

Legal system

Term	Explanation
Civil law	Civil law has two meanings: first, a legal system derived from Roman codified law and established by the state for regulating society; second, the branch of law dealing with non-criminal matters, private rights and remedies. It governs disputes between individuals or organisations and generally seeks to enforce rights or compensate an injured party rather than punish an offender. Its distinctive features include matters relating to contracts, property, succession, family affairs and compensation, with remedies such as damages, injunctions and specific performance. Example: A person files a suit to recover money after the other party breaches a contract.
Common law	Common law is a legal system forming the foundation of most English-speaking legal systems and is based on customs, established usage and judicial decisions; it is also called case law or judge-made law. Legal principles develop through decisions made by judges in actual cases, and those decisions guide later courts. Its distinctive feature is the doctrine of precedent, under which lower courts follow binding decisions of higher courts, although a court may distinguish a case with materially different facts. Example: Indian courts follow the law declared by the Supreme Court under Article 141 of the Constitution.
Criminal law	Criminal law, also called penal law, is the branch of law dealing with crimes and their punishments, including fines and imprisonment. It identifies conduct regarded as an offence against society and authorises the state to prosecute the alleged offender. Its distinctive features are that offences and punishments are defined by law, proceedings are generally initiated by the state, guilt must be proved beyond reasonable doubt, and conviction may result in punishment. Example: The Bharatiya Nyaya Sanhita, 2023 defines offences and punishments, and a person may be prosecuted for theft, murder or cheating.

Complete the text below contrasting civil law, common law and criminal law using the words in the box.

based on	bound by	codified	custom	disputes
legislation	non-criminal	precedents	provisions	rulings

The term 'civil law' contrasts with both 'common law' and 'criminal law'. In the first sense of the term, civil law refers to a body of law 1) written legal codes derived from fundamental normative principles. Legal 2) are settled by reference to this code, which has been arrived at through 3) Judges are 4) the written law and its 5)

In contrast, common law was originally developed through 6), at a time before laws were written down. Common law is

~~~~~

based on 7) ..... created by judicial decisions, which means that past 8) ..... are taken into consideration when cases are decided. It should be noted that today common law is also 9) ....., i.e. in written form.

In the second sense of the term, civil law is distinguished from criminal law, and refers to the body of law dealing with 10) ..... matters, such as breach of contract.

## Types of legal instrument

| Term        | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Directive   | A directive is an instruction or policy direction issued by a competent authority to guide conduct, administration or decision-making. In constitutional law, the term may also refer to the Directive Principles of State Policy contained in Part IV of the Constitution, which guide the State in governance and law-making. Its distinctive features are that it expresses an authoritative course of action and may be administrative or constitutional in character; its legal enforceability depends on the source and nature of the direction. <b>Example:</b> The Central Government issued a directive requiring all ministries to strengthen cybersecurity measures.                                                            |
| Statute     | A statute is a written law formally enacted by Parliament or a State Legislature. It becomes enforceable after completing the prescribed legislative process, receiving the assent of the President or Governor, as applicable, and coming into force on the specified date. Its distinctive features are that it is primary legislation, creates binding legal rules and prevails over inconsistent subordinate legislation within its constitutional field. <b>Example:</b> The Bharatiya Nyaya Sanhita, 2023 is a statute enacted by Parliament.                                                                                                                                                                                        |
| Ordinance   | An ordinance is a temporary law promulgated by the President under Article 123 or by a Governor under Article 213 of the Constitution when the relevant legislature is not in session and immediate legislative action is considered necessary. It has the same force and effect as an Act while it remains in operation, but it must be placed before the legislature and will cease to operate unless approved within the constitutionally prescribed period. Its distinctive features are its temporary nature, executive promulgation and use only during a legislative recess. <b>Example:</b> The President promulgated an ordinance under Article 123 to address an urgent public health issue while Parliament was not in session. |
| Regulations | Regulations are a form of subordinate or delegated legislation made by statutory authorities or regulators under powers conferred by a parent Act. They translate the broad framework of the statute into detailed requirements, procedures and standards needed for practical implementation. Their distinctive features are that they derive authority from an enabling statute, must remain within the limits of that statute and may be reviewed by courts if they exceed the delegated power. <b>Example:</b> SEBI regulations govern the conduct of listed companies and participants in the securities market.                                                                                                                      |
| Bill        | A bill is a draft legislative proposal introduced in Parliament or a State Legislature for consideration, debate and voting. It does not have the force of law merely because it has been introduced; it becomes an Act only after it is passed by the legislature and receives the constitutionally required assent. Its distinctive features are that it represents proposed rather than existing law and may be amended, rejected, withdrawn or allowed to lapse during the legislative process. <b>Example:</b> The Digital Personal Data Protection Bill was introduced in Parliament before becoming the Digital Personal Data                                                                                                       |

|  |                       |
|--|-----------------------|
|  | Protection Act, 2023. |
|--|-----------------------|

### Complete the sentences below using the terms in the table above.

1. Parliament and State Legislatures enact \_\_\_\_\_ to establish binding legal rules on matters within their legislative authority.
2. According to the ..... issued by the Ministry of Labour and Employment concerning working hours, overtime work shall be paid in accordance with the applicable law.
3. During the Monsoon Session, the Government introduced a new ..... on digital commerce in Parliament.
4. The Information Technology ..... govern the collection, storage and protection of electronic records and digital evidence.
5. The President promulgated an ..... under Article 123 of the Constitution to deal with an urgent public health emergency while Parliament was not in session.

### Legal verb

| Term       | Meaning                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Stipulates | Stipulates means expressly laying down a condition, requirement or obligation in an authoritative document. In legal writing, it signals that the relevant provision states something as a definite term that must be observed, rather than merely offering guidance. Its distinctive feature is its emphasis on an explicit and binding condition, making it especially suitable for statutes, contracts and constitutional provisions. <b>Example:</b> The Constitution stipulates that the President shall act in accordance with the Constitution. |
| Provides   | Provides means stating, containing or establishing a legal rule, right, duty or requirement. It is one of the most common verbs in legislation and legal analysis because it neutrally introduces the substance or effect of a provision. Its distinctive feature is its broad application: a section may provide for a right, procedure, power, remedy or consequence without implying unusual emphasis. <b>Example:</b> Section 73 of the Indian Contract Act provides that a party suffering from a breach of contract is entitled to compensation. |
| Specifies  | Specifies means giving precise details, exact requirements or clearly identified particulars. In legal instruments, it is used when a provision goes beyond stating a general rule and identifies matters such as qualifications, time limits, amounts, forms or conditions. Its distinctive feature is precision, so it is appropriate where exact compliance criteria are being described. <b>Example:</b> The Companies Act specifies the qualifications of directors.                                                                              |
| States     | States means expressing a legal rule, proposition or requirement in clear terms. It is commonly used when quoting, paraphrasing or referring to what a constitutional, statutory or contractual provision says. Its distinctive feature is its neutral and direct character: it reports the content of a provision without necessarily suggesting that the provision creates a                                                                                                                                                                         |

