

SYLLABUS

THE CODE OF CIVIL PROCEDURE THE LIMITATION ACT

5th SEMESTER 2020: Dr. Meeta Mohini

1. Introduction to CPC and The Limitation Act - 1 lecture
2. Definitions- 3 lectures
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CASES

Paras Nath Rai v. State of Bihar AIR 2013 SC 1010.
Rajinder Kumar v. Kuldeep Singh & Ors. 2014(2) SCALE 135)
Surendra Singh & Ors. V. The State of Uttar Pradesh, AIR 1954 SC 194

3. Jurisdiction-Pecuniary & Territorial- 3 lectures
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Ramji Gupta v. Gopi Krishna Agrawal, AIR 2013 SC 3099)
Oil & Natural Gas Commission v. Utpal Kumar Basu & Ors (1994) 4 SCC 711
Subodh Kumar Gupta v. Shrikant Gupta & Ors., (1993) 4 SCC 1C.B.I.
Anti-corruption Branch v. Narayan Diwakar, AIR 1999 SC 2362
Navinchandra N. Majithia v. State of Maharashtra & Ors., AIR 2000 SC 2966
Rajasthan High Court Advocates' Association v. Union of India & Ors AIR 2001 SC 416

4. Res Sub Judice , Res judicata- 3 lectures
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Kunjan Nair Sivaraman Nair v. Narayanan Nair (2004) 3 SCC 277)
Dr. Subramanian Swamy v. State of Tamil Nadu & Ors 2014 (1) SCALE 79)
Smt. Raj Lakshmi Dasi & Ors. v. Banamali Sen & Ors., AIR 1953 SC 33
Satyadhyan Ghosal & Ors. v. Smt. Deorajin Debi & Anr., AIR 1960 SC 941
Amalgamated Coalfields Ltd. & Anr. v. Janapada Sabha Chhindwara & Ors., AIR 1964 SC 1013
Hope Plantations Ltd. v. Taluk Land Board, Peermade & Anr., (1999) 5 SCC 590
Munnibibi v. Triloki Nath, AIR 1931 PC 114
Raju Ramsing Vasave v. Mahesh Deorao Bhivapurkar (2008) 9 SCC 54

Secunderabad Cantonment ... vs Mohammed Mohiuddin And Ors, Supreme Court
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5. Transfer of suits- 2 lectures
Sections 22, 23, 24, 25

CASES

Abdul Rahman V. Prasony Bai & Anr., AIR 2003 SC 718
Nahar Industrial Enterprises Ltd. v. Hong Kong and Shanghai Banking Corporation,
(2009) 8 SCC 646
Madhu Saxena V. Pankaj Saxena, (2005) 13 SCC 158
Durgesh Sharma vs Jayshree, Supreme Court, 26/9/ 2008
Smt. Asha @ Deepa Ramchand Sharma vs Shri Ramchandra Laxmandas Sharma (1997)
99 BOMLR 55

6. Institution of suits- 1lecture
Sections 26; Order 4

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Vidyawati Gupta V. Bhakti Hari Naik & Ors., AIR 2006 SC 1194
Uday Shankar Triyar V. Ram Kalewar Prasad Singh & Anr., AIR 2006 SC 269
P.K. Palanisamy v. N. Arumugham & Anr., (2009) 9 SCC 173.

7. Parties to Suit – 2 lecture
Order 1

CASES

Church of Christ Charitable Trust and Educational Charitable Society represented by its
Chairman v. Ponnamman Educational Trust represented by its Chairperson/Managing
Trustee (2012) 8 SCC 706.
Diwakar Shrivastava & Ors. V. State of Madhya Pradesh & Ors, AIR 1984 SC 468
Kasturi V. Iyyamperumal & Ors., AIR 2005 SC 2813
Ranjeet Mal Vs General Manager, Northern Railway, New Delhi & Anr, AIR 1977 SC
1701
Bal Niketan Nursery School V. Kesari Prasad, AIR 1987 SC 1970.
Amit Kumar Shaw & Anr. V. Farida Khatoon & Anr., (2005) 11 SCC 403
State of Punjab V. O.G.B., Syndicate Ltd, AIR 1964 SC 669
Udit Narain Singh Malpaharia V. Additional Member Board of Revenue, Bihar AIR 1963
SC 786 Jaikaran Singh V. Sita Ram Agarwalla & Ors., AIR 1974 Pat. 364
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The State of Punjab Vs. The Okara Grain Buyers Syndicate Ltd., Okara & Anr. AIR 1964
SC 669
Pusha Ram V. Modern Construction Co. (P) Ltd, AIR 1981 Raj 47
Salem Advocate Bar Association, Tamil Nadu V. Union of India, AIR 2005 SC 3353

8. Framing of suits- 2 lecture

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Alka Gupta V. Narendra Kumar Gupta (2010) 10 SCC 141
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Swami Atmananda & Ors. V. Sri Ramkrishna Tapovanam, AIR 2005 SC 2392

