

# CAREER IN LAW

*(Talk Delivered at the TMU, Moradabad  
& Bundelkhand University, Jhansi)*

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## 1. Career in Law:

- (1) Litigation (as Advocates)
- (2) Sub-ordinate Judicial Services (as Judicial Officers)
- (3) Public Prosecution Services (as Assistant Prosecuting Officers)
- (4) Academics (Law Teachers)
- (5) Legal Services (Law Officers)
- (6) Corporate Sector
- (7) Judicial Clerkship at the Supreme Court & High Courts
- (8) Law Consultants in the Ministries of Central Government
- (9) Researchers on Public Policy
- (10) Law Experts on Intellectual Property Rights & Trademarks etc.
- (11) Other Careers Requiring Legal Expertise

## 2. Dispensation of Justice

- (1) Kinds of Justice
- (2) Judgement & Justice
- (3) Equity, Justice & Good Conscience
- (4) Constitutional Vision of Justice
- (5) Discretionary Justice
- (6) Statutory or Procedural Justice
- (7) Rex is Lex i.e. King is the Law
- (8) King Commits No Wrong
- (9) Precedents Oriented Justice
- (10) Divine Justice
- (11) Manual Justice
- (12) Real or Genuine Justice
- (13) Academic Justice
- (14) Objectivity & Subjectivity in Justice
- (15) Technical & Hyper Technical Justice
- (16) Poverty Jurisprudence & Justice

- (17) Mere Disposal of Cases & Justice
- (18) Justice Delayed & Justice Denied
- (19) Justice Hurried & Justice Buried
- (20) Miscarriage of Justice
- (21) Poetic Justice
- (22) Justice & Extraneous Factors
- (23) Justice & Modern Technology

**3. Role of Teachers of Law in Shaping Career of Law Students:**

- (1) Method of teaching law, enabling law students to face competitive examinations without attending private coaching centres
- (2) Judicial Application of Law
- (3) Identifying Students According to Their Career Preferred by Them
- (4) Introducing into Syllabus Question-Papers of Last Ten Years of Examining Bodies Like Public Service Commissions & Preparing the Students to Face Competitive Examinations Soon After Getting Degrees from the University & Colleges
- (5) How to Apply Rulings to Cases
- (6) Drafting
- (7) Arguments & Presentation of Submissions
- (8) Finding faults in Judgements & Orders
- (9) Analysing Efficacy of Existing Laws for Purposes of Amendments Therein

**4. Exposure of Law Students: to Court System & it's Functioning:**

- (1) Providing photostat copies of plaints and written statements and asking them to frame issues
- (2) Providing Photostat copies of case diaries to the Law Students and ask them to frame charge
- (3) Student should examine other student as witness in civil & criminal cases
- (4) Law teachers should procure copies of records of the court cases and give practical demonstrations as to how the proceedings of different natures are conducted in Courts
- (5) Asking students to argue a case as a real case is argued by counsel for the parties

**5. Asking Students to pass bail orders, interim injunction orders etc.**

**6. Asking students to draft revision petitions and appeals:** Students should be made familiar as to how illegalities and perverse findings are identified in judgements and orders of lower courts for purposes of drafting Appeals & Revisions

**7. Advocates & Their Functions: Role of Junior & Probationer**

### **Advocates**

- (1) Drafting of Petitions
- (2) Plaints
- (3) Written Statements
- (4) Applications of Different Natures Like:
- (5) Adjournment
- (6) Amendment
- (7) Addition, Deletion, Transposition, Substitution of Legal Representatives
- (8) Application seeking condonation of delay
- (9) Affidavits
- (10) Complaints
- (11) Transfer Applications
- (12) Inspection of Records
- (13) Commissions & Survey Commissions
- (14) Registering Protests by Resorting to Strikes, Boycotts, Abstentions from Work etc.
- (15) Art of Brow Beating
- (16) Trend of Case Law vis-à-vis Case Law
- (17) Seminars & Workshops on Law Subjects

### **8. Different Stages in Civil suits**

- (1) Presentation of Complaint to the Court
- (2) Issuing Process to Defendant to submit Written Statement
- (3) Framing of Issues
- (4) Production of Evidence by Plaintiff
- (5) Production of Evidence by Defendant
- (6) Arguments by Counsel for Parties
- (7) Judgement
- (8) Preparation of Decree

