

1. Record Nr.	UNINA9910463615003321
Autore	Ouma Steve
Titolo	A commentary on the Civil Procedure Act Cap 21 // Steve Ouma
Pubbl/distr/stampa	Nairobi, Kenya ; ; Dar-es-Salaam, Tanzania ; ; Kampala, Uganda : , : LawAfrica, , 2013 ©2013
ISBN	9966-031-87-1
Edizione	[Second edition.]
Descrizione fisica	1 online resource (584 p.)
Disciplina	347.67620502632
Soggetti	Civil procedure - Kenya Electronic books.
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Includes index.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Cover; Title page; Copyright page; Contents; DEDICATION; PREFACE TO THE SECOND EDITION; ACKNOWLEDGEMENT; TABLE OF CASES; INTRODUCTION; 1.0 INTRODUCTION; 1.1 ADVERSARIAL PROCEDURE; 1.1.1 BILATERALITY; 1.1.2 PARTY PROSECUTION; 1.1.3 PARTY PRESENTATION; 1.1.4 LAWYERS; 1.1.5 THE ROLE OF THE COURT; 1.1.6 ADVANTAGES AND DISADVANTAGES OF ADVERSARIAL SYSTEM; 1.2 THE CONTINENTAL SYSTEM; 1.2.1 LAWYERS; 1.2.2 JUDGES; 1.2.3 ADVANTAGES AND DISADVANTAGES OF THE CONTINENTAL SYSTEM; 2.0 CIVIL AND CRIMINAL PROCEEDINGS; 2.1 CIVIL PROCEDURE; 2.2 THE CIVIL PROCEDURE ACT CAP. 21 2.3 RECOGNIZED AGENTS AND ADVOCATES 2.4 APPRAISAL; 3.0 SOURCES OF CIVIL PROCEDURE LAW; 3.1 THE CONSTITUTION OF KENYA 2010; 3.2 THE CIVIL PROCEDURE ACT CAP 21; 3.3 THE CIVIL PROCEDURE RULES; 4.0 LACUNAE IN THE ACT AND RULES; 5.0 DOCTRINES OF CIVIL PROCEDURE; 5.1 JUSTICIABILITY; 5.2 JURISDICTION; 5.2.1 THE SUPREME COURT; 5.2.2 THE COURT OF APPEAL; 5.2.3 THE HIGH COURT; 5.2.4 JURISDICTIONAL AUTHORITY; 5.2.5 INHERENT JURISDICTION; 5.2.5.1 To Meet the Ends of Justice; 5.2.5.2 To Prevent the Abuse of the Process of the Court; 5.2.5.3 Limitations to the Exercise of Inherent Powers 5.3 AUDI ALTERAM PARTEM 5.4 CAUSE OF ACTION; 6.0 TERMINOLOGY; 6.1 THE DEMAND LETTER; 6.2 PLEADINGS; 6.3 SERVICE OF PROCESS;

6.4 TRIAL; 6.5 PARTIES; 6.6 JUDGMENT; 6.7 APPEAL; 6.8 AN APPELLATE COURT; 7.0 POST-JUDGMENT REMEDIES; 7. 1 MONETARY DAMAGES; 7.2 EQUITABLE RELIEF; 7.3 DECLARATORY JUDGMENT; THE CIVIL PROCEDURE ACT (CHAPTER 21); PART I - PRELIMINARY; PART II - SUITS IN GENERAL; Jurisdiction of Courts; Place of Suing; Judgment and Decree; Interest; Costs; PART III - EXECUTION; General; Procedure in Execution; Attachment; Sale; Distribution of Assets; Resistance to Execution

PART IV - INCIDENTAL PROCEEDINGS Commissions; PART V - SUITS IN PARTICULAR CASES; Suits by Aliens and by or against Foreign Rulers; Interpleader; PART VI - SPECIAL PROCEEDINGS; Arbitration; Special Case; Suits Relating to Public Matters; PART VII - SUPPLEMENTAL PROCEEDINGS; PART VIII - APPEALS TO THE HIGH COURT AND COURT OF APPEAL; Appeals from Original Decrees; Appeals from Appellate Decrees of a Subordinate Court; Appeals from Appellate Decrees of the High Court; Appeals from Orders; General Provisions Relating to Appeals; PART IX - REVIEW; PART X - RULES; PART XI - MISCELLANEOUS PROVISIONS

THE CIVIL PROCEDURE ACT THE CIVIL PROCEDURE RULES, 2010; ORDER 1 - PARTIES TO SUITS; Rule 1. Who may be joined as plaintiffs; Rule 2. Power of court to order separate trial; Rule 3. Who may be joined as defendants; Rule 4. Court may give judgment for or against one or more of joint parties; Rule 5. Defendant need not be interested in all relief claimed; Rule 6. Joinder of parties liable on same contract; Rule 7. When plaintiff in doubt from whom redress is to be sought; Rule 8. One person may sue or defend on behalf of all in the same interest; Rule 9. Mis-joinder and Non-joinder
Rule 10. Substitution and Addition of Parties
