

INDEX

Volume - IV

A

Abatement of appeal

Bringing LR's son record	4257
Circumstances	4254
Condonation of delay.....	4255
Death of co-owner	4255
Death of party	4253
Divorce.....	4257
Eviction suit.....	4256
Land suit	4255
Limitation	4256
Meaning of.....	5253
Non-applicability to statutes.....	4262
Substitution of LR's.....	4258
Suit for damages	4255
Suit for damages	4255
Survival of right on legal heirs	4256
Torts case	4254
Wills.....	4256

Abatement of Suit

Death of party between conclusion of having & pronouncement of judgment	4317
Effect of.....	4320, 4333
Insolvency of plaintiff	4320
Marriage of female party.....	
Partnership firm.....	4546
Plaintiff band from bringing fresh suit on the same cause of action	4321

Abetment

Death of original defendant	4331
Delay in	5197
Effect on other proceeding.....	4324
Effect on other statutes	4324
—of appeal	4329
Revision application	4331
Setting aside	4323, 4325, 4326
Sufficient cause for setting aside	4327

Suit filed in representative capacity	4330
Suit for declaration as co-owners.....	4330
Addition	
—of parties.....	5094
Additional defendants	
Right of	4912
Additional evidence	
Absence of Plea	5190
Accident claim case	5167
Accident claim.....	5191
Adducing of—.....	5170
Administration in appeal	5175
Administration of	5162
Admission of	5166
Admission of—in appeal	5175
Allowing	5155
Application for amendment	5191
Application for.....	5167, 5163
Application for—and amendment.....	5167
—at appellate stage	5153, 5196
Basic principle	5187
—by insurer	5174
—by tenant	5174
Chain of.....	5155
Chain of—by tenant	5166
Change in law	5166
Circumstances in which the appellate court can allow production of	5155
Circumstances	5155, 5159
Condition and Limitation.....	5193
Discretion of appellate court.....	5155
Discretion of the appellate court to allow	5155
Documentary Evidence.....	5189
Due diligence in accepting.....	5167
Essential Evidence	5190
Eviction Suit	5170
Exercise of due diligence	5169
Expert Opinion.....	5190
—in a suit for possession.....	5170
—in accident claim cases.....	5167
—in land acquisition proceedings	5172
—in second appeal	5171

—in suit for possession	5170
Leading of	5164
Levy of property tax.....	5191
Mode of taking	5136, 5196
Necessity of —	5189
Negligence of Appellant.....	5193
—on account of subsequent change in law	5166
Order 41, rule 27	5161
Permanent Injunction.....	5192
Permissibility of—in appeal	5167
Permission to lead	5176
Permission to lead—	5192
Points to be defined and recorded.....	5198
Power of appellate court	5175
Power of Court	5178
Power of receive.....	5171
Power of revisional Court.....	5191
Power of the appellate court to admit.....	5175
Power to receive—in Appeal.....	5171
Procedure.....	5197
Production of documents.....	5172
Production of public documents	5174
Production of rent receipts by—.....	5167
Production of.....	5171
Production of—in Appellate Court.....	5151
Production of—in money suit.....	5183
Refusal of the trial court.....	5169
Refusal of trial court.....	5169
Rejection of	5172
Rejection of application	5192
Rejection of permission to adduce public documents	5172
Remand of the case by High Court	5195
Review proceedings	5193
Subsequent amendment.....	5192
Subsequent events	5194
Suit for specific performance	5166
Termination of Tenancy.....	5194
Testing of Documents.....	5194
Title Suit	5193
Transfer petition under Article 138A, Constitution of India	5195

Ad interim injunction

Appeal against.....	4879, 5282
Grant of	4827

Admiralty Jurisdiction

Bar of Second Appeal	5252
Condition of deposit	5063
High Court	5216
Procedure.....	5049

Admission of Appeal

Appellate Court may require appellant to furnish security for costs	5052
Registration of appeal.....	5050
Registry of Memo of Appeal.....	5050
Registry of memorandum of appeal.....	5049

Advocate

Authority of—to enter into agreement	4404
Compromise by	4405

Advocate Commissioner

Appointment of.....	4449, 4945
---------------------	------------

Advocate Receiver

Appointment of.....	4968
---------------------	------

Affidavit

Filing of.....	5023
----------------	------

Agreement

Memorandum of.....	4756
--------------------	------

Agreement of sale

Contractual obligation	4778
------------------------------	------

Alienation by *Karta*

Injunction against	4897
--------------------------	------

Allottee

Interest of.....	4272
------------------	------

Alternative remedy

Cross-objection	5112
-----------------------	------

Amendment Act, 1999

Cannot be adjudicated	5101
Comments.....	5098
Modification	5065
Retrospective effect.....	5055

Amendment of Appeal

Application.....	5191
Permission	5014

Amendment of Plaintiff

Filing lacuna5141

Anti-suit injunction

Grant of4883

'Annexures thereto'

Meaning4741

Annulment of insolvency

Effect4311

Appeal

Abatement..... 4263, 4299, 4330

Additional aground..... 5013

against assessment to tax 5041

against award.....4995

against consent decree 4427

against decree of divorce 5012

against decree5000

against injunction 4887

against interlocutory order 4339

against judgment of single judge5254

against money decree 5004

against ward 5001

—by Government.....4999

Condonation of delay..... 5016

Contents of memo 4996

Conversion of—into Revision 5009

Delay in filing..... 4994, 5016

Dismissal by High Court..... 5063

Dismissal of—before notice 5060

Dismissal 4998, 5024, 5061

Documents to be filed with4996

Extension of time 5025

Filing of.....4997

Form of4994

from orders5255

from original decrees4983

Grounds..... 5010, 5062

Hearing of 5062, 5205

Leave of court.....4999

Leave to.....4995

Limitation4997, 5024

Locus Standi.....4999

Maintainability	4991, 4995, 5013, 5276
Memorandum of.....	4992
Order passed under Order 23, rule 3.....	4431
Order refusing temporary injunction	4798
Order when appealable under Order 38, rule 5.....	4774
Parties to.....	5095
Person competent to file	5003
Power of High Court to dismiss.....	5063
Readmission of.....	5084
Registration of.....	5050
Rehearing of.....	5272
Rejection	5001, 5029
Right of	5058
Second	5001
Second—without copy of judgment.....	4955
Time-based	5016
Appeal against decree	
Right to challenge.....	5288
Appeal from orders	
About payment of fee to the Advocate	5270
against ex-parte decree under Order 8, rule 10	5264
against intern injunction	5264
against temporary injunction	5264
Appeal against ad interim injunction	5282
Appeal against decree.....	5286
Appeal against dismissal of suit in default.....	5278
Appeal against Remand Order	5278
Appealable order	5277
Application for execution of mortgage decree	5264
Application for recall of dismissal	5265
Application for restoration	5263
Appointment of Receiver.....	5275
Attachment before judgment	5273
Bringing LR's of defendant on record	5275
Changes in status quo.....	5286
Contrary view was taken in other case	5265
Copyright action.....	5278
Directing abatement of execution proceeding.....	5267
Directing appointment of certain person as receiver.....	5270
Directing return of plaint.....	5265
Discovery of interrogatory.....	5276

Dismissal in default of insolvency petition	5285
Dismissal of application for restoration on merit or default	5265
Dismissal of suit in default	5263
Dismissal of suit under Order 7, Rule 10	5265
Dismissing application for restoration	5266
<i>Ex-parte</i> injunction	5274
Grant of injunction	5273
—in a suit for perpetual injunction	5269
Injunction	5283
Issuing notice to the other party before grant of injunction	5269
Letters patent appeal	5286
Maintainability of Appeal	5276
Maintainability of Letter Patent Appeal	5264
Maintainability of second appeal	5279
—of district Judge	5264
—of District Judge	5266
—of injunction whether interim or final	5269
—of interim injunction by <i>ex-parte</i> order	5264
—of temporary injunction	5264
Order of Single Judge	5277
Permitting review	5264
Place of institution of suit	5277
Power of Appellate court	5271
Power of review	5287
Power of the Court	5287
Procedure	5289
Refusal to grant temporary injunction	5264
Refusal to set aside abatement	5279
Refusing attachment before judgment	5268
Refusing injunction under Order 39, Rules 1 and 2	5269
Refusing to issue ad interim injunction	5269
Refusing to set aside abatement for non-substitution	5267
Refusing to set aside the abatement of an appeal	5267
Rehearing of appeal	5272
Rejecting application for leave to appeal as indigent person	5268
Rejecting application under Order 21, Rule 106(1)	5267
Rejection of Application for restoration	5263
Remand of Case	5283
Remedy against <i>ex-parte</i> decree	5285
Requiring the author to disclose source of information	5266
Resistance to possession	5273

Returning of plaint	5280
Revision against final appellate order	5279
Setting aside of ex-parte decree	5285
Stay of proceedings	5275
Suit for Declaration and Injunction	5282
Suit for specific performance	5274
—under Order 1, rule 10 by single judge	5264
—under Order 21, Rule 21	5266
—under Order 21, Rule 72 or Rule 92	5266
—under Order 21, Rule 90	5266
—under Order 22, Rule 10	5267
—under Order 22, Rule 9	5267
—under Order 22, Rule 9	5267
—under Order 38, Rule 5	5268
—under Order 39 Rule 1	5269
—under Order 39, Rule 2-A for breach of injunction	5269
—under Order 40, Rules 1 and 4	5270
—under Order 41, Rule 23 or Rule 23-A remanding a case	5270
—under Order 9, Rule 13	5265
—under Order 9, Rule 9 rejecting application	5265
—under Rule 10 of Order 7	5264
Appearance	
— in Court	4755
Appearance of partners	
Sued as partners	4547
Appearance under protest	
Partner of firm	4550
Appeal from appellate decrees	
Application of Order 41, Rule 14	5252
Bar of Second Appeal	5252
Power of Court	5248
Procedure	5245
Review	5248
Appeal from original decrees	
Abatement of appeal	5031
Appeal against award	5001
Appeal against decree	5000
Appeal against decree	5030
Appeal against Money Decree	5004
Appeal by government	4999
Appeal from adverse finding	5002

