

Plaint

A Plaint is a legal document that contains the content of any civil suit which shows the Plaintiff's claim after filing suit. The plaintiff is the first step of the Plaintiff in the form of a legal document for the commencement of suit and it shows what a Plaintiff wants from that suit. The concept of a plaintiff is mentioned in the Civil Procedure Code. Through the help of the plaintiff, the plaintiff narrates or describes the cause of action and related information which is considered as essential from the viewpoint of the suit.

In the case of the plaintiff, the cause of action consists of two divisions, first is the legal theory (the factual situation based on which the plaintiff claims to have suffered) and second is the legal remedy that the plaintiff seeks from the court. A plaint is considered an important concept because it is the foremost and initial stage to initiate any lawsuit and helps to find a civil court of appropriate jurisdiction.

Order VII of the Code of Civil Procedure deals, particularly with plaint. In Order VII of CPC, there are many different rules which deal with different constituents of plaint. Rules 1 to 8 deal with the particulars of the plaint. Rule 9 of CPC deals with how the plaint will be admitted and after that Rule 10 to 10-B talks about the return of the plaint and the appearance of parties. And the main Rules i.e 11 to 13 deal with the rejection of the plaint and in which circumstances the plaint can be rejected.

Section 26 of the Code of Civil Procedure states "Every suit shall be instituted by the presentation of a plaint or in such other manner as may be prescribed." This section clearly shows that plaint is very much necessary for the establishment of a suit before the civil or commercial court.

Necessary Contents of A Plaint

A plaint is a legal document that contains a lot of necessary contents in the absence of which, it cannot be considered as a plaint. The contents necessary for a plaint are mentioned in Rules 1 to 8 of Order VII of CPC. These are mentioned below:

- Plaint should contain the name of the commercial or civil court where a suit will be initiated.
- Plaint should contain details of the plaintiff such as the name, address, and description.
- Plaint should contain the name, residence, and description of the defendant.
- When a plaintiff has some defects or problems in health or any type of disability, the Plaint should contain a statement of these effects.
- Plaint should contain the facts due to which cause of action arises and where the cause of action arises it should also be mentioned.

- Plaintiff should not only mention facts due to which cause of action arises but also those facts which help in recognizing the jurisdiction.
- Plaintiff should also contain about that relief which the plaintiff seeks from the court.
- When the plaintiff is ready to set off a portion of his claim, the Plaintiff should contain that amount which has been so allowed.
- Plaintiff should contain a statement of the value of the subject-matter of suit not only for the purpose of jurisdiction but also for the purpose of court-fees. At last, the content that should be on plaintiff is the plaintiff verification on oath.

This shows that the plaintiff is a necessary component for the successful initiation of suits in commercial or civil courts and plays a very important role throughout the suit. Some additional particulars which were not mentioned above include the following: Plaintiff shall state the exact amount of money to be obtained from the defendant as given under Rule 2 of order VII whereas Rule 3 of order VII of CPC states that when the plaintiff contains subject matter of immovable property, then the property must be duly described.