9. Summons- 2 lecture Section 27 to 32; Order 5

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Teharoonchand V. M/s Surajmull Nagarmull; AIR 1984 Cal 82
Smt. M.L. Nagarathnamma V. S.R. Suryanarayan Rao, 1985 NOC 214 (Kant)
Teharoonchand V. M/s Surajmull Nagarmull; AIR 1984 Cal 82
Ambika Prasad V. Kodai Upadhya, AIR 1945 All 45

10. Pleadings- 2 lecture Order 6

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Ved Prakash Wadhwa V. Vishwa Mohan, AIR 1982 SC 816
Bachhaj Nahar v. Nilima Mandal & Ors., AIR 2009 SC 1103
Rajit Ram & Ors. V. Kateskar Nath & Ors., 18 ILR (All.) 396
Murarka Radhey Shyam Ram Kumar V. Roop Singh Rathore & Anr., AIR 1964 SC 1545
Municipal Corporation of Greater Bombay V. Lala Pancham & Ors, AIR 1965 SC 1008
Muni Lal V. The Oriental Fire & General Insurance Co. Ltd., AIR 1996 SC 642
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Peethani Suryanarayana v. Repaka Venkata Ramana Kishore, (2009) 11 SCC 308
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Baldev Singh V. Manohar Singh, AIR 2006 SC 2832
M/s. Ganesh Trading Company V. Mauji Ram, AIR 1978 SC 484
Vidyabai & Ors. V. Padmalatha & Anr., (2009) 2 SCC 409
Gajanan Krishnaji Bapat & Anr. v. Dattaji Raghobaji Meghe & Ors., AIR 1995 SC 2284
Ram Sarup Gupta (dead) by L.Rs. v. Bishun Narain Inter College & Ors., AIR 1987 SC 1242
Bachhaj Nahar v. Nilima Mandal & Ors. AIR 2009 SC 1103
K.K. Modi vs K.N. Modi & Ors Supreme Court 4/2/1998

11. Complaint & Written Statement- 4 lecture Order 7, 8

CASES

Ramdutt Ramkissen Dass v. E.D. Sassoon & Co., AIR 1929 PC 103

Sri Amar Chand Inani v. Union of India, AIR 1973 SC 313
Hanamanthappa & Anr. v. Chandrashekarappa & Ors., AIR 1997 SC 1307
Joginder Tuli v. S.L. Bhatia & Anr., (1997) 1 SCC 502
The ONGC v. M/s Modern Construction & Co. (2014) 1 SCC 648
Church of Christ Charitable Trust and Educational Charitable Society represented by its
Chairman v. Ponnamman Educational Trust represented by its Chairperson/Managing
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Kamlesh Babu & Ors. V. Lajpat Rai Sharma & Ors., (2008) 12 SCC 577
Shamsher Singh V. Rajinder Prashad & Ors., AIR 1973 SC 2384

R.N. Jadi & Bros. & Ors. V. Subhashchandra, (2007) 6 SCC 420
Zolba V. Keshao & Ors., AIR 2008 SC 2099
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12. Appearance of parties, Framing of Issues, Evidence, Arguments- 4 lectures
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Arjun Singh V. Mohindra Kumar & Ors., AIR 1964 SC 993
Parimal V. Veena@Bharti,(2011) 3 SCC 545
State of Bihar & Ors. V. Kameshwar Prasad Singh & Anr., AIR 2000 SC 2306
M/s Mangat Singh Trilochan Singh thr. Mangat Singh (dead) by Lrs. & Ors. V. Satpal,
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Pushpa Devi Bhagat V. Rajinder Singh, AIR 2006 SC 2628
Dudh Nath Pandey (dead) by Lrs. V. Suresh Chandra Bhattasali (dead) by Lrs. AIR 1986
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Nedunuri Kameswaramma V. Sampati Subba Rao, AIR 1963 SC 884
Sayad Muhammad. V. Fatteh Muhammad (1894-95) 22 Ind. App. 4 (PC)
Smt. Tara Devi V. Sri Thakur Radha Krishna Maharaj, AIR 1987 SC 2085
Nirankar Nath Wahi V. Fifth Additional District Judge, Moradabad, AIR 1984 SC 1268
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702
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Parimal vs Veena Alias Bharti (2011) 3 SCC 545

13. Death, marriage , Insolvency, Withdrawal, Compromise- 2 lectures
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Union of India V. Ram Charan, AIR 1964 SC 215
State of Punjab V. Nathu Ram AIR 1963 SC 89
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Shahzada Bi & Ors. V. Halimabi AIR 2004 SC 3942

Sarguja Transport Service V. State Transport, AIR 1987 SC 88
Tamilnad Mercantile Bank Shareholders Welfare Association (2) v. S.C. Sekar & Ors.
(2009) 2 SCC 784
Shiv Prasad V. Durga Prasad & Anr., AIR 1975 SC 957

14. Miscellaneous (Part 11) - 2 lectures

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Ghulam Zuhra V. Habla Begum & Ors., AIR 1985 J&K 22
Dr. K. Malathi V. Dr. S. Rajasekaran, AIR 2003 Mad. 322
Sm. Sundar Devi V. Dattatraya Narhar Rege & Anr., AIR 1933 All. 551