Conversion of Appeal into Revision	5009
Copy of Judgment and Decree	5004
Decree for rendition of account.....	5031
Delay in Filing Appeal.....	4994
Deposit of decretal amount at appellate stage	5008
Dismissal of Appeal	4998
Dismissal of Suit for Partition.....	5030
Dispensing with of certified copy of judgment	5000
Exercise of Inherent Power	4996
Filing of First Appeal	4997
Filing of photocopy of Judgment.....	5004
Form of Appeal.....	4994
Improper Framing of Issues.....	5009
Leave of the court.....	4999
Locus Standi to file appeal	4999
Maintainability	4991
Malimath Committee Recommendations	4991
Memorandum.....	4992
New Plea	4996
Non-compliance of order.....	5000
Non-compliance of provisions	4998
Objects and Reasons	5007
Order in writ jurisdiction.....	5002
Person competent to file appeal	5003
Plea of limitation	4997
Power of the appellate court to grant temporary injunction	5003
Presentation of second appeal	5001
Rectification of memorandum of appeal	5002
Refusal to set aside abatement	5000
Rejection of appeal	5001
<i>Res judicata</i>	5031
Retrospectively	4991
Review proceeding.....	5003
Rights of Parties	5029
Scope and Application	4991
Time for production of copy of the decree.....	4998
Appeal to Supreme Court	
Admission and procedure.....	5313
Application to Court whose decree complained of	5306
Certificate as to value or fitness.....	5310
Effect of failure to comply with order	5316

Effect of refusal of certificate	5310
Power to dispense with notices in case of deceased parties	5315
Power to order further security or payment.....	5316
Refund of balance deposit	5317
Revocation of acceptance of security	5314
Security and deposit required on grant of certificate	5313

Appellate Court

Admiralty jurisdiction.....	5231
Analyse evidence	5255
Appeal against pre-emption decree	5224
Appeal from original decree	5233
Concurrent findings	5231
Confirm status quo	5231
Cross-objection and appeal	5224
Decision of appeal	5143
Discretion of court.....	5219
Divorce proceeding.....	5230
Duty of.....	5206
Enhancement of compensation.....	5232
Filing of appeal.....	5231
Grant of more Profits.....	5218
Intervention	5226
Maintainability of appeal	5230
Modification of decree.....	5229
Moulding of relief	5232
Omission of Trial Court	5227
Order for eviction	5224
Partition suit	5228
Power of	5144, 5271
Power of Court	5228
Power of Supreme Court.....	5226
Power of.....	5078, 5213
Relief in suit for possession	5224
Relief to non-appearing parts	5229
Remand by.....	5143
Remand	5223, 5228
Second appeal.....	5227
Unlimited jurisdiction.....	5223

Appellate decree

Appeal from.....	5248
Review.....	5248

Applicability

Order 22, rule 3	4273
Order 22, rule 4	4290
Order 22, rule 12	4445
Order 41, rule 4	5028
Order 41, rule 11	5057
Order 46, rule 1	5344

Application

Delay in impleading LR's	4331
Failure to implead LR	4300
—of Order 22, Rule 1	4325
Refusal to set aside	5000, 5279
Suit for declaration	4341
Suit for redemption	4378
Suit	4300

Application by indigent person

Agreement to finance the litigation	4638
Application by representative	4639
Application by the defendant for permission to appeal as pauper	4633
Application for permission to sue as indigent person	4633
Application not properly framed	4637
Application to sue under Order 33, Rule 2	4633
Barred by law or time	4638
—by wife for leave to sue as pauper for maintenance	4636
Contents of application for indigency	4633
Dismissal in default	4639
Examination of applicant	4639
Exemption from personal appearance	4635
—for permission to sue as pauper	4632
Fraudulent disposal of the property	4637
Insufficient court fee	4636
Permission to file appeal	4631
Presentation of Application as Pauper	4636
Presentation of application in person	4635
Rejection of —	4637
Transfer of interest in the subject matter	4638
Want of cause of action	4638
Winding up of company	4633

Application for injunction

<i>Ex parte</i> injunction order	4939
Police help	4938

Remand of case	4939
Application of rules	
—of Chartered High Court	5412
Appointment	
—of Advocate Commissioner	4449
—of Local Commissioner	4452
—of Second Commissioner	4472, 4468
—of Valuer	4451
Appointment of Commissioner for partition	
—for final decree proceedings	4488
Opportunity of hearing	4487
Procedure.....	4488
Appointment of receivers	
Appeal.....	4972
Appointment by Supreme Court	4977
Appointment of advocate receiver	4968
Appointment of Commissioner.....	4977
Appointment of receiver regarding sick industry	4979
Directions to Receiver	4959
Discharge of Court Receiver—Effect.....	4967
Duties of receiver	4969
Duties	4972
Necessity of receiver	4971
Non Consideration of all Points.....	4970
Partnership at Will	4971
Power of Court	4968
Preservation of property	4968
regarding tenanted premises	4979
Remuneration	4972
Rendition of account by receiver	4971
Responsibility of the receiver for loss	4971
Sale of immovable property	4970
Stay of suit.....	4968
Suit for dissolution of partnership	4972
Validity of appointment of receiver.....	4969
When Collector may be appointed receiver.....	4980
Appointment of guardian	
<i>Ad litem</i>	4586
Irregular procedure	4576
Jurisdiction of trial court.....	4586

Appointment of Receiver	
—by Supreme Court.....	4977
Power of Court	4968
Principles	4978
regarding sick industries	4976
regarding tenanted property	4979
Arbitration Court	
Power to issue injunction	4898
Arbitration proceedings	
Withdrawal of civil suits	4378
Arrest before Judgment	
Arrest of defendant.....	4771
Appearance of defendant	
Procedure.....	4744
Attachment	
Before judgement	4780, 4787
Continuation of.....	4772
Limitation	4788
Mode of.....	4787
—of debt	4786
—of debtor's property	4782
—of house	4772
Order of	4784
Pre-condition.....	4774
Removal of	4787
Attachment Order	
Revision	4773
Attachment before judgment	
Adjudication of claim.....	4787
Agreement of sale	4777
Agricultural produce not attachable	4800
Appeal.....	4774
Attachment of Debt	4786
Attachment of house	4772
Attachment of property of individual partner	4775
Attachment of property.....	4785
Attachment where cause not shown or security not furnished.....	4786
Bar on Fresh Suit.....	4787
Claim of Bank	4777
Continuation of attachment.....	4772
Contract for specific proforma	4778

Exercise of Power	4777
Furnishing of security by the defendant	4785
General allegations not sufficient.....	4773
Ingredients of the rule	4774
Jurisdiction of the court	4773
Limitation	4788
Miscarriage of justice.....	4783
Mode.....	4787
Obstructive conduct.....	4772
Order of attachment.....	4784
Power of the court to pass interim protection order.....	4784
Power of the Court.....	4775
Pre-condition for attachment.....	4774
Procedure on application by surety to be discharged	4778
Procedure where defendant fails to furnish security or find fresh security.....	4779
Property attached before judgment not to be re-attached in execution of decree	4788
Removal—when security furnished or suit dismissed.....	4787
Revision against attachment order.....	4773
Sale in Execution	4783
Security	4788
Show cause notice.....	4774
Simultaneous Order	4774
Small Cause Court not to attach	4800
Stay of suit.....	4772
Threat of disposal.....	4776
Warrant of Arrest	4776
Where defendant may be called upon to furnish security for production of property	4779
Withdrawal of Amount.....	4783
Assignee	
Discretion to implead	4342
Impleadment.....	4342
Assignment	
and devolution	4336
Death of decree-holder—Consequences	4337
during pendency of suit.....	4337
—in appeal.....	4340
Procedure	4283
Right of—during pendency of appeal	4336

Suit for specific performance, whether amounts to	4345
Validity of.....	4337
Assignment of interest	
during pendency of suit.....	4337
Procedure.....	4333, 4335
Auction sale	4676
Award	
—of Lok Adalat.....	4418
B	
Bank	
Claim of	4777
Death of—customer.....	4307
Suit for Recovery by	4301
Bank customer	
Death.....	4307
Bank Guaranty	
Enforcement.....	4737
Law regarding	4868
Bar	
Applications, certain.....	5408
Setting aside compromise decree	4431
Suit withdrawn on compromise, filing of fresh suit based	4434
Bar to tile suit	
Challenging compromise decree.....	4428
Consent decree in a representative suit	4426
Lawful compromise	4426
Non-impleadment of parties	4426
Separate suit.....	4427
Specific performance of damages	4427
Benamidar	
Death of	4285
Bhog	
Injunction against offer to	4916
Bills of Exchange	
Summary suits.....	4727
Binding effect	
Compromise signed by council of parties	4423
Compromise decree	4415
Breach	
—of under taking	4932

—of Temporary injunction	4934
Breach of Injunction Order	
Completion of construction.....	4929
Confusion in order	4927
Deliberate	4932
Insurance of arrest warrants	4327
Notice.....	4926
Persons impleaded s parties	4328
Proceedings.....	4928
Violation of order of status quo.....	4930

C

Case	
Remand	5120, 5283
Cause of action	
Want of	4638
Caveat	
Filing of.....	4936
Certified copy	
Dispensing with	5000
Filing of.....	4994
Chartered High Court	
Application of rules	5412
Recording of evidence.....	5415
Review of judgment	5411
Savings	5412
Chela	
Substitution as	4284
Cheque	
Suits based on	4718
Civil Court	
Distinction between—and <i>Lok Adalat</i>	4418
Jurisdiction of—to vary terms of award of <i>Lok Adalat</i>	4418
Claim	
Counter.....	5403
Claimant	
Death pending appeal.....	4280
Claims Tribunal	
Power of	5369
Clean hands	
Applicant to come to court.....	4798

Collector

as Receiver 4980

Commission

Appointment of—for accounts 4481

Consent of party..... 4450

Court may issue—to examine witness 4448

Examination of witnesses 4450

Expenses of..... 4489

Issued at instance of foreign Tribunals 4494

Power to issue—to be exercised judicially 4449

Return of—time frame 4493

—to make partitions 4483

Commissioner

Admissibility of report of..... 4474

Appearance of parties 4492

Appointment by High Court..... 4474

Appointment of..... 4449, 4464, 4483, 4484, 4977

Attendance and examination of witnesses before 4491

Evidence recorded by 4457

Mistake by 4476

Powers of..... 4472

Procedure of..... 4485

Commissioner Report 4472

Commissions

Appeal against..... 4446

Applicability to Consumer Protection Act, 1986 4445

Applicability to Motor Vehicles Act, 1988 4446

Applicability to Workmen's Compensation Act 4445

Application for appointment of 4456

Appointment of fresh 4474

Direction of Court to issue..... 4446

Discretion of court..... 4468

Evidence on..... 4456

Examination on..... 4451

Execution of..... 4459

—for examining witness outside India 4458

—for local investigation 4461

—for performance of ministerial act 4480

—for persons residing outside India..... 4455

—for sale of movable property..... 4480

—for scientific investigation 4477

Issue of	4451, 4482
Issue of—by Motor Accidents Claim Tribunal Examination of witness on	4457
Issue of—for examining witness residing within court's jurisdiction	4453
Order for	4452
Permission to examine witness on	4457
Persons for whom—may be issued.....	4453
Procedure under Order 26.....	4443
Purpose of issue of	4468
Remitting of Report	4470
to examine/adjust accounts	4481
Compensation	
Enhancement.....	4307, 5232
Compromise	
Agreement decree voidable at instance of minors	4422
Application for—in gift deed.....	4414
Conditions	4589
Decree reneged at as a result of consensus before Curt	4416
Divorce on—illegal.....	4423
Fabricated.....	4410
Not signed by parties	4417
on behalf of minor	4589
Order on	4424
Prohibition in representative suit under Order 23, Rule 3-B	4429
Compromise by minor	
Binding effect	4589
Condition	4589
Conduct of guardian.....	4589
—in probate proceedings	4550
Negligence of guardian	4589
Compromise decree	
Binding effect	4415
Challenging of.....	4428
Divorce by Mutual Consent	4410
Effect of acceptance.....	4408
Execution of.....	4411
Haste in	4407
—in partition of joint Hindu property.....	4415
Must be in writing	4406
Setting aside	4400, 4588
Setting aside—in case of non-payment of amount.....	4413

