PART II

Latin-Hindi
a fortiori: all the more; from a stronger reason
a posteriori: argument from the consequence to the antecedent
a priori: deductive; from earlier i.e. original or antecedent; argument from antecedents to the consequent; not empirical
a verbi legis non est recedendum: from the words of the law there is no departure
ab initio: from the beginning
ab intestado: 'succession ab intestado' means succession to the property of a person who has not made his will
absolute sententia expositore non indiget: plain language does not need an interpreter. [Amar Singh V. State of Rajasthan, A.I.R. 1955 S.C. 504 (526)]
abundans cautela non nocet: great caution does no harm
accessorium non ducit, sed sequitur suum principale: the accessory does not lead, but follows its principal
actio personalis moritur cum persona: a personal right of action dies with a person, in other words, the personal action dies with a person
actus dei nemini factum injuriam: the act of God is prejudicial to no one.
actus reus: wrongful act
actio non datur non damnificato: an action is not given to him who is not injured
actio incumbat onus probandi: the burden of proof lies on the plaintiff or the prosecution [Dahyabhai Chhaganbhai Thakkar V. State of Gujarat, A.I.R. 1964 S.C. 1563 (1566)]
actus dei nemini facit injuriam: the act of God is prejudicial to no one; the law holds no man responsible for the act of God; the act of God or Vis major is some inevitable natural calamity which generally excuses from liability, contractual or statutory. The party at fault is entitled to compensation from the person who has been injured
actus legis nemini est damnosus: an act in law shall prejudice no man
actus non facit reum, nisi mens sit rea: the act itself does not constitute guilt unless done with a guilty intent. An act is not a crime unless it is committed with a particular criminal intention (mens rea).
actus reus: wrongful act
ad aliquum diem: at another day
ad audiendum: to hear
ad aequum et bonum est lex legum: that which is equal and good is the law
ad certum diem: a fixed day
ad ea quae frequentius accidit: jura adaptantur: the laws are adapted to those cases which more frequently occur
ad hominem: to the man; personal
ad interim: in the meantime
ad locum: according to the value
ad locum: according to the place
ad minus: to a lesser degree
ad valorem: according to the value
adversus extraneum vitiosa possessio prodessi solet: an imperfect possession is accustomed to prevail as against outsiders claiming adversely.
adversus extraneum vitiosa possessio prodessi solet: an imperfect possession is accustomed to prevail as against outsiders claiming adversely.
allegatio contra factum non est admittenda: an allegation contrary to the matter of record is not admitted
alfieri: need an interpreter
alibi: a plea by a person accused of an offence that he was somewhere else when the offence was committed
aliqui: a person
aliquis: anyone
aliquis: a person
aliquis: who
aliquis: some
aliquis: any
aliquis: a person
aliquam rem ad causam proficisse: to procure a matter of record
aliqua aspera: some difficult
aliqua aspera: some difficult
aliqua res contraria non est audiendus: an ambiguous answer is to be taken against him who offers it
ambiguitas verborum latens verificatione suppletur, nam quod ex facto oritur ambiguum verificatione facit tollitur: latent ambiguity of words may be removed by parole evidence, for an ambiguity arising upon proof of extraneous fact may be removed in like manner [as 96, Indian Evidence Act].

amicus curiae: friend of the court; one who voluntarily or on invitation of the court, and not on the instructions of any party helps the court in any judicial proceedings.

animus deserendi: intention to desert.

animus testandi: intention of making a will.

arbitrium est judicium: an award is a benefit a trust is created.

argumentum ab inconvenienti plurimum valet: an argument from an inconvenient circumstance avails much in law.

argentum ab inconvenienti plurimum valet: an argument from an inconvenient circumstance avails much in law.

argumentum simili valet in lege: an argument from a like case is good in law.

argumentum ab inconvenienti plurimum valet: an argument from an inconvenient circumstance avails much in law.

assensio mentium: the meeting of minds i.e. mutual consent.

assignantes utilis jure auctoritatis: assigns is clothed with the rights of his assignor.

audire alteram partem: hear the other side. Both sides should be heard before a decision is arrived at.

auter droit: the right of another.

autres foils acquès: formerly acquitted. By this plea, a person charged with an offence pleads that he had been tried before and acquitted of the same offence by a competent court.

autres foils convicts: formerly convicted. By this plea, a person charged with an offence pleads that he had been tried before and convicted of the same offence by a competent court.

benignae sunt faciandae interpretationes cartarium, propter simplicitatem laicorum, ut res magis valent quantum persertat: and verba intentioni, non e contra, debent insinuare: liberal constructions of written documents are to be made, because of the simplicity of the laity, and uphold the document; and words ought to be made subservient, not contrary, to the intention.

