

NIRMA UNIVERSITY
Institute of Law
B.A.,LL.B (Hons.) and B.Com., LL.B (Hons.) Programmes
Academic Year 2020-2021
Semester VI

L	T	P	C
3		1	4

Course Code:	2BL645
Course Title:	Civil Procedure Code and Limitation Act II

Course Learning Outcomes (CLO):

At the end of the course, students will be able to –

1. Evaluate, Appraise and criticise the orders and judgments of trial and appellate courts.
2. Formulate Substantial question of law for second appeal.
3. Propose and select suitable mode for execution of decrees and orders of court.
4. Identify and employ special measures for specific suits.
5. Appraise and practise commercial courts law.
6. Evaluate and estimate the period of limitation applicable to appeals and applications.

Syllabus:

Teaching hours: 60

Unit. I Appeals, Review, Revision and Reference

10 hours

- Review, Revision, Reference
- Appeals from original decrees
- Appeals from appellate decrees
- Appeal to Supreme Court.
- Appeal from orders

Unit. II Execution

15 hours

- Courts executing Decree
- Application for Execution
- Stay of Execution
- Modes of execution
- Arrest and detention in civil prison
- Attachment of Property
- Sale of moveable and immovable property
- Delivery of Property
- Restitution

Unit. III Specific Suits

15 hours

- Suit by or against the Government or public Officers
- Suits by or against trustees, executors and administrators
- Suits relating to matter concerning the family



- Suits relating to Mortgages of immovable property
- Interpleader suits
- Summary procedure

Unit. IV The Commercial Courts Act, 2015

10 hours

- Constitution of Commercial courts, Commercial Appellate courts
- Constitution of Commercial Appellate Division of High Court
- Jurisdiction and working of Commercial court
- Recent Amendments to Commercial Courts
- Amendments to the code of Civil Procedure and its application.

Unit. V Limitation Act, 1963

10 hours

- Bar of suit.
- Condonation of delay.
- Legal disability
- Computation of period of limitation.
- Extinguishment of rights.

Suggested Reading[^]:

1. Takwani, C. K. (2013). *Civil Procedure with Limitation Act*(17th edn.). Lucknow: Eastern Book Company.
2. Mulla, (2017). *The Code of Civil Procedure* (19th edn.). Lexis Nexis
3. Jain, M.P. *The Code of Civil Procedure* (4th edn.). Lexis Nexis
4. Basu, P. (2009). *Commentary on Limitation Act, 1963* (8th edn). Delhi: Delhi Law House.

L=Lecture, T=Tutorial, P=Practical, C=Credit

[^] this is not an exhaustive list