~~~~~

	detailed procedure. Example: Article 14 states that the State shall not deny equality before the law.
Sets forth	Sets forth means formally presenting, arranging or explaining the provisions of a law, document or legal principle. It is generally used where a provision or instrument gives an organised account of several rights, duties, standards or procedures. Its distinctive feature is its formal tone and suggestion of a fuller or systematic presentation, rather than a single isolated statement. Example: The Consumer Protection Act sets forth the rights of consumers.
Determines	Determines means deciding, fixing or establishing a legal position, amount, status or consequence. In legislation, it may describe how a rule resolves a question or provides the method by which a result is calculated or established. Its distinctive feature is its outcome-oriented meaning: it connects the legal rule or process to a definite conclusion. Example: The Income-tax Act determines the manner of computing taxable income.
Lays down	Lays down means prescribing or establishing a legal principle, rule, test or procedure. The expression is frequently used in Indian judgments when a court authoritatively formulates principles that guide later cases. Its distinctive feature is the sense of creating or declaring a governing standard, and it is especially associated with judicial precedents and foundational legal rules. Example: The Supreme Court laid down the principles governing natural justice.
Prescribes	Prescribes means officially requiring or authorising a rule, procedure, standard, form, time limit or penalty. It is used when legislation or delegated legislation directs that something must be done in a particular manner. Its distinctive feature is its mandatory and procedural emphasis, although the precise legal effect still depends on the wording and context of the provision. Example: The Bharatiya Nagarik Suraksha Sanhita prescribes the procedure for criminal investigations.

Complete the following sentences using the most appropriate legal verb mentioned above.

