

PERSONALITY WHO CAN HOLD LEGAL RIGHTS AND LEGAL OBLIGATIONS

PRIMARY RIGHT AND SECONDARY RIGHT (APPEAL TIME) APPEAL TIME START (DATE OF JUDGEMENT)

PERSON NATURAL PERSON , ARTIFICIAL / JURISTIC PERSON ,

TRADITIONAL LEGAL POSITION ANIMAL IS A MOVEABLE PROP. MODERN APPROACH ANIMAL IS MORE THAN PROP. CASE ANIMAL WELFARE BOARD OF INDIA V. A. NAGARAJA (2014) , UTTARAKHAND HIGH COURT (2018) ANIMALS AS “LEGAL PERSONS” FOR LIMITED PURPOSES

“NASCITURUS PRO IAM NATO HABETUR, QUOTIENS DE COMMODIS EIUS AGITUR.” (AN UNBORN CHILD IS DEEMED TO BE BORN WHENEVER IT IS FOR HIS/HER BENEFIT.)

DEAD MAN LEGAL RIGHT “ACTIO PERSONALIS MORITUR CUM PERSONA” (A PERSONAL ACTION DIES WITH THE PERSON.)

LEGAL STATUS OF A DEAD PERSON – NOT A LEGAL PERSON. BUT DEFAMATION CAN BE FILE.

LEGAL STATUS OF IDOL AVAILABLE CASE PREM NATH MULLICK V. PRADYUMNA KUMAR MULLICK (1925) , RAMAKRISHNA MISSION CASE , AYUDHYA RAM MANDIR CASE.

LEGAL STATUS OF MOSQUE – NOT AVAILABLE , MASJID SHAHID GANJ V. SHIROMANI GURDWARA PRABANDHAK COMMITTEE (1940)

LEGAL STATUS OF GURU GRANTH SAHIB- AVAILABLE CASE SHIROMANI GURDWARA PRABANDHAK COMMITTEE (SGPC)

FICTION THEORY SAVIGNY, SALMOND, HOLLAND, ONLY HUMAN REAL PERSONS , CORPORATIONS AND INSTITUTIONS ARTIFICIAL GIVEN BY STATE,

CONCESSION THEORY SAVIGNY GIERKE, SALMOND,

REALISTIC THEORY GIERKE, FREDERIC WILLIAM. CORPORATION YA COMPANY REAL ME HOTI HAI.

BRACKET THEORY RUDOLF VON COMPANY NAHI USKE PEECHE KA AADMI HI HOTA HAI.

PURPOSE THEORY ALOIS VON BRINZ

RIGHTS INTEREST THEORY SALMOND, GRAY, ALLEN

WILL THEORY AUSTINE, HALLAM, HEGAL, KANT.

INTEREST THEORY RUDOLF VON JHERING JOHN SALMOND I

HOHFELD’S THEORY OF RIGHTS RIGHT / CLAIM-- LIBERTY / PRIVILEGE) –POWER – IMMUNITY –

JURAL CORRELATIVE DIAGRAM (HOHFELD) RIGHT-DUTY –LIBERTY-NO RIGHT – POWER-LIBERTY – IMMUNITY-DISABILITY

JURAL OPPOSITES DIAGRAM RIGHT-NO RIGHT – LIBERTY-DUTY – POWER-DISABILITY --IMMUNITY LIBERTY.

IN REM AGAINST WORLD RIGHT IN PERSONAM AGAINST A PERSON

RIGHT IN RE PROPRIA OWN PROPERTY AND RIGHT IN RE ALIENA RENTED HOUSE

THEORIES OF PUNISHMENT RETRIBUTIVE THEORY (REVENGE) DETERRENT THEORY (FEAR) PREVENTIVE THEORY (DISABLE OFFENDER) REFORMATIVE THEORY (REFORMATION)

MUTAWALLI HE IS MANAGER OF MOSQUE ADMINISTERS THE PROPERTY FOR RELIGIOUS PURPOSES.

TYPE OF RIGHTS MORAL – LEGAL- FUNDAMENTAL-- PROPRIETARY - PERSONAL RIGHTS

TYPES OF DUTIES. MORAL -- LEGAL – POSITIVE –NEGATIVE--DUTIES

GOLDEN RULE OF INTERPRETATION CASE R. VS ALLEN -- ADLER VS GEORGE

DIVINE THEORY BY JAMES I OF ENGLAND AND JACQUES-BÉNIGNE BOSSUET