# **CIVIL SUIT PROCEDURE IN INDIA (CPC 1908)**



## 1. PRESENTATION OF PLAINT (Order VII)

Plaintiff files plaint in court. Includes cause of action, parties, relief sought, jurisdiction.



## 2. ISSUE & SERVICE OF SUMMONS (Order V)

Court issues summons to Defendant to appear and answer. Served via personal service, post, or substituted mode.



## 3. APPEARANCE & WRITTEN STATEMENT (Order VIII)

Defendant appears, files Written Statement (defense, counter-claims) within time limit (usually 30 days).



### 4. FIRST HEARING & ISSUES (Order X & XIV)

Court examines parties, frames issues of law and fact based on pleadings. Explores ADR (Section 89).



## 5. EVIDENCE & WITNESSES (Order XVI & XVIII)

Parties produce documents, summon witnesses. Examination-in-chief, cross-examination, re-examination.



#### 6. FINAL ARGUMENTS

Both sides present final oral arguments summarizing evidence.



## 7. JUDGMENT & DECREE (Order XX)

Court pronounces judgment, followed by a formal Decree determining rights.

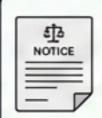
## **EXECUTION OF DECREE**

(Order XXI)



#### 1. APPLICATION FOR EXECUTION (Order XXI, Rule 10 & 11)

Decree-holder files application in the court that passed the decree or transferee court. Within limitation period.



#### 2. SHOW CAUSE NOTICE (If required)

Notice to Judgment-Debtor (e.g., if application after 2 years). Judgment-Debtor can raise objections (Section 47).



#### 3. MODES OF EXECUTION (Section 51)

**DELIVERY OF PROPERTY** 



**ATTACHMENT** & SALE



**ARREST &** DETENTION



#### **APPOINTMENT** OF RECEIVER





#### 4. REALIZATION & SATISFACTION

Decree is satisfied through the chosen mode. Court records satisfaction.

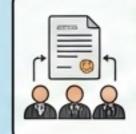
## APPEAL PROCESS

(Sections 96-112 & Order XLI-XLV)



#### 1. FIRST APPEAL (Section 96, Order XLI)

Aggrieved party files appeal against original decree in superior court. Questions of fact and law.



#### 2. MEMORANDUM OF APPEAL & HEARING

Filed within limitation. Appellate Court reviews trial court record, hears arguments. Can stay execution.



#### 3. APPELLATE JUDGMENT & DECREE

Appellate court confirms, reverses, or modifies the decree. Can remand case.



### 4. SECOND APPEAL (Section 100, Order XLII)

Appeal to High Court only on substantial question of law.



#### 5. APPEAL TO SUPREME COURT (Section 109, Order XLV)

Final appeal in specific cases involving substantial questions of law of general importance.

