

COURSE PLAN

Subject: CIVIL PROCEDURE CODE

Class: V BBA/III LLB

Date of commencement of Classes - 6th August 2018

Civil procedure focuses on how we enforce rights, not what those rights are. The rules of procedure define the boundaries within which the adjudication happens. The truth be told, procedure is best understood by working with it. At the same time, students need to start somewhere, starting with an introduction to the rules of the Civil Procedure, which regulates every action in civil courts and the parties before it till the execution of the decree and order. The students will be in a position to understand the procedures to followed from the inception to the very end of the case.

Module s/Units	Topic	No of Hours	Methodology of Teaching	Prerequisites- Readings/Assignments	Supplementary Reading	Outcomes
UNIT 1	Introduction to the syllabus of CPC, Distinction between procedural law and substantive law; History of the code, extent and its application.	1	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure.	The student is given to understand in brief about what the subject is.
	Definition-Suits: Jurisdiction of the civil courts- Kinds of jurisdiction.	2	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure.	The student will be able to understand the various aspects regarding the meaning and kinds of jurisdiction that a civil court has.

	Bar on suits-Suits of civil nature (Sec.9);	2	Lecture - chalk and talk, Writing exercise	Civil procureure with Limitation Act, 1963 - C.K. Takwani	Code of civil procedure - M.P. Tandon; Jurisdiction of civil court and its bar -JTR, Lucknow	The student will be in a position to compare and contrast the various situations in which a court can and cannot take cognizance of a suit of civil nature.
	Doctrine of Res sub judice	2	Lecture - chalk and talk	Civil procureure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure.	The student will be in a position to analyse the doctrine of res subjudice which bars a subsequent suit
	Doctrine of Res judicata	2	Lecture - chalk and talk, writing exercise	Civil procureure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure.	The student will be able to appreciate and analyse the doctrine of res judicata which bars a court from taking cognizance of a matter that is
	Foreign Judgment	2	Lecture - chalk and talk, Case presentation, writing exercise	Civil procureure with Limitation Act, 1963 - C.K. Takwani	ENFORCEABILITY OF FOREIGN JUDGEMENTS AND FOREIGN AWARDS - ASHISH MITTAL, SR. ASSOCIATE	The student understands the importance of the various situations when a foreign judgement can and not be executed in India.
	Place of Suits	2	Lecture - chalk and talk	Civil procureure with Limitation Act, 1963 - C.K. Takwani	Code of civil procedure - M.P. Tandon	The student will be in a position to analyse which court he/she would have to approach to file the suit, taking into consideration the various jurisdictions that have

	Transfer of Cases	2	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure.	The student will be in able to understand the courts that need to be approached when a transfer of case is sought.
UNIT II	Institution of suits and summon	2	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure.	The student can analyze and apply the rules on the admissibility topic of instituting suits and summons.
	Interest and Costs	2	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure.	The student will be able to understand the concept of levy of costs and interest in a suit.
	Pleading: Fundamental rules of pleadings	3	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	CODE OF CIVIL PROCEDURE By: Dr. Justice B.S. Chauhan, Judge, Supreme Court of India http://www.nja.	The student will be able to demonstrate knowledge of the rules of pleadings which form the core essence of practice.
	Plaint and Written Statement- Return and rejection of plaintiff-Defences-Set off-Counter claim;	3	Lecture - chalk and talk, practical look at the documents	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure.	The student will be able to demonstrate knowledge of the various components and aspects of the plaintiff/ws/counterclaim and setoff.
	Parties to the suit (O. 1): Joinder, misjoinder and non-joinder of parties-Misjoinder of causes of action-	4	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure., Code of civil procedure -	The student can analyze who can and cannot be joined as the parties in the suit.

UNIT III	Appearance and examination of parties	2	Lecture - chalk and talk	Civil procureure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure.	The student will be able to demonstrate knowledge of the rules of procedure regarding appearance and examination of parties.
	Discovery, inspection and production of documents	3	Lecture - chalk and talk	Civil procureure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure,, Code of civil procedure - M.P. Tandon	The student will be able to understand the concepts of discovery, inspection and production of documents, which play a crucial role in helping to decide the case.
	First hearing and framing of issue	3	Lecture - chalk and talk, class assessment	Civil procureure with Limitation Act, 1963 - C.K. Takwani	FRAMING OF ISSUES S. A. AHMED, ADVOCATE BOMBAY HIGH COURT ; http://document	The student will be in a position to analyse the meaning and importance of first hearing and issues.
	Admission and affidavit	1	Lecture - chalk and talk	Civil procureure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure,, Code of civil procedure - M.P. Tandon	The student will be in a position to unerstand the basics of admission and the role of an affidavit, in civil procedure.
	Adjournment ; Death, marriage- Insolvency of the parties	1	Lecture - chalk and talk	Civil procureure with Limitation Act, 1963 - C.K. Takwani	CODE OF CIVIL PROCEDURE BY: Dr. Justice B.S. Chauhan, Judge, Supreme Court of India http://www.nja.nic.in/16%20CP	The student understands the circumstances under which an adjournment can be sought, and the procedure that needs to be followed when there is a death or insolvency of a party during the pendency of the

