



Bangladesh University of Business and Technology (BUBT)

(Outcome-Based Curriculum)

Faculty of Law

Program: LL. B (Hons.)

Course Outline

Part A

1. Course Code : LAW 638 (BNQF Code: LAW 04213204)

2. Course Title : Code of Civil Procedure Part-I

3. Course Type : Compulsory

4. Year/Semester : Third Year, Semester-2

5. Academic Session : Fall 2025

6. Course Teacher's Information

- Name and Code : Ariful Islam (MAI)
- Designation : Assistant Professor
- Department : Department of Law and Justice
- Contact Details : Cell Phone: 01915008207, Email: arifiulaw.07@gmail.com
- Room Number : Building 01, Room No. 511

7. Pre requisite (If any) : None

8. Credit Value : 3.00 Credit Hours

9. Contact Hours : Class Hours = 17 Weeks = (34 Classes x 1.25 Hours per class) = 42.5 Hours

Counseling Hours = 17 Weeks x 2 Hours per week = 34 Hours

****For optimum utilization of physical resources, the duration of our class weeks are 17 weeks.***

10. Total Marks : 100

11. Class Schedule and Counseling Hours

Intake	Section	Class Schedule			Counseling Hours		
		Day	Time	Room No.	Day	Time	Room No.
48	1	Sunday	02:45PM to 04:00PM	B1-504-B	Sunday	04:00 PM - 05:00 PM	B1-511
		Tuesday	09:15AM to 10:30AM	B1-504-B	Tuesday	12.00 PM -01:00 PM	B1-511

Rationale of the Course:

This course introduces the procedural rules that govern how civil litigation is conducted in the courts of Bangladesh. The course contains an overview of the entire body of rules as to the civil procedure starting from commencement of proceedings, by defining the issues for trial, to enforcement of judgments. There is specific importance upon case management procedures adopted by courts and the various alternative dispute resolution mechanisms that are used to assist people to resolve civil disputes without recourse to a contested hearing and judgment by a court. Again, the law students must have adequate knowledge in civil procedural law as it is a subject of daily use in the court and without having the knowledge on it one cannot do practice well in civil matters. They need to become familiar with the basic rules and procedures involved in the court based civil dispute resolution process in Bangladesh.

13. Course Objectives:

The objectives of this course are as follows:

- a) To interpret and introduce the fundamentals of civil procedure and familiarize students with the structure of a civil courts.
- b) To critically analyze and determine the nature of *Res Judicata* and *Res Sub-Judice* affecting civil action
- c) To prepare draft pleadings for a wide range of persons including minors, persons of unsound mind, public officers, firms and corporate bodies.
- d) To demonstrate procedures relating to issues and service of summons, discover and inspection, examination of parties by the court, disposal of suit at the first hearing, rules of adjournment etc.
- e) To critically analyses and discuss and apply the civil rules in a practical context regarding pleadings.

14. Course Learning Outcomes (CLOs) and Mapping of CLOs with Program Learning Outcomes (PLOs):

Course Learning Outcomes (CLOs):

The expected learning outcomes of this course are as follows:

1. Understand overall the the fundamentals of civil procedure and familiarize students with the structure of a civil courts.
2. Critically analyze and determine the nature of *Res Judicata* and *Res Sub-Judice* affecting civil action.
3. Demonstrate and discuss the rules place of suing and institution of suit.
4. Analyze the manners, and methods of the pre-trial and trial stages of civil suits.
5. Discuss and apply the civil rules in a practical context regarding pleadings.

