



# FRAMING OF ISSUES

## ANSWER OUTLINE

FAREEHA IMDAD



**1. INTRODUCTION:**

**2. Relevant Provisions:**

- I.** Order XIV Rule 1 to 5
- II.** Order XVIII Rule 2
- III.** Order XX Rule 5

Of Code of civil procedure, 1908

**3. Definition of Issue:**

Farlex legal dictionary

“A disputed point set forth in the pleadings that is alleged by one party to the suit and denied by the other party to the suit.”

**4. When issues up rise:**

U/Order Xiv Rule 1(1)

**5. Definition of Material preposition:**

U/Order Xiv Rule 1(2)

**6. Kinds of Issues:**

U/Order Xiv Rule 1(4)

Issues are of two kinds which are as follows;

- i. Issues of fact
- ii. Issues of Law

**7. Stage of framing of issues:**

**8. Matters to be considered before framing issues:**

- i. Reading the plaint and written statement:  
U/Order Xiv Rule 1(5)
- ii. Admission by any party:
- iii. Ascertainment whether allegations in pleadings are admitted or denied/ Examination of parties under order 10 Rule 1:
- iv. Examination of witnesses or documents:
- v. Examination of material preposition:
- vi. Consideration of evidence:  
AIR 1953 Cal 657

**9. Burden of proof:**

2005 MLD 153

**10. Determination of settlement of issues of law and of fact:**

U/Order Xiv Rule 2

**11. Appeal:**

**12. Materials on which issue may be framed:**

U/order Xiv Rule 3

- i. Allegations made on oath:
- ii. Allegations made in the pleadings:
- iii. Allegations made in the interrogatories:
- iv. Oral Examination of parties:
- v. Oral objection

vi. Contents of Documents:

**13. Object of framing issues:**

2006 CLC 970

**14. Duty of court:**

PLD 2008 Kar 572

**15. Effect of non-framing of issues:**

**16. Power to amend issues:**

- i. Discretionary power:
- ii. Mandatory power:
- iii. At any stage:

2011 CLC 1295

**17. Importance of framing of issues:**

**18. Final analysis:**