By Dr Neel Mani Tripathi

150 Legal Maxims And Their Common Use



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Sr No	Maxim	Meaning	Common Use
1	**Ab initio**	From the beginning	Used in contract disputes or when evaluating the validity of an action from its start.
2	**Actio personalis moritur cum persona**	A personal action dies with the person	Refers to the principle that certain personal legal claims do not survive the death of a party.
3	**Actus Dei nemini facit injuriam**	An act of God causes legal injury to no one	Used in tort law to denote that no one is liable for unavoidable natural events (force majeure).
4	**Actus non facit reum nisi mens sit rea**	The act is not wrongful unless the mind is guilty	Foundation of criminal liability, requiring both a guilty act and a guilty mind.
5	**Actus reus**	Guilty act	Refers to the physical component or action of a crime.
6	**Audi alteram partem**	Hear the other side	Principle of natural justice requiring both parties be heard.

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7	**Bona fide**	In good faith	Used in contract, property, and commercial law to emphasize honesty/sincerity.
8	**Caveat emptor**	Let the buyer beware	Common in consumer transactions; places the burden of due diligence on the buyer.
9	**Caveat venditor**	Let the seller beware	Seller must take care that the goods/services meet legal requirements.
10	**Consensus ad idem**	Meeting of the minds	Core concept in contract formation, requiring agreement on the same thing.
11	**Consuetudo est altera lex**	Custom is another law	Recognizes that longstanding custom can have the force of law.
12	**Contra proferentem**	Against the one who puts forward (the clause)	Rule of construction where ambiguous contract terms are interpreted against the drafter.

13	**Corpus delicti**	Body of the crime	Refers to the principle that there must be proof a crime has occurred before convicting.
14	**De facto**	In fact	Describes a situation that exists in reality, even if not legally recognized.
15	**De jure**	By law	Refers to a situation recognized and enforced by law, whether or not it exists in practice.
16	**Delegatus non potest delegare**	A delegate cannot further delegate	Used in administrative and constitutional law regarding delegation of powers.
17	**De minimis non curat lex**	The law does not concern itself with trifles	Courts may refuse to consider trivial matters.
18	**Ex facto jus oritur**	The law arises out of the fact	Legal rules and rights may be shaped by actual facts or events.

19	**Ex turpi causa non oritur actio**	From a dishonorable cause, an action does not arise	A party cannot bring a legal action if it stems from their own immoral or illegal act.
20	**Expressio unius est exclusio alterius**	The express mention of one thing excludes all others	Canon of statutory interpretation; listing specific items implies exclusion of others.
21	**Falsus in uno, falsus in omnibus**	False in one thing, false in everything	If a witness lies in one part of testimony, the entire testimony may be discredited (though usage varies).
22	**Fiat justitia ruat caelum**	Let justice be done though the heavens fall	Emphasizes the importance of justice over consequences.
23	**Ignorantia juris non excusat**	Ignorance of the law is no excuse	A person cannot claim lack of knowledge as a defense to a legal violation.
24	**In loco parentis**	In the place of a parent	Used to describe persons or institutions acting

			with parental authority (e.g., schools).
25	**In personam**	Against a person	Refers to legal rights or judgments enforceable against a specific individual.
26	**In rem**	Against a thing	Refers to legal proceedings directed against property rather than a person.
27	**Inter alia**	Among other things	Used in legal pleadings or documents to indicate additional related issues.
28	**Interest reipublicae ut sit finis litium**	It is in the state's interest that there be an end to litigation	Emphasizes the need for finality in legal disputes.
29	**Ipso facto**	By the fact itself	Something that occurs by the very fact of a situation's existence.
30	**Ipso jure**	By the law itself	A legal consequence that follows

			automatically from the law.
31	**Jura novit curia**	The court knows the law	Judges/courts are presumed to know the law and apply it (regardless of what parties argue).
32	**Justice delayed is justice denied**	Delay in administering justice is equivalent to denial of justice	Highlights the importance of timely legal processes.
33	**Laches**	Unreasonable delay	An equitable defense that bars a claim if there's an unreasonable delay in pursuing it.
34	**Lex fori**	The law of the forum	The law of the jurisdiction where a legal action is brought.
35	**Lex loci**	The law of the place	References the local law governing an event or contract.
36	**Lex specialis**	A special law	Hierarchy principle in statutory interpretation.

