



HIMACHAL PRADESH NATIONAL LAW UNIVERSITY, SHIMLA

Semester: VII

B.A./B.B.A. LL.B. (Hons.)

Paper Code: LB-704

Drafting, Pleading and Conveyance

Credit - 04

Introduction:

Pleading is an art, of course, and art which requires not only technical and linguistic skill but also an expert knowledge of the law on the given point brought before a lawyer. Even experienced lawyers and attorneys are not infallible and sometimes they also make mistakes. However, in the matter of pleadings longer experience and a great linguistic acumen are both essential ingredients. What ultimately matters is how clearly and systematically have the facts been presented before the court of law. "Drafting, Pleadings, and Conveyancing" (DPC) has been made a compulsory practical subject study forming part of the curriculum of the Law Course in India. It envisages, inter alia, drafting of Civil Pleadings; Criminal complaints and other proceeding; Writ Petition, Appeal - Civil, Criminal and Writ; Revisions - Civil and Criminal, Reviews, Writ Appeals - Civil and Criminal, and also Special Leave Petition; Contempt Petition, Interlocutory Applications, etc. A student who acquires the requisite knowledge, perfection, and proficiency in drafting of these matters, shall undoubtedly become a perfect legal professional. He will be an asset in the legal world.

Course Objectives:

1. To understand the background and object of pleading and drafting.
2. To understand the Rules and Skill for drafting of legal documents.
3. To enable student to draft various legal documents including a suit, writ, civil complaints and applications, legal notices, wills, e- contracts, licenses, IPR agreements, etc.
4. To enable student to draft conveyance deeds of various types including sale, mortgage, and lease of immovable property.

Learning Outcomes:

On the successful completion of course, students will be able to:

1. Understand the background and object of pleading and drafting.
2. Know about the rules and skill for drafting of legal documents.
3. Draft various legal documents including a suit, writ, civil complaints and applications, legal notices, wills, e- contracts, licenses, IPR agreements, etc.
4. Draft conveyance deeds of various types including sale, mortgage, and lease of immovable property.

Module - I
Drafting: Rules and Skills

- 1.1. Drafting Rules and Skills;
- 1.2. Purpose of Law: Procedural and Substantive;
- 1.3. History, Meaning and Object of Pleadings;
- 1.4. Fundamental Rules of Pleading;
- 1.5. Forms of Pleadings.

Module - II
Pleadings

- 2.1. Suit: Plaint/ Written Statement;
- 2.2. Petition(s): Matrimonial and Others;
- 2.3. Writ Petitions;
- 2.4. Application(s): Civil and Criminal;
- 2.5. Complaint under The Consumer Protection Act, 2019.

Module - III
Conveyancing

- 3.1. Deed: Sale, Lease, Mortgage, Relinquishment, Partnership, Dissolution of Partnership, and Family Settlement;
- 3.2. Will;
- 3.3. Power of Attorney: General and Special;
- 3.4. Notice: Section 80 of the Code of Civil Procedure, 1908; Ejectment of Tenant etc;
- 3.5. Reply to Legal Notices.

Module - IV
Corporate Practices and Drafting

- 4.1. E- Contracts;
- 4.2. Service Agreements;
- 4.3. Drafting of Memorandum of Association and Articles of Association;
- 4.4 Legal License;
- 4.5. IPR Agreements.

Prescribed Legislation:

1. Himachal Pradesh High Court Rules and Orders.
2. The Code of Civil Procedure, 1908.
3. The Code of Criminal Procedure, 1973.
4. The Hindu Marriage Act, 1955.
5. The Indian Contract Act, 1872.
6. The Indian Divorce Act, 1869.
7. The Negotiable Instruments Act, 1881.
8. The Specific Relief Act, 1963.
9. The Supreme Court Rules, 2013.
10. The Transfer of Property Act, 1882.

Prescribed Books:

1. R. N. Chaturvedi, PLEADINGS, DRAFTING AND CONVEYANCING, (EBC, 2021).
2. Dr S. R. Myneni, DRAFTING PLEADING AND CONVEYANCING, (Asia Law House, 2022).
3. S. K. Sarkar, GUIDE TO DRAFTING PLEADINGS & CONVEYANCING FORMS & PRECEDENTS, (2022).
4. Kant Mani, LAWMANN'S PLEADINGS DRAFTING AND CONVEYANCING, (2023).
5. Murali Manohar, CONVEYANCING AND PLEADING, (EBC, 2004).
6. K. S. Gopalakrishnan, PLEADINGS AND PRACTICE, (Alt Publications, 2004).
7. M. C. Agarwal and G. C. Mogha, MOGHA'S PLEADING, (EBC, 2006).
8. Dr Amit Sen, LEGAL LANGUAGE, LEGAL WRITING AND LEGAL DRAFTING, (Kamal Law House, Kolkata, 2006).
9. G. C. Mathur, SHIVA GOPAL'S CONVEYANCING, PRECEDENTS AND FORMS, (EBC, 2004).
10. N. S. Bindra, CONVEYANCING VOL.1, (Delhi Law House, Delhi, 2008).

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