Settlement.....	4407
Suit for partition	4412
Suit for specific performance	4412
Testamentary suit	4424
Validity of	4404, 4419
Compromise Memo	
Recording of.....	4406
Compromise of suit	
Adjustment of money decree.....	4401
Cannot be refused ever if not signed by parties	4398
Counsel to act in good faith	4396
declaration of right in management of temple	4402
Duty of court.....	4399
Essentials of.....	4396
—in Arbitration cases	4402
Parties bound by undertaking of counsel.....	4395
Satisfaction of Court—presumption	4395
Satisfaction of terms of decree	4401
Unlawful compromise.....	4338
Void and on-enforceable, when.....	4387
Compromise petition	
Levy of additional fee	4408
Compromise decree	
Setting aside	4588
When binding on minor	4589
Concessions	
—by counsel.....	4511
Concurrent findings	
Lower Courts.....	5231
Condition Precedent	
Summary suit	4742
Condonation of delay	
Appeal filed beyond limitation.....	5016
Application filed by State Government	5026
Application for.....	5015
Application to be in writing.....	5025
Delay in filing writ appeal.....	5025
Delay of 80 days in filing appeal	5025
Dismissal of appeal	5024
Extension of time	5025
Filing of affidavit	5023

—in filing appeal	5086, 5132
Limitation for filing Appeal	5024
Limitation	5017
Mandatory Provisions	5024
No application for	5197
Non-compliance with Order 22, rule 10A	4345
Provisions of Rule 3A are mandatory	5025
Rejection of appeal	5025
Rejection of application.	5026
Service	4744
Sufficient cause.....	5021, 5026
Time barred appeal	5023
—under Order 22	4255
—under Order 41, Rule 1	5061
Confirmation of sale	
Appeal.....	4680
Consent	
—of guardian	4586
Consent decree	
Appeal	4399, 4422, 4427
Maintainability	4398
Order based on consent of counsel	4402
Partition suit.....	4414
Setting aside reasons	4400, 4408
Terms of.....	4406
Validity of.....	4403
Constitution of India, 1950	
Applicability of Order 23, rule 3-B to article 136.....	4429
Consumer Protection Act, 1986	
Applicability of Order 26.....	4445
Contempt	
Jurisdiction.....	5375
Contents of notice	5074
Conviction	
Injunction against	4807
Counter claim	
Encroachment.....	5100
Coparcenary Property	
Suit for partition	4273
Copyright	
Action	5278

Court	
Power of	4775
Satisfaction of	4791
Court fees	
Grant of time	5297
Court Guardian	
Appointment of	4576
Court of Appeal	
Power of	5213
Court Receiver	
Application of	4953
Discharge of	4967
Cross-objection	
Adverse finding	5110
Alternative remedy	5112
—by aggrieved party	5115
Filing of	5100, 5104
—in Second appeal	5113
Joint appeal by insurer and owner	5115
Maintainability of appeal	5112
Nature of	5109
Principles	5109
Scope of decree	5112
Customs Duty	
Recovery	4948
D	
Damages	
Suit for—by firm	4539
Day	
— for hearing appeal	5066
Publication and service of notice	5067
Dead party	
Joinder of	4273
Dead person	
Eviction decree against	4551
Judgement against	4301
Deal Persons	
Right to busy	4896
Death	
Intimation	4283

General Power of attorney holder effect.....	4311
Death of one applicant	
Effect	4281
Death of decree holder	
Effect on execution proceeding	4350
Death of judgement debtor	
Effect on execution proceedings.....	4350
Death of party	
Before conclusion of trial.....	4318
Consequences under Or. 22, Rule 9	4333
Counsel to intimate Court	4335
Duty of pleader to communicate to Court	4343
Suit will not abate between hearing and pronouncement of judgement	4317
Debt	
Recovery of—of deceased	4721
Debtor's property	
Attachment	4782
Decree	
against dead person	4318
against lunatic	4600
against minor.....	4566
Amendment of.....	5060
Appeal.....	5030
Cancellation of	4605
Cost of mortgage subsequent to.....	4705
Definition	5302
<i>Ex parte</i>	4758
<i>ex parte</i> —under Or. 22, rule 6.....	4318
Execution of.....	4791
Filing of copy of.....	5004
—for Recovery	4725
Foreclose suits	4703
illegal, when passed in terms of pre-existing compromise	4403
Modification	5116, 5229
Passed as a result of consensus before Court	4416
Power to set aside.....	4758
Redemption suit.....	4704
Setting aside	4407, 4578, 4704, 4757
What is	5304

Decree in Appeal

Certified copy of decree to be sent to Court whose decree appealed from...	5236
Copies of judgment and decree to be furnished to parties	5236
Date and contents of decree	5234

Decretal Amount

Deposit of	5008
------------------	------

Declaration of title

Suit for—by minor	4578
Suit for	4309

Deemed

Admission	4740
-----------------	------

Defendant

Advance of	4757
Arrest of	4771
Death of one	4305
Finishing of scanty	4785
Legal heirs	4304
Summary suit	4761
Unconditional leave to defend	4762

Delay

—in filing appeal	5017
-------------------------	------

Delivery of possession

Obstruction against	5390
---------------------------	------

Demolition by Municipal Corporation

Injunction against	4806
--------------------------	------

Deposition read in evidence

When	4460
------------	------

Deposit

—in Court	4950
-----------------	------

Deposit of Money in Court

Suit for recovery of possession	4951
Suit for permanent injunction	4951

Deputy Commissioner

Power of	5079
----------------	------

Description of court

—in Temporary injunction	4892
--------------------------------	------

Detention of Property

Power of Court	4946
----------------------	------

Devolution of interest

During pendency of suit	4398
Effect of	4335

Discovery

New matter.....5383

Discretion

—of court9219

Discretionary

Relief.....5373

Discretionary Jurisdiction

Conferment5035

Discretionary Remedy

Temporary injunction as4906

Dismissal

Effect of.....4320

Insolvency petition5285

—of suit, in case of plaintiff's insolvency.....4320

Dismissal of Appeal

Admission of second appeal.....5057

Bar of second appeal5060

Condonation of delay.....5061

Dismissal by High Court.....5063

Dismissal of appeal before notice5060

Disposal of Second appeal5064

Grounds of appeal.....5062

Power of the High Court regarding dismissal of Appeal5063

Power to dismiss appeal without sending notice to lower Court.....5054

Right of appeal5058

Summary dismissal.....5059

Summary5062

under Hindu Marriage Act.....5058

Dismissal of appeal for appellant's default

Dismissal of appeal due to fault of the counsel5079

Dismissal on merits.....5080

Power of appellate court5078

Power of Deputy Commissioner5079

Power of the court to pass ex-parte order.....5077

Provisions for dismissal in default5078

Restoration of appeal dismissed in appeal5079

Dismissal of Appeal in default

Appellant's default.....5075

Due to fault of counsel5076

Non-appearance of lawyer5086

Non-compliance with pre-emptory order5087

on merits.....	5080
Power of court to pass <i>ex parte</i> order	5077
Provisions for	5078
Provisions for	5078
Readmission.....	5084
Restoration of appeal.....	5079
Rights of plaintiff.....	5077
Dismissal of suit	
—by minor—as unreasonable or improper.....	4598
Disobedience of Injunction	
Appeal—Maintainability	4920
Application under Or. 39, Rule 2A.....	4921
Parties not allowed to go behind order of Court.....	4923
Powers of appellate court.....	4922
Remedy	4521
Sale of attached property.....	4521
Selling trust property	4921
Dispaupering	
—of applicant.....	4647
—of plaintiff	4648
Disposal	
Threat of	4776
Dissent	
Judgment.....	5234
Divorce	
—on compromise, illegal.....	4423
Documents	
Production	5172
Testing	5194
Doctrine of Substantial Representation	4574
Doctrine of Effective Representation	
Absence of formal order of appointment.....	4575
Documentary evidence	
Bringing on record	5189
Due diligence	
Application of	5190
Dues	
Recovery of.....	4426
Duty of Receiver	
Where fails	4976
Enforcement of.....	4976
Jurisdiction of Court to enquire into.....	4976

E**Easementary rights**

ad interim injunction in a suit of	4884
Claim	4880

Election petition

Applicability of OR. 23, Rule 1	4368
---------------------------------------	------

Enforcement of receiver's duties

Enforcement of duty of receiver	4976
Jurisdiction of the court to investigate.....	4976
Removal of receiver.....	4976
Where a receiver fails to perform his duties	4976

Error apparent

on record.....	5358, 5391
----------------	------------

Examination of witnesses

—on commission	4450
----------------------	------

Examination on commission4451**Execution**

Sale in.....	4783, 5047
Stay	5032, 5320

Executing Court

Power of	5042
----------------	------

Execution of decree

Auction sale	5047
Exercise of powers in appeal.....	5049
—for specific performance	5046
Furnishing of security	5046
Power of the executing court.....	5047
Power to stay.....	5320
Sale in.....	5047
Stay of sale.....	5047

Execution of decree/order

Applicability of Rules 3, 4, 8 to	4349
---	------

Execution petition

Does not abate on death of decree holder or judgement debtor	4351
Whether can be dismissed on death of decree holder	4350
Whether cannot be dismissed on death of judgment debtor	4350

Execution proceedings

Applicability of Rules 3, 4, 8 to	4349
Contamination of	4352
Non-applicability of Or. 23.....	4433

Executive sale	
Setting aside	4681
Exemption	
Grant of	4303
Ex parte	
Decree, remedy against	5285
Injunction	5274
Ex-parte Decree	
Appeal against.....	4742
Rehearing.....	5096
Temporary injunction.....	4829
Ex-parte injunction	
Factors for grant of.....	4533
Instances	4943
Order without jurisdiction	4937
Party securing.....	4534
Ex parte relief	
—by injunction.....	4836
Equitable relief	
Temporary injunction.....	4878
Eviction decree	
Challenge	4885
Evidentiary value	
Report of local commissioner	4473
Evidence in defence	
Leading of	4503
Eviction proceedings	
Scope of Order 39.....	4948
Eviction Order	
Appeal against.....	5115
Ejection Proceedings	
Unsafe premises.....	5130
Eviction Order	4282
Eviction Suit	
Additional evidence	5170
Evidence	
Recording.....	5415
Essential evidence	5190
Expert option	
Letting in	5190

