

CIVIL PROCEDURE CODE AND LIMITATION ACT

CIVIL PROCEDURE CODE

1. Introduction

The Code of Civil Procedure, 1908 is a **procedural law** related to the administration of civil proceedings in India. The Code is divided into two parts: the first part contains 158 sections and the second part contains the First Schedule, which has 51 Orders and Rules. The sections provide provisions related to **general principles of jurisdiction** whereas the Orders and Rules prescribe **procedures and method that govern civil proceedings in India.**

Check Byju Introduction...

What is Procedural Law?

Procedural law, also known as adjective law, outlines the process that courts must follow when adjudicating civil, criminal, and administrative cases. It is the set of rules and principles that govern how legal matters progress through the judicial system. This includes how a lawsuit or case is initiated, what kind of service of process is required, the types of pleas or motions that may be made, and what evidence is allowed.

The purpose of procedural law is to ensure fairness, justice, and consistency in the legal process. By defining the process, it ensures all parties have an equal opportunity to present their case and safeguards the individual's right to a fair trial.

What is Substantive Law?

Substantive law, in contrast, is concerned with the actual rights and obligations of individuals and organizations. It defines the statutory laws that dictate how people should behave in society and the consequences when these laws are broken. This encompasses laws related to criminal offenses, civil rights, contract law, property law, and family law.

Substantive law is the framework within which the justice system operates. It sets out the duties, rights, liabilities, and privileges of individuals, as well as providing the basis for legal actions and defenses in both civil and criminal matters.

Distinction between Substantive Law & Procedural Law

SUBSTANTIVE LAW	PROCEDURAL LAW
The Substantive law defines and determines the obligations and rights of people and legal entities.	Procedural law lays down the method of aiding, the steps and procedures for enforcement of Civil and Criminal Law.
When a particular law defines rights or crimes or any status, it is called Substantive Law. It defines how a crime or tort will be charged and how the evidence and case facts will be presented and handled. Eg- The definition of 'manslaughter' is substantive.	The laws that determine how the rights of the plaintiff and defendant will be protected and enforced throughout the course of the case Procedural Laws. It includes procedure, pleading, and evidence. Eg-The right to a speedy trial for a person accused of 'manslaughter' is procedural.
A Substantive Law also provides for Prohibitions administered by courts which behaviors are to be allowed and which are prohibited- such as law providing prohibition	Procedural Laws provides rules to determine, how the Substantive Laws are to be administered, enforced, changed, and used in the mediation of disputes -such as

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Ian Pickup



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