STRUCTURAL PROCEDURAL PARADIGM OF CIVIL PROCEDURE, PAKISTAN

(Pleadings Centric & Trial Based)

		Pleading structurally incapacitated to bring true facts		Trial only way of investigation and adjudication of facts
Pleadings	INOTICE	Controversy framed through imperfectly known facts	rial	Only few cases are put to trial, and therefore, litigants whose cases are neither investigated nor adjudicated feel frustrated and dejected
		Claims & defenses might be fictitious and non substantial		
		Assertions of partis taken at face value		Investigation deficit does not allow ADR to work
				Parties who do not want investigation of facts, their biggest tool is delay
				Due to lack of investigation, element of surprise prevails, which results in adverserialsim, animosity and frustration
				No settlement
				Elasticity vanished from procedure
				No practice of pre trial investigation provided under Order 10, 11, 12 & 13 CPC