	Withdrawal and compromise of suits	1	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure,, Code of civil procedure - M.P. Tandon	The student will be in a position to analyse the concept of withdrawal of the suit, and the procedure that has to be followed.
	Judgment and Decree	2	Lecture - chalk and talk, class assessment	Civil procedure with Limitation Act, 1963 - C.K. Takwani	CODE OF CIVIL PROCEDURE By: Dr. Justice B.S. Chauhan, Judge, Supreme Court of India http://www.nja.	The student will be able to understand the the nuances of a judgement and decree and the difference between them.
	Execution. General principal of execution - Power of executing court- Transfer of decrees for execution - Mode of execution- a) Arrest and detention, b) Attachment, c) Sale.	3	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	http://cja.gov.in/data/Executions.pdf ; http://shodhganga.inflibnet.ac.in/bitstrea	The student will be able to understand the various aspects of the procedure of execution of a judgment and decree.
UNIT IV	Suits in particular cases; Suits by or against Governments; Suits by aliens and by or against foreign rulers, ambassadors; Suits relating to public matters; Suits by or against firms; Suits by or	3	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure,, Code of civil procedure - M.P. Tandon	The varied nature of the special suits dealt under the CPC can be analysed by the student.
	Interim Orders; Commissions	2	Lecture - chalk and talk, writing exercise	Civil procedure with Limitation Act, 1963 - C.K. Takwani	PROCEDURE By: Dr. Justice B.S. Chauhan, Judge, Supreme Court of India http://www.nja.	Analysis of the various kinds of interim orders and the order for the appointment of commissions will come easily to a student on completion of this topic.

	Arrest before judgment and attachments before judgment	1	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	CODE OF CIVIL PROCEDURE BY: Dr. Justice B.S. Chauhan, Judge, Supreme Court of India http://www.nja.nic.in/16%20CP.C.pdf	On completion of the topic of arrest and attachment before judgment, the students will be able to understand the circumstances under which they can approach the court for such an interim order.
	Temporary injunctions	2	Lecture - chalk and talk, Writing exercise	Civil procedure with Limitation Act, 1963 - C.K. Takwani	http://mja.gov.in/Site/Upload/GR/Consolidate%20Works hop%20Paper %20Ratnagirir%20	On completion of this topic the student will be able to understand the importance of temporary injunction and when it can and cannot be granted.
	Appointment of receivers	1	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Appointment of a receiver- guiding principles , by Y. Srinivasa Rao. http://www.m	The students gain the knowledge of when they can approach the court to seek the appointment of a receiver.
	Appeals	2	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Appellate jurisdiction http://jitr.nic.in/APPELLATE	The student understands the concept of appeal, its kinds, and the various aspects of appeal.
	Reference- Review and Revision	3	Lecture - chalk and talk, class assessment	Civil procedure with Limitation Act, 1963 - C.K. Takwani	PROCEDURE BY: Dr. Justice B.S. Chauhan, Judge, Supreme Court of India http://www.nja.nic.in/16%20CP	The meaning and the concepts of reference, review and revision are comprehended, in depth, by the students on completion of this topic.

	Caveat	1	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure,, Code of civil procedure -	The student understands the meaning and importance of caveat in a civil case.
	Inherent powers of the court	1	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Sarkar on Civil procedure,, Code of civil procedure -	The students are in position to analyse the meaning of inherent powers and whether it really gives unlimited
UNIT V	Limitation Act.	3	Lecture - chalk and talk	Civil procedure with Limitation Act, 1963 - C.K. Takwani	Mallik on Limitation Act	Students will be able to comprehend and understand the various aspects of the Limitation Act and the role it plays in the filing/decisions of the court.
		64				

No. of Te

64

No. of Students Presentation: 4

No. of Lili

3

No. of Hand-Outs: 3

No. of As

3

No. of writing exercise

5

Assignments - 3, Problem solving, MCQ's as per the UNITS.

No. of Hrs. for revision and Question Paper Solving - 2 hrs

No. of Case Studies: 10

No. of documentaries to be screened: - Nil -

Service Learning (if any) – Nil -

Guest Lectures (if any)- Nil

Any Links: - Refer Supplementary Reading

Course Outcome:


On completion of this course the students will be able to analyse the various rules required to be followed for the filing of the case in the civil court and the various procedures to be followed during the pendency of the case, unless its closure. They will be in a position to recognise the rules of procedure

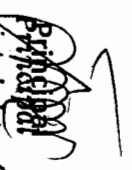
applicable to conduct the trial of a civil case.
Industry/Professional Skills:

The student's skills relating to legal research and writing, critical analysis, legal problem solving, advocacy and communication, is honed by the subject

Human Values:


Course Teacher


Academic Coordinator
Internal Quality Assurance Cell
KLE Society's Law College, Bangalore.


Principal
K.L.E. Society & Law College
Sir M. Vishweshwariah Layout
Bangalore-560 091