benignior sententiæ in verbis generalibus seu dubius est praestendea: the most favourable construction is to be placed on general or doubtful expressions.

bona fide: 1. in good faith. simplicitatem ut: (Simplicity is to be taken as)

bona fide: 2. acting or done in good faith.

bonae fidei possessor in id tantum quod ad se perveniter, tenetur: a possessor in good faith is only liable for that which he himself has obtained. 

boni judiciis est judicium sine dilatione mandare executioni: it is the duty of a good judge to order judgment to be executed without delay.

cause causans: the immediate cause; the proximate or efficient cause, opposed to some remote cause.

cause proxima non remota spectatur: the immediate, not the remote cause, is to be considered.

cause sine qua non: a cause without which the effect would not have been caused. 

cause empor: let the purchaser beware. A maxim implying that the buyer must be cautious, as the risk is his and not that of the seller.

cestui que trust: a beneficiary under a trust, the person for whose benefit a trust is created.

civilis possessio: the right of another.

commodum ex injuria sua membra habere debet: a person cannot be allowed to take advantage of his own wrongs. 

communis error facit jus: common or universal error makes law.

constituciones tempore posteriores potiores sunt his quae ipsa praecesserunt: later laws prevail over those which preceded them.

contractus uberrimus fides: contract requiring of utmost goodwill.

contra: against; on the other hand.