1. The Constitution _____ that every person shall be equal before the law.
2. The Bharatiya Nagarik Suraksha Sanhita _____ the procedure for arrest and investigation.
3. The Companies Act _____ the qualifications and disqualifications of directors.
4. Section 73 of the Indian Contract Act _____ that a party suffering from breach of contract is entitled to compensation.
5. The Supreme Court _____ the principles governing the exercise of judicial discretion.
6. The Income-tax Act _____ the method for computing taxable income.
7. The Consumer Protection Act _____ the rights and remedies available to consumers.

~~~~~

8. The Constitution \_\_\_\_\_ that the President shall act in accordance with the provisions of the Constitution.

## Type of Court

| Terms                                   | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Appellate Court                         | An appellate court is a court authorised to hear appeals from the judgments, orders or decisions of lower courts or tribunals. It examines whether the earlier decision contains an error of law, fact or procedure, ordinarily on the basis of the existing record rather than by conducting a completely new trial. Its distinctive features are its reviewing jurisdiction and its power to affirm, reverse, modify or remand the decision under appeal. <b>Example:</b> A person convicted by a Sessions Court may file an appeal before the High Court.                                                                                                                                   |
| Sessions Court                          | A Sessions Court is a criminal court that tries serious offences, including offences such as murder, rape and dacoity and those punishable with life imprisonment or death. It is presided over by a Sessions Judge and exercises the criminal jurisdiction assigned to it by procedural law. Its distinctive features are its authority to conduct trials for grave offences, record evidence and impose severe sentences, subject to any confirmation or appellate requirements prescribed by law. <b>Example:</b> A murder trial is conducted before the Court of Sessions.                                                                                                                 |
| High Court / Supreme Court              | The High Courts and the Supreme Court are superior constitutional courts. A High Court is the highest court within a State or its territorial jurisdiction, while the Supreme Court is the highest court in India and the final court of appeal. Their distinctive features include constitutional status, powers of judicial review, authority to interpret the Constitution and supervisory or appellate jurisdiction; Supreme Court decisions are binding on all courts in India under Article 141. <b>Example:</b> The Supreme Court considered petitions challenging the constitutional validity of the Citizenship (Amendment) Act.                                                      |
| Juvenile Justice Board (Juvenile Court) | A Juvenile Justice Board is a statutory judicial body constituted under the Juvenile Justice (Care and Protection of Children) Act, 2015 to deal with children alleged to be in conflict with law. It follows a child-sensitive process focused on care, protection, rehabilitation and reintegration rather than the ordinary punitive model of criminal courts. Its distinctive features include specialised composition, age-appropriate procedures and separate treatment of children, including a preliminary assessment in specified cases involving older children and heinous offences. <b>Example:</b> A 16-year-old accused of theft was produced before the Juvenile Justice Board. |
| Trial Court (Court of First Instance)   | A trial court, also called a court of first instance, is the court in which a case is instituted and adjudicated for the first time. It receives pleadings, frames the issues or charges, records evidence, examines witnesses, hears arguments and delivers the initial judgment. Its distinctive feature is its primary fact-finding role, because appellate courts generally review the record created before it. <b>Example:</b> A civil suit for recovery of money is first filed before the Civil Judge (Junior Division) having jurisdiction.                                                                                                                                           |
| Magistrate's Court                      | A Magistrate's Court is a criminal court presided over by a Judicial Magistrate or, in a metropolitan area, a Metropolitan Magistrate. It tries offences within its sentencing and subject-matter jurisdiction and also handles important preliminary proceedings such as remand, bail, cognizance and the recording of certain statements. Its distinctive features are its role at the entry level of the criminal justice system and its jurisdiction over less serious offences, while graver cases may be committed to the Court of Sessions. <b>Example:</b> A case involving simple hurt under the Bharatiya Nyaya Sanhita may be tried by a Judicial Magistrate.                       |
| Moot Court                              | A moot court is a simulated court exercise, commonly conducted in law schools, in which students research and argue a hypothetical legal dispute.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

~~~~~

	Participants prepare written submissions and present oral arguments before a mock bench, but the proceeding does not determine real rights or impose legally binding consequences. Its distinctive features are its educational purpose and its emphasis on legal research, drafting, advocacy, courtroom etiquette and responses to judicial questioning. Example: Law students participated in a national moot court competition concerning constitutional law.
Small Causes Court	A Small Causes Court is a court with limited civil jurisdiction over specified claims of comparatively small value, including certain disputes concerning rent, recovery of money and minor contractual matters. Such courts exist in particular jurisdictions under applicable legislation, including the Provincial Small Cause Courts Act, 1887 and local laws. Their distinctive features are simplified procedure, restricted subject-matter and pecuniary jurisdiction and the aim of providing a quicker remedy in suitable civil disputes. Example: A landlord filed a suit for recovery of rent before the Court of Small Causes having jurisdiction.
Tribunal	A tribunal is a specialised adjudicatory body established by the Constitution or a statute to decide disputes in a particular field, such as taxation, service matters, company law, consumer protection or environmental law. It applies specialised expertise and generally follows procedures adapted to its statutory function, although it must observe the principles of natural justice. Its distinctive features are limited subject-matter jurisdiction, technical specialisation and a structure separate from the ordinary hierarchy of civil and criminal courts, with its decisions remaining subject to the applicable appellate or judicial-review process. Example: The Income Tax Appellate Tribunal heard an appeal against an assessment order.

Complete each sentence using the most appropriate term from the table.

