



FACULTY OF JURIDICAL SCIENCES

Name of the faculty- Ms. Neha Khanna
Subject Name- Drafting, Pleading and conveyancing

SUBJECT CODE- BAL-703

Course- BA LLB, VII Sem

LECTURE SIX

[DRAFTING A PLAINT]

Drafting of a Complaint

Drafting of plaint on any issue is considered as most important in order to file the suit in the court and in this plaint drafted for the injunction on the use of unused land as a dumping area by the resident of Malviya Nagar, New Delhi that leads to health problem of the plaintiff due to huge collection of waste material and bad smell all the time.

IN THE CIVIL COURT AT SAKET NAGAR, DELHI

Suit No. 166 of 2020

Abhinav Sharma

B104, Malviya Nagar, New Delhi

..... Plaintiff

V.

Sharmistha Sharma

Malviya Nagar, New Delhi

..... Defendant

Suit for the Injunction On the use of Unused land as a dumping area

The Plaintiff submitted as under:

1. The plaintiff is a resident of Malviya Nagar, New Delhi, and the Defendant is a neighbor of the plaintiff.
2. Unused land is near the house of the plaintiff, which is used by the resident of B106 i.e. defendant as a dumping yard for the waste material of her ho use.
3. That the Defendant was all the time throwing the waste material in that unused land near the house of the plaintiff.
4. Since a very long time of being used as a dumping yard by the defendant, there is a collection of huge waste material that leads to the health problem of the plaintiff.

5. That the court has jurisdiction on this matter to fix an injunction on the use of unused land as a dumping area as it restricts his free movement and also leads to affect health due to defendant action.

Prayer:

It is Prayed that a decree for the injunction is passed in favor of the plaintiff against the defendant. And some other relief as the court thinks fit.

Place: Malviya Nagar

Signature

Date: 04/02/2020

(Abhinav Sharma)

Verification:

In the above-named plaintiff do hereby verify that the contents of the paras no. 1,2,3 and 4 are true to my knowledge and the contents of remaining paras are according to legal advice from my advocate which I believe to be true.

Place: Malviya Nagar

s/d of Plaintiff

Date: 04/02/2020

(Abhinav Sharma)

Conclusion

The plaint is a concept that emerged in the field of law for the better knowledge of the point of conflict and facts so that effective and well-informed decisions can be delivered. The concept of plaint is required in the commercial and civil matters which are dealt with by the commercial and civil courts. But the plaint has increased the complexity of the process and may make it tough to file the suit for legal remedy by the common people. It is also a time taking process due to which people are dissatisfied with this concept of plaint.

Due to the presence of many orders and rules under the provision of the Code of Civil Procedure for the regulation of plaint rejection, formation, and drafting of the plaint brings a lot of chaos in the civil system.

MCOs

i. Whether plaint can be rejected or not?

a. yes b. no c. in some cases d. none of above

ii. Whether verification of plaint is there in the provision?

a. Yes b. no c. in some cases d. none

iii. When does the prayer is submitted in the drafting of the plaint?

a. before the verification b. after verification c. nowhere d. anywhere

iv. Place and date is important in drafting plaint?

a. yes b. no c. in some cases d. none

v. whether name is included in plaints?

a. yes b. no c. in some cases d. none