



Kot Bhalwal, Jammu



Model Institute of Engineering
& Technology (Autonomous)
Course Handout

COURSE HANDOUT

CIVIL PROCEDURE CODE AND LIMITATION ACT (LLB-205)

LLB – 2nd SEMESTER

ACADEMIC YEAR (2024-25)

Ms. Vishakha Chib

Assistant Professor

School of Law



School of Law

Model Institute of Engineering & Technology (Autonomous)

Kot Bhalwal, Jammu - 181122

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Dr. Arun K. Gupta Teaching-Learning Centre

Version 1.1



Please Do Not Print Unless Necessary



Course Code	Course Name	Course Type	Cd	L	T	P	Marks		
							Sessional	Final Exam	Total
LLB-205	Civil Procedure Code	Generic Core	4	4	0	0	30	70	100

COURSE OUTCOMES

At the end of the course the student will be able to:	
CO1	Interpret the fundamental understanding of Civil Procedure Law.
CO2	Articulate the concept of Institution of Suit under Civil Procedure Code
CO3	Analyze the Concept of Execution of Decrees and Interim Orders
CO4	Appraise and apply the law relating to the Appeals, References, Review and Revision
CO5	Elucidate the concept of Limitation Act, 1963

Unit-I

- 1.1 Introduction, Scope and Objective of Civil Procedure Code, 1908.
- 1.2 Definitions under the Code (Section 2)
- 1.3 Res Sub-Judice (Section 10)
- 1.4 Res Judicata (Section 11)
- 1.5 Institution of Suits (Section 26)

(08 Hours)

Unit-II

- 2.1 Complaint (Order VII)
- 2.2 Written Statement, Set-off and Counter Claim (Order VIII)
- 2.3 Issue and Service of Summons (Order V)
- 2.4 Settlement of Issues and Determination of Suit on Issues of Law or on Issues Agreed Upon (Order XIV)
- 2.5 Jurisdiction and Place of Suing (Sections 15-25)

(12 Hours)

Unit-III

- 3.1 Arrest and Attachment before Judgment (Order XXXVIII)
- 3.2 Temporary Injunctions (Order XXXIX, Rule 1-5)
- 3.3 Costs (Section 35, 35-A and 35-B)
- 3.4 Power to Issue Commissions (Section 75-78)
- 3.5 Notice (Sections 79-80)

(10 Hours)

Unit-IV

- 4.1 Appeals from Original and Appellate Decrees and Orders (Sections 96 – 106)
- 4.2 Appeals to the Supreme Court (Section 109)
- 4.3 Reference, Review and Revision (Sections 113-115)
- 4.4 Right to lodge a Caveat (Section 148-A)
- 4.5 Saving of Inherent powers of the Court (Section 151)

(10 Hours)

Unit-V

- 5.1 History Perspective of Limitation Act, 1963
- 5.2 Scope and objective of Limitation Act, 1963



- 5.3 Important Definitions (Section 2)
- 5.4 Limitation of Suits, Appeal and Applications (Sections 3-11)
- 5.5 Computation of Period of Limitation (Sections 12-24)

(08 Hours)

Text Books

S.No	Name of the Books	Name of the Author	Publisher Name	Edition (Pub.Yr.)
1	Civil Procedure	C. K. Takwani	Eastern Book Company	10 th (2024)
2.	Code of Civil Procedure	Avtar Singh	Eastern Book Company	5 th (2022)

Reference Books

S.No	Name of the Books	Name of the Author	Publisher Name	Edition (Pub.Yr.)
1	Code of Civil Procedure	Dinshah Fardunji Mulla	LexisNexis	18 th (2002)
2.	Code of Civil Procedure (CPC) (In 2 Vols.)	S.C. Sarkar & P.C. Sarkar	Lexis Nexis	13 th (2002)

