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Event Report

Event Name: Certificate course on Legal Drafting (Phase I – Civil Matters)

Date of the Event: 22nd August to 27th August 2024

Duration of the Event: 10:00 AM to 01:00 P.M.

Venue: 'S' Building Seminar Hall

Name of the Event Coordinator: Dr Abhishek Singh

Objective of the Program:

The objective of the program was to introduce students to the fundamental principles of legal drafting, ensuring they can draft precise and effective legal documents for civil matters such as pleadings, affidavits, and petitions. Teach students how to structure their legal arguments logically and clearly in written form, based on applicable laws, precedents, and statutes. Train students to draft legal notices, letters, and other communications in a way that reflects both legal requirements and client objectives. Help students become familiar with court practices and document requirements, preparing them for future litigation work in civil courts. Encourage the practical application of theoretical knowledge learned in law courses by translating legal theory into real-world documents.

Outlines of the Program:

The Guest Speaker Advocate Naganath Gorwadkar Sir explained the following concepts in detail,

Day 1- Taking instructions form the client, drafting statutory and non- statutory notice & notice reply.

A statutory notice is mandated by law in certain situations to inform the other party before legal action can be initiated. Clarify important details such as dates, names of involved parties, and the nature of the relationship between the parties, any prior communication, and any legal steps already taken. A non-statutory notice serves as a formal communication between parties but is not required by law. It is often used for negotiations or to assert a position. A notice reply is sent in

response to a statutory or non-statutory notice, typically denying or contesting the claims made, or negotiating terms.

Day 2- Forms of Pleading, provisions in CPC regarding drafting, Suit for declaration and suit for recovery of money.

Pleading refers to the written statements filed by the parties in a lawsuit that define the issues to be decided by the court. Pleadings must be clear, concise, and precise, stating the facts upon which the parties rely but without including evidence or law at this stage. They should help define the disputes and issues to be determined by the court. A suit for declaration is filed when a party seeks a court's declaration regarding the legal status or rights of the plaintiff or concerning a property, contract, or other legal matters. A suit for recovery of money is filed when one party seeks to recover an amount owed by another party, typically arising out of a contract, loan, or unpaid debts.

Day 3- Suit for specific performance of Contract, Suit for Perpetual Injunction, Mandatory Injunction, Suit for conciliation of Instrument, Recession of Contract, Suit for Partition under Hindu Law and Muslim Law.

A suit for specific performance is filed when one party to a contract seeks a court order compelling the other party to perform their obligations under the contract. A suit for perpetual injunction seeks a permanent order from the court preventing the defendant from performing an act that would infringe on the plaintiff's rights. A suit for a mandatory injunction seeks a court order compelling the defendant to take a positive action, usually to rectify a wrong or perform a legal duty. A suit for cancellation of an instrument is filed to nullify a written instrument (such as a contract or deed) on the grounds of fraud, misrepresentation, or other legal defects. A suit for rescission seeks to cancel or set aside a contract, effectively releasing the parties from their contractual obligations, often due to fraud, mistake, or misrepresentation.

Day 4- Summary Suit, Application for Temporary Injunction, Suit for Damages based on Defamation, Transfer Petition, Application for the execution of decree, Model Draft, Written statement and Affidavit.

A summary suit is a type of civil suit filed for the prompt recovery of debts, where the plaintiff believes the defendant has no valid defence. It is primarily used in cases of unpaid debts, bills of exchange, promissory notes, or written contracts. A temporary injunction is a court order sought to restrain a party from performing a specific act during the pendency of a suit, to preserve the status quo. A suit for defamation is filed when a person's reputation is harmed by false statements made by another. The plaintiff seeks monetary damages for the harm caused. A transfer petition is an application filed in a higher court (often the Supreme Court or High Court) to transfer a case from one court to another, typically due to issues of jurisdiction, convenience, or bias.

Day 5- Matrimonial Pleadings, Petition for grant of Probate, Appeal Memo, and Civil Misc. Applications.

Matrimonial pleadings are legal documents filed by parties in a matrimonial dispute, such as divorce, maintenance, child custody, or annulment cases. These pleadings initiate and respond to claims in family court proceedings. Petition for Divorce is filed to dissolve a marriage on grounds such as cruelty, desertion, adultery, or irretrievable breakdown of the marriage. Petition for Annulment is filed to declare a marriage null and void, treating it as if it never existed due to reasons like fraud, incapacity, or coercion. A petition for the grant of probate is filed in family or civil court to authenticate a deceased person's will, confirming the executor's legal authority to administer the estate according to the will. An appeal memo is a formal document filed in a higher court to challenge the decision or judgment of a lower court, outlining the grounds on which the appellant believes the lower court erred.

These petitions and applications play a critical role in family court matters, providing immediate relief and ensuring the proper administration of justice.

Participants:

The event was attended by approximately 150 students.

Conclusion:

The lecture on legal drafting for civil matters provided a thorough exploration of the critical skills and techniques necessary for effective legal drafting in civil litigation. In summary, the lecture provided valuable insights into the nuances of legal drafting for civil matters, equipping attendees with the knowledge and skills necessary to produce effective and professional legal documents. The emphasis on precision, legal knowledge, and practical application offers a solid foundation for aspiring legal professionals in the field of civil litigation.

Place: Nashik

Date: 28/08/2024

Photos of the Programme:







 GPS Map Camera

Google

Nashik, Maharashtra, India

XM8C+G7R, Nashik, Maharashtra 422213, India

Lat 19.966393°

Long 73.670709°

23/08/24 12:00 PM GMT +05:30



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