



Suit - Non-filing of an affidavit in support of an application may be an irregularity but not an illegality or inherent defect that cannot be cured - Plaint can be returned for want of cause of action. Only the averments made in the plaint are considered, Suit - Non-filing of an affidavit in support of an application may be an irregularity but not an illegality or inherent defect that cannot be cured.

Civil Procedure Code, Order 19 Rule 1: ~~Non-filing of an affidavit in support of an application may be an irregularity but not an illegality or inherent defect that cannot be cured.~~

Civil Procedure Code, Order 7 Rule 1: The pecuniary value of the suit for [jurisdiction](#) and court fee purposes is the same. However, a plaintiff cannot claim a substantive relief against recovery and enforcement of a [contract](#) under the garb of relief for [injunction](#) simplicitor

Civil Procedure Code, Order 7, Rule 10: The plaint can be returned for want of [cause of action](#). Only the averments made in the plaint are considered, and the defendant cannot take advantage of averments in the [written statement](#)

Civil Procedure Code, Section 148 and Order 8, Rule 1: Delay in filing a written statement can be condoned, even if not strictly mandatory, based on the peculiar facts and circumstances of the case

Civil Procedure Code, Sections 2 and 20 and Order 7, Rule 1: The place of cause of action is determined from the bundle of facts of the case as a whole. Objection to the place of action must be raised at the first instance. Once an integral or material part of the cause of action arises within the jurisdiction of a court, that court cannot be said to have no jurisdiction

Debt Recovery Tribunals Act, Section 18: A suit for injunction can be entertained by a civil court, but if the plaintiff refers to the protection available under the Debt Recovery Act, the suit will not be maintainable

Specific Relief Act, Section 34: A suit for declaration without claiming further relief is not maintainable. However, the court may grant an opportunity to amend the suit in the [interest](#) of justice before dismissing it

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Tags: [Court Fees Act S. 7\(iv\)](#), [CPC O. 19 R. 1](#), [CPC O. 7 R. 10](#), [CPC O. 8 R. 1](#), [CPC S. 148](#), [CPC S. 2](#), [CPC S. 20](#), [Debt Recovery Tribunals Act S. 18](#), [Delhi High Court Rule](#), [SRA S. 34](#)