

## **E content for CPC.**

**Laws can be divided into two substantive and adjective or procedural law. while the former determines rights and liabilities for the parties the latter prescribed the practice procedure and machinery of the enforcement of this rights and liabilities. the Indian contract act the Indian penal code the industrial dispute are examples of substantive law the Indian evidence act criminal procedure code the limitation act are instances of procedural law**

**Procedural law is an adjunct or an accessory to substance law. the two branches are complementary to each other. the rules of procedure are intended to be a hand made to the administration of justice and they must therefore be construed liberally and in such manner as to render the enforcement of substances right effective so far as possible no proceeding in a court of law should be allowed to be defeated on mere**

**technicalities hyper technical view should be avoided by the court**

**It is procedural law which puts life into substances law by providing a remedy and implements the well known maximum ubi jus ibi remedium. A party cannot be refused relief merely because of some mistake negligence in advertence or even in fraction of the rules of procedure . A procedural law is always in aid of justice not in contradiction or to defeat the very object which is thought to be achieved achieved. A procedural law is always subservient to the substantive law. Nothing can be given by a procedural law what is not sought out to be given by substantive law and nothing can be taken away by the procedural law what is given by the substantive law .Processual law is not to be a tyrant but a servant not an obstruction but an aid to justice.**

**the code of civil procedure is an adjective law .it neither creates nor take away any right it is intended to regulate the procedure to be followed**

**by civil courts . the code is designed to facilitate justice and further its in and it is not a penal enactment for punishment and penalties not I thing designed to trip up people.**