

## **Legal strategies**

### **Introduction to legal strategies**

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Property is the integral aspect of the civilized society. As said by Jeremy Bentham the protection provided to the property by the Government by creating appropriate legislations will determine the vigour of generation of property. More the protection more will be desire to create property boosting economy of citizens and economy of the country. Property includes tangible and intangible property and is earned by a person by inheritance, by his own hard work, by goodwill, by reputation and so on. A person in civil society has a right to defend and protect his property, protect possession of property, protect reputation, salary, opportunities to get higher salary by promotions, opportunities of inheritance by partition or by will and so on. These rights are to be exercised by seeking relief in the court of law. Same applies to the juristic person like company, firm, trust and others.

When a person is seeking relief before the court, he has to assert the facts on the basis of which he is seeking enforcement of his right. This assertion shall correlate with the remedy available in the statutory law. If he is seeking infringement of fundamental rights he has to assert about the acts of other party or the Government which infringes his fundamental right and entitle him for one of the writs from the High Court or Supreme Court as the case may be. Similarly, when a person is coming before the court as defendant or respondent, he has to raise appropriate defences permissible in statutory and procedural laws. This is the time to seek assistance of legal strategist.

Now anyone will say that the advocate from whom one is seeking legal assistance will take care of determining and applying legal strategies to protect or defend his right. Many a times this works, but many a times this gives rise to disastrous results. Advocate as a professional has to discharge quite a lot of functions. While discharging these functions giving the time to determine legal strategies becomes a difficult job. It is often seen that routinely drafted pleadings are placed before the courts in many of the matters and the courts do not take it seriously. In order to create impactful and result oriented pleadings it is necessary to have legal strategies in place.

One more reason to seek assistance of legal strategist is that litigation you are required to take to protect your right or defend your right may have multiple dimensions that means you may have to file different type of litigations in different courts. The advocates generally expertise themselves in a particular field of law and therefore advocate will advise you to take up the litigation in the field in which he is expert.

It is not that you require the assistance of legal strategist only at the beginning of litigation. The litigation filed today goes on for years and most of the time it remains pending in the

court before effective hearing resumes. During these years circumstances change affecting the assertions or defences in the pleading. It becomes necessary to give a proper shape to the pleading in view of the changed circumstances to protect the interest of the litigant.

I claim myself to be a legal strategist and as per my knowledge this is for the first time that an expert in the field of law is claiming himself to be a legal strategist. I stake this claim because in my long years of experience as advocate and as a judge disposing thousands of matters on civil and criminal side, I gained experience to analyze the facts and documents and extract its crux to suggest about the legal strategy to achieve the required legal remedy. The experience in this field gave me opportunity to suggest and put in place legal strategies in several litigations. At this very place on the website, I'll be periodically placing my true to life experiences suggesting legal strategies and explain how did strategies will effectively lead to get appropriate remedy to protect the interest of the litigant. Previous write ups will also be available by clicking legal strategies on the menu bar.