contractus uberrimus fides: contract requiring of utmost goodwill.
coram non judice: before one who is not the judge. Before a court which has no jurisdiction of the matter; coram non judice: in the presence of a court which has no jurisdiction of the matter.
corpus delicti: the body of facts which constitute an offence; corpus delicti: the body of facts which constitute an offence; substance of the offence.
corpus possessionis: the thing possessed; corpus possessionis: the thing possessed.
cuiusque in sua arte perito credendum est: to each one skilled in his own art; cuiusque in sua arte perito credendum est: to each one skilled in his own art.
cul elles in sua arte perito credendum est: who is skilled in his profession is to be believed; cul elles in sua arte perito credendum est: who is skilled in his profession is to be believed.
culiffe legis in sui jure intende reseuntiae: one may waive a legal right; culiffe legis in sui jure intende reseuntiae: one may waive a legal right.
cum duo inter se pugnantia reperientur in testamento ultimumatum est: where two clauses in a will are repugnant one to the other; the last in order shall prevail; cum duo inter se pugnantia reperientur in testamento ultimumatum est: where two clauses in a will are repugnant one to the other; the last in order shall prevail.
custos statum haeredis in custodia existentis meliorem, non deteriorem: a guardian can make the estate of an existing heir better; custos statum haeredis in custodia existentis meliorem, non deteriorem: a guardian can make the estate of an existing heir better.
cypra: [s. 92(3) C.P.C.] cypra: [s. 92(3) C.P.C.].
damsnem sine (absque) iniuria: damage without injury; that is damage caused without legal wrong; damnsnem sine (absque) iniuria: damage without injury; that is damage caused without legal wrong.
data: what is given; the promises upon which an argument is based; certain given facts from which others may be inferred; data: what is given; the promises upon which an argument is based; certain given facts from which others may be inferred.
dec facto: in fact; an expression indicating the actual state of circumstances independently of any remote question of right or title; dec facto: in fact; an expression indicating the actual state of circumstances independently of any remote question of right or title.
dec hors: outside of; unrelated to; related to; de hors: outside of; unrelated to; related to.
dec minimis non curat lex: the law takes no account of very trifling matters; [s. 95, I.P.C.]: de minimis non curat lex: the law takes no account of very trifling matters; [s. 95, I.P.C.].
dec novo: anew; as if it were a new case; de novo: anew; as if it were a new case.
debita sequuntur personam debitoris: debts follow the person of the debtor; debita sequuntur personam debitoris: debts follow the person of the debtor.
debitoris pactum in creditorum petitione nec tolli nec minui potest: the rights of creditors cannot be taken away nor diminished by agreements among the debtors; debitoris pactum in creditorum petitione nec tolli nec minui potest: the rights of creditors cannot be taken away nor diminished by agreements among the debtors.
decree nisi: a decree is said to be made nisi when it is to take effect after a specified period or after the person affected by it fails to show cause against it within a certain time; decree nisi: a decree is said to be made nisi when it is to take effect after a specified period or after the person affected by it fails to show cause against it within a certain time.
deglatus non potest delegare: a delegated power cannot be further delegated; delegatus non potest delegare: a delegated power cannot be further delegated.
divorce a mensa et thoro: [s. 4, Indian Divorce Act]: divorce a mensa et thoro: [s. 4, Indian Divorce Act].
doll in capax: incapable of malice. In Indian Law, this conclusive presumption has been adopted for children under seven years of age; doll in capax: incapable of malice. In Indian Law, this conclusive presumption has been adopted for children under seven years of age.
dono male pactum se non servabat: a pact made with malicious intent will not be upheld; dono male pactum se non servabat: a pact made with malicious intent will not be upheld.
donator nuncquam desinuit possidere antequam donatorius inceptit possidere: donator never ceases to possess before the donee begins to possess; donator nuncquam desinuit possidere antequam donatorius inceptit possidere: donator never ceases to possess before the donee begins to possess.
donation mortis causa: a gift of personal property by a person on the point of death; donation mortis causa: a gift of personal property by a person on the point of death.
duo non posseunt in solidum unam rem possidere: two persons cannot possess one thing in entirety; duo non posseunt in solidum unam rem possidere: two persons cannot possess one thing in entirety.
durente bene placito: during the pleasure; durente bene placito: during the pleasure.
ei incumbit probatio qui dicit, non qui negat: the proof lies upon him who affirms, not upon him who denies; ei incumbit probatio qui dicit, non qui negat: the proof lies upon him who affirms, not upon him who denies.
ejas nulla culpa est cui parere nesse sit: he who is bound to obey is in no fault; ejas nulla culpa est cui parere nesse sit: he who is bound to obey is in no fault.
ejudem genera: of the same kind or nature. Where a list of specific items is followed by general concluding clause, this is deemed to be limited to things of the same kind as those specified; ejusdem genera: of the same kind or nature. Where a list of specific items is followed by general concluding clause, this is deemed to be limited to things of the same kind as those specified.
eminent domain: the right of power of the government to take private property for public use on making just compensation therefor; the power of a Sovereign State to take or to authorize the taking of any property within its jurisdiction for public use without the owner's consent; eminent domain: the right of power of the government to take private property for public use on making just compensation therefor.
en venere sa mere: child in womb; venere sa mere: child in womb.
ex abundanti cautela: from or out of abundance of caution; ex abundanti cautela: from or out of abundance of caution.
ex debito justiciae: from a debt of justice; from that which is owing; ex debito justiciae: from a debt of justice; from that which is owing.
ex delicto: from a delict, tort, fault, crime or malfeasance; ex delicto: from a delict, tort, fault, crime or malfeasance.
ex dolo malo non oritur actio: no right of action arises out of a fraud; ex dolo malo non oritur actio: no right of action arises out of a fraud.
ex gratia: as a matter of grace or favour; ex gratia: as a matter of grace or favour.
ex maleficio non oritur contractus: a contract cannot arise out of an illegal act; ex maleficio non oritur contractus: a contract cannot arise out of an illegal act.
ex nullo pacto oritur actio: no action arises from a contract without consideration; ex nullo pacto oritur actio: no action arises from a contract without consideration.
ex officio: by virtue of an office or employment; ex officio: by virtue of an office or employment.
ex pacto illolito non oritur actio: no action arises on an illegal agreement; ex pacto illolito non oritur actio: no action arises on an illegal agreement.