1. A person convicted by a Sessions Court may challenge the conviction before an _____, which reviews the decision of the lower court.
2. A trial for a serious offence such as murder is ordinarily conducted before the _____, presided over by a Sessions Judge.
3. The _____ are superior constitutional courts with powers that include judicial review and constitutional interpretation.
4. A child alleged to be in conflict with law is ordinarily produced before the _____ constituted under the Juvenile Justice Act.
5. The _____, also called the court of first instance, records evidence, examines witnesses and delivers the initial judgment.
6. A less serious criminal offence and preliminary proceedings such as remand or bail may be handled by a _____.
7. Law students argue a hypothetical legal dispute before a mock bench in a _____ to develop research and advocacy skills.
8. A minor civil claim involving rent or recovery of money may fall within the jurisdiction of a _____, where such a court exists.

~~~~~

9. A specialised statutory body that decides disputes in fields such as taxation, company law or environmental law is called a \_\_\_\_\_.

## Persons in court

| Term       | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Judge      | A judge is a judicial officer appointed to hear proceedings, evaluate evidence and legal arguments, decide disputes and pronounce judgments in civil, criminal or constitutional matters. The judge must act independently and impartially and ensure that proceedings follow the applicable law and principles of natural justice. The distinctive feature of this role is the authority to make binding judicial decisions and issue appropriate orders or remedies. <b>Example:</b> The District Judge decreed the suit for specific performance.                              |
| Plaintiff  | A plaintiff is the person who institutes a civil suit by presenting a plaint against another person and seeking a remedy from the court. The plaintiff bears responsibility for establishing the material facts supporting the claim in accordance with the applicable burden and standard of proof. This role is distinctive to civil proceedings and is ordinarily contrasted with the defendant. <b>Example:</b> A tenant filed a suit as the plaintiff seeking an injunction against eviction.                                                                                |
| Defendant  | A defendant is the person against whom a civil suit is instituted and from whom the plaintiff seeks relief. The defendant may file a written statement, deny the allegations, raise legal defences, produce evidence and, where permitted, make a counterclaim or claim a set-off. The role is distinctive because the defendant responds to the civil claim rather than initiating it. <b>Example:</b> The defendant denied liability for breach of contract.                                                                                                                    |
| Petitioner | A petitioner is a person who files a petition before a court seeking a legal remedy, such as through a writ petition, election petition, company petition or family-court petition. The designation depends on the form of the proceeding rather than simply on whether the matter is civil or criminal. Its distinctive feature is that the petitioner invokes the court's jurisdiction through a petition and states the grounds for the relief requested. <b>Example:</b> The petitioner approached the High Court under Article 226 seeking the quashing of a transfer order. |
| Respondent | A respondent is the person or authority against whom a petition or appeal is filed and who is required to answer it before the court. The respondent may oppose the relief sought, defend the challenged decision and present supporting facts and legal arguments. The role is distinctive because it is used particularly in petitions and appeals, corresponding to the petitioner or appellant. <b>Example:</b> The State of Bihar was the respondent in the writ petition.                                                                                                   |
| Appellant  | An appellant is a person who files an appeal before a higher court challenging a judgment, order or decision of a lower court or tribunal. The appellant must identify legally recognised grounds for appellate interference, such as an error of law, fact or procedure. The role is distinctive because the appellant initiates appellate review and seeks reversal, modification or remand of the challenged decision. <b>Example:</b> The convicted person became the appellant before the High Court.                                                                        |
| Accused    | An accused is a person alleged or formally charged to have committed a criminal offence. The accused is entitled to safeguards such as a fair trial, legal representation and the presumption of innocence unless guilt is proved according to law. The distinctive feature of this role is its connection with criminal proceedings and the possibility of penal consequences upon conviction. <b>Example:</b> The accused was granted bail                                                                                                                                      |

~~~~~

	by the Sessions Court.
Complainant	A complainant is a person who reports or alleges the commission of an offence or institutes a complaint case before a Magistrate. Depending on the proceeding, the complainant may provide the initial facts, supporting documents and testimony on which legal action is sought. The role is distinctive because it begins with making the complaint, although the State may conduct the prosecution in a criminal case. Example: The complainant filed a complaint under the Bharatiya Nagarik Suraksha Sanhita, 2023.
Advocate	An advocate is a legal practitioner enrolled under the Advocates Act, 1961 and entitled, subject to applicable rules, to practise before courts, tribunals and other authorities. An advocate advises clients, drafts legal documents, presents evidence and arguments and owes professional duties to the client, the court and the administration of justice. The distinctive feature is the advocate's recognised right of audience and regulated professional status. Example: The advocate argued that the impugned order violated the principles of natural justice.
Senior Advocate	A Senior Advocate is an advocate designated by the Supreme Court or a High Court on account of ability, standing at the Bar or special knowledge or experience in law. The designation recognises professional distinction and is accompanied by restrictions and conventions governing how the Senior Advocate may accept instructions and conduct matters. Its distinctive feature is that it is a formal status conferred by a superior court rather than merely a description based on years of practice. Example: The Senior Advocate appeared on behalf of the appellant before the Supreme Court.
Court Clerk (Reader/Bench Clerk)	A Court Clerk, also called a Reader or Bench Clerk in some courts, is a court official who maintains case records, receives or processes filings, prepares cause lists and assists the judge with administrative and courtroom work. The clerk helps organise the case file and facilitates the orderly calling and recording of matters but does not decide the dispute. The distinctive feature of the role is procedural and administrative support to the court. Example: The plaint was scrutinised by the Bench Clerk before registration.
Bailiff (Process Server)	A bailiff or process server is a court officer responsible for serving summonses, notices, warrants and other judicial process and for assisting in the execution of court orders or decrees as authorised by law. Proper service helps ensure that parties receive notice and an opportunity to participate in the proceedings. The distinctive feature of this role is carrying the court's process beyond the courtroom and documenting service or execution. Example: The Process Server served the summons on the defendant.
Expert Witness	An expert witness is a person with specialised knowledge, skill, training or experience who gives an opinion on a technical or scientific matter relevant to a case. Unlike an ordinary witness, an expert may assist the court by drawing specialised conclusions from facts or materials within the expert's field, although the court evaluates the weight of the opinion. The distinctive feature is opinion evidence based on expertise. Example: A handwriting expert appeared as an expert witness under the Bharatiya Sakshya Adhiniyam, 2023.
Witness	A witness is a person who gives evidence before the court concerning facts relevant to a case. The witness may testify under oath or affirmation, be examined and cross-examined and may also identify or produce relevant documents or objects. The distinctive feature is first-hand or otherwise admissible factual evidence, as opposed to legal argument by an advocate or specialised opinion from an expert witness. Example: The prosecution examined five witnesses during the trial.

~~~~~

~~~~~

Complete each sentence with the most appropriate term from the above table.

