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| COURSE TITLE | CIVIL PROCEDURE CODE & LIMITATION ACT |
| COURSE CODE | 10FL1604 |
| COURSE CREDITS | 4 |

Objective:

- 1 To study in detail the procedure for redressal of civil rights.
- 2 To study the nature and significance of pleadings and practical aspects relating to suits of civil nature.
- 3 To understand the execution proceeding of suits of civil nature.
- 4 To study the applicability and relevance of law of limitation as applicable to civil proceedings.

Course Outcomes: After completion of this course, student will be able to:

- 1 Understand the detailed procedure for redressal of civil rights, including the process of filing a civil suit, evidence taking, trial proceedings, and execution of decrees.
- 2 Identify the parties involved in civil suits, understand the rules and requirements related to plaint and written statement, and distinguish between different legal remedies such as appeals, review, reference, and revision.
- 3 Apply knowledge of civil procedure to analyze legal scenarios and determine appropriate actions and legal remedies.
- 4 Analyze complex civil cases to identify key legal issues, evaluate evidence, and formulate effective legal strategies.
- 5 Comprehensive understanding of procedural rules, case law, and legal principles to develop comprehensive legal strategies for representing clients in civil litigation.

Pre-requisite of course:N/A

Teaching and Examination Scheme

| Theory Hours | Tutorial Hours | Practical Hours | ESE | IA | CSE | Viva | Term Work |
|---------------------|-----------------------|------------------------|------------|-----------|------------|-------------|------------------|
| 3 | 1 | 0 | 50 | 30 | 20 | 0 | 0 |

| Contents : Unit | Topics | Contact Hours |
|------------------------|---|----------------------|
| 1 | Introduction Definitions & Concepts of civil procedure code, Distinction between decree, judgment and order, Suit of civil nature- scope and limitations, Res sub-judice and Res-judicata, Place of suing (Jurisdiction), Foreign Judgments, Transfer of Suit | 4 |
| 2 | Parties of suits, Institution and Trial of suit Parties to the suit, Joinder, mis- joinder or non-Joinder of parties & suit, Representative suit • Institution of suit: Importance of cause of action, Summons and modes of service of summons | 4 |

| Contents : Unit | Topics | Contact Hours |
|------------------------|---|----------------------|
| 3 | Pleading Rules of pleading, signing and verification., Plaint: Rules and particulars, Admission of plaint, return and rejection of plaint, Written statement: particulars, rules of evidence, Set-off and counter-claim, Discovery & inspection and production of documents, Interrogatories, Privileged documents, Affidavits | 6 |
| 4 | Appearance, Examination and Trial Appearance and non-appearance of parties, Ex-parte procedure, Summons and attendance of witnesses, Framing of Issues, Settlement of issues at First hearing, Settlement of disputes outside the Court (Alternate Dispute Resolution Mechanism), Trial, Adjournments, Interim orders: Commission, arrest or attachment before judgement, injunction and appointment of receiver, Interest and costs, Judgment & Decree | 6 |
| 5 | Execution Meaning of Execution, General principles, Power for execution of decrees, , Procedure for execution, Enforcement, arrest and detection, Attachment, Sale, Delivery of property, Garnishee Order, Stay of execution | 7 |
| 6 | Suits, Appeals, Review, Revision and Reference First Appeal, Second Appeal, Appeal from Order, Powers of Appellate Court, Review, Reference, Revision, Caveat, Inherent Power of the Court | 6 |
| 7 | Suits in particular cases By or against government, By aliens and by or against foreign rulers or ambassadors, Public nuisance, , Suits by or against a minor and person of unsound mind., Mortgages, Interpleader suits, Suits relating to public charities, Summary Suit, Temporary Injunction, Salient features of Commercial Courts Act | 6 |
| 8 | Limitation Act Introduction to Limitation Laws, Definitions, Limitation of Suits, Appeals, and Applications, Computation of Period of Limitation, Acquisition of Ownership by Possession, Extinguishment of right to property | 6 |
| Total Hours | | 45 |

Suggested List of Experiments:

| Contents : Unit | Topics | Contact Hours |
|------------------------|---|----------------------|
| 1 | Issues related to Civil Procedure Code and Limitation Act Issues related to Civil Procedure Code and Limitation Act | 15 |
| Total Hours | | 15 |

Textbook :

- 1 Civil Procedure Code, C.K. Takwani, Eastern Book Company, 2021

References:

- 1 Sarkar's Code of Civil Procedure, Sarkar's Code of Civil Procedure, Sarkar, Sudipto & Manohar, LexisNexis India, 20

Suggested Theory Distribution:

The suggested theory distribution as per Bloom's taxonomy is as follows. This distribution serves as guidelines for teachers and students to achieve effective teaching-learning process

| Distribution of Theory for course delivery | | | | | |
|--|------------|-------|---------|----------|----------------------------------|
| Remember / Knowledge | Understand | Apply | Analyze | Evaluate | Higher order Thinking / Creative |
| 10.00 | 10.00 | 30.00 | 10.00 | 20.00 | 20.00 |

Supplementary Resources:

- 1 https://www.indiacode.nic.in/bitstream/123456789/13813/1/the_code_of_civil_procedure%2C_1908.pdf
- 2 <https://www.legalbites.in> › library-code-of-civil-procedure
- 3 <https://www.bareactslive.com> › ACA
- 4 <https://www.sconline.com/>