

NIRMA UNIVERSITY

Institute:	Institute of Law
Name of Programme:	B.A.,LL.B (Hons.), B.Com.,LL.B(Hons.)
Course Code:	3LW102CC27
Course Title:	Civil Procedure Code and Limitation Act I
Course Type:	Core
Year of Introduction	2020 (for B.A.,LL.B. (Hons.) and B.Com.,LL.B. (Hons.)); 2027 (for B.B.A.,LL.B (Hons.))

Course Learning Outcomes (CLO):

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

1. Judge the scheme adopted by code of civil procedure to adjudicate dispute. (BL-5)
2. Identify and inspect the jurisdiction of civil courts (BL-3)
3. Develop the draft pleadings. (BL-6)
4. Evaluate and estimate suit valuation, court fees and stamp duty. (BL-5)
5. Examine and manage first hearing stages of suit. (BL-4)
6. Examine and question the interlocutory jurisdiction of civil court. (BL-4)
7. Assess, appraise and argue facts, evidence and law at trial stage of civil litigation. (BL-5)

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Content:

Teaching hours: 60

Unit. I Introduction to Civil Courts and Civil Litigation.

5 hours

- Introduction to Adversarial and Inquisitorial system of adjudication
- Introduction to the Code of Civil Procedure, 1908 and its scheme.
- Hierarchy of Civil Courts
- The Gujarat Civil Courts Act, 2005
 - Establishment and Constitution of Civil Courts
- Jurisdiction of Civil Courts, etc.,

Unit. II Jurisdiction of Civil Court

8 hours

- Jurisdiction of Civil Court
- Res Judicata,
- Stay of Suit,
- Bar of Suit
- Foreign Judgment.
- Place of Suing.

Unit. III Suit and Pleadings

12 hours

- General and Specific rules of drafting of pleadings.
- Frame of suit
- Parties to the Suit, Death, Marriage and Insolvency of parties.
- Institution, Withdrawal and Adjustment of Suit.
- Transfer of Cases
- Issue and Service of Summons to defendant
- Caveat
- Inherent Powers of the court



Unit. IV	Suit valuation, Court Fees and Indian Stamps (Stamp Act)	8 hours
	• Court Fees Act, 1870 - Introduction • Gujarat Court-Fees Act, 2004 Introduction, Computation of fees, Process fees, Modes of levying of fees • Indian Stamp Act 1899 • Stamp Duties and Valuation • Duty by whom payable • Instruments – admissibility of unstamped and improperly stamped instruments • Penalty for executing unstamped instruments, etc.,	
Unit. V	First Hearing, Framing of Issues	6 hours
	• Appearance and consequences of non-appearance. • Examination of parties by the court • Interrogatories, Admission, Production, impounding and return of documents • Settlement of Issues and Determination of Suit • Disposal of the suit at the First Hearing.	
Unit. VI	Interlocutory Orders	5 hours
	• Temporary Injunctions and Interlocutory Orders • Appointment of Commission, • Appointment of Receiver • Payment into Court • Security for cost • Arrest and attachment before judgment	
Unit. VII	Trial and Judgment	16 hours
	• Summoning and Attendance of witnesses • Adjournments • Hearing of the suit and Examination of Witness • Affidavits • Judgment • Decree	