

Interpretation of statute

(Ashbury vs Riche)

→ law & meaning ko samjhna

→ who does - court of law.

→ Nud

co may be formed
for lawful purpose

① Remove ambiguity

② Diff situation & Facts

(Ashbury Railway
carriage vs
Riche)

③ Intention of legislature

(lawmaker)

④ Multiple Interpretation

— create Harmony

(pyaar
moti baat)

Statute : law Act Enactment

Ordinance

By law

Notification

written
law

→ will of legislature

custom
(X)

Instrument :

C6
IOC
IOT

→ Formal Doc in writing (legal Doc)
which create a Right or Record

→ Agreement, Deed, Charter Record
(MOA / AOA)

Deed

Inst + writing
+ sign

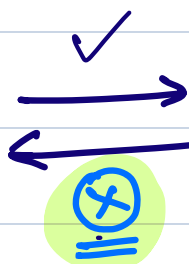
Instrument in writing



Support / Purpose



Effect - legal disposition



I

All I



Indici

same

All Deeds

diff of opinion

↓
Interpret

Eg: video

Interpretation of statute

↓
Process to add meaning
to legislature → law create

↓
legal

Faughn of
con. of

↓
Doctrinal

→ Actual Rule of law
→ Type (Jo law man
likha hai)

↓
Authentic

↓
Usual

Rules derive
from legislature
himself

↓
come from
custom and
laws

(case laws)
Previous case

(Jo law se
Interpret krta hai)

→ To give True
and Real meaning
to statute

(Eg: on date of Appoint.
common
Partner)

→ Type

↓
Grammatical

↓
logical

↓
court
uses
ordinary
Rule of
speech

↓
court
goes beyond
power
to
Interpret

Rules of Interpretation

Primary Rule

Secondary Rule

Rule of

- ① Literal construction
- ② Reasonable construction
- ③ Harmonious constr
- ④ Beneficial construction
- ⑤ Exceptional constr
- ⑥ Ejusdem Generis
- ⑦ Mischief Rule

- ① Noscitur a sociis
- ② Contemporanea
Expositio

Plain Vanilla

Rule of Literal Interpretation / Grammatical Interpretation

- ①. Primary / cardinal Rule
Every Interpretation - Entry gate

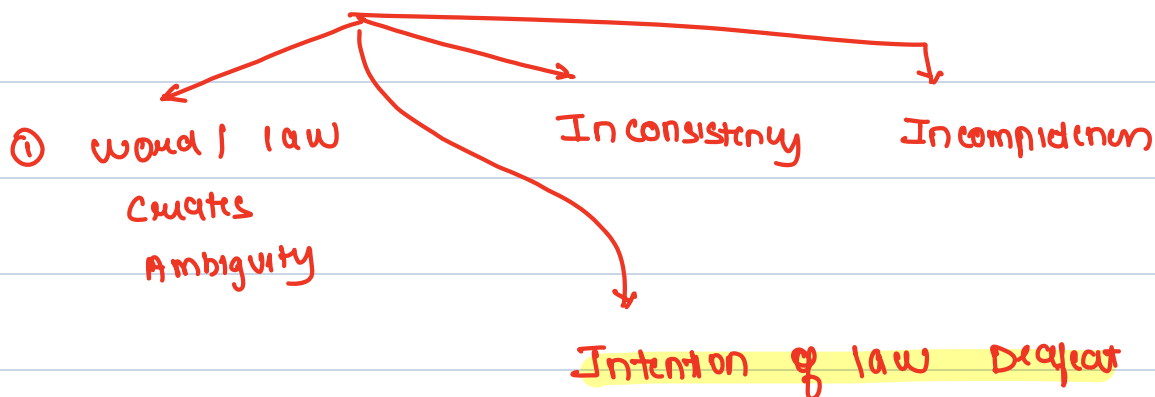
Jo likha hai
Vo padho

- ②. Literally Interpret & grammatically
↓
giving words their

ordinary and natural meaning
(sadhya sadhya meaning)

- ③. lang - simple unambiguous } Applicability
plain

- ④. Not Applicable



- ⑤. Follow Rule of grammar $\begin{matrix} \nearrow \text{And } \checkmark \\ \searrow \text{or } \checkmark \end{matrix}$

No word to be Added / Deleted / modify

⑥ Draftman - Perfect ✓
lawmaker →

⑦ If plain words are capable to Interpret
then No Explanation

If two Interpretation

↙
Broad Interpretation ✓

↘ If Fails

↓
Narrow ✓

Rule of Harmonious construction

law: ① minor contract - void ab Initio

② Benefit of contract - valid

Harmony

Normally - contract - ^{void} Benefit $\downarrow$ valid

②.

