# **B.A.LL.B FIVE YEARS INTEGRATED COURSE**

#### VII – SEMESTER

Paper 1.4 704 Legal Language - II

## (A) VOCABULARY

- 1. Use of Legal terms (List of Legal terms given below)
- 2. Pair of Words
- 3. Proverbs used in Conversations and paraphrases/Explanation

## Example:

- a. A stitch in time saves nine
- b. Make hay while the sun shines
- c. Birds of feather flock together.
- d. Honesty is the best policy
- e. Time and tide wait for No man
- f. No rose without a thorn etc.
- g. When the cat is away the mice play.
- h. Rome was not built in a day.
- 4. Latin Maxims (Listed below)

# (B) Legal Writing

- 1. Plaint Writing
- 2. Deed Writing (Conveyanding)
- 3. Law Report Writing
- 4. Notice Writing
- 5. Application (i) Formal types : official and Social letters
  - (ii) Application for issue of Temporary Injuctions
- 6. Précis Writing
- 7. Essay Writing
- 8. Translation from (English to Hindi) of text having a legal base.

# List of Legal Terms which are relevant for LL. B. Students

Abet Abstain Accomplice Act of God Actionable Accused Adjournment Adjudication Admission Affidavit Amendment Appeal Acuittal Article Assent Attested Attornment Averment Bail Bailment Citation Clause Cercion Code Cognizable Confession

CognizableConfessionCompromiseConsentConspiracyContemptContingentContrabandConvictionConventionCorporateCustodyDamagesDecreeDefamation

DefenceEscheatEstoppelEvictionExecutiveEx-parte

**Finding** Floating Charge Forma Pauperis Franchise Fraud Frustration Good Faith Guardian **Habeas Corpus** Hearasy Homicide Hypothecation Indemnity Inheritance Illegal Bench Bill Bill of attaindor

Bill of Rights Bonafide Blockage By Laws Capital Punishment Charge Justiciable Chattles Legislation Liberty Legitimecy Liability Licence Lieu Liquidation Maintenance Malafide Malfiesance Minor Misfeasance Mortgage Negotiable Murder Negligence Non-feasence Instruments Neutrality Notification Novation Nuisance Offender Oath Obscence Order Ordinance Over-rule De-facto De Jur Deposit Detention Discretion **Distress Earnest Money** Enact Enforceable **Partition** Equality Perjury Petition Plaintiff Pledge Preamble Pre-emption Prescription

Presumption Privilege Privity
Prize Process Promissory Note
Proof Proposal Prosecution
Provision Ratify Receiver
Redemption Reference Regulation'

Remand Remedy Rent Repeal Respondent Res-judicata Insenity In Limine Institute Insurance Intestete Issue Judgement **Judicial** Jurisdiction **Justice** Restitution Rule

Ruling Schedule Section

Settlement Sovereignty Specific Performance

Stamp Duty Status Quo Statute Summons Stay of Execution Succession Surety Tenant **Testator Testatrix** Title Tort Trade Mark Treason Treaty Trial Tribunal **Trespass** 

Trust Ultra vires Undue Influence

Usage Valid Verdict
Vested Violate Vis-major
Void Voidable Wager
Waiver Warrant Warranty
Will Writ Wrong

