



“बेटी बचाओ, बेटी पढ़ाओ” JAYOTI VIDYAPEETH WOMEN'S UNIVERSITY, JAIPUR

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NAAC Accredited University

Faculty of Law and Governance

Faculty Name- Ms. Tripti Negi

Program- BA LLB, LLB, Semester 6th

Course Name- Civil Procedure Code

Session No.& Name – 2023-2024

Academic Day starts with –

Greeting with saying ‘Namaste’ by joining Hands together following by 2-3 Minutes Happy session, Celebrating birthday of any student of respective class and National Anthem.

Lecture Starts with-

Review of previous Session

National song’ VandeMataram’

Subject Name – Civil Procedure Code

Topic – Judgment

Introduction:

In the legal landscape of India, judgments play a pivotal role in the adjudication of civil disputes. The Code of Civil Procedure (CPC) governs the procedural aspects of civil litigation, including the process of delivering judgments. In this note, we undertake a thorough examination of judgments under the CPC, exploring their nature, components, significance, and procedural aspects.

Nature of Judgments under the CPC:

A judgment under the CPC represents the final decision or pronouncement of a civil court in a legal dispute. It is a formal expression of the court's findings on the issues raised by the parties during the trial and its determination of the rights and liabilities of the parties involved. Judgments serve as authoritative legal documents that conclude the litigation process and provide the basis for enforcing rights and obligations.

Components of Judgments:

A judgment under the CPC typically consists of several components, each serving a specific purpose in conveying the court's decision:

1. **Title and Heading:** The judgment begins with a title identifying the court, the parties involved, and the nature of the case. It may also include a heading specifying the stage of the proceedings, such as "Final Judgment" or "Interim Order."
2. **Introduction:** The judgment usually contains an introductory section summarizing the facts of the case, the issues in dispute, and the legal principles involved. This section provides context for the court's analysis and decision-making.
3. **Statement of Facts:** The judgment includes a detailed narration of the facts as established during the trial. It outlines the events, actions, and circumstances relevant to the case and helps the court in assessing the merits of the parties' arguments.
4. **Issues Framed:** The judgment identifies the specific legal issues or questions to be decided by the court. These issues are framed based on the pleadings of the parties and serve as the focal points of the court's analysis.
5. **Analysis and Reasoning:** The judgment contains a thorough analysis of the evidence, arguments, and legal principles presented by the parties. The court evaluates the credibility of witnesses, assesses the admissibility of evidence, and applies relevant legal precedents to resolve the issues in dispute.

6. Findings and Conclusions: Based on its analysis, the court formulates its findings on each issue raised by the parties. It determines the rights and liabilities of the parties and renders its final conclusions regarding the outcome of the case.

7. Operative Part: The judgment concludes with the operative part, which contains the final order or decree pronounced by the court. This part specifies the relief granted or denied to each party and the terms of any ancillary orders or directions.

Significance of Judgments:

Judgments under the CPC hold immense significance in the legal system for several reasons:

1. Precedential Value: Judgments serve as precedents for future legal decisions, guiding courts in similar cases and establishing principles of law that shape the development of jurisprudence.
2. Enforceability: A judgment represents a legally binding determination of rights and obligations, which parties are required to comply with. It provides the basis for enforcing court orders and executing decrees through the mechanisms provided under the CPC.
3. Clarity and Finality: Judgments bring clarity and finality to legal disputes by resolving conflicting claims and providing closure to the parties involved. They mark the culmination of the litigation process and enable parties to move forward with certainty.

Procedural Aspects of Judgments:

The CPC lays down specific procedural requirements and guidelines governing the delivery of judgments:

1. Timeliness: The CPC emphasizes the importance of delivering judgments within a reasonable time to ensure speedy justice and avoid unnecessary delays in the resolution of disputes.
2. Written Form: Judgments under the CPC must be in writing, signed by the presiding judge or judges, and dated. This requirement ensures the clarity, accuracy, and formal validity of judicial decisions.
3. Pronouncement in Open Court: Judgments are typically pronounced in open court, where parties or their representatives are present to hear the court's decision. This practice promotes transparency and ensures that parties have an opportunity to receive the judgment firsthand.

4. Reasons for Judgment: The CPC mandates that judgments must contain reasons for the court's decision on each issue raised by the parties. This requirement facilitates judicial accountability, enables parties to understand the basis of the decision, and assists in appellate review.

Conclusion:

In conclusion, judgments under the Code of Civil Procedure represent the culmination of the adjudication process in civil litigation. They encapsulate the court's findings, conclusions, and orders, providing the authoritative resolution of legal disputes. Understanding the nature, components, significance, and procedural aspects of judgments is essential for legal practitioners, litigants, and stakeholders in the justice system. By adhering to the principles and requirements set forth in the CPC, courts can deliver effective and equitable judgments that uphold the rule of law and promote access to justice.