→ Employee can't be called to office on holiday

→ manager can call Employee to office

Harmony

[2 law virodhabhas]
baate

$\downarrow$
create harmony

Normally ⊗

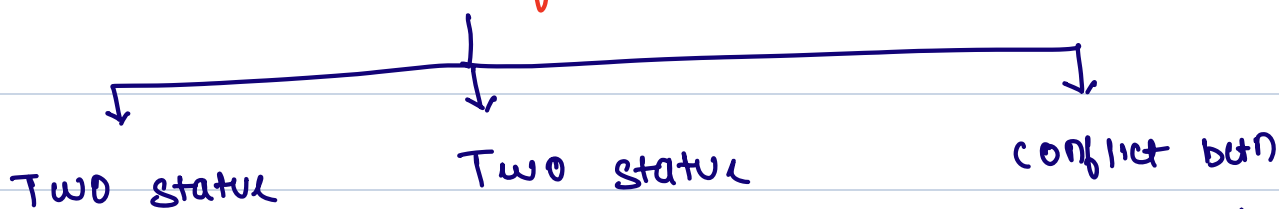
manager ✓ → Aana ✓



when there is conflict between two or more provision

Harmonise it to give Effect of all Provision

when there is conflict betn



of
same law

of Dobb
law

new and
previous law

NA: - literal constn

① Harmonize

② Both - Effect

③ latest + specific law
will Always prevail

law maker - Faulty ✓

✗
✗

Mischief Rule: | Heydon | Beneficial

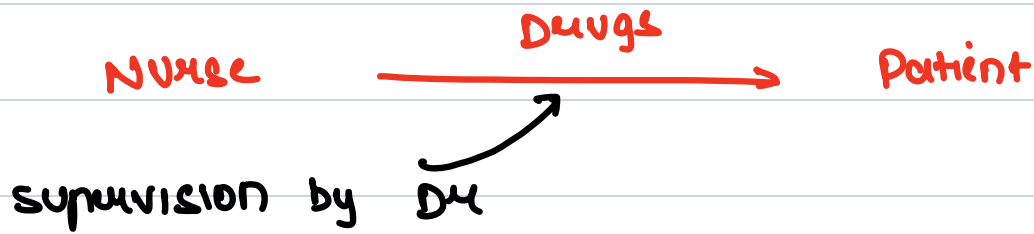
① LI - ✓

literal Interpretation ✗



Intention Behind - law making

law: legal abortion only by Doc



① literal - Nurse liable

② socho Kyu laay a
↓
Fatality Rate ↑

Not liable

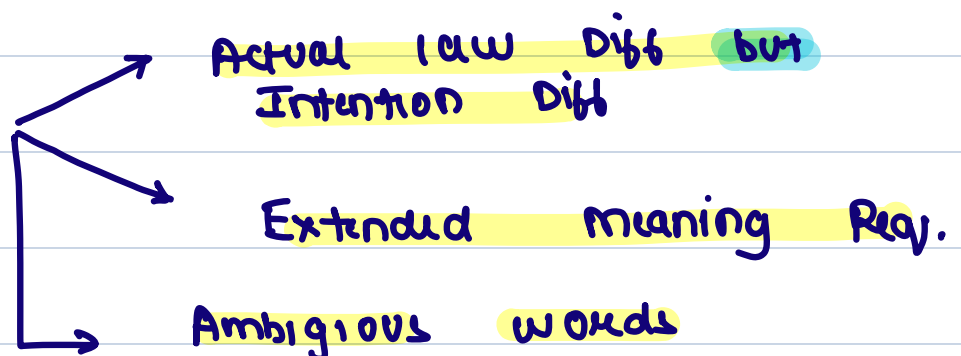
• Primary

• Statute (law)

Not giving
Intended
Result

words can be Extended
to give Intended meaning

• Applicable



- NA - Intend

- lawmaker Faulty

Rule of Exceptional constr

- Primary

- when statute do not give Intended Result

↓

words may be Eliminated to give Actual Result

- co. may bc Form for lawful Purpose
shall

- NA - Intend

- lawmaker - Faulty

Ejusdem Genus

Section: car truck Tractor and other

motor vehicle



meaning ?

Road way

Train ? x

Plane x

ship x

Scooter

specific word + general word



meaning

Derive

secondary Roles

① contemporanea Expositiva

law → meaning
↓

Derive



when law was made → situation

(customs / tradition)

Accident

↓
m.v Act

98T Act

②. Negative a sociis → Associate

Example:

Derive from Associates



Plant &
machinery
Associate
meaning ?