**PLAINT**

The rules that apply to the plaint, in general, are referred to as general rules of plaint and rules which are specific to the drafting of plaint are referred to as specific rules of plaint.

## **Introduction**

Order 6 Rule 1 of the CPC defines pleadings as “a plaint or a written statement”. It means that plaint is the pleading It means that plaint is the pleading filed on behalf of the victim, i.e. plaintiff. It is the first step to initiate a civil suit in a court of law. The plaintiff, after employing a counsel, files a document in the court which contains the facts and circumstances. that gave rise to the cause for filing the suit. This document is called plaint.

As understood from above, plaint is a pleading under the CPC and therefore, by virtue of being a pleading, certain general rules that apply to pleadings also apply to plaint as well. However, there are certain exceptions and additions that apply only to plaint

General Rules of Plaint

* Order 6 Rule 2(1) states that “every pleading shall contain, and contain only, a statement in a concise form of the material facts on which the party pleading relies for his claim or defense, as the case may be, but not the evidence by which they are to be proved

As aforementioned, this rule also applies to plaint as it is one of the pleadings as defined under Order 6 Rule 1. Thus, this provision indicates that there are four basic or fundamental rules of documenting a plaint

General rules of plaint: Plaint ought to state the facts of the case and not the legal provisions applicable in the case.
* General rules of plaint: A plaint must contain only material facts.
* General rules of plaint: Plaints should contain the relevant facts on which either party relies but it should not state the evidence by which the fact is proposed to be proved.
* General rules of plaint: Plaint must contain a concise, i.e. brief facts that explain the details of the case in short.

## **Additional Rules for Drafting Plaint**

* Besides the above rules which apply on the plaint and written statement equally, there is a certain *sine qua non* under Order 7 R ules 2 and 3 that apply only to the plaint. There are several rules which are specific to the documenting a plaint but these rules keep changing and amending according to the decisions of the courts. The main four rules are:

Plaint ought to state the accurate amount of compensation claimed by the plaintiff from the defendant.
* A plaint must disclose every detail of the property in dispute to allow authentic identification of property.
* When the plaintiff has commenced the proceeding as a legal representative, the plaint must contain particulars to show that the representative has sufficient interest to commence the proceedings.
* Plaint must contain a concise explanation for the reasons why there was a delay

[Section 26 of the Code of Civil Procedure](https://indiacode.nic.in/handle/123456789/2191?locale=en) 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.

The plaint is a concept that emerged in the field of law for the better knowledge of the point of conflict and facts so that effective and well-informed decisions can be delivered. The concept of plaint is required in the commercial and civil matters which are dealt with by the commercial and civil courts. But the plaint has increased the complexity of the process and may make it tough to file the suit for legal remedy by the common people. It is also a time taking process due to which people are dissatisfied with this concept of plaint.