

Course Name: B.A.L.L.B
(4th Sem)

Subject : English

Teacher: Parul Jain

Topic: legal maxims & phrases

Some Common Legal Maxims and Phrases

- 1) **Damnum Sine Injuria** - loss or damage without injury
- 2) **Res Judicate** -a matter already decided by judicial authority
- 3) **Mens Rea** -a criminal intention or knowledge that an act is wrong
- 4) **IgnorantiaFacitExcusat** - Ignorance of a fact is an excuse
- 5) **Injuria Sine Damno** -Injury without loss
- 6) **Audi AlteramPartem** - no man shall be condemned unheard
- 7) **Ubi Jus IbiRemedium** - there is not wrong without a remedy
- 8) **Ratio Decidendi** - the rule of law on which a judicial decision is based
- 9) **Habeas Corpus** - It is a law that states that a person can not be kept in prison unless they have first been brought before a court of law , which decides whether it legal for them to be kept in prison
- 10) **Ultra Vires** -beyond the powers
- 11) **Ignorantia Juris non excusat** -ignorance of law does not excuse
- 12) **Actus Non FacitReum Nisi Mens Sit Rea-** the intent and the act must both concur to constitute the crime
- 13) **Delegatus non PotestDelegare** - no delegated powers can be further delegated
- 14) Alibi -a claim or piece of evidence that one was elsewhere when an act , typically a criminal one , is alleged to have taken place
- 15) **Res IpsaLioquitur** -the things speaks for itself

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| 16) Respondent Superior - let the principal be held liable for the wrongful act of his servant |
| 17) Obiter Dictum - an incidental remark |
| 18) Eiusdem Generis -used to interpret loosely written statutes |
| 19) Actus Reus -an action which is constituent element of a crime, as opposed to the mental state of the accused |
| 20) Locus Standi -right to speak |
| 21) Dictum -an authoritative source/ proclamation |
| 22) Nemo Dat Quad Non Habet - no one gives what he does not possess |
| 23) Domus Sua Cuique Est Tuum Refugium - every man's house is his castle |
| 24) Nemo Est Haeres Viventis -no one can be heir during the life of his ancestor |
| 25) Caveat Emptor - let purchaser beware |
| 26) Rex Non potest Peccare -the king can do no wrong |
| 27) Volenti Non Fit Injuria - damage suffered by consent is not a cause of action |
| 28) Acta Exteriora the intention - acts indicate the action |
| 29) Nemo Debet Bis Vexari Pro Uno ET Eadem Causa - it is a rule of law that a man shall not be twice vexed for one and the same cause |
| 30) Nullus Commodum Capere Potest De Injuria Sua Propria -no man can take advantage of his own wrong |