1. The _____ heard the parties, evaluated the evidence and pronounced the final judgment in the civil suit.
2. The tenant became the _____ when she instituted a civil suit seeking an injunction against unlawful eviction.
3. The person against whom the suit for breach of contract was filed appeared before the court as the _____.
4. The employee who approached the High Court under Article 226 seeking the quashing of a transfer order was the _____.
5. In the writ petition challenging the administrative order, the State Government was named as the _____.
6. After challenging his conviction before the High Court, the convicted person became the _____.
7. The _____ was granted bail pending the trial for the alleged criminal offence.
8. The _____ lodged the complaint alleging that an offence had been committed and provided the initial supporting facts.
9. The _____ represented the client, drafted the pleadings and presented legal arguments before the court.
10. Because of exceptional ability and standing at the Bar, the _____ was engaged to argue the constitutional appeal before the Supreme Court.
11. Before the case was registered, the _____ scrutinised the filing, maintained the record and assisted with the court's administrative work.
12. The _____ served the summons on the opposite party and submitted proof of service to the court.
13. The handwriting specialist appeared as an _____ and gave an opinion concerning the disputed signature.
14. During the criminal trial, the prosecution called a _____ to testify about facts personally observed at the scene.

~~~~~

## Documents in court

| Term       | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Affidavit  | An affidavit is a written statement of facts voluntarily made by a person, called the deponent, and confirmed by oath or affirmation before an officer authorised to administer it. It is commonly filed to support or oppose an application, verify facts or place evidence before a court, but the court may require the deponent to be cross-examined. Its distinctive features are its first-person factual assertions, formal verification and the deponent's legal responsibility for making a false statement. <b>Example:</b> The petitioner filed an affidavit stating the facts on which the request for interim relief was based.                   |
| Brief      | A brief is a concise written presentation or organised collection of the facts, issues, authorities and arguments relevant to a case, prepared for a court or for the advocate conducting the matter. In Indian practice, comparable documents may be called written submissions, a case brief, a synopsis or counsel's brief, depending on their purpose. Unlike a pleading, a brief ordinarily explains or argues the case rather than formally stating the parties' foundational claims and defences. <b>Example:</b> Counsel submitted a brief summarising the evidence and the Supreme Court decisions relied upon in the appeal.                         |
| Complaint  | A complaint is an allegation made orally or in writing to a Magistrate, with a view to the Magistrate taking action under the Bharatiya Nagarik Suraksha Sanhita, 2023, that a known or unknown person has committed an offence; it does not ordinarily include a police report. The word is also used in specialised statutes, such as consumer law, with the meaning assigned by the relevant enactment. Its distinctive feature in criminal procedure is that it directly invokes the Magistrate's complaint jurisdiction. <b>Example:</b> The complainant filed a complaint before the Magistrate alleging criminal intimidation.                          |
| Injunction | An injunction is a discretionary court order that prevents a person from doing a specified act or requires the performance of a specified act. Under the Specific Relief Act, 1963, injunctions may be temporary or perpetual, while the relief may be prohibitory or mandatory depending on whether conduct is restrained or compelled. Its distinctive purpose is preventive relief where monetary compensation alone may be inadequate or where an obligation requires protection. <b>Example:</b> The court granted a temporary injunction restraining the defendant from selling the disputed property until the suit was decided.                        |
| Motion     | A motion is a formal request asking a court to make a particular order during a proceeding. The expression is common in some legal systems; in Indian court practice, the corresponding request is more often presented as an application, interlocutory application or petition under the relevant procedural rule. Its distinctive feature is that it seeks a specific procedural or interim ruling without necessarily deciding the entire case. <b>Example:</b> The defendant filed an interlocutory application, comparable to a motion, seeking additional time to produce documents.                                                                    |
| Notice     | A notice is a formal communication informing a person of a legal claim, proposed action, proceeding, hearing or obligation and giving that person an opportunity to respond or comply. It may be required by a contract, a statute or procedural law, and in some situations service of notice is a condition that must be satisfied before legal action can proceed. Its distinctive features are clear communication, proof of service and observance of any prescribed form or time period. <b>Example:</b> Before instituting the suit against the Government, the claimant served the notice required by section 80 of the Code of Civil Procedure, 1908. |
| Plaint     | A plaint is the formal pleading by which a plaintiff institutes a civil suit. It states the material facts constituting the cause of action, identifies the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