ex parte: expression used to signify something done or said by one person not in the possession of his opponent; ex parte: expression used to signify something done or said by one person not in the possession of his opponent.
ex post facto: by subsequent act; by virtue of a thing done after some particular event; done after another thing and operating retrospectively; ex post facto: by subsequent act; by virtue of a thing done after some particular event; done after another thing and operating retrospectively.
ex turpi causa: from a base cause; ex turpi causa: from a base cause.
exsequitur finis et fructus legis: execution is the end and fruit of the law; exsequitur finis et fructus legis: execution is the end and fruit of the law.
false in uno, falsus in omnibus: false in one, false in all i.e. false in one; false in uno, falsus in omnibus: false in one, false in all i.e. false in one.
factum valet: the "fact which cannot be altered" though it should not have been done; factum valet: the "fact which cannot be altered" though it should not have been done.
faire accompli: an accomplished act; faire accompli: an accomplished act.
falsus in uno, falsus in omnibus: false in one, false in all i.e. false in one particular, false in all; falsus in uno, falsus in omnibus: false in one particular, false in all.
formas legals forms essentials: legal form is an essential; formas legals forms essentials: legal form is an essential.
functus officio: one who has fulfilled his office or is out of office; an authority which has performed the act authorized so that the authority is exhausted; functus officio: one who has fulfilled his office or is out of office.
generalia verba sunt generaliter intelligenda: general words are to be understood in a general sense; generalia verba sunt generaliter intelligenda: general words are to be understood in a general sense.
habemus optimum testem confessionem reum: we have the best witness in an accused who confesses the charge; habemus optimum testem confessionem reum: we have the best witness in an accused who confesses the charge.
hors de combat: unfit to fight, disabled [1st sch., art. 3, Geneva
Conventions Act] nu de l'armée se moque de
ignorantia eorum quae quis seire tenetur non excusat: ignorance of
those things which everyone is bound to know, excuses not
ignorantia facti excusat; ignorantia juris non excusat: ignorance of
fact excuses; ignorance of law does not excuse (la loi de 
ignorantia legis neminem excusat (Ignorantia legis hauzd excusat; 
ignorantia legis non excusat): ignorance of
law is no excuse [Buchshwar Nath V. The Commissioners of Income-tax, Delhi and
Rajasthan and another, A.I.R. 1959 S.C. 149] il est de l'ignorance
impossibilium nulla obligation est: there is no obligation to do
impossible things (Ne pas faire de choses impossibles)
in esse: in existence (S'assurer de l'existence)
in forma pauperis: in the character of a pauper
in loco parentis: in the place of a parental figure
in pari delicto: when both parties are equally in fault; in equal fault!
[Surasailbalini Debi v. Phani dra Mohan Majumdar, A.I.R. 1965 S.C. 1304]
in pari materia: in an analogous cause, cause or position
in persona: an act or proceeding done or directed against or with
reference to a specific person (écrire contre quelqu'un)
in posse: possibility of being as opposed to in esse— in a state of being
Achila en ventre sa mere is a child in posse but the law regards it as
in esse for all purposes which are for its benefit
in present: at the present time; at once; immediately effective
in rem: an act or proceeding done or directed with reference to no
specific person or with reference to all whom it might concern
injurie sine damno: injury without damage; an infringement of a right
without causing damage (donner en droits)
Intelligible differentia: difference capable of being understood. A
factor that distinguishes one in different state or class from another which is capable of being understood,
Système d'entités
inter alia: amongst other things but whose
interest reipublicae ut quilibet re sua bene statutum: it is to the
advantage of the State that everyone uses his property properly
avec le bien
interest reipublicae ut sit finis litium: it is in the interest of the State
that there should be an end of law-suit
Ras du dossiers et d'arrêts
intravires: within the powers; within the authority given by law
et si juge, etc.
ipsos juro: by the law, itself, in the law, by the law
Jura non-remota causa sed proxima spectatur: in law the immediate
or proximate or not the remote cause of any event is regarded as
la loi de la cause proche
Jus ad rem: a right without possession; an inchoate or incomplete
right to a thing (droit de propriété)
jus commun: the common and natural rule of right 
comme la loi du pays
Jus dicere et non jus dare: to declare the law, not to make it
la loi de la déclaration
Jus non scriptum: the unwritten law
la loi non écrite
Jus tertii: the right of a third party
la loi du tiers
Lex non cognit ad impossibilia: the law does not compel the impossible
la loi ne peut pas faire
Lex tallienis: (law of retaliation)
la loi du ton par ton.
nudum pactum: without an offer or agreement, an offer or agreement is not to be implied
obiter dicta: an opinion of law not necessary to the decision; gratuitous remark
obligations ex contractu: duties arising from a contract
obligations ex delicto: duties arising from a tort
omne quod solo inaedificatur solo cedit: everything which is built alone is inherited alone
pacta sunt servanda: contracts are to be kept
per annum: by the year
per incuriam: by accident, through carelessness
sui juris: of his own power, of his own authority
suum ius: a sum of money awarded to an injured party
sui motu: on his own initiative
suo judicio: in his own judgment
suo numine: by his own authority
status quo: the present state of affairs
sue judicata: res judicata; a case in which an action has been decided
status quo ante: the state of affairs before the change
sub silencio: silently
sub judice: in the course of litigation
sub judicata: matters decided by competent authority
sub silentio: silently
summa domini: full ownership, the right of property in a thing
ut most. good faith: utmost honesty, utmost credit
uberrima fide: utmost good faith
ubi corpus, ibi jus: where the body, there the right
ubi est corpus, ibi est leges: where the body, there are laws
ubi est ipsa, ibi est res: wherever there is the thing, there are the rights
ubi est res, ibi est lusio: wherever there is property, there is use
ubi est res, ubi est jus: wherever there is property, there is right
ubi est res, ubi est dominium: wherever there is property, there is dominium
ubi est res, ubi est verecundia: wherever there is property, there is reverence
ubi est res, ubi est res judicata: wherever there is property, there are matters decided
ubi res, ubi dominium: wherever there is property, there is dominion
ubi res, ubi jus: wherever there is property, there is right
ubi res, ubi jus: wherever there is property, there is right
ubi jus ibi remedium: where there is a right, there is a remedy
ultra vires: beyond one's powers
ut res magis valeat quam pereat: that it may rather become operative than null. To unhold the constitutionality of statues whenever it can rationally be done
vigilantibus, et non dormientibus, jura sub veniunt: the laws give help to those who are watchful and not to those who go to sleep
vires: authority; power
viva voce: expressed on conducted by word of month; oral