#### LIST OF LATIN MAXIMS

- 1. Ab initio (from the veris beginning)
- 2. Action personalls moritur cum persona (Personal right by action dies with the person)
- 3. Actus Curae Neminem gravabit (an act of the court shall prejudice no one)
- 4. Actus non facit reum, nisi mens sit rea (the act itself does not constitute guilt unless done with a guilty intent)
- 5. Actus reus (wrong dul set)
- 6. ad interim (in the mean time)
- 7. ad litam (for the suit)
- 8. ad valoram (according to the value)
- 9. alibi (pleas of being elsewhere)
- 10. amicus curie (friend of the court)
- 11. lanimus (intention)
- 12. audi alteram (here the other side)
- 13. Caveat emptor (buyer beware)
- 14. Consensus ad idem (agreement by two persons upon the same thing in the same sense).
- 15. Demnum sine injuria (damage without injury)
- 16. de facto (in fact)
- 17. de jure (in law)
- 18. de minimis non-curat lax (the law takes no account of trifflying matters).
- 19. decree nisi (a decree which takes effect after a specified period)
- 20. delegates non-protest delegate (a delegated power cannot be further delegated).
- 21. doll in capax (in capable in malice)
- 22. denatio mortis causa (gift by a person on the death-bad)
- 23. ejusdem generis (oth the same category)
- 24. eminent domain (the supreme rights)
- 25. ex-officio (by virture of an office)
- 26. ex-parte (not in the presence of the opposite party)
- 27. ex-post facto (by subsequent act)
- 28. factum valet (the fact which cannot be altered)
- 29. fait accompli (an accomplished fact)
- 30. ignorentia legis neminem excusat (ignorance of law is no excuse)
- 31. in pari materia (in an anologous case, cause of position)
- 32. interest re publicate ut sit finis litium (it is in the interest of the republic that there should be an end of law suit)
- 33. injuria sine demnum (injury without damage)
- 34. intravires (within the powers)
- 35. jus turti (the right of a third party)
- 36. lis pendens (pending suit)
- 37. mens rea (a guilty mind)
- 38. mesne prfits (the profit received by a person on wrongful possession)
- nemo dat quod non habet (no man can transfer better title than he himself has)
- 40. nemo degat bis vexari pro una et eadim cavsa (no man be twice vexed for the same cause)
- 41. memo in propria cause judres esse debet (no one ought to be judge in his own cause)
- 42. nile prosequi (to be unwilling to prosecute)
- 43. obiter dicta (an opinion of law not necessary to the decision)
- 44. onus probandi (the burden of proof)
- 45. pacta sunt servanda (pacts must be respected)
- 46. pendents lite (during litigation)
- 47. per capita (counting heads)
- 48. per incuriam (through inadvertance or carelessness)

- 49. per stripes (by stocks)
- 50. planum dominium (full stocks)
- 51. pro bone punlico (for the public good)
- 52. ratio decidendi (grounds for decision, principle of the case)
- 53. res gestae (connected facts forming the part of the same transaction).
- 54. res ipa loquitur (the thing speaks for itself)
- 55. res judicata (a matter already adjudicated upon)
- 56. res nullious (an ownerless thing)
- 57. rule nisi ( a rule or order upon condition that is to become absolute when cause is shown to the contrary)
- 58. status quo (existing position)
- 59. sub judice (in course of adjudication)
- 60. sui juris (of ones own right)
- 61. suo moto (of ones own accord)
- 62. ubi jus ibi remedium (where there is a right, there is a remedy)
- 63. ultra vires (beyond the powers)
- 64. volenti non fit injuria (risk taken voluntarily is not actionable)

### **SUGGESTED BOOKS FOR STUDY:**

## PART - A

1. G.P. Singh : Interpretation of Status

2. T. Bhattacharya :

3. Swarup J. : Interpretation of Statutes

4. Bindra : Interpretation of Statutes

5. Sarathi : Interpretation of Statutes

6. Bhattacharya, T. : Interpretation of Statutes

#### PART - B

1. Glanvile William : Learning the law

2. Wren and Martin : English Grammer

3. Ganga Sahai Sharma : Fundamentals of legal writing

4. Hindi-English Legal : Vidhi Sahitya Prakashan, Ministry

Legal Glossory of Law, Govt. of India ,New Delhi (India)

5. David Green : Contemporary English Grammer - Structure and

Composition

6. Ishtique Abidi : Law and Language

7. Venkataramanaia : Law Lexicon & Legal Maxims

8. Richard V. Wydict : Plain English for Lawyers