~~~~~

	parties and the court's jurisdiction, specifies the relief claimed and includes other particulars required under Order VII of the Code of Civil Procedure, 1908. Its distinctive feature is that it initiates the civil action and defines the plaintiff's claim; it should state material facts rather than the evidence by which those facts will be proved. Example: The purchaser filed a plaint seeking specific performance of an agreement for the sale of property.
Pleading	A pleading is a formal document in which a party states the material facts supporting a claim or defence. Under Order VI of the Code of Civil Procedure, 1908, pleading means a plaint or a written statement, and it should contain material facts rather than the evidence by which those facts will be proved. Its distinctive function is to give fair notice of each party's case, narrow the controversy and provide the foundation on which issues are framed. Example: In its written statement, the company pleaded that the suit was barred by limitation.
Writ	A writ is an authoritative judicial order issued in the exercise of constitutional jurisdiction to protect rights, control public authorities or correct jurisdictional error. The Supreme Court may issue writs for the enforcement of fundamental rights under Article 32, while High Courts have broader writ jurisdiction under Article 226; recognised forms include habeas corpus, mandamus, prohibition, certiorari and quo warranto. Its distinctive features are its public-law character and its role as an extraordinary constitutional remedy. Example: The High Court issued a writ of mandamus directing the public authority to decide the applicant's representation according to law.
Written Statement	A written statement is the defendant's principal pleading filed in response to the plaintiff's plaint in a civil suit. It states which allegations are admitted or denied and sets out the material facts and legal defences on which the defendant relies. It may also contain a set-off or counterclaim where legally permissible. Its distinctive feature is that every material allegation must be answered specifically; an evasive or general denial may be treated as an admission. Example: The defendant filed a written statement denying the alleged breach of contract and contending that the suit was barred by limitation.

Complete the sentences using the most appropriate terms from the table above.

1. The petitioner filed an _____ containing facts confirmed on oath in support of the application for interim relief.
2. Counsel prepared a _____ summarising the facts, legal issues, relevant authorities and arguments to be presented in the appeal.
3. The aggrieved person filed a _____ before the Magistrate alleging that the accused had committed criminal intimidation.
4. The court granted a temporary _____ restraining the defendant from selling the disputed property while the suit was pending.
5. The defendant made a _____, known in Indian practice as an interlocutory application, requesting additional time to produce the documents.

~~~~~

~~~~~

6. Before instituting the suit against the Government, the claimant served the statutory _____ required under Section 80 of the Code of Civil Procedure, 1908.
7. The purchaser instituted the civil suit by filing a _____ seeking specific performance of the agreement for the sale of property.
8. A plaint or written statement containing the material facts supporting a party's claim or defence is called a _____.
9. The petitioner approached the High Court under Article 226 seeking a _____ of mandamus directing the public authority to perform its legal duty.
10. The defendant filed a _____ specifically denying the allegations contained in the plaintiff's plaint and raising the defence of limitation.

Verbs used by lawyers

Term	Explanation
Draft	To draft means to prepare the initial or proposed wording of a legal document before it is reviewed, approved, signed or filed. Drafting requires the writer to organise the relevant facts, legal grounds, relief and procedural details accurately and clearly. Its distinctive feature is that a draft is provisional and may be revised; drafting does not itself make the document legally operative. Example: The advocate drafted a written statement denying the allegations in the plaint.
Issue	To issue means for a court, public authority or authorised officer to formally create, release or direct that a legal document or process be sent. A court may issue a summons, notice, warrant, writ or order once the applicable legal requirements have been satisfied. Its distinctive feature is the exercise of official authority: a document prepared by a party is not issued by the court until the court authorises it. Example: After taking cognizance of the complaint, the Magistrate issued a summons to the accused.
File (with)	To file a document with a court or authority means to formally deliver or upload it to the proper registry so that it becomes part of the official record. Filing must comply with the prescribed forum, format, fees, limitation period and procedural rules, and the registry may scrutinise the document for defects. Its distinctive feature is official receipt and registration, which differs from merely drafting, signing or sending the document to another party. Example: The plaintiff filed the plaint with the civil court having territorial and pecuniary jurisdiction.
Serve (on someone)	To serve a document on someone means to deliver it through a legally recognised method so that the person receives formal notice of a proceeding, claim, hearing or order. Service may be personal, postal, electronic, substituted or otherwise permitted by the applicable law and court rules, and proof of service is ordinarily recorded. Its distinctive feature is legally effective communication to the recipient, as opposed to filing the document with the court. Example: The process server served the summons on the defendant at the address stated in the plaint.

~~~~~

~~~~~

Submit	To submit means to present a document, argument, evidence or request to a court or authority for its consideration. The term is broader than file: a document may be submitted orally or in writing, while formal filing usually places a document on the official record in accordance with procedural requirements. Its distinctive feature is placing material before the decision-maker for evaluation. Example: Counsel submitted written arguments summarising the authorities relied upon in the appeal.
--------	--

Match each verb used by the lawyer (1–5) with its definition (a–e).