Program Learning Outcomes (PLOs):

PLO1	Legal knowledge: Apply the knowledge of evaluation, fundamentals and legal specialization to solve the legal problems;
PLO2	Problem analysis: Identify, formulate, research the literature and analyse legal problems and reach substantiated conclusions using provisions of law.
PLO3	Investigation: Conduct investigations of various legal problems, considering provisions of law, analysis and interpretation of case laws to provide lawful conclusions.
PLO4	Legal Professionals and society: Apply reasoning informed by relative knowledge to assess societal, health, safety, legal and cultural issues and the consequent responsibilities relevant to professional manners and etiquette.
PLO5	Ethics: Apply ethical principles and commit to professional ethics, responsibilities and the norms of the lawyers professional manners and etiquette.
PLO6	Individual work and team work: Function effectively in the individual law chamber and as a member or leader of particular law chamber or legal work base office/teams as well as in multidisciplinary settings.
PLO7	Communication: Communicate effectively about legal issues with the general people and with society at large. Be able to comprehend and write effective opinion, prepare legal documentation, make effective presentations before the court and clients and give and receive clear instructions..
PLO8	Life-long learning: Recognize and need for and have the preparation and ability to engage in independent, life-long learning in the broadest context of legal changes.

Mapping of CLOs with Program Learning Outcomes (PLOs):

Course Learning Outcome (CLOs)	PLO1	PLO2	PLO3	PLO4	PLO5	PLO6	PLO7	PLO8
CLO 1: Understand overall of the fundamentals of civil procedure and familiarize students with the structure of a civil courts.	√	√	√	√	√	√	√	√
CLO 2: Critically analyze and determine the nature of <i>Res Judicata</i> and <i>Res Sub-Judice</i> affecting civil action	√	√		√			√	√
CLO 3: Demonstrate and discuss the rules place of suing and institution of suit.	√	√		√			√	√
CLO 4: Analyze the manners, and methods of the pre-trial and trial stages of civil suits.	√	√		√	√		√	√
CLO 5: Discuss and apply the civil rules in a practical context regarding pleadings.	√	√	√	√			√	√

Part B

15. Course plan specifying contents, CLOs, teaching-learning and assessment strategy with corresponding CLOs:

Week	Lecture	Topics	Book(s) & Other Reference(s)	Teaching-Learning Strategy	Assessment Strategy	Corresponding CLO (s)
1	1	Introduction: Procedural and Substantive Law;	Sarkar Ali Akkas, <i>Law of Civil Procedure</i> Mahmudul Islam: <i>Law of Civil Procedure</i>	Lecture		CLO1 CLO2 CLO4
	2	Retrospective Operation, Evolution of Civil Procedure Code,		Lecture		CLO2
2	3	Organization of Civil Courts, Object of the Code;		Lecture		CLO1
	4	Reasons of dividing Sections and Orders; Exhaustivity of the Code.		Lecture		CLO2
3	5	Definition Clause: Definition of Order, Decree,	Sarkar Ali Akkas, <i>Law of Civil Procedure</i>	Lecture, Interactive Discussion	Class Test 01	CLO2
	6	Decree, Judgment,		Lecture, Interactive Discussion		CLO4
4	7	Mesne Profit, and other Terms under Section -2 and Other Important Civil Related Terms.	Sarkar Ali Akkas, <i>Law of Civil Procedure</i> Mahmudul Islam: <i>Law of Civil Procedure</i>	Lecture		CLO4
	8	Jurisdiction of Civil Courts: Meaning of Jurisdiction, Kinds of Jurisdiction,		Lecture		CLO4
5	9	Conditions of Exercising Jurisdiction by Civil Court,	Sarkar Ali Akkas, <i>Law of Civil Procedure</i>	Lecture, Group Study		CLO4
	10	Lack of Jurisdiction and Irregular Exercise of Jurisdiction,		Lecture		CLO3
6	11	Presumption as to Jurisdiction, Objections as to Jurisdiction,	Mahmudul Islam: <i>Law of Civil Procedure</i>	Lecture		CLO4

