

# Illustrations

C.P.C.



# CODE OF CIVIL PROCEDURE, 1908

## 1. Section 19: Suits for Compensation for Wrongs To Person Or Movables

### Illustrations

- A, residing in Delhi, beats B in Calcutta. B may sue A either in Calcutta or in Delhi.
- A, residing in Delhi, publishes Calcutta statements B defamatory of B. B may sue A either in Calcutta or in Delhi.

## 2. Section 20: Other Suits to be Instituted Where Defendants Reside or Cause of Action Arises

### Illustrations

- A is a tradesman in Calcutta, B carries on business in Delhi. B, by his agent in Calcutta, buys goods of A and requests A to deliver them to the East Indian Railway Company. A delivers the goods accordingly in Calcutta.
  - A may sue B for the price of the goods either in Calcutta, where the cause of action has arisen, or in Delhi, where B carries on business.
- A resides at Shimla, B at Calcutta and C at Delhi. A, B and C being together at Benaras, B and C make a joint promissory note payable on demand, and deliver it to A. A may sue B and C at Benaras, where the cause of action arose. He may also sue them at Calcutta, where B resides, or at Delhi, where C resides; but in each of these cases, if the non-resident defendant objects, the suit cannot proceed without the leave of the Court.

### 3. Order XXXV Rule 5: Agents and Tenants May Not Institute Interpleader Suits

#### Illustrations

- A deposits a box of jewels with B as his agent. C alleges that the jewels were wrongfully obtained from him by A, and claims them from B. B cannot institute an interpleader-suit against A and C.
- A deposits a box of jewels with B as his agent. He then writes to C for the purpose of making the jewels a security for a debt due from himself to C. A afterwards alleges that C's debt is satisfied, and C alleges the contrary. Both claim the jewels from B. B may institute in interpleader-suit against A and C.



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