F

Fabricated Compromise	4410
Family	
—meaning of	4617
Family Court	
Transfer of pending suits	4611
Jurisdiction	4611
Family Court Act, 1984	
Matters concerning family	4610
Order 32-A, CPC and	4610
Filing of documents	
after agreements	5167
Final decree	
Application of	4680
Framing of	4689
Firm	
Suit against	4537
What is	4536
Foreclosure	
Suit for	4665
Foreclosure suit	
Calculation of interest	4698
Extension of Time	4669
Final decree on default	4669
Final decree	4669, 4670
Power to decree sale	4672
Preliminary decree	4667
Suit for enforcement of mortgage	4671
Suit for redemption	4670
Formal defect in suit	
as grounds of withdrawal	4365
Illustrations	4367
Forma paupers	
Indigent person	4619
Institution of suit in decree passed in favour of wife	4650
Permission to prosecute	4551
Security for costs	4440
Framing of issues	
Additional	5148
—by appellate court	5147

Improper	5009
Fresh suit	
Bar	4384
Courts/Bar	4376
Limitation	4380
Permission to institute	4373

G

Government pleader	
Concessions by	4502
Definition of	4503, 4509
under Order 27, rule 8	4508
Government officer	
Suit against.....	4504
Government	
Defined under Order 27, rule 8.....	4509
Grant of injunction	
Principles of natural justice	4880
Grounds in appeal	
Appeal against decree of divorce	5012
Guardian	
<i>Ad litem</i>	4567, 4604
Appointment of.....	4601, 4566, 4567
Appointment of— <i>ad litem</i>	4586, 4604
Appointment of—for defendant	4596
Compromise by natural.....	4589
Conduct of	4589
Consent of.....	4586
Negligence of	4589
Representation of minor by.....	4583
Retirement, removal of death of	4592

H

Handwriting expert	
Comparison of signature of.....	4479
Scientific examination by.....	4478
Hereditary right to perform pooja	
Bar under Or. 23, Rule 1	4379
Hindu Marriage Act	
Appeal under.....	5058

High Court

Chartered.....5411

Hundis

Suits based on4718

I**Impleadment**

Transfer of entire interest4343

—of parties.....4385

Impleadment of parties

Interested person5094

Necessary parties5093

Party as respondent5094

Power of Appellate Court5092

Stranger.....5095

In camera Proceedings

Suits and proceedings4616

Indigency

Application for.....4632

Indigent Person

Accident claim of.....5292

Appeal as—by married persons4621

Appeal by.....5291

Application for permission to file appeal as an indigent person5296

Cost where—succeeds4651

Declaration of persons.....4618

Determination of4618

Forma pauperies.....4619

Grant of time for payment of Court-fee5297

Inquiry as to whether applicant is an indigent person.....5298

Inquiry into means of4630

Inquiry regarding pauperism5300

Institution of suit by.....4624

Leave to appeal5295

Leave to sue as.....4620

Meaning of4618, 5295

Permission of file appeal as4620, 4627

Permission to file appeal.....5292

Permission to use as4629, 4639

Power of Government to provide free legal aid4658

Procedure where—fails4652

Proof of	4620
Refusal of allow to sue as	4657
Rejection of application	4640
Scope of review.....	5295
Weavers as.....	4618
Who may.....	5292
Ingredients	
Order 38, Rule 5	4444
Inherent power	
Exercise of	4996
Inherent Power of court	
Grant of injunction.....	4828
Setting aside of compromise decree	4400
Injunction	
Ad interim.....	4827
Anti-suit.....	4883
Conditional order	4855
Encroachment of public land.....	4821
Mandatory.....	4897
Preventive	4865
Prohibitory	4849
Temporary.....	4814
Injunction order	
Breach of	4926
Discharge of.....	4942
Violation of.....	4924
Interest	
Entitlement to	4697
Grant of	4693
Liability to pay	4693
Payment of.....	46991
Pendente lite	4696
Rate of	4693
Reduction of.....	4693
Interest in Mortgage Suit	
Entitlement to —	4697
Grant of—	4693
Liability to pay	4696
Pendente lite	4696
Rate	4693
Reduction of —.....	4693

Interlocutory orders

Appointment of receiver	4544
Sale of property	4544
Scope of	4944

Interlocutory remedy

Purpose of	4802
------------------	------

Interim injunction

against demolition	4843
Appeal	4846
Encashment of bank guarantee	4842
<i>ex-parte</i> —circumstances	4845
grant of	4807, 4840
Passing of	4840, 4842
Principles	4842
Tests	4845
Vacation of	4835, 4942

Interim Order

Implementation	4857
Non-compliance	4922

Internet domain name

Same—injunction	4312
-----------------------	------

Interpleader Suit

Agents and tenants may not institute	4709
Charge for plaintiff's costs	4709
Payment of thing claimed into court	4704
Plaint in	4707
Procedure at first hearing	4708
Procedure where defendant is suing plaintiff	4708

Insolvency of plaintiff

Suit does not abate	4320
---------------------------	------

Inspection

Property	4546
Grant of	5273

Interlocutory Orders

Power to order interim sale	4943
-----------------------------------	------

Interpleader Suit

Agents and tenants may not institute—	4709
Charge for plaintiff's costs	4709
Payment of thing claimed into Court	4707
Plaint in	4707
Procedure at first hearing	4708

Procedure where defendant is suing plaintiff	4708
Interrogatory	
Discovery of.....	5276
Issue	
Framing of	5131
Preliminary	5353

J

Joining	
Of parties	5090
Joint and inseparable decree	4329
Joint family property	
mortgage of	4692
Judgment	
Arrest before	4767
Attachment before	4768, 5273
Contents of	5206
Copy of—Filing	5004
Correction of statement of fact.....	5358
Draft	5204
Non-compliance with Order 41, rule 31, CPC.....	5205
—of appellate Court.....	5208
Points for determination in	5204
Pronouncement of	5205
Recalling	5341, 5357
Unsigned.....	5207
Judgment in Appeal	
Admiralty jurisdiction.....	5231
Admissibility of secondary Evidence in appeal	5231
Appeal against pre-emption decree	5224
Appeal from Original Decree	5233
Claim of the respondent to retain any part of the property	5224
Concurrent findings	5231
Contents of judgment	5206
Contents, date and signature of judgment	5200
Cross objections and appeal	5224
Discretion of Court	5219
Divorce proceedings	5230
Draft judgment.....	5204
Duty of the Appellate Court	5206
Enhancement of compensation.....	5232

Filing of appeal/cross objection	5231
Filing of second appeal	5232
Grant of Mesne Profits	5218
Hearing of appeals	5205
—in writ proceedings	5205
Intervention in appeal	5226
Judgment of the appellate court	5208
Judgment when and where pronounced	5198
Maintainability of Appeal	5230
Modification of Decree	5229
Moulding of relief	5232
Non-compliance of Rule 31	5205
Omission of trial court	5227
Order for eviction of tenant	5224
Partition suit	5228
Point for determination	5204
Power of appellate court to confirm status court	5231
Power of Court of Appeal	5210
Power of grant relief to non-appearing party	5233
Power of Supreme Court	5226
Powers of Appellate Court	5207
Pronouncement of Judgment	5205
Relief in a suit for possession	5224
Relief to non-appearing party	5229
Remand of case	5223
Remand of the matter	5228
Rule 33 confers unlimited jurisdiction	5223
Second appeal	5229
Setting aside of decree	5224
Unsigned Judgment	5207
What judgment may direct	5209
Judgment of Single Judge	
Appeal against	5254
Judicial Officer	
Responsibility	4964
Jurisdiction	
Contempt	5375
—of Court	4773
Plenary	5381
Territorial	4723
Unlimited	5223

Jurisdiction of Court

Grant of Temporary injunction4833

'Just and Convenient'

Meaning of4967

L**Leading evidence**

Permission to5192

Leave

to appeal4716

to depend4723

—of Court to defend4735

to file suit4740

Leave of Court

Appeal4999

—in a suit by minor4530

Suit for personal remedy4381

Levy of Tax

Injunction in4905

Leave to appeal

Indigent person5292

Leave to defend

Acceptance of4746

Application for4741

Delay in filing application4735

Grant of 4724, 4738, 4751, 4760

Joint application—Dismissal4742

Money suit4755

Summary suit4739

Triable issues4747

Unconditional4737, 4743

Legal aid

Right of free4650

Legal heir

Substitution of4347

Delay in substitution of4347

Legal heirs

Suit filed against unknown—Maintainability4314

Substitution of4315, 4316

Legal Representative

Absence of4313

Appointment of—does not confer heirship	
Bringing on records	5275
Decision of Court as to—	4315
Delay in impleading—Effect of judgment.....	4331
Determination of	4314, 4345
Impleadment	4264
Includes others, not confined to legal heirs	4336
Order of substitution	4315
Procedure.....	4313
Scope	4313
Substitution of	4268
Legal Representatives	
Additional written statement	4303
Bringing on record	4278
Death.....	4275
Impleading of	4274
Right of	4302
Transportation	4311
Uploading.....	4274
Letters Patent appeal	
Injunction in	4899, 4931
Order against Single judge	5286
Liability of partner	
Suit by firm	4550
Limitation	
Application of final decree	4678
Injunction against	4805
Plaintiff bound by—in any fresh suit filed on permission	4389
Plea of	4997
Redemption of mortgage	4679
Remand	5140
Lis Pendens	
Applicability of—to bona fide purchaser.....	4340
Liquidation	
Loan amount.....	4695
Liquidated amount	
Recovery	4743
Local Commission	
Object issuance of.....	4462
Objections against report of.....	4463
Order appointing/refusing to appoint	4463

Report of	4463
Local Commissioner	
Acceptance of report.....	4475
Admissibility of report	4474
Appointment of.....	4452, 4462
Evidentiary value of report of.....	4473
—for locating site in dispute	4464
—in a suit for permanent injunction	4467
Objections against report of.....	4475
Local Investigation	
Power of Court to issue commission for	4461
Locus Standi	
—to file appeal	4999
Lok Adalat	
Execution of award of.....	4420
Award	4418

M

Maintainability of appeal	
Abatement.....	4306
against refusal to grant injunction.....	4936
Maintainability of suit	
Claim for contractor price of work done/goods supplied	4427
Withdraw/without permission to file fresh suit	4377
Malimath Committee	
Recommendation.....	4991
Mandatory injunction	
against vendor and vendee	4897
Grant of	4793, 4901
Matrimonial Cases	
Applicability of Order 23, rule 1	4369
Memorandum of appeal	
Amendment.....	5012
Maintainability	5015
Permission of Amendment	5014
Petition for divorce	5015
Raising of additional ground.....	5015
Rectification	5002
Rejection or amendment.....	5014
Rejection	5012