1 to draft a document	a to deliver a legal document to someone, demanding that they go to a court of law or that they obey an order
2 to issue a document	b to produce a piece of writing or a plan that you intend to change later
3 to file a document with an authority	c to deliver a document formally for a decision to be made by others
4 to serve a document on someone (or to serve someone with a document)	d to officially record something, especially in a court of law
5 to submit a document to an authority	e to produce something official

Latin terms

Terms	Explanation
Ad hoc	Ad hoc means 'for this particular purpose or occasion.' In legal and administrative usage, it describes a body, appointment, arrangement or decision created to address a specific matter rather than to operate permanently or generally. Its distinctive feature is its limited, case-specific character. Example: The Government constituted an ad hoc committee to examine the dispute and submit recommendations.
Et alii (et al.)	Et alii means 'and others' and is commonly abbreviated as et al. It is used in case names, academic citations and references when listing every person or author would be unnecessary; the abbreviation may also represent related Latin forms appropriate to the context. Its distinctive feature is that it replaces additional names, not additional things. Example: A lengthy case title may be shortened in a citation to Sharma et al. v. State of Bihar.
Et cetera (etc.)	Et cetera means 'and the rest' or 'and other similar things' and is abbreviated as etc. It indicates that a list is not exhaustive and that further items of the same general kind are omitted. Its distinctive feature is open-ended inclusion, although it should be avoided where precise legal drafting requires every item to be identified. Example: The application was accompanied by invoices, receipts, correspondence, etc.

~~~~~

~~~~~

Exempli gratia (e.g.)	Exempli gratia means 'for example' and is abbreviated as e.g. It introduces one or more illustrations of a broader category without limiting that category to the examples given. Its distinctive feature is non-exhaustive illustration, which distinguishes it from i.e. Example: Preventive relief may include, e.g., a temporary injunction restraining the disposal of disputed property.
Id est (i.e.)	Id est means 'that is' or 'in other words' and is abbreviated as i.e. It clarifies, restates or defines the expression immediately before it, generally indicating that the explanation is intended to be exact rather than merely illustrative. Its distinctive feature is specification or equivalence, which distinguishes it from e.g. Example: The defendant filed the principal defence pleading, i.e., the written statement.
Per se	Per se means 'in itself' or 'by itself.' In legal reasoning, it indicates that a fact, act or condition is being considered independently of additional circumstances, consequences or supporting proof. Its distinctive feature is the separation of the thing itself from its surrounding context. Example: A procedural delay is not per se sufficient to establish bad faith.
Sic	Sic means 'thus' or 'so' and is placed in brackets after quoted material to show that an error, unusual spelling or surprising expression appeared in the original source and was reproduced exactly. Its distinctive feature is that it protects the person quoting the text from appearing to have introduced the error; it should not be used merely to ridicule the original writer. Example: The affidavit stated that the notice was served on '31 February [sic].'
Versus (vs. or v.)	Versus means 'against' and appears between the names of opposing parties in the title of a case. It may be abbreviated as v. or vs., although legal citation styles commonly prefer v. Its distinctive feature is that it identifies the adversarial relationship between the parties rather than forming part of either party's name. Example: A criminal appeal may be titled Kumar v. State of Maharashtra.

Match each Latin word or expression (1–8) with its English equivalent and the explanation of its use (a–h).

