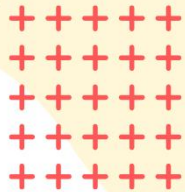


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By the art of legal drafting (also commonly called the legal composition) we mean the art of composing or writing all documents which are either expressly intended to be, or which frequently become the subject of legal interpretation. It is concerned chiefly therefore, although not exclusively, with the documents which declare or regulate rights. This at once distinguishes the art of legal composition from the art of ordinary composition or literature, which deals not with rights but with thoughts or facts. Of course the bases of literary composition and legal composition are all the same, grammar and logic. The latter, perhaps, more strictly than the former kind of composition is bound by the rules of the grammarian and logician but we do not intend, except incidentally, to touch on the rules of grammar or logic. It is composition as legal - as dealing with or affecting rights - which we have in view. This differs so much from literary composition that, though they have a common basis, some rules do not apply to both. The style of good legal composition (for it has a style of its own) is free from all colour, from all emotion, from all rhetoric. It is impersonal, as if the voice, not of any man, but of the law, dealing with the necessary facts. It disdains emphasis and all other artifices. It uses no metaphor or figure of speeches. It is always consistent and never contradicts itself. It never hesitates or doubts. It says in the plainest language, with the simplest, fewest and fittest words, precisely what it means. These are qualities which might be used to advantage more frequently than is common in literature, and unfortunately they are not to be found in many legal compositions, but they are essential to good legal composition and not essential to literary composition. Pleadings are statement in writing drawn up and filed by each party to a case, stating that his contentions will be at the trial and giving all such details as his opponent needs to know in order to prepare his case in answer. The function of pleadings is not simply for the benefit of the parties, but also and perhaps primarily for the assistance of the court by defining with precision the area beyond which, without the leave of the court and consequential amendment of the pleadings, the conflict must not be allowed to extend. The purpose of rules regarding pleadings is to advance justice and to prevent multiplicity of proceedings.

SYLLABUS

Module-1 10 Marks

Module-2- 10 Marks

Module-3 - 10Marks

Module-4- Viva-voce -20 M