Section 148, 149: P.K. Palanisamy v. N. Arumugham & Anr. (2009) 9 SCC 173

Section 151: Arjun Singh V. Mohindra Kumar, AIR 1964 SC 993
Ranjit Kumar Pal Chowdhury V. Murari Mohan Pal Chowdhury, AIR 1958 Cal 710
Nani Gopal Bandhyopadhyaya & Ors. V. Bhola Nath Bandhyopadhyaya & ors., AIR
1973 Pat 437 State Bank of India V. Ranjan Chemicals Ltd. & Anr., (2007) 1 SCC 97
Vareed Jacob V. Sosamma Geevarghese & Ors., AIR 2004 SC 3992
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Dipti Ranjan Sahoo & Anr. Vs. Nalini Kumari Sahoo, AIR 2011 ORISSA 76

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Tilak Raj v. Bai Kunthi Devi (D) by LRs., AIR 2009 SC 2136

15. Injunction- 2 lectures

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Premji Ratansey Shah v. Union of India & Ors., (1994) 5 SCC 547
S.M. Dyechem Ltd. v. Cadbury (India) Ltd., AIR 2000 SC 2114
Colgate Palmolive (India) Ltd. v. Hindustan Lever Ltd., AIR 1999 SC 3105
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Dorab Cawasji Warden v. Coomi Sorab Warden & Ors., (1990) 2 SCC 117
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First Appeal: Baldev Singh V. Surendra Mohan Sharma, AIR 2003 SC 225
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Second Appeal: State Bank of India & Ors. V. S.N. Goyal, AIR 2008 SC 2594
Panchu Gopal Barua V. Umesh Chandra Goswami & ors., AIR 1997 SC 1041
Kondiba Dagadu Kadam V. Savitribai Sopan Gujar & Ors., AIR 1999 SC 2213
Kashibai V. Parwatibai, (1995) 6 SCC 213
Mahindra & Mahindra Ltd. V. Union of India & Anr., AIR 1979 SC 798
Ram Prasad Rajak V. Nand Kumar & Bros. & Anr., AIR 1998 SC 2730
Gadakh Yashwantrao Kankarrao V. E.V. @ Balasaheb Vikhe Patil & ors., AIR 1994 SC 678
Smt. Bibhabati Devi V. Ramendra Narayan Roy & Ors., AIR 1947 PC 19
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Atma Ram Properties (P) Ltd. V. Federal Motors (P) Ltd. (2005) 1 SCC 705
Arjan Singh V. Kartar Singh & Ors., AIR 1951 SC 193
K. Venkataramiah V. A. Seetarama Reddy, AIR 1963 SC 1526
Jaipur Development Authority V. Smt Kailashwati Devi, AIR 1997 SC 3243
Sunder Lal & Son V. Bharat Handicrafts Private Ltd., AIR 1968 SC 406
Shivajirao Nilangekar Patil V. Dr. Mahesh Madhav Gosavi, AIR 1987 SC 294
Mahavir Singh & Ors. V. Naresh Chandra & Anr., AIR 2001 SC 134
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Vasantha Viswanathan & Ors. V. V.K. Elayalwar & Ors., (2001) 8 SCC 133
P. Purushottam Reddy V. Pratap Steel Ltd., AIR 2002 SC 771
Parsotim Thakur & Ors. V. Lal Mohar Thakur & Ors., AIR 1931 PC 143
B.V. Nagesh & Anr. v. H.V. Sreenivasa Murthy, (2010) 11 SCR 784

Revision: Suresh Chandra Manhorya V. Gajendra Rajak, (2006) 7 SCC 800
Pothina Narasamma V. Narupilla Ammaji, (2006) 9 SCC 749
Vidyodaya Trust V. R. Mohan Prasad, (2006) 7 SCC 452

Review: A.K. Gopalan V. State of Madras, AIR 1950 SC 27

S. Nagraj & Ors. V. State of Karnataka & Anr., 1993 Supp (4) SCC 595
State of West Bengal & Ors. V. Kamal Sengupta & Anr., (2008) 8 SCC 612
Hari Shankar V. Anath Nath, 1949 FC 106
Mt. Jamna Kuer V. Lal Bahadur & Ors., AIR 1950 FC 131
Thadikulangara Pylee's son Pathrose V. Ayyazhiveetil Lakshmi Amma's son Kuttan &
Ors., AIR 1969 Ker 186
Sow. Chandra Kanta & Anr. V. Sheik Habib, AIR 1975 SC 1500

17. Government suits – 2 lectures

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Chief Conservator of Forests, Government of A.P. V. Collector & Ors; AIR 2003 SC
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Hindustan Petroleum Corpn Ltd. Vs M/S Ram Chandra & Sons AIR 1994 SC 478

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24. The Limitation Act- 4 lectures

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Nani Gopal Paul Vs T Prasad AIR 1995 SC 1971

REFERENCE BOOKS

1. Bare Act of Civil Procedure Code, 1908 with latest amendments.
2. C K Takwani's CPC
3. Mulla's The Key to Indian Practice (A Summary of the Code of Civil Procedure)
4. M P Jain's CPC
5. Advocate D. N. Mathur's CPC