**Note:** Other Proceedings like passing of Orders on Interim Injunction Applications, Amendments in Pleadings, Addition etc of Parties, Substitution of LRs, Issuing Commissions, Appointing Receiver, Granting or Refusing Adjournments, Restoration of Suits Already Dismissed etc. are only Miscellaneous Proceedings what are generally called Ancillary, Auxiliary or Miscellaneous Proceedings and not the main proceedings which cause progression in the suit to take it towards final decision.

### **9. Different Stages of Proceedings in a Criminal Trial**

- (1) Taking cognizance of offences on receiving charge-sheet from investigating officer
- (2) Issuing process to the accused to appear and receive copies of prosecution papers under Section 207 Cr.P.C
- (3) Discharging or framing of charges against the accused

- (4) Production of evidence by prosecution
- (5) Recording of statement of the accused under Section 313 Cr.P.C
- (6) Production of evidence by the accused in his defence
- (7) Arguments by the Public Prosecutor and the defence lawyer
- (8) Judgement
- (9) Preparing conviction warrant of the convict and sending him to jail to serve out the sentence if imposed after conviction.

**Note:** All other proceedings like remand, disposal of bail applications, discharge of sureties, issuing or cancellation of warrants or other processes, summoning of witnesses and documents are Miscellaneous Proceedings and not the main Proceedings causing progression in the trial for final decision.

**10. Art of Cross-Examination of Witnesses:**

- (1) Kinds of witnesses in criminal trials
- (2) Putting irrelevant questions to the witnesses during cross-examination
- (3) Repeating already asked questions to the witness on one and the same point by changing the words and phraseology
- (4) How to draft application for recall of witness for further cross-examination

**11. What is a charge in a criminal trial and how is a charge framed?**

**12. Duty of Magistrate:** At the stage of first remand, subsequent remands, Bail applications, Cognizance taking order etc.

**13. How to convince the Presiding Officer:**

- (1) To Grant Bail
- (2) How to cause obstacles and delay in the disposal of bail applications?

**14. How to Outwit the Presiding Officer?**

- (1) Confusing, misleading and demoralising the Presiding officer
- (2) How to assess the knowledge, skill and competence of the Presiding officer
- (3) How to enrage the Presiding officer and tempt him to pass derogatory and uncalled for remarks angrily?
- (4) Assessing the calibre of the opposite party and his counsel
- (5) Developing own confidence to face and outwit the Presiding officer and the counsel for the opponent
- (6) Pressing for framing unnecessary issues if the party has instituted the suit on no valid grounds but just to secure harassment of the opponent
- (7) Application for issuing commission for inspection of disputed

property

- (8) How can a lawyer control the proceedings of the court and render the Presiding Officer helpless?

**15. Complaint case and it's Procedure**

**16. Argument:**

- (1) How to Prepare
- (2) Citing rulings
- (3) Citing relevant provisions applicable to the case
- (4) Short & Lengthy Arguments
- (5) Emotive Argument
- (6) Legal & Illegal Arguments
- (7) Seeking adjournments and amendments during arguments
- (8) Not allowing the Court to decide the case when there is chance to lose

**17. How to pass Judgments & Orders**

- (1) Lengthy or cryptic Judgement & Order

**18. Drafting Transfer Applications & Complaints:** How to move application to the District Judge or to the High Court seeking transfer of case or initiating disciplinary proceedings against the Judicial Officers

**19. Ethics and Traditional Norms of Courts**

**20. Role of Advocates in Administration of Justice**

**21. Public Prosecutors and their Role**

**22. Articles 13 and 141 of the Constitution of India:** Whether ultimate or final law comes from the Acts enacted by Legislatures or from the Supreme Court of India: Importance of Precedents

**23. Keeping Updated with Latest Laws and Rulings:** Law Journals, Digests, Updatons with Latest Amendments in Laws and Rulings of the Supreme Court and own High Court

**24. Website on Google: lawhelpline.in**

**25. Questions & Clarifications**

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