Mesne profits

Power of Court to direct/mortgagee to pay/pay.....	4690
Grant of	5218

Minor

Appointment of guardian.....	4576
Becoming major effect	4595
Compromise on behalf of.....	4589
Decree against when to be set aside	4578
Decree against.....	4566
Mental infirmity	4601
Next friend—who	4579
Representation of minor	4583
Sue by next friend	4559
Suit against father.....	4586
Suit against.....	4575
Suit by worshipper	4561
Suit by	4560
Suit for benefit of	4585

Minority

Material date to judge.....	4565
-----------------------------	------

Miscarriage

—of Justice	5387
-------------------	------

Money decree

Appeal against.....	4510
---------------------	------

Money suit

Chitty Security Bond	4673
Leave to defend	4755

Mortgaged property

Miscarriage of justice.....	4783
Sale of.....	4699

Mortgage of Immovable property

Absence of whereabouts	4665
Application for final decree	4680
Application of proceeds.....	4699
Clog on redemption	4666
Confirmation of preliminary decree.....	4676
Coparceners in a joint family	4664
Costs of mortgagee subsequent to decree.....	4690
Death of mortgagor after preliminary decree	4676
Execution of decree	4682
Final Mortgage Decree	4679

Joinder of necessary parties	4664
Money suit	4665
Mortgages by the deposit of title-deeds and charges.....	4702
Necessary Parties	4663
Non-joinder of co-mortgagers.....	4663
Non-joinder of necessary parties.....	4663
Parties to be joined.....	4663
Parties to the suit for foreclosure <i>etc.</i>	4662
Person claiming adverse title	4664
Power of Court to direct mortgagee to pay <i>mesne profits</i>	4690
Rate of interest.....	4667
Recovery of balance due on mortgage in suit for redemption	4689
Recovery of money due.....	4664
Sale of mortgaged property	4681
Sale of property mortgaged for financial Corporation	4676
Sale of property subject to prior mortgage	4699
Setting aside of sale.....	4664
Sub-mortgage.....	4664
Suit for enforcement of mortgage.....	4676
Suit for foreclosure.....	4665
Suit for recovery.....	4664
Suit for redemption	4663, 4666, 4677
Suit for sale necessary for bringing mortgaged property to sale.....	4700
Mortgage	
Cost of	4690
Redemption of.....	4689
Motor Vehicles Act	1388
Applicability of Order 25.....	4446
Motor Accidents Claims Tribunal	
Issue of Commission	4456
N	
Necessary Party	
Summary suit	4738
Negligence	
—by employees.....	4754
—of appellant.....	5193
New Plea	
Whether can be allowed.....	4336
Next friend	
Agreement of compromise.....	4587

Appointment of.....	4560, 4603
Furnishing of security	4562
Liability of.....	4561
Removal of	4592
Representation of minor by.....	4583
Retirement of	4591
Suit by	4583
Suit instituted without—consequences.....	4561
Who may act as.....	4579
Non-appearance	
—of defendant in summary suit.....	4739
Non-appearing party	
Relief.....	5229
Non-applicability	
—of Order 22	4252
Non-compliance of mandatory provision	
Result	4382
Non-joinder of parties	
Suit by firm.....	4540
Notice	
Appeal against insurer	5073
—before granting injunction	4935
Contents of	5074
Dispensing with	5072
Illegal	5072
Issuance of.....	5071

O

Object	
Order 22, Rule 5	4314
Objections to finding	
	5150
Objections to decree by respondent	
Adverse Finding	5110
Alternative remedy	5112
Appeal against eviction order.....	5115
Appeal against setting aside of arbitration award.....	5115
Appeal by special leave.....	5101
Appeal for enhancement of compensation under Motor Vehicles Act	5115
Appeal from decree.....	5108
Appellate jurisdiction	5112
Appointment of Civil Engineer	5108

Appointments in Municipal Corporation	5113
Attacking of Adverse Findings	5109
Counter claim	5100
Cross objection in joint appeal by the insurer and owner	5115
Cross objection to be filed by aggrieved party.....	5115
Cross-objections.....	5101
Delay in filing special leave petition	5115
Filing of separate appeal.....	5114
Maintainability of appeal	5112
Modification of Decree	5116
Nature of Cross-objections	5109
Power of the Supreme Court.....	5114
Privilege of the respondent.....	5115
Re-hearing of appeal.....	5114
Right of the respondent	5114
Scope of decree	5112
Second appeal.....	5113
Validity of order of remand	5111
Obstructive Conduct	
Judgment.....	4772
Order	
Appealable	5277
Erroneous	5388
Recalling	5366
Recalling	5366
Simultaneous.....	4774
Order 22, CPC	
—of Clarification of applicability/under Rule 11	4346
Order of attachment before judgment	
Consequences	4771, 4784
Original decree	
Appeal from.....	5233
P	
Partition suit	
Compromise in.....	4409
Compromise decree in	4412, 4414
Partnership Firm	
Can be sued on its own name.....	4536
Suit against.....	4524

Payment of money into Court

Deposit by defendant.....4435
 Interest on deposit not allowed4435
 Manner4435
 Notice.....4435
 Procedure.....4445

Pauper

Permission to sue as4641
 Suit as4626

Pauperism

Inquiry5300

Pendente lite

—transfer, party to litigation4342

Permanent injunction

Interference in possession4951

Personal remedy

Suit for—4762

Petition

Continuation.....4789

Plaint

Return5280

Plea

Absence of.....5190

Pleader

Certificate of.....4590

Plenary

Jurisdiction.....5381

Photocopy of Judgment

Filing of—.....5004

Possession

Resistance to.....5273

Power

Exercise of4777
 —of Court to pass interim order4784

Power of Attorney

Absence of—in a suit by Corporation4527
 Challenge on lower court5166

Power to adjourn hearing

Addition of a party as respondent5094
 Addition of parties5094
 Adjournment.....5094

Appeal against Decree	5095
Impleading of interested person	5094
Impleading of Party	5094
Impleading of stranger.....	5095
Joining of parties	5090
Necessary parties in appeal	5093
Parties to Appeal	5095
Re-admission of Appeal	5095
Power to set aside decree	
Summary Suit.....	4757
<i>Ex-Parte</i> Decree	4758
Grant of leave to defend.....	4760
Powers of Court	
—in compromise	4422
Powers of Court pending appeal	
Security and stay of execution	5320
to stay execution of decree.....	5320
Order of injunction.....	5321
Pre-emption decree	
Appeal against.....	5224
Preliminary point	
Determination of—	5128
Remand	5128
Preservation and detention of property	
Application for such orders to be after notice.....	4947
Appointment of advocate commissioner	4946
Inspection of property.....	4948
Power of the court	4946
Seizure of the goods	4946
Temporary injunction	4947
President	
Assent of.....	4673
Presidency Small Cause Courts	
Scope	5421
Presidency Towns Insolvency Act	
Proceedings under.....	4537
Principles of appointment of receiver	
Receiver can be appointed when it is just and convenient	4951
Receiver cannot be appointed on apprehension of forcible dispossession	4952
Receivership cannot be imposed on a person forcibly.....	4952

Prohibitory injunction

Grant of	4849
Preservation of property	4946
Preventive/injunction	4865

Proceedings

Abatement.....	4298
Stay	5032

Procedure for the appearance of defendant

Advance of defendant	4757
Appearance in the Court	4755
Bank suit for recovery of money based on written contract	4746
Grant of leave to defend.....	4751
Leave to defend in a money suit.....	4755
Leave to defend	4746
Memorandum of agreement.....	4756
Negligence by employees in performance of duty.....	4754
Procedure in summary suit	4754
Recovery of dues by bank by summary proceedings.....	4754
Recovery suit.....	4751
Refusal to grant leave	4756
Summary procedure.....	4753
Summary Suit.....	4751
Summoning for judgment.....	4753

Procedure in suits 4762

Summary Judgment.....	4762
Bills of exchange	4763

Procedure on hearing

Right to begin.....	5075
---------------------	------

Process

—served at expense of party issuing	5409
---	------

Profession

Delivery.....	4688
---------------	------

Professional fees

Recovery of—by firm.....	4538
Suit for recovery of	4538

Promissory Note

Execution of.....	4728
-------------------	------

Property

Attachment	4785
Inspection	4548
Preservation	4968

Property Tax

Levy of5191

Provincial Small Cause Courts

Scope5418

Proviso

—to Order 225, Rule 1, purpose of—4440

Provisions applicable to attachment

Continuation of petition4790

Execution of decree4791

Injunction at the instance of defendant4791

Injunction cannot be granted only on the basis of balance of
convenience4791

Satisfaction of the court4791

Public documents

Rejection to adduce5172

Additional evidence5191

R**Railway Claim Tribunal**

Power of Review.....5352

Readmission

—of Appeal.....5084

Re-admission of appeal

Dismissal of appeal in default.....5085

Dismissal of appeal for non-appearance5086

Restoration of Appeal5086

Second appeal.....5088

Receiver

Appointment 4944, 4951, 4957

Direction of Court.....4954

Direction to4959

Duties of4969, 4972

Necessity of.....4971

Remuneration4972

Rendition of account4971

Tenure of office of.....4954

Validity of appointment4969

Receiver, Appointment of

After reference to arbitration4953

Apprehension of forcible dispossession.....4952

Bare quit for.....4552

—by bank.....	4953, 4954
Can be appointed when just and convenient.....	4951
Default in instalment	4954
Disposal of HUF property	4953
Estate of widow	4952
Guidelines.....	4951
—in case of firm and business cases	4954
—in land acquisition proceeding.....	4953
Mortgaged suit	4952
Partition proceeding	4952
Suit for dissolution of partnership	4952
Suit for removal of trustee	4953
Suit for specific performance	4953
Receivership	
Can not be imposed forcibly	4352
Recording of evidence	
—of Chartered High Court.....	5415
Recovery	
Suit for—of money by Corporation.....	4525
Suit for—of loan by Corporation	4525
Money due	4664
—of dues.....	4726
Recovery of Possession	
Suit for.....	4951
Recovery suit	
—by bank.....	4301, 4695, 4746
Letter of Credit	4750
—of amount	4735
Redemption	
Suit for.....	4663, 4685
Clog on.....	4666
—of mortgage	4677, 4683
—of Usufructuary mortgage.....	4689
Redemption Suit	
Delivery of possession	4688
Final Decree.....	4686
Framing of final decree.....	4688
Preliminary decree.....	4682
Recovery of balance	4689
Redemption of mortgage.....	4685, 4689
Usufructuary Mortgage.....	4684