	12	Principles and Limitation of Jurisdiction.		Lecture		CLO2, CLO3, CLO4
7	13	Res Subjudice and Res Judicata: Nature and Scope, Conditions,	Sarkar Ali Akkas, <i>Law of Civil Procedure</i>	Lecture, Interactive Discussion		CLO2, CLO3, CLO4
	14	Extent and Applicability of Res Subjudice Resjudicata, and Estoppel. Bar to Further Suits.	Mahmudul Islam: <i>Law of Civil Procedure</i>	Lecture		CLO4
8	15	Foreign Judgment: Meaning, Nature and Scope, Conclusiveness and Non Conclusiveness',	Sarkar Ali Akkas, <i>Law of Civil Procedure</i> Mahmudul Islam: <i>Law of Civil Procedure</i>	Lecture		CLO2, CLO4
	16	Presumption as to Foreign Judgment.	Sarkar Ali Akkas, <i>Law of Civil Procedure</i> Mahmudul Islam: <i>Law of Civil Procedure</i>	Lecture		CLO2 CLO3
	Midterm Examination					
9	17	Place of Suing: General Principles of place of Suing under Movable and Immovable Property.	Sarkar Ali Akkas, <i>Law of Civil Procedure</i>	Lecture	Assignment & Presentation	CLO1, CLO5
	18	Institution of Suit: Meaning and Essentials of Suit, Presentation of Suit,	Mahmudul Islam: <i>Law of Civil Procedure</i>	Lecture		CLO1, CLO5
10	19	Time and Place of Presentation, Conditions of Institution of Suit.		Lecture		CLO1, CLO5

	20	Joinder of Claims and Joinder of Causes of Action, Objections as to Misjoinder of Causes of Action.	Sarkar Ali Akkas, <i>Law of Civil Procedure</i>	Lecture, Group Study		CLO1, CLO5
11	21	Parties to Suit: Misjoinder Non-Joinder Proper and Necessary Parties, Proforma Defendant,		Lecture		CLO1, CLO5
	22	Objections as to Mis-joinder and Non Joinder, striking out, Adding and Substituting Parties. Representative Suit:		Lecture, Group Study		CLO1, CLO5
12	23	Definition, Objects, Conditions of Representative Suit.	Sarkar Ali Akkas, <i>Law of Civil Procedure</i>	Lecture		CLO1, CLO5
	24	Frame of Suits: Inclusion of Whole Claim, Splitting of Claim;		Lecture		CLO1, CLO5
13	25	Recognized Agents and Pleadings: Appearance of Parties, Recognized Agents,		Lecture		CLO1, CLO5

	26	Appointment of Pleader, Status of Pleader Authority of Pleader.	Sarkar Ali Akkas, <i>Law of Civil Procedure</i>	Lecture	Class Test 02	CLO1, CLO5	
14	27	Duties of Pleader, Responsibilities of Pleaders		Mahmudul Islam: <i>Law of Civil Procedure</i>		Lecture	CLO1, CLO5
	28	Issues and Service of Summons: Meaning, Essentials of Summons, Summons to Defendant Witnesses and Others,				Lecture	CLO1, CLO5
15	29	Summon to Foreign or other Territory. Exemption from Appearance in Person, Mode of Service of	Lecture, Interactive Discussion			CLO1, CLO5	
	30	Summons, Service in Special Cases, Onus to Prove of Service of Summons;	Lecture			CLO3	
16	31	Pleadings: Definition of Pleadings, its Objects,	Lecture, Interactive Discussion	CLO3			
	32	Basic Rules of Pleadings, Other Rules of Pleadings, Striking out of Pleadings,	Lecture, Interactive Discussion	CLO3			
17	33	Signing and Verification of Pleading, Amendment of Pleadings, Inherent power of the Court.	Sarkar Ali Akkas, <i>Law of Civil Procedure</i> Mahmudul Islam: <i>Law of Civil Procedure</i>	Lecture, Interactive Discussion		CLO2	
	34	Revision Class		Interactive Discussion			
	Final Examination						

Part C

16. Assessment and Evaluation:

a) Assessment Strategy:

