



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY,  
SHIMLA

SEMESTER-VI

B.A./B.B.A. LL.B.

PAPER CODE: LB 603

COURSE TITLE: Code of Civil Procedure & Limitation Act

CREDITS-04

Module-1

**Introduction: Suits in General; Jurisdiction of Courts; Principle of *Res subjudice* and *Res judicata* [Ss. 2 to 14]&Order II, Rules 1 and 2]**

- 1.1 Definitions – Decree, Foreign Court, Judge, Judgment, Legal Representative, Mesne Profits, Order,
- 1.2 Suits of Civil Nature
- 1.3 Place of Suing; Foreign Judgement
- 1.4 Stay of Suit; Res judicata;
- 1.5 Bar to further Suit

Module-2

**Suits in Particular Parties; Pleadings & Appearances; Summary procedure & Interlocutory Orders**

**[Ss. 79-89] Order I, Rules 1, 2 and 3;Order VI , Rule 17;Order VII, Rule 11;Order IX, Rules 6, 7 and 13;Order XXXVII, Rules 1 to 4;Order XXXIX, Rules 1 to5]**

- 1.1 Parties to Suits ; Amendment of Pleadings ; Rejection of Plaint;
- 1.2 Appearance of Parties and Consequences of Non-appearance; Summary Procedure; Temporary Injunctions and Interlocutory Orders
- 1.3 Suits by or Against Government
- 1.4 Interpleader Suits
- 1.5 Settlement of disputes outside the Court

Module-3

**Appeals; Reference, Revision & Review; Inherent Powers of Court [Ss. 96,100, 107(d) 113-115, Order XLI, Rule 27,Order XLVII.**

- 1.1 Appeals from Orders and Decrees,
- 1.2 Second Appeal and Power of Appellate Court
- 1.3 Reference
- 1.4 Revision
- 1.5 Review

Module-4

**Limitation of Suits, Appeals and Applications; Computation of Limitation [Ss. 3-5, Ss 12-24]**

- 1.1 Effect of expiry of limitation – dismissal of suit, appeal, application
- 1.2 Extension of limitation

- 1.4 Effect of fraud or mistake; Effect of acknowledgment; Effect of payment;
- 1.5 Effect of substituting or adding new plaintiff or defendant

**Prescribed Legislations:**

- 1) Code of Civil Procedure, 1908 (Amendment) Act, 22 of 2002.
- 2) The Limitation Act, 1963.

**Prescribed Books:**

- 1) B. M. Prasad & S. K. Sarvaria, Mulla's Code of Civil Procedure (17th ed., 2007)
- 2) M.R. Mallick, B.B. Mitra The Limitation Act,, 1963 (22nd ed., 2011)
- 3) K. Shanmukham, Sanjiva Row's The Limitation Act (9th ed., 2000)

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