Reference

Cost	5334
Power to alter, etc., decree of Court making	5335
to government by public officer	4507
to High Court under proviso to Section 113	5333

Registration

Vehicle	5197
---------------	------

Rehearing

<i>Ex parte</i> order	5096
—of appeal	5114

Re-hearing on application of respondent 5096**Rejection of review application**

Appeal against	5406
Counter claim	5403
Dismissal in default	5406
No appeal	5406
Order refusing to review	5406
Production of documents in appeal	5407
Review Jurisdiction of Court	5402

Remand

—by Appellate Court	5144
—by Supreme Court	5122, 5129
Condition precedent	5128
Eviction proceedings	5144
Execution of decree	5120
Exercise of power	5132
Failure to frame issue	5143
Grant of	5135
Grounds	5128
—in other cases	5140
Jurisdiction to	5128, 5131
—of matters	5145
on appeal	5124
Penalty	5130
Power of High Court	5121, 5195
Power of	5134
Preliminary point	5128
Refund of Court fees	5142
Subsequent events	5128, 5131
Validity of	5126

Remand by Appellate Court

Appeal against partition and delivery of possession	5128
—by Supreme Court.....	5129
Condition precedent	5128
Condonation of delay.....	5132
Duty of remand Court	5131
Ejectment proceedings	5130
Exercise of power	5132
Framing of issue.....	5131
Grant of	5135
Grounds.....	5128
Jurisdiction.....	5128
Maintainability of second appeal	5135
Non-supply of copy of statement.....	5130
on preliminary point.....	5128
On the basis of subsequent events	5128
Order of	5134
Penalty.....	5130
Power of court	5125
Power of remand	5145
Power of the Appellate Court	5144
Remand in case of eviction proceedings	5144
Remand in other cases	5140
Remand of matters.....	5145
Remand on appeal.....	5124
Remand on the ground of failure to frame issue.....	5145
Suit for taking accounts of partnership firm	5136
Validity	5126

Remand Court

Duty of.....	5131
--------------	------

Remand order

Appeal against.....	5278
to mention date of next hearing.....	5150
Validity of.....	5111

Rendition of Accounts

Suit for.....	4274
---------------	------

Repayment Schedule

Failure to follow	4727
-------------------------	------

Representative capacity

Suit filed in—Abatement.....	4330
------------------------------	------

Representative suit	
Applicability of Order 23, rule 3-B to	4429
Nature of.....	4432
Report of Commission	
Value of.....	4459
Representation	
—of minor by next friend.....	4583
Requirement of security for Costs	
When	4432
Failure to comply with.....	4440
Res Judicata	
Determination of legal representatives—.....	4315, 4316
Restoration	
Possession	5042
Restoration of Appeal	
Suit dismissed in default.....	5079, 5086
Retrospective effect	
CPC Amendment Act	1999
Reversal	
Whole decree.....	5026
Review	
Acceptance of.....	5387
against order closing evidence of defendant	5358
Allowed on specific grounds.....	5353
Ambit of—Jurisdiction.....	5364
And appeal.....	5371
Application.....	5350
before Supreme Court	5365
—by Judges	5393
—by third party.....	5363
—by Tribunal	5388
Clarification of the Order.....	5382
Decree of divorce	5365
Discovery of new and important evidence	5358
Discovery of new important matter	5358
Discretionary Relief	5373
Finding on Will	5370
Grant of benefit.....	5374
Grant of injunction.....	5365
Grounds of.....	5331
Hearing of.....	5401

Hearing of—petition.....	5363
—in Appealable cases.....	5357
Interest powers.....	5354
Judgment of Chartered High Court.....	5411
Judgment/order of the Supreme Court.....	5386
Jurisdiction of the High Court	5369
Jurisdiction.....	5376
Maintainability of—petition	5371, 5394
Miscarriage of Justice.....	5387
Mistake on the face of record	5357
new evidence.....	5358
Non-explanation of law.....	5366
—of decree for Divorce.....	5365
—of erroneous order.....	5388
—of Judgment.....	5352, 5401
—of Judgment/order.....	5373
—of order resulting miscarriage of justice	5364
—of order	5369
on application of parties	5353
on application of parties	5353
on ground of additional material.....	5374
Order of Single Judge.....	5365
Order of writ Court.....	5366
Order of writ court	5366
Patent and glaring mistake	5365
Petition	5355
Power of Court	5351
Power of railway claims tribunal.....	5352
Power of small cause Court	5381
Power of Tribunal	5364
Power of.....	5287, 5367, 5394
Powers of Claims Tribunal.....	5369
Purpose of.....	5370
Right of party	5387
Right of.....	5382
Scope	5347
Small Cause Court	5381
Specified grounds.....	5353
Substantial Averments	5367
Sue motu, power of Court.....	5354
Sufficient reasons.....	5388

Suit for Redemption	5369
<i>suo motu</i> review	5354
Tenability	5376
Review application	
Appealable Cases	5357
Applicability	5344
Before special Court	5386
Dismissal	5405
Form of	5390
Grant	5393
Grounds of	5351
Inherent Powers	5354
Object of	5344
Order refusing to review	5406
Petition	5355
Rejection	5393, 5406
Scope	5343
Review Jurisdiction	
Exercise of	5382
Failure to Exercise	5353
—of Court	5402
Permissibility	5354
Review in Court of two or more Judges	
Dismissal of second appeal.....	5401
Hearing of	5400
Jurisdiction of Chief Justice	5400
Service conditions	5401
Review Petition	
Appeal pending	5381
Grant of injunction.....	5365
Hearing of	5363, 5400
Jurisdiction of Chief Justice	5400
Maintainability	5371
Review proceeding	
Seeking	5003
Under Order 41, rule 27	5193
Revision	
Application for—of judgment	5340
Conversion into appeal.....	5370
Decree for specific performance	5354
Final appellate order	5279

Power of District Court	5336
Preliminary issue in	5353
Withdrawal.....	5389
Revisional Court	
Power of	5131
Revision application	
Effect of abatement	4331
Right of passage	
Claim of	4805
Right of suit	
Death of partner.....	4543
Right to Sue	
Meaning	4252
Survival of.....	4282
under Order 22	4252

S

Sale	
Mortgaged property	4681
Setting aside	4664
Scope of	
Order 22, Rule 1	4253
Order 22, Rule 2	4268
Order 22, Rule 4	4290
Order 22, Rule 4-A	4313
Order 22, Rule 5	4314
Order 22, Rule 6	4317
Order 22, Rule 7	4319
Order 22, Rule 8	4320
Order 22, Rule 9	4321
Order 22, Rule 10.....	4334
Order 22, Rule 10-A	4343
Order 22, Rule 11.....	4346
Order 22, Rule 12.....	4348
Order 23, Rule 1	4357
Order 23, Rule 1-A	4388
Order 23, Rule 2	4389
Order 23, Rule 3	4395
Order 23, Rule 3-A	4425
Order 23, Rule 3-B.....	4429
Order 23, Rule 4	4433

Order 24, Rule 4	4436
Order 25, Rule 1	4440
Order 25, Rule 2	4442
Order 26, Rule 1	4448
Order 26, Rule 2	4452
Order 26, Rule 3	4453
Order 26, Rule 4	4455
Order 26, Rule 5	4458
Order 26, Rule 6	4459
Order 26, Rule 8	4460
Order 26, Rule 9	4461
Order 26, Rule 10.....	4471
Order 26, Rule 10-A.....	4477
Order 26, Rule 11.....	4481
Order 26, Rule 12.....	4483
Order 26, Rule 13.....	4484
Order 26, Rule 14.....	4486
Order 26, Rule 15.....	4489
Order 26, Rule 17.....	4492
Order 26, Rule 18.....	4493
Order 26, Rule 18-A.....	4493
Order 26, Rule 18-B.....	4494
Order 26, Rule 19.....	4495
Order 27, Rule 1	4500
Order 27, Rule 2	4502
Order 27, Rule 4	4503
Order 27, Rule 5	4504
Order 27, Rule 5-A.....	4505
Order 27, Rule 5-B.....	4506
Order 27, Rule 6	4507
Order 27, Rule 8-A.....	4509
Order 27-A, Rule 1-A.....	4514
Order 27-A, Rule 2-A.....	4516
Order 27-A, Rule 4	4518
Order 28, Rule 3	4520
Order 29, Rule 1	4522
Order 29, Rule 2	4528
Order 29, Rule 3	4530
Order 30, Rule 1	4535
Order 30, Rule 2	4541
Order 30, Rule 3	4542

Order 30, Rule 4	4544
Order 30, Rule 5	4547
Order 30, Rule 6	4548
Order 30, Rule 7	4548
Order 30, Rule 8	4549
Order 30, Rule 10.....	4551
Order 31, Rule 1	4554
Order 31, Rule 2	4555
Order 31, Rule 3	4556
Order 32, Rule 1	4560
Order 32, Rule 2-A.....	4563
Order 32, Rule 3	4575
Order 32, Rule 3-A.....	4578
Order 32, Rule 6	4585
Order 32, Rule 7	4588
Order 32, Rule 8	4591
Order 32, Rule 12.....	4594
Order 32, Rule 13.....	4597
Order 32, Rule 15.....	4599
Order 32, Rule 16.....	4608
Order 32-A, Rule 1	4615
Order 32-A, Rule 2	4616
Order 32-A, Rule 5	4616
Order 33, Rule 1	4625
Order 33, Rule 1-A.....	4630
Order 33, Rule 2	4631
Order 33, Rule 3	4635
Order 33, Rule 7	4644
Order 33, Rule 9	4647
Order 33, Rule 14.....	4656
Order 34, Rule 1	4662
Order 34, Rule 2	4669
Order 34, Rule 3	4671
Order 34, Rule 4	4673
Order 34, Rule 5	4675
Order 34, Rule 8	4687
Order 34, Rule 10.....	4690
Order 34, Rule 11.....	4692
Order 34, Rule 12.....	4699
Order 34, Rule 14.....	4701
Order 35	4707

Order 36	4710
Order 37, Rule 1	4715
Order 37, Rule 2	4734
Order 38, Rule 1	4765
Order 39, Rule 1	4801
Order 39, Rule 2	4814
Order 39, Rule 3	4935
Order 39, Rule 6	4944
Order 39, Rule 7	4945
Order 39, Rule 8	4948
Order 39, Rule 9	4949
Order 39, Rule 10.....	4950
Order 40, Rule 1	4959
Order 40, Rule 2	4972
Order 40, Rule 4	4976
Order 41, Rule 1	4985
Order 41, Rule 2	5010
Order 41, Rule 3	5013
Order 41, Rule 3-A.....	5016
Order 41, Rule 4	5026
Order 41, Rule 5	5034
Order 41, Rule 6	5045
Order 41, Rule 8	5049
Order 41, Rule 10.....	5052
Order 41, Rule 11.....	5055
Order 41, Rule 11-A.....	5065
Order 41, Rule 14.....	5071
Order 41, Rule 16.....	5075
Order 41, Rule 17.....	5076
Order 41, Rule 19.....	5084
Order 41, Rule 20.....	5089
Order 41, Rule 21.....	5096
Order 41, Rule 22.....	5099
Order 41, Rule 23.....	5119
Order 41, Rule 23-A.....	5136
Order 41, Rule 24.....	5143
Order 41, Rule 25.....	5146
Order 41, Rule 26.....	5150
Order 41, Rule 26-A.....	5150
Order 41, Rule 27.....	5153
Order 41, Rule 28.....	5196

