

# LAW CAPSULE

FOR LAW COMPETITIVE EXAMS

LEGAL LANGUAGE USED IN INDIA



## Introduction

Some of the frequently used Legal words and sentences which every intelligent Legal functionary and Law student must know are enumerated hereunder:-

LEGAL WORDS / SENTENCES	MEANING
Substantial question of Law <sup>1</sup>	<ul style="list-style-type: none"><li>• Is a question of general public importance</li><li>• Directly and substantially affects the rights of the parties and is not covered by the decision of the Supreme Court, Privy Council, Federal Court</li><li>• Is not free from difficulty</li><li>• Calls for discussion of alternative views</li></ul>
Validating Legislation	Retrospectively validates an action and thereby removes the legal basis of the judgment concerned
Letter Petitions	<p>Petitions received by post even though not in public interest can be treated as writ petitions if directed by the Court (Supreme Court or High Court). If desired, a report from the concerned authority is called before placing the matter before the Court. If directed by the Court the letter is registered as a Writ Petition. Following matters have been considered by the Court as Letter Petition:—</p> <ul style="list-style-type: none"><li>• Harassment or torture in jail or by Police</li><li>• Complaint of atrocities on Women such as harassment for dowry, bride burning, rape</li><li>• Murder and kidnapping</li><li>• Complaints relating to Family Pensions</li><li>• Complaints of refusal by Police to register the case</li></ul>
Public Interest Litigation	<p>It is meant for enforcement of Fundamental Rights of the people who are—</p> <ul style="list-style-type: none"><li>• Poor</li><li>• Weak</li><li>• Ignorant of legal redressal system</li><li>• At disadvantageous position due to their social economic background</li></ul> <p>Such litigation can be initiated for—</p> <ul style="list-style-type: none"><li>• Redressal of Public Injury</li><li>• Enforcement of Public Duty</li><li>• Vindicating Interest of Public Nature</li></ul> <p>It is necessary that the petition is not filed for personal gain or private motive or for other extraneous consideration and is filed <i>bona fide</i> in Public Interest.</p>

1. Rajeshwari v. Puran Indora, (2005) 7 SCC 60