- i. Students will have **two class tests (CTs)** during the semester in this course. The date and time of each Class Test will be announced before the tests. All CTs will be closed book.
- ii. The marks of the **two class tests** will be counted and averaged.
- iii. There will be **one assignment** with **presentation**.
- iv. No late submission of any assignment will be accepted.
- v. If students cannot submit their assignments within due time for any valid reason(s), their assignment will be accepted as late submission but the marks of assignment will be deducted.
- vi. Failure to submit assignments will carry Zero Mark(s).
- vii. Evaluated copies of assignments will be shown to the students during the class time.
- viii. Zero tolerance will be shown in case of copy/manipulation in assignment. Two or more copied assignments will carry zero mark.
- ix. Remaining absent in any presentation will carry zero mark in that presentation and there will be no make-up presentation.
- x. There will be one **Midterm Examination** and the **Final Examination** according to the rule of BUBT.
- xi. All the examined scripts of Class Tests and Midterm Examination will be shown to the students during the class time.

b) Marks Distribution:

Marks distribution of each course at BUBT is made on 100 marks and the distribution of weightage is given below:

<i>Particulars</i>	<i>Marks</i>
Class Attendance	05
Class Test	15
Assignment and Presentation	10
Midterm Examination	30
Final Examination	40
<i>Total</i>	<i>100</i>

Marks distribution for class attendance

A student must attend at least 70% classes in all the courses. 5% marks in each course is allocated for attendance and this score will vary from 1 to 5 according to his/her percentage of presence as shown below:

<i>Percentage of Attendance</i>	<i>Marks</i>
91% to 100%	5
86% to 90%	4
81% to 86%	3
76% to 80%	2
70% to 75%	1

c) Grading Policy:

The grading policy of BUBT will be followed to grade the students:

<i>Marks (%)</i>	<i>Letter Grade</i>	<i>Grade Point</i>
80 -100	A+	4.00
75 to less than 80	A	3.75
70 to less than 75	A-	3.50
65 to less than 70	B+	3.25
60 to less than 65	B	3.00
55 to less than 60	B-	2.75
50 to less than 55	C+	2.50
45 to less than 50	C	2.25
40 to less than 45	D	2.00
Less than 40	F	0.00

d) Make-up Procedure:

- If any student remains absent in CT(s) because of valid reason(s), he/she must report it to the course teacher immediately. The course teacher may consider the reason(s) of remaining absent in CT(s) and may give a make-up schedule for that CT(s). No further make-up schedule of CT(s) will be given if a student fails to comply with the earlier make-up schedule.
- If any student fails to attend the Mid-term Examination or and Final Examination for valid reason(s), he/she may apply for supplementary examination(s) **according to the rules of BUBT** and the supplementary examination(s) will be conducted by the Controller of Examination according to the examination rules of BUBT.
- If any student remains absent in any class(es) due to valid reason(s), he/she needs to submit a 'Written Application' to the course teacher supported by proper document(s). After verifying the submitted documents, the class teacher may grant him/her a 'Leave of Absence' and may consider the attendance for those class(es).

Part D

17. Learning Materials

a) Recommended Readings:

1. Sarkar Ali Akkas, *Law of Civil Procedure*
2. Mahmudul Islam: *Law of Civil Procedur*

b) Supplementary Readings:

1. Govt. Publication: Code of Civil Procedure, 1908
2. DF Mulla: Code of Civil Procedure, 1908
3. Abdul Matin: Code of Civil Procedure, 1908
4. Chittaley: Code of Civil Procedure, 1908
5. Shawkat Mahmood: Code of Civil Procedure, 1908
6. Mahmudl Islam: Code of Civil Procedure, 1908
7. M, Moniruzzaman: Code of Civil Procedure, 1908
8. CK Takwani: Code of Civil Procedure, 1908
9. Gazi Shamsur Raman: Code of Civil Procedure, 1908
10. DLR: 36 Years Civil Digest.

Ariful Islam

Assistant Professor

Department of Law and Justice

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