

Declaratory decree – A declaratory decree does not create or confer any new right but declares a pre-existing right. Therefore, when a declaratory decree declares the right of the decree-holder to another decree passed in an earlier suit, there is no divesting of interest of one person and vesting of it in another. There is no transfer at all and, therefore, the person in whose favour the declaratory decree is passed does not fall within Order 21 Rule 16 [CPC](#)

Read Here; [1955 PLRonline 0001](#) , [Jugal Kishore Saraf v. Raw Cotton Co. Ltd.](#)