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**& ASSOCIATES**

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# TYPE OF SUITS IN CPC 1908



Prepared By:  
Adv Usha Vats &  
Adv Manoj Parashar

Under the **Code of Civil Procedure, 1908 (CPC)**, suits can be classified in different ways depending on their nature, subject matter, and relief sought. Here's a structured breakdown like a senior advocate would explain:

## 1. Based on Nature of Subject Matter

1. **Civil Suits** – For enforcement of civil rights (e.g., property, contracts).
  2. **Commercial Suits** – Involving commercial transactions, covered under the *Commercial Courts Act* (e.g., trade disputes, intellectual property).
  3. **Revenue Suits** – Relating to land revenue, tenancy, etc.
  4. **Family Suits** – Relating to marriage, divorce, maintenance, guardianship.
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## 2. Based on Relief Claimed

1. **Suits for Recovery of Money** – Filed under Order 4 CPC with relief of payment.
2. **Suits for Specific Performance** – Enforcing contractual obligations (*Specific Relief Act*).
3. **Suits for Injunction**
  - *Temporary Injunction* – Order 39 Rules 1 & 2 CPC.
  - *Permanent Injunction* – Section 38, Specific Relief Act.
4. **Suits for Declaration** – Section 34, Specific Relief Act.

## 5. Suits for Possession

- Immovable property – under *Specific Relief Act* or *Transfer of Property Act*.
- Movable property – recovery of specific goods.

6. **Suits for Partition** – Division of property among co-owners.

7. **Suits for Damages** – Tort or breach of contract.

8. **Suits for Accounts** – Partnership dissolution, trust management, etc.

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## 3. Based on Procedure

1. **Ordinary Suits** – Follow standard CPC procedure.

2. **Summary Suits** – Order 37 CPC, for quick disposal of certain money claims.

3. **Special Suits** – Provided under special statutes (e.g., matrimonial suits under HMA, NI Act cases).

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## 4. Based on Parties

1. **Representative Suits** – Order 1 Rule 8 CPC, where one or more persons represent many.

2. **Interpleader Suits** – Section 88 & Order 35 CPC, where a stakeholder asks the court to decide between claimants.

3. **Suits by/against Government** – Section 79–82 CPC.
  4. **Suits by/against Minors or Persons of Unsound Mind** – Order 32 CPC.
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## 5. Based on Jurisdiction & Value

1. **Small Cause Suits** – Tried by Small Causes Courts (provincial laws apply).
  2. **Regular Suits** – Value and complexity higher, follow full CPC trial procedure.
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### Senior Advocate Tip for Court Practice:

When drafting or identifying a suit, always check:

- **Jurisdiction** (territorial, pecuniary, subject matter) – Sections 15–20 CPC.
- **Limitation Period** – *Limitation Act*.
- **Cause of Action** – Whether the facts justify relief.
- **Relief Clause** – Be precise and match it with the correct statutory provision.

**“Justice  
delayed is  
justice denied.”**

**— William E. Gladstone**

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