Statutory References

S.No	Name of the Books	Publisher Name	Edition(Pub.Yr.)
1	Civil Procedure Code, 1908 – Bare Act	Eastern Book Company	40 th (2024)
2.	Limitation Act, 1963 – Bare Act	Eastern Book Company	37 th (2024)

COURSE PLAN

Unit-I Introduction

S.No	Topics	Recommended Books
1	Introduction, Scope and Objective of Civil Procedure Code, 1908.	Book 1, Part 1, Ch.1
2	Definitions under the Code (Section 2)	Book 1, Part 1, Ch.2
3	Res Sub-Judice (Section 10)	Book 1, Part 2 Ch.2
4	Res Judicata (Section 11)	Book 1, Part 2, Ch.2
5	Institution of Suits (Section 26)	Book 1, Part 2, Order 4
Unit-II Institution of Suit		
6	Plaint (Order VII)	Book 1, Part 2, Order 7



7	Written Statement, Set-off and Counter Claim (Order VIII)	Book 1, Part.2, Order 8
8	Issue and Service of Summon (Order V)	Book 1, Part 2, Order 5
9	Settlement of Issues and Determination of Suit on Issues of Law or on Issues Agreed Upon (Order XIV)	Book 1, Part 2, Order 14
10	Jurisdiction and Place of Suing (Sections 15-25)	Book 1, Part 2, Ch. 4
Unit-III Execution of Decrees and Interim Orders		
11	Arrest and Attachment before Judgment (Order XXXVIII)	Book 1, Order 38
12	Temporary Injunctions (Order XXXIX, Rule 1-5)	Book 1, Order 39
13	Costs (Section 35, 35-A and 35-B)	Book 1, Part 2, Ch.15
14	Power to Issue Commissions (Section 75-78)	Book 1, Part 2, Ch. 11
15	Notice (Sections 79-80)	Book 1, Part 2, Ch.16
Unit-IV Appeals, Reference, Review and Revision		
16	Appeals from Original and Appellate Decrees and Orders (Sections 96 – 106)	Book 1, Part 3, Ch.2
17	Appeals to the Supreme Court (Section 109)	Book 1, Part 3, Ch.6
18	Reference, Review and Revision (Sections 113-115)	Book 1, Part 3, Ch.7,8,9
19	Right to lodge a Caveat (Section 148-A)	Book 1, Part 4, Ch.3
20	Saving of Inherent powers of the Court (Section 151)	Book 1, Part 5, Ch.4
Unit-V Limitation Act, 1963		
21	History Perspective of Limitation Act, 1963	The Limitation Act, 1963
22	Scope and objective of Limitation Act, 1963	The Limitation Act, 1963
23	Important Definitions (Section 2)	The Limitation Act, 1963
24	Limitation of Suits, Appeal and Applications (Sections 3-11)	The Limitation Act, 1963
25	Computation of Period of Limitation (Sections 12-24)	The Limitation Act, 1963

ADDITIONAL WEB RESOURCES

1	Study Material: Civil Procedure Code https://drive.google.com/file/d/1GCLsLnmvEDqUAOUyBG46ySAjl7dcKAurm/view?pli=1
2.	Civil Procedure Code: Virtual Law Classes Civil Procedure Code-II (50 Hours) – Virtual Law School

GRADING AND ASSESSMENT

- **Sessional Test:** I (7.5 marks), II (7.5 marks)
- **Assignment:** 10 marks
- **Attendance:** 5 marks
- **Final Examination:** 70 marks

COURSE POLICIES

- **Attendance:** Minimum 75% attendance is mandatory to appear in the final examination of the course.
- **Academic Integrity:** MIET's academic integrity policies apply. Plagiarism will not be tolerated.





- **Late Submissions:** Assignments and projects must be submitted by the specified timelines.

FACULTY INFORMATION

- **Office Hours**
Monday (12:05 PM - 12:55 PM)
Friday (12:05 PM - 12:55 PM)
- **Contact Information**
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