1 ad hoc	a thus (used after a word to indicate the original, usually incorrect, spelling or grammar in a text)
2 et alii (et al.)	b for example (used before one or more examples are given)
3 et cetera (etc.)	c for this purpose (often used as an adjective before a noun)
4 exempli gratia (e.g.)	d against (versus is abbreviated to 'v.' in case citations, but to 'vs.' in all other instances)
5 id est (i.e.)	e and others (usually used to shorten a list of people, often a list of authors, appellants or defendants)
6 per se	f and other things of the same kind (used to shorten a list of similar items)
7 sic	g by itself (often used after a noun to indicate the thing itself)
8 versus (vs. or v.)	

~~~~~

|  |                                                                                |
|--|--------------------------------------------------------------------------------|
|  | h that is (used to signal an explanation or paraphrase of a word preceding it) |
|--|--------------------------------------------------------------------------------|

## Additional Latin terms

| Terms      | Explanation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| De facto   | De facto means 'in fact' or 'in practice.' It describes a condition, office, authority or arrangement that exists and operates in reality even though it may lack formal recognition or complete legal validity. Its distinctive feature is the contrast between practical existence and de jure, or lawful, status. <b>Example:</b> Although the appointment was disputed, she continued to act as the de facto head of the organisation.                                                                                                                                                        |
| Ipso facto | Ipso facto means 'by the fact itself.' It indicates that a legal or practical consequence follows automatically from the occurrence of a specified fact, without a separate decision or additional act. Its distinctive feature is automatic consequence, although whether a result truly follows ipso facto depends on the governing law or agreement. <b>Example:</b> A mere breach of contract does not ipso facto terminate the agreement unless the contract or law gives it that effect.                                                                                                    |
| Inter alia | Inter alia means 'among other things.' It introduces one or more matters selected from a larger set and signals that the statement or list is not exhaustive. Its distinctive feature is that it preserves the existence of additional grounds, issues or reliefs not expressly mentioned at that point. <b>Example:</b> The petition alleged, inter alia, that the authority had acted without giving the applicant a hearing.                                                                                                                                                                   |
| Per annum  | Per annum means 'for each year' or 'annually.' It is commonly used to express interest, salary, rent, fees or another recurring amount calculated by reference to a one-year period. Its distinctive feature is the annual unit of calculation; it does not by itself determine whether payment is made monthly, quarterly or yearly. <b>Example:</b> The court awarded interest at six per cent per annum from the date of filing the suit.                                                                                                                                                      |
| Pro forma  | Pro forma means 'as a matter of form' or 'for the sake of form.' In commercial and legal usage, it describes a document prepared in an expected format or on a provisional basis, such as a projected financial statement or preliminary invoice, rather than a final record of an actual transaction. Its distinctive feature is its formal or illustrative character. <b>Example:</b> The supplier sent a pro forma invoice showing the estimated price before the goods were dispatched.                                                                                                       |
| Pro rata   | Pro rata means 'in proportion' or 'according to a rate or share.' It requires a benefit, cost, liability or payment to be allocated proportionately according to ownership, time, entitlement or another relevant measure. Its distinctive feature is proportional rather than equal distribution. <b>Example:</b> The remaining assets were distributed among the eligible claimants on a pro rata basis according to their admitted claims.                                                                                                                                                     |
| Quorum     | A quorum is the minimum number of members who must be present for a meeting or body to validly transact business. The required number is determined by the governing statute, rules, articles or constitution; for example, section 103 of the Companies Act, 2013 prescribes quorum requirements for company meetings unless the articles require a larger number. Its distinctive feature is that the absence of the required attendance prevents ordinary business from proceeding validly. <b>Example:</b> The chairperson adjourned the meeting because the required quorum was not present. |

~~~~~

Sui juris	Sui juris means 'of one's own right.' It describes a person who possesses full legal capacity to act independently and is not subject to a relevant legal disability or the authority of another person. Its distinctive feature is independent legal competence, although capacity must always be assessed under the law governing the particular act; for contracting in India, section 11 of the Indian Contract Act, 1872 refers to majority, soundness of mind and absence of legal disqualification. Example: Upon attaining majority and being otherwise competent, the individual could enter the agreement sui juris.
Ultra vires	Ultra vires means 'beyond the powers.' It describes an act performed outside the authority conferred by a constitution, statute, memorandum, rule or other governing instrument. Its distinctive feature is lack of legal power, as opposed to a merely improper exercise of an existing power, and the act may be invalid or restrained. Example: Members sought an order restraining the company from undertaking an activity alleged to be ultra vires its memorandum.
Videlicet (viz.)	Videlicet means 'namely' or 'that is to say' and is abbreviated as viz. It introduces a precise explanation, specification or enumeration of what has just been stated in general terms. Its distinctive feature is clarification by identifying the exact matters intended, rather than merely giving non-exhaustive examples. Example: The agreement identified three authorised signatories, viz., the managing director, finance director and company secretary.

Match each Latin term (1–10) with its English equivalent (a–j).

1 de facto	a among other things
2 ipso facto	b per year
3 inter alia	c number of shareholders or directors who have to be present at a board meeting so that it can be validly conducted
4 per annum	d in fact
5 pro forma	e of one's own right; able to exercise one's own legal rights
6 pro rata	f proportionally
7 quorum	g by that very fact itself
8 sui juris	h as a matter of form
9 ultra vires	i as follows
10 videlicet (viz.)	j beyond the legal powers of a person or a body

~~~~~

### **Legal system — Answer Key**

1. based on
2. disputes
3. legislation
4. bound by
5. provisions
6. custom
7. precedents
8. rulings
9. codified
10. non-criminal

### **Types of legal instrument — Answer Key**

1. Statutes
2. Directive
3. Bill
4. Regulations
5. Ordinance

### **Legal verb — Answer Key**

1. states
2. prescribes
3. specifies
4. provides
5. lays down
6. determines
7. sets forth
8. stipulates

### **Type of Court — Answer Key**

1. Appellate Court
2. Sessions Court
3. High Court / Supreme Court
4. Juvenile Justice Board

5. Trial Court
6. Magistrate's Court
7. Moot Court
8. Small Causes Court
9. Tribunal

**Persons in court — Answer Key**

1. Judge
2. Plaintiff
3. Defendant
4. Petitioner
5. Respondent
6. Appellant
7. Accused
8. Complainant
9. Advocate
10. Senior Advocate
11. Court Clerk (Reader/Bench Clerk)
12. Bailiff (Process Server)
13. Expert Witness
14. Witness

**Documents in court — Answer Key**

1. Affidavit
2. Brief
3. Complaint
4. Injunction
5. Motion
6. Notice
7. Plaint
8. Pleading
9. Writ
10. Written Statement

**Verbs used by lawyers — Answer Key**

1. b

=====

2. e

3. d

4. a

5. c

=====