**IN THE COURT OF CIVIL JUDGE** (**Senior Division),** ……….

OR IN THE JUDICATURE OF HIGH COURT ……… Original Jurisdiction Before the heading of the plaint proper space should be left for affixing court-fee stamp. Just below the name of the court, a space should left for the number of the suit. It is as such Suit No. ………….. of ………(Year) Thereafter the names of the parties to the suit with all necessary particulars should be given. For ex.: AB s/o CD aged…………yrs, Resident of.............................................. Plaintiff VersusPQ s/o RS aged ……….Yrs, Resident of ………………………………… Defendant If there are more plaintiff or defendant than the names of all plaintiffs/and defendant should be given in plaint as plaintiff No. 1/defendant No.1 and so on. After the names of the parties the title of the suit should be given for ex.

**“Suit for specific performance and damages” Or “Suit for Recovery of money” Or “Suit for damages for malicious prosecution” Or “Petition for Judicial Separation u/s 9 of the Hindu Marriage Act, 1955” Where the plaintiff or defendant is a minor or a person of unsound mind, the fact should be mentioned in the cause-title. At the same time the name and description to the person through whom such person sues or sued should also be given in the cause-title.**

The forms given at No. 2 in Appendix A to the First Schedule of C.P.C. would be of special assistance in framing cause-titles in particular cases. For example, if plaintiff or defendant is:

1) **Individual person** - AB S/o………Aged….. Res. of…………..

2) **Proprietary concern -** AB S/o………Aged….. Res. of…………..proprietor of MIs XYZ and carrying on business at ………….

**3) Partnership firm** – M/s XYZ, a partnership firm registered under the Indian partnership Act, 1932 with its principal place of business at ………….

**4) A company -** M/s XYZ, Pvt. Ltd.

A company incorporated under the companies Act having its registered office at………….

**5) Company in Liquidation** - M/s XYZ Ltd. In liquidation through liquidator Mr. ABC having office at ………….

**6) Statutory Corporation** - The Life Insurance Corporation of India established and constituted under the Life Insurance Act, having its registered office at ………….

**7) Municipality –** Municipal Corporation of Delhi through its Chairman, Town Hall, Delhi.

8) Minor - AB S/o………Aged….. a minor through his father and natural guardian S/o………Aged…..

Res. of…………..

**2. Body of the Plaint:** Then follows the body of the suit/plaint. The plaintiff acquaints the court and defendant with the case. The statement of facts is divided into paragraphs numbered consecutively. As far as convenient a paragraph should contain only one allegation. Dates, time and numbers should be expressed in figures as well as in words.

**The body of plaint usually begins thus:**

‘The above named plaintiff states as follows:

1. That ………………………. Mogha in ‘The Law of Pleadin in India has divided the body of the plaint into two parts

(1) Substantive portion and

(2) Formal portion.

(1) Substantive portion of the body of plaint is devoted to

(i) statement of all facts constituting thecause of action and

(ii) the facts showing the defendant’s interest and liability. But, as already noted, often it is desirable to start the plaint with certain introductory statements, called ‘matters of inducement’.

(2) Formal portion of the plaint shall state the following essential particulars: (i) Date when the cause of action arose;

(ii) Statement of facts pertaining to jurisdiction;

(iii) Statement as to valuation of the suit for the purpose of jurisdiction and court fees and it should be stated that the necessary court fee has been affixed;

(iv) Statement as to minority or insanity of a party or if he is representing some other body then statement as to plaintiff’s representative character;

(v) When a suit is filed after the expiry the period of limitation a statement showing the ground or grounds on which he has claimed exemption from Limitation Law;

(vi) Every relief sought for by the plaintiff should be accurately worded. Rule 7 says that every plaint shall state specifically the relief which the plaintiff claims either simply or in the alternative, and it shall not be necessary to ask for general or other relief which may always be given as the Court may think just to the same extent as if it had been asked for. And the same rule shall apply to any relief claimed by the defendant in his written statement. The plaintiff can claim more than one relief, in the suit. He can seek reliefs alternatively. A plaintiff is entitled to claim more than one relief in respect of the same cause of action should sue for all of them because he is debarred from bringing a fresh suit in respect to the omitted relieves except when the omission in the first suit was with the permission of the court [

**Order 2. Rule 2 (3) of C.P.C.];**

(vii) Signature and Verification: The plaint must be signed by the plaintiff through advocate. But if the plaintiff is, by reason of absence or for other good cause, unable to sign the plaint, it must be signed by any person duly authorized by him to sign the same.

The verification is done by the plaintiff himself.

**Verification**

I…….. (Name), S/o Sri................... (Father’s name), the aforesaid plaintiff/defendant do hereby verify that the contents of paragraphs …… to …. of the above plaint are true and correct within my personal knowledge and that the contents of paras………..to ……. (mention the paras by their number in the pleading) I believed to be true on information received. Signed and verified this at ……….(Place) on this ………….. (Date) day of month/years.

Sd/-

(Plaintiff/Defendant)

**Affidavit should also be enclosed with plaint as provided under Order 6 Rule 15 (4) CPC, 1908. All documents on which the plaintiff relies for his claim should be enclosed with a separate List of Documents according to Order 7 Rule 14 (1) CPC, 1908.**