Order 41, Rule 29.....	5198
Order 41, Rule 30.....	5198
Order 41, Rule 31.....	5202
Order 41, Rule 32.....	5209
Order 41, Rule 33.....	5211
Order 41, Rule 34.....	5234
Order 41, Rule 35.....	5235
Order 41, Rule 36.....	5236
Order 42, Rule 1	5248
Order 42, Rule 2	5249
Order 42, Rule 3	5253
Order 43, Rule 1	5261
Order 43, Rule 1-A.....	5288
Order 43, Rule 2	5290
Order 44, Rule 1	5292
Order 44, Rule 2	5297
Order 44, Rule 3	5299
Order 45, Rule 1	5304
Order 45, Rule 2	5307
Order 45, Rule 3	5310
Order 45, Rule 6	5310
Order 45, Rule 7	5313
Order 45, Rule 13.....	5319
Order 46, Rule 1	5332
Order 46, Rule 2	5334
Order 46, Rule 3	5334
Order 46, Rule 4	5334
Order 46, Rule 4-A.....	5335
Order 46, Rule 5	5335
Order 46, Rule 6	5335
Order 46, Rule 7	5336
Order 47, Rule 1	5343
Order 47, Rule 3	5390
Order 47, Rule 4	5393
Order 47, Rule 5	5396
Order 47, Rule 6	5402
Order 47, Rule 7	5405
Order 47, Rule 8	5407
Second Appeal	
Admission of	5057
Bar.....	5060, 5252

Cross-objections in.....	5113
Dismissal in default	5088
Disposal.....	5064
Filing of.....	5232
Maintainability	5135, 5273
Second Commissioner	
Appointment of.....	4468, 4472
Secondary evidence	
Admissibility	5231
Security	
Construction of the word	4749
Furnishing of	4778, 5046
Nature and mode.....	5042
Power of executing court	5047
Procedure when defendant fair to furnish	4779
Stay of sale.....	5047
Security of Courts	
Demand by Court.....	5052
Secured creditor	
Order of attachment before judgment	4782
Security for costs	
Effect of failure to furnish.....	4440
Exceptional circumstances	4439
Situation when—can be ordered	4439
When required	4437
Separate Appeal	
Filing of.....	5114
Service	
on corporation.....	4528
on partnership firm	4541
—of summons in summary suit.....	4739
Orders and notices	5410
Service on partnership firm	
Notice of execution	4543
Service on one partner.....	4543
Suit for eviction.....	4543
Settlement of issue	
Production of documentary evidence	5175
Shebait	
Maintainability of suit on behalf of duty	4554

Show cause notice	
Under Order 38, Rule 5	4774
Single Judge	
Order of	5277
Small Causes Court	
Attachment of immovable property	4800
Society	
Suit by or against.....	4524
Sole defendant	
Death of	4294
Special case	
Agreement to be filed and registered as suit.....	4711
Hearing and disposal of case	4711
No appeal from a decree passed under rule 5	4712
Parties to be subject to Court's jurisdiction	4711
Power to state case for Court's opinion	4710
Reference of dispute	4712
Where value of subject-matter must be stated	4711
Special leave	
Appeal by.....	5101
Special leave Petition	
Filing of.....	5115
Specific Performance	
Decree.....	5354
—in case person of unsound mind.....	4605
Suit against minor.....	4574
Suit for.....	5166, 5274
Suit for—compromise decree in	4412
Status quo	
Change	5286
Status quo order	
Grant of	4806, 4851
Maintenance of.....	4930
Violation of.....	4930
Stay	
—by Appellate Court	5042
Confiscation	4258
Deposit in executing court.....	5043
Discretion of Court	5038
Enhancement of property tax	5043
<i>Ex parte</i>	5044

Execution of final decree	5038
Grant of	5040
Inherent powers	5043
—of execution proceedings	5041
on furnishing security	5041
Operation of decree	5043
Order/Proceedings	5041
Power of Curt	5041
Proceedings.....	5275
Suit under Section 10 CPC.....	4954
Stay by Appellate Court	
Appeal against assessment of tax	5041
Deposit in executing Court	5043
Discretion of Court.....	5038
does not effect withdrawal of proceedings from the lower court	5041
Enhancement of property tax	5043
<i>Ex parte</i> stay	5044
Grant	5040
Inherent powers	5043
Nature and mode of security.....	5042
—of execution of final decree of partition	5038
—of execution proceedings of eviction decree	5041
—of operation of decree	5043
—of Order/Proceedings	5041
on furnishing security	5041
Power of executing Court.....	5042
Power of the court to stay	5041
Proceeding	5036
Restoration of possession	5042
Suit for injunction decreed against defendant.....	5041
Stay proceedings	
Appellate Court	5036
Stridhan	
Kinds of	4613
Substantial question of law	
Article 147 constitution of India	4515
Costs.....	4517
Impleadment of Government	4516
Suits involving	4513
Subsequent mortgage	
Right of	4700

Substitution

Legal Representatives	4315
Legal heirs	4315

Substitution application

Decision of	4283
-------------------	------

Succession

Requirement	4285
-------------------	------

'Sufficient Cause'

—for setting aside abatement	4327
Ignorance of death.....	4329
Liberal Construction under Order 22, Rule 5	4326

Sufficient means

Meaning of	4619
to pay court fees.....	4619

Sufficient Reasons

Meaning.....	5388
--------------	------

Suit

Abandonment.....	4378
Abatement.....	4261
against father.....	4586
against partners	4538
against several person	4268
as pauper.....	4625
Bar of.....	4377
—by indigent persons.....	4623
—by minor	4566
—by or against Government	4500
—by serving and new partners	4537
Compromise.....	4391
—for benefit of minor.....	4585
—for declaration.....	4597
Partition.....	5228
Repudiate, by minor co-plaintiff	4597
Stay of.....	4772
Summary	4718
Valuation	4284
Will not abate on death of a party between hearing and pronouncement of Judgment.....	4317
Withdrawal Cases of.....	4358, 4374

Suit against Firm

Appeal against the firm, filed against two of the partners against whom suit for recovery was dismissed	4537
--	------

Appearance of partners	4547
Appearance under protest	4549
Authority to Appear and Represent.....	4524
Death of partner before filing suit	4540
Delegation of Powers	4524
Disclosure of partners' names	4540
Eviction decree against dead person	4551
Filing of suit by director	4525
Husband of married executrix not to join.....	4555
Joinder of trustees, executors and administrators	4554
No appearance except by partners	4548
Non-joinder of parties.....	4540
Notice in what capacity served.....	4547
Power of attorney document of absent—Signing—Effect.....	4527
Power to require personal attendance of officer of corporation.....	4530
Proceedings under Presidency town Insolvency Act.....	4537
Property vested in trustee adjudicator or administrator	4554
Representation of beneficiaries in suits concerning property vested in trustees, <i>etc.</i>	4553
Representation of Beneficiary	4554
Requirement of Section 69 of Partnership Act.....	4538
Right of suit on death of partner.....	4543
Service on corporation.....	4528
Service	4541
Signature and Verification	4525
Subscription and verification of pleading	4521
Suing of partners in name of firm	4535
Suit against Ltd. Company	4524
Suit against partnership firm	4524
Suit against person carrying on business in name other than his own.....	4551
Suit By Firm	4539
Suit by or against society registered under Societies Registration Act.....	4524
Suit by registered firm.....	4537
Suit by surviving and new partners	4537
Suit for Damages.....	4539
Suit for recovery of loan.....	4525
Suit for recovery of money by the Company	4525
Suit for Recovery of Professional Fees	4538
Suit on behalf of Corporation	4524
Suits between co-partners	4551

Suits against military, naval men or airmen

Authorising other person to sue or defend	4519
Authorised person may prosecute or defend	4520
Authorised person competent to engage pleader	4520

Suit against public Officer

Government to be joined as party	4505
Procedure.....	4508
Requirement of security.....	4509

Suit against person carrying on business in another's name

Scope	4551
-------------	------

Suit by indigent persons

Application to sue as indigent person	4628
Costs where indigent person succeeds.....	4651
Costs.....	4658
Court to assign a pleader to an unrepresented indigent person.....	4650
Defence by an indigent person.....	4658
Grant of time for payment of Court-fee	4658
Inquiry into the means of an indigent person.....	4630
Limitation	4645
Non-payment of court fee	4645
Permission to Sue as Indigent Person	4627
Power of Government to provide for free legal services to indigent persons.....	4658
Procedure at hearing	4643
Procedure if application admitted	4646
Procedure of hearing	4644
Procedure where an indigent person's suit abates.....	4655
Procedure where indigent person fails	4652
Recovery of Court fees	4649, 4656
Refusal of grant have.....	4646
Refusal to allow applicant to sue as an indigent person to bar subsequent application of like nature.....	4657
Scope	4644
Suit as pauper	4626
Suit may be instituted in forma pauperis.....	4629
Withdrawal of permission to sue as an indigent person.....	4646

Suits by or against Corporation

Authority to appear and represent	4524
Delegation of powers	4524
General authority	4524
Limited company.....	4524

Partnership firm	4524
Power of Attorney, absence of	4525
Representation	4524
Termination of contract	4554
Verification of the petition	4526
Suit by or against Government	
Addition of parties	4501
Appeal on behalf of state	4501
Attendance to persons	4507
Duty of Court to assist in arriving at a settlement.....	4506
Implement.....	4504
Persons authorised to act	4501
Plaints.....	4502
Procedure under Order.....	4501
Suits by or against military or naval men or airmen	
Officers, soldiers sailors or airmen who cannot obtain leave may authorise any person to sue or defend for them.....	4519
Person so authorised may act personally or appoint pleader	4520
Service on person so authorised, or on his pleader, to be good service	4520
Suits by or against minors and persons of unsound mind	
Agreement or compromise by next friend or guardian for the suit	4587
Appeal.....	4559
Course to be followed by minor plaintiff or applicant on attaining majority	4593
Decree without guardian in—void-.....	4558
Guardian for the suit to be appointed by Court for minor defendant	4567
Minor to sue by next friend.....	4559
Receipt by next friend or guardian for the suit of property under decree for minor.....	4584
Removal of next friend.....	4592
Representation of minor by next friend or guardian for the suit	4583
Retirement of next friend	4591
Retirement, removal or death of guardian for the suit	4592
Security to be furnished by next friend when so ordered.....	4562
Stay of proceedings on removal, etc., of next friend.....	4592
Unreasonable or improper suit	4598
Where suit is instituted without next friend, plaint to be taken off the file	4561
Who may act as next friend or be appointed guardian for the suit.....	4579
Suits by or against Trustees, Executors & administration	
Husband of married executrix	4555

