

Obiter Dictum And Ratio Decidendi

Mr. Rohit Manglik

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Rights of Accused Dr. Ashutosh, 2009

An Almanac of Contemporary and Comparative Judicial Restatements (ACCJR Supp. ii Public Law) Oshisanya, 'lai Oshitokunbo, 2020-01-02 Public law

Interpretation of Indirect Tax Statutes Kishorilal, 2021-05-30 About the book This book deals with the general rules of Interpretation and topics covered by the four main enactments pertaining to indirect taxes namely Customs, Central Excise, Services Tax and GST. It also covers the general provisions relating to taxation such as classification, valuation and demand pertaining to short recovery and refund of the excess payment. It also covers the topics such as strict liability, Res judicata, other general concepts of law, relating to taxation such as rule of stare decisis and exceptions to the rule of stare decisis. Key features Concepts of interpretation of tax statutes lucidly explained Exclusive chapter on: - GST - Service Tax Exhaustive coverage on Natural Justice and theory of precedent Special emphasis on the decisions of the CESTAT on all the topics Comprehensive coverage of cases on: - Levy of Customs, Central Excise, Service tax and GST - Classification of goods and services - Exemptions - Valuation of goods and services - CENVAT Credit/Input Tax Credit - Recovery of Tax dues - Refund/Rebate - Small Scale Exemption

Nigerian Legal Methods C. C. Ohuruogu, O. T. Umahi, 2013-09-27 This text is a collection of writings on assigned topics by some scholars and lecturers in the Faculty of Law at Benson Idahosa University and those invited from outside the university. The idea to write a text for use in the study of legal methods for law students was borne out of the desire to present a range of updated material in this area of study. The focus of this text is Nigeria. The book is written in simple, easy-to-understand

language, and meant essentially for law students in the first year of the five year course in Law, as structured by the National Universities Commission (NUC). Nevertheless, persons who are in need of information or education on different aspects of the Nigerian legal process will also find aspects of the text useful. The contributors come from diverse backgrounds and experiences, which is reflected in their styles of presentation. However, each has endeavoured to present the assigned topic in such a form as to enhance comprehension by the primary beneficiaries. The inclusion of chapters on advocacy and mooting skills, as well as examination skills and strategies, makes this text unique, and allows it to offer more detailed analysis than existing texts in Nigeria provide.

Ratio Decidendi and Obiter Dictum Daniel Mitidiero, 2025-06-28 This book explores the concepts of ratio decidendi and obiter dictum from a historical-comparative perspective. It provides a comprehensive review of legal doctrine on precedent, delving into English and American Law so to illustrate its applicability to the Brazilian legal system. How we deal with precedents is its main topic. Definitions within legal fields have always been subject to significant debate, with some recurring more often than others. Every now and then, a perspective arises which transforms the orthodoxy. As such is the case with the notion of precedent. Outlining its contours establishes a continuity between disparate and temporally distinct traditions. It requires theoretical-philosophical speculation, historical-comparative sense, and attention to the particularities of Brazilian Law. This book includes in-depth discussions of the development of the various understandings of the ratio, outlines the notions of ratio decidendi and obiter dictum, and illustrates its application within legal practice. It suggests an understating of the ratio capable of dealing with identical, similar and distinct issues in the Brazilian legal system. Following an extensive debate on the characterisation of the ratio, it explores the notion of obiter dictum, its definition, abilities and effects. The target audience of this book includes researchers, scholars and practitioners, especially those interested in the practice of precedent from a perspective that intertwines legal theory, legal history and comparative law.

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Colombian Constitutional Law Manuel José Cepeda Espinosa, David Landau, 2017-02-27 This book provides in English the case law of the Colombian Constitutional Court, which has become one of the most creative and important courts of the global south and the world since its creation in 1991. It offers concise and carefully chosen extracts of the Court's most important cases, along with notes and introductory materials to place them in historical and comparative context. The book covers the Court's landmark rights jurisprudence, including the decriminalization of drug possession, the legalization of same-sex marriage, the protection of social rights through broad structural orders such as the ones covering internally displaced persons and the right to health. It also covers the protection of the rights of indigenous peoples to cultural autonomy and to be consulted before economic projects are undertaken on their land, and the rights of victims of the country's long-running internal armed conflict to truth, justice, and reparations. Also provided are the Court's most noteworthy structural cases, particularly its successful attempt to limit the use of states of exception and its substitution of the constitution doctrine, which allows it to strike down amendments that replace rather than amending core principles of the existing constitutional order. The materials focus on the Court's contributions in a comparative perspective, showing how they are exemplary of a range of problems faced by courts around the world and particularly as an example of aggressive judicial review by the courts of the global south. At the same time, they demonstrate how many of the Court's key cases - such as the judicial review of the peace process with guerrilla groups or the striking down of an amendment to allow a popular president to seek a third term - are reactions to the historical features of the Colombian legal and social landscape.

English Legal System Steve Wilson, Stephen R. Wilson, Helen Rutherford, Tony Storey, Natalie Wortley, 2016 Clear, complete, and contextualized; this guide to the English legal system provides the strongest foundation for students at the start of their studies. Straightforward explanations of key topics are paired with learning features showcasing the law in its

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