

**BALLB-VIIIth Sem.**  
**Drafting of Pleading & Conveyancing (BL-805)**

**Assignments:**

- **General Principles of Drafting**
  - Clarity of expression
  - Design of the draft
  - Precision of language
  - Communicability of the intention of the parties
  
- **Essential elements of Drafting**
  - Consistency
  - Coherent and Arrangement
  - Common Language & Clear Expression

**PART- I: Drafting of Pleadings**

- **History of Pleadings: -**
  - Meaning
  - Object of Pleadings
  - Pleadings in India
  
- **Rules of Pleadings in India: -**
  - Facts, not Law:
    - Foreign Laws
    - Mixed questions of law & facts
    - Condition Precedent
    - Customs or usages of Trades
  - Material Facts
  - Facts, not evidence
  - Concise form with Precision & Certainty
  
- **Alternative and Inconsistent Pleadings**
  - Alternative Pleas
  - Inconsistent Pleas
  - General Principles with Permissible examples of pleas
  - Conclusion

**Pleadings in Civil Matters**

- Parties of Suits
- Frame of Suits
- Basic Principles of Drafting Plaints
- Plaint
- Written statement
- Interlocutory application
- Original Petition
- Affidavit

- Execution Petition
- Memorandum of Appeal
- Memorandum of Revision
- Petitions under Article 226 & 32 of Constitution of India

### **Pleadings in Criminal Matters**

- FIR (First Information Report)
- Complaints
  - Title of the Complaint
  - Body of the Complaint
  - Prayer
  - Signature of Complaint
- Criminal Miscellaneous Petition
- Bail Applications
  - Meaning
  - Bails in Bailable offence
  - Bail in non-bailable offence
  - Anticipatory Bail
- Memorandum of Appeal & Revision

### **Model Formats of Pleadings**

#### **Civil Pleadings: - (Any Five)**

- Accounts Suits: - For/Against Commission Agent  
For against General Attorney
- Administration Suits: -By Creditor on behalf of himself all other  
Creditors by Pecuniary Legatee
- Agency Dispute: Breach of contract against an agent and the principal  
Commission suit by agent for recovery
- Agreement to sell based Suits: -  
Breach of agreement to purchase land
- Alienation made by a Hindu Father- Setting aside
- Attachment Suit as to Non-liability Order XXI, R.58, C.P.C.
- Award Enforcement Suit: -  
Award suit for making rule of Court
- Bond-Based Suits: -  
Breach of Bond for fidelity of Clerk
- Cancellation of Documents Suit: -  
Cancellation of sale deed obtained by fraud
- Damage Suit for against common carrier due to delay in delivery of goods

#### **Criminal Pleadings: - (Any Five)**

- FIR to a police officer in charge of the Police Station
- Bail application in a Bailable offence

- Complaint in a case of Affray (under sec.160 I.P.C.)
- Complaint regarding Fabricating false evidence (under sec. 192 and/133, I.P.C)
- Complaint in Murder Case (under sec. 302,I.P.C)
- Complaint in Case of causing Grievous Hurt (under sec. 325, I.P.C)
- Complaint in case of Rape. (under sec. 376, I.P.C)
- Complaint in case of Theft. (under sec. 379, I.P.C)
- Application for search of a place or person (under sec. 99/100 Cr. P.C.)
- Transfer Application (under sec 191 Cr.P.C.)

### **Part –II : Drafting of Conveyances**

- **Fundamentals of Conveyancing:-**
  - Meaning of term Conveyancing
  - Scope of Conveyancing
  - Advantages of Conveyancing
  - Who can become Conveyancer?
- **Parts or Parcels of a deed: -**
  - Description of deed
  - Date of execution of the deed
  - Parties to the deed
  - Recitals
  - Testatum
  - Consideration
  - Receipt
  - Operative words
  - Parcels
  - Exceptions & Reservations
  - Hebandum
  - Covenants
  - Testamonium Clause
- Registration of Deeds & Stamp Duty
- Interpretation of Deeds

### **Model formats of Deeds: - (Any Ten)**

- Adoption deed: -
  - Meaning
  - Who may take in adoption?
  - Requirements & restrictions of valid adoption
  - Format of Adoption Deed
- Agency deed: -
  - How agency is created (method)
  - Nature of Agents Authority
  - Agent's duty to Principal
  - Format of Agency deed
- Agreements: -
  - Meaning

Essentials of an agreement  
Drafting of Agreement-Rules  
Format of Agreement  
Advertisement agreement for exhibiting posters & hoardings  
Building or Construction Agreement

- Arbitration Agreement: -  
Meaning  
Implied Condition  
Format of arbitration agreement

**Same other example suggestion: - (To be written in same format as above)**

- Will
- Gift Deed
- Trust deed
- Sale deed
- Lease deed
- Attorney deed
- Promissory Deed
- Mortgage deed
- Partnership deed
- Hire-Purchase agreement

**Referred Books for reading: -**

- Pleading, Drafting of Conveyancing: - R.N. Chaturvedi
- The Law of Pleading, Drafting & Conveyancing: - Dr. K.K. Srivastava
- Law of Pleading & Conveyancing: - M.K. Majumdar
- Practical Training for Law Students: - J.K. Mittal
- अभिलेख तथा प्रलेख शास्त्र - A.N. Pandey
- The law of Pleadings in India – P.C.Moga
- Pleadings, Conveyancing and Drafting – B.P.Singh

**General Instructions:**

- Use only Blue/Black Ball Point pen.
- Use only blank FS (Legal) size Sessional diary (provided from the college).
- Assignments may be written on both sides of the page.
- Model formats to be written (only on one side) as ready to be submitted before the Court.
- Sessional Diary has to be handwritten.
- For any query relating to the Sessional Diary, contact - 9205985920
- The Sessional Diary carries 40 marks and 10 marks are assigned for Viva-Voce Exam to be taken by board of Examiners to test the understanding of the Candidate in relation to Drafting of Pleading and Conveyancing.