SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com

Source: sooperkanoon.com/act/16360

Code of Civil Procedure, 1908

Section 10 - Stayof Suit

No Court shall proceed with the trial of any suit in which the matter in issue is also directly and substantially in issue in a previously instituted suit between the same parties, or between parties under whom they or any of them claim litigating under the same title where such suit is pending in the same or any other Court in 1 [India] having jurisdiction to grant the relief claimed, or in any Court beyond the limits of 1 [India] established or continued by 2 [the Central Government] 3 [***] and having like jurisdiction, or before 4 [the Supreme Court].

Explanation.-The pendency of a suit in a foreign Court does not preclude the Courts in 1 [India] from trying a suit founded on the same cause of action.

---

1. Substituted by Act 2 of 1951, section 3, for "the States" (w.e.f. 1-4-1951).

2. Substituted by the A.O. 1937, for "the G.G. in C."

3. The words "or the Crown Representative" omitted by the A.O. 1948.

4. Substituted by the A.O. 1950, for "His Majesty in Council".

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com