation Act, 1963, a suit by a mortgagor to redeem or recover possession of immovable property has a limitation period of 30 years from the date when the right to redeem or recover accrues.

2. In computing the period of limitation for a suit, an acknowledgment under Section 18 must be made:

A) Before the expiry of the limitation period
B) Within 12 years from the date of accrual of cause of action
C) Within 3 years from the date of the first default
D) Before the institution of the suit, irrespective of limitation expiry

Correct Answer: A) Before the expiry of the limitation period

Explanation: Section 18 of the Limitation Act provides that an acknowledgment of liability in writing, signed by the party against whom the right is claimed, before the expiry of the limitation

period, results in a fresh start of limitation from the date of acknowledgment.

3. The limitation period for a suit for compensation for malicious prosecution begins from:

A) The date of arrest
B) The date of filing the charge sheet
C) The date when the plaintiff is acquitted
D) The date when the suit is filed

Correct Answer: C) The date when the plaintiff is acquitted

Explanation: Under Article 74 of the Limitation Act, the limitation period for filing a suit for compensation for malicious prosecution is one year from the date when the plaintiff is acquitted or when the prosecution is otherwise terminated in his favor.

4. The period of limitation for filing an appeal under the Code of Civil Procedure, 1908, to the High Court is:

A) 30 days
B) 60 days
C) 90 days
D) 45 days

Correct Answer: B) 60 days

Explanation: As per Article 116(a) of the Limitation Act, the period for filing an appeal to the High Court under the CPC is 60 days from the date of the decree or order appealed from.

5. The doctrine of sufficient cause under Section 5 of the Limitation Act applies to:

A) All suits, appeals, and applications
B) Appeals and certain applications but not suits
C) Only civil suits
D) Writ petitions before the Supreme Court

Correct Answer: B) Appeals and certain applications but not suits

Explanation: Section 5 of the Limitation Act allows the court to condone the delay in filing appeals and applications if the applicant proves sufficient cause. However, it does not apply to

suits, which must be filed strictly within the prescribed limitation period.

6. The period of limitation for setting aside an ex-parte decree is:

A) 30 days
B) 60 days
C) 90 days
D) 1 year

Correct Answer: A) 30 days

Explanation: Under Article 123 of the Limitation Act, the limitation period for filing an application to set aside an ex-parte decree is 30 days from the date of the decree or when the applicant first becomes aware of it.

7. In computing the limitation period, time taken for obtaining a certified copy of the decree or order under Section 12(2) is:

A) Deducted from the total limitation period
B) Considered only if the delay is justified
C) Counted as part of the limitation period
D) Deducted only in criminal matters

Correct Answer: A) Deducted from the total limitation period

Explanation: Section 12(2) of the Limitation Act states that the time required for obtaining a certified copy of a decree, order, or judgment shall be excluded while computing the period of limitation for an appeal or revision.

8. The period of limitation for execution of a decree granting a mandatory injunction is:

A) 12 years
B) 3 years
C) 6 years
D) 30 years

Correct Answer: B) 3 years

Explanation: As per Article 135 of the Limitation Act, the limitation period for execution of a decree granting a mandatory injunction is 3 years from the date of the decree or order.

9. The principle of “contra non valentem agere nulla currit praescriptio” in the Limitation Act means:

A) The limitation period runs from the date of knowledge of the injury
B) Limitation does not run against a person unable to act
C) Limitation applies strictly to all cases without exception
D) Delay can be condoned if it does not exceed half the limitation period

Correct Answer: B) Limitation does not run against a person unable to act

Explanation: The Latin maxim “contra non valentem agere nulla currit praescriptio” means limitation does not run against a person who is unable to act due to legal disability, fraud, or force.

10. Under Section 27 of the Limitation Act, if a suit for possession of immovable property is barred by limitation, then:

A) The title of the owner is extinguished
B) The owner can still claim compensation
C) The owner can seek relief under Article 226
D) The owner may file for declaratory relief

Correct Answer: A) The title of the owner is extinguished

Explanation: Section 27 of the Limitation Act states that when the limitation period for a suit to recover possession of immovable property expires, the owner’s title itself is extinguished, meaning he loses his ownership rights.

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