

IL – 409: Civil Procedure Code

UNIT – I

- a. Civil Procedure Code Introduction;
- b. Distinction between procedural law and substantive law-
- c. History of the code, extent and its application, definition;
- d. Suits: Jurisdiction of the civil courts-
- e. Kinds of jurisdiction-Bar on suits- Suits of civil nature (Sec.9);
- f. Doctrine of *Res sub judice* and *Res judicata* (Sec. 10, 11 and 12);
- g. Foreign Judgment (Sec. 13, 14);
- h. Place of Suits (Ss. 15 to 20);
- i. Transfer of Cases (Ss. 22 to 25).

UNIT–II

- a. Institution of suits and summons: (Sec. 26 and Sec. 27, 28, 31)
- b. Interest and Costs (Sec. 34, 35, 35A, B);
- c. Pleading: Fundamental rules of pleadings- Complaint and Written Statement Return and rejection of complaint-
- d. Defenses- Set off- Counter claim;
- e. Parties to the suit : Joinder, misjoinder and non-joinder of parties-
- f. Misjoinder of causes of action- Multifariousness.

UNIT–III

- a. Appearance and examination of parties -
- b. Discovery, inspection and production of documents -
- c. First hearing and framing of issues - Admission and affidavit -
- d. Adjournment - Death, marriage-Insolvency of the parties -
- e. Withdrawal and compromise of suits -
- f. Judgment and Decree ; Execution (Sec. 30 to 74,):
- g. General principles of execution Power of executing court- Transfer of decrees for execution Mode of execution-
- h. Arrest and detention, Attachment,
- i. Sale. Suits in particular cases; Suits by or against Governments (Sec. 79 to 82);
- j. Suits by aliens and by or against foreign rulers, ambassadors (Sec. 85 to 87);
- k. Suits relating to public matters (Sec. 91 to 93);
- l. Suits by or against firms ; Suits by or against minors and unsound persons ; Suits by indigent persons ; Inter-pleader suits (Sec. 88);
- m. Interim Orders; Commissions (Sec. 75);
- n. Arrest before judgment and attachments before judgment ;
- o. Temporary injunctions ;
- p. Appointment of receivers; Appeals (Ss. 90 to 109,, 42, 43, 45); Reference-Review and Revision (Ss. 113, 114, 115, O.46, O.46); Caveat (Sec. 144.A)-Inherent powers of the court (Ss. 148, 149, 151).

UNIT-IV

- a. Limitation Act.

Suggested Readings

1. Mulla - Civil Procedure Code. Now Butterworth's
2. Sanjiwa Rao - Civil Procedure Code.
3. Karnataka Civil Rules of Practice – Bare Act.
4. Reference Books: P. M. Bakshi - Civil Procedure Code.
5. C. K. Takwani - Civil Procedure Code.