Joinder of.....	4554
Termination of Contract	4554
Suit for partition	
Dismissal	5030
Suit for realisation	4721
Suit for Recovery	
Amount under Fixed Deposit	4730
Leave to defend	4723
Maintainability	4730
—of large amount.....	4733
Suit for Sale	
Amount due under Mortgage deposited before confirmation of sale	4676
Appeal against confirmation of sale	4680
Application for final decree	4680
Assent of President.....	4673
Auction Sale.....	4679
Confirmation of preliminary decree.....	4676
Death of the mortgager after preliminary decree	4676
Execution of decree for recovery	4682
Final decree passed and property in question sold by auction sale.....	4676
Final Decree	4674, 4676
Limitation	4678
Passing of Final Mortgage Decree	4679
Payment in installments	4681
Preliminary decree.....	4671
Preliminary Decree	4673
Recovery of balance due on mortgage	4682
Sale of mortgaged property	4681
Sale of property mortgaged for Financial Corporation	4676
Setting aside of executive sale	4681
Suit for enforcement of mortgage	4676
Suit for redemption of mortgage	4677
Suit property	
Immediate Possession	4949
Suits relating to Family	
“Family”—Meaning of	4617
“Stridhan”	4613
Assistance of welfare expert.....	4616

Duty of Court to make efforts for settlement	4616
Duty to inquire into facts.....	4616
Hindu Wife—Rights not affected	4612
Order 32-A and Family Courts Act.....	4610
Pending suits—Transfer to Family Courts.....	4611
Proceedings to be held in <i>camera</i>	4615
Reference of Cases to Lok Adalat	4615
Summary dismissal	
Power of	5059
Summary judgment	4723
Summary Procedure	
Bank guarantee by judgment debtor.....	4718
Claim based on indemnity bond	4719
Decree for Recovery	4725
Execution of Promissory Note	4728
Failure to follow repayment schedule.....	4727
—for recovery	4731
Grant of leave to defend.....	4724
Grant of leave to defend.....	4724
Initial presumption.....	4722, 4723
Leave to appeal	4716
Leave to defend suit for recovery.....	4723
Liquidated demand.....	4719
Maintainability of suit for recovery	4730
Maintainability	4729
on bill of exchange	4726
Recovery of debt of deceased	4721
Recovery of Dues	4726
Recovery of large amount	4733
Suit based on hundis	4718
Suit for eviction.....	4719
Suit for realization of sum filed in small cause court.....	4719
Suit for realization.....	4722
Suit For Recovery of Amount Under Fixed Deposits	4730
Suit for recovery	4720
Suit on the basis of cheque	4718
Summary judgment.....	4725
Summary suit	4716
Territorial jurisdiction	4723

Summary Proceedings

Recovery of dues by bank4754

Summary suit

Institution of4733

Maintainability4729

Meaning of 'trial' in.....4729

on bills of exchange.....4727

Procedure.....4754

Summary Suits

Appeal Against Ex-Parte Decree.....4742

Application of obtaining relief to appear and defend in the suit4735

Condition Precedent4742

Condonation of delay.....4743

Deemed admission4740

Defense available.....4744

Delay in filing application for leave to defend4735

Disclosure of facts4743

Enforcement of bank guarantee.....4737

Filing of written statement.....4744

Footnotes of invoices4740

Grant of leave to defend.....4738

Leave of the court to defend the suit4735

Leave to file suit4740

Necessary Party.....4738

Non-appearance of defendant4739

on the basis of pronote4737

Recovery by bank4741

Recovery of liquidated amount.....4743

Rejection of application4742

Revision against grant of leave.....4743

Service of summons4739

Suit for Recovery4735

Unconditional leave to defend.....4737

Unconditional leave4742

Summary Trial

Basis of pronote4737

Summons

Service of on Corporation4528

Summoning for judgement4753**Suppression of material fact**

Rejection by Court.....4405

Supreme Court

Appeal.....	5301
Certificate as to value or fifteen	5390
Inherent powers	5219
Power to dispose with notices	5315
Power to grant injunction	4911
Powers of Court.....	5318
Refusal of Certificate	5310
Security deposit	5313

Survey Commissioner

Report of	4475, 4479
-----------------	------------

T**Temporary injunction**

Absence of written contract	4896
Admission of party	4792
Against admission in MD courses.....	4897
Against airline.....	4881
Against alienation of coparcenary property	4795
Against alienation	4853
Against authority	4849
Against bank guarantee.....	4793
Against conviction	4805
Against co-possessor	4878
Against co-sharer	4793
Against demolition.....	4795
Against dispossession of tenant.....	4886
Against dispossession.....	4795
Against dispossession.....	4897
Against elected candidate	4793
Against encashment of bank guarantee	4867
Against execution	4796
Against financial corporation	4871
Against guarantor	4848
Against injuries to copyrights	4795
Against Invasion of suit property	4873
Against joint use of electric motor.....	4886
Against landlord.....	4805
Against levy of water tax.....	4838
Against municipality	4795, 4806

Against Obstruction	4838
Against publication	4799, 4931
Against raising construction.....	4795, 4860
Against sale.....	4866
Against suspension	4757
Against university	4793
Against user.....	4867
Allotment of sharer.....	4796
Allotment of shops.....	4886
And compensation.....	4892
Appeal against.....	4887
Arbitration proceedings	4757
Assignment of copyright	4882
Bidding for supply contract	4864
Breach of	4884
—by High Court	4897
Claim of right of passage	4805
Condition Precedent for Injunction	4937
Conduct of <i>khutuba</i>	4891
Court to direct notice to opposite party.....	4935
Court to dispose of application for injunction within thirty days	4938
Creativity in a television aerial.....	4872
Disconnection of electric Supply.....	4796
Discretion of Court	4892
Duty of court.....	4875
Effective remedy	4894
Entitlement	4847
<i>Ex parte</i> relief	4836
<i>Ex parte</i>	4829
Execution of construction.....	4798
Existence of <i>prime face</i> case	4792
Grant of lincence.....	4799
Grant of police aid.....	4874
Grant of	4791, 4796, 4818, 4862
Guarantee of performance	4895
Guiding principles.....	4888
—in election	4793
—in judicial proceedings	4793
— <i>in</i> recovery suit.....	4832
Interference in possession	4853, 4865, 4872

Interference in.....	4822
Jurisdiction of Court	4833
Matter of discretion	4895
Necessary parties	4879
Order for injunction may be discharged, varied or set aside	4939
Police protection.....	4884
Power of appellate court to grant	4792
Power of Court	4870, 4875
Power of tribunal.....	4889
Publishing article	4798
Recovery of loan	4856
Recovery of money.....	4820
Refund of security deposit	4856
Regarding boundary wall.....	4891
Relating to possession	4792
Restoration of water supply	4795
Restraining transfer of property.....	4867
Re-telecasting of programme	4877
Revocation of licence	4874
Right of bury dead person	4896
Specific performance of contract.....	4795, 4797
State of quit	4896
Status quo order	4757
Stay in Commercial Transaction.....	4890
stay of acquisition proceedings.....	4796
Suit in foreign Court.....	4876
Telecasting of film	4847
Title simplicitor	4894
to corporation binding on its officers	4943
to restrain repetition/continuation of breach	4808
Transfer of flat.....	4798
Type of	4801
Vacation of interim order.....	4757
Violation of copyright	4837
Violation of terms of agreement	4834
Temporary Mandatory Injunction	
Against defamatory statements.....	4902
Against passing of	4302, 4914
Alienation by <i>Karta</i>	4897
Breach of terms of wakf.....	4902

Grant of	4893
Infringement of copyright	4500, 4940
Letter patent Appeal	4899
Plantation of trees	4898
Testamentary suit	
Compromise decree in	4424
Time	
Extension of—in foreclose suit.....	4669
Time within which hearing under rule 11 should be concluded.....	5065
Torts Case	
Applicability of Order 22.....	4254
Trail	
Meaning of—in Summary suit	4729
Transposition	
—of defendants a plaintiffs	4388
—of respondents as appellant.....	4388
withdrawal of suit	4389
Trial Court	
Jurisdiction of—to appoint guardian	4586
U	
Unsound mind	
Appeal on behalf of.....	4577
Appointment of guardian <i>ad litem</i>	4604
Appointment of guardian.....	4601
Appointment of next friend	4603
Compromise decree	4605
Representation of person of.....	4603
Suit by persons of	4562, 4600
Suit for specific performance	4605
Unsoundness of person	
Inquiry regarding	4601
Satisfaction of court	4601
Unrepresented indigent person	
Court to assign pleader	4650
Unconditional	
Leave to Defend.....	4743
Unauthorised	
Occupation	5209
Usufructuary mortgage	
Redemption.....	4684

V**Validity**

- Consent decree.....4403
 Compromise decree4404

Validity of Compromise

- Compromise not signed by parties.....4417

Valuer

- Appointment of.....4451

Vacation

- of interim injunction4835

Validity of any Statutory Instrument4513**Verification of pleading**

- Suit by Corporation.....4523

Void

- Compromise without leave of Court4432

W**Wakf**

- Breach of terms of—Injunction in4902

Warrant of Arrest

- Order 38, Rule 54776

Warrant of possession

- Maintainability of fresh application.....4381

Widow

- Appointment of receiver.....4952

Willful disobedience

- of Injunction order4918

Withdrawal

- of amount4783

Withdrawal of suit

- Appellate stage4371, 4382
 Compromise decree4370
 Eviction proceedings4370
 Execution proceedings.....4371
 Grounds.....4366
 Pending arbitration4371
 Pending under Article226, 4371
 Permission4357, 4365, 4367
 Revocation of.....4370
 Segregation of claims.....4371
 'Sufficient cause'4374

Suit filed by minor.....4372

Summary suit4371

When necessary4357

Writ petition.....4383

Withdrawal of writ petition

Application of Order 23, Rule 14376

Withdrawal of suit

—on grounds of compromise4430

—by indigent person4654

Withdrawal of permission

—to sue as indigent person4646

Witnesses

Hostile4490

Worker's Compensation Act

Applicability of Order.....26, 4446

Writ Jurisdiction

Order in—5002

Writ appeal

Delay in filing.....5016

Writ proceedings

Limitation4308

Written Statement

Filing of.....4744

Additional4310

Joint4303