	derogat legi generali	overrides a general law	
37	**Mens rea**	Guilty mind	The mental element or intent required for criminal liability.
38	**Modus operandi**	Method of operation	Describes a pattern of behavior, particularly in criminal investigations.
39	**Nemo dat quod non habet**	No one can give what he does not have	Principle in property law stating a seller cannot pass better title than they have.
40	**Nemo debet bis vexari pro una et eadem causa**	No one ought to be twice troubled for one and the same cause	The rule against double jeopardy.
41	**Nemo debet esse judex in propria causa**	No one should be a judge in their own cause	Prohibits conflict of interest in judicial or quasi-judicial proceedings.
42	**Nemo est supra leges**	No one is above the laws	Reinforces the rule of law principle.

43	**Nemo tenetur seipsum accusare**	No one is bound to accuse themselves	Basis for the privilege against self-incrimination.
44	**Nemo judex in causa sua**	No one is a judge in their own case	Reinforces impartiality in adjudication (same as #41 but a common variant).
45	**Nemo plus iuris ad alium transferre potest quam ipse habet**	No one can transfer more rights than they possess	Fundamental in property/title transfers.
46	**Noscitur a sociis**	A word is known by the company it keeps	Aids in statutory interpretation by considering surrounding words.
47	**Obiter dictum**	A remark by the way	A judge's incidental opinion not essential to the judgment (not binding precedent).
48	**Onus probandi**	Burden of proof	Determines which party must prove an issue in dispute.
49	**Pacta sunt servanda**	Agreements must be kept	Core principle of contract law

			emphasizing the binding nature of agreements.
50	**Pari passu**	On equal footing	Used in insolvency/bankruptcy to denote equal treatment of creditors.
51	**Per incuriam**	Through lack of care	Refers to a decision given in error due to oversight of law or facts.
52	**Per quod**	By which	Used in defamation suits to indicate the need for extrinsic facts to show defamatory meaning.
53	**Prima facie**	At first sight	Evidence or case that is sufficient to establish a fact unless rebutted.
54	**Qui facit per alium facit per se**	He who acts through another acts himself	Principle of vicarious liability; an employer may be liable for employees' acts.
55	**Qui prior est tempore**	He who is earlier in	Used in property disputes, priority of

	potior est jure	time is stronger in right	claims, or first-in-time rule.
56	**Ratio decidendi**	The reason for the decision	The binding part of a judge's ruling that forms precedent.
57	**Res gestae**	Things done	Statements/events closely connected to an act; used as evidence exceptions in hearsay.
58	**Res ipsa loquitur**	The thing speaks for itself	In tort law, an accident implies negligence when under defendant's control.
59	**Res judicata**	A matter judged	A final judgment on the merits is conclusive between the same parties.
60	**Res nullius**	A thing belonging to no one	Property that has no owner and is susceptible to ownership by occupation.
61	**Scienter**	Knowingly	In tort or securities law, refers to

			knowledge of wrongdoing.
62	**Sic utere tuo ut alienum non laedas**	Use your property so as not to injure that of another	Principle limiting how one uses property to avoid harm to neighbors.
63	**Stare decisis et non quieta movere**	Stand by decisions and do not disturb settled points	Basis for adhering to precedent in common law.
64	**Sub judice**	Under judgment	Indicates a matter is under judicial consideration and not yet decided.
65	**Subpoena**	Under penalty	A writ ordering a person to attend court or produce evidence.
66	**Uberrima fides**	Utmost good faith	Often used in insurance contracts requiring full disclosure of all material facts.
67	**Ubi jus ibi remedium**	Where there is a right,	If a legal right is violated, the law provides a remedy.

		there is a remedy	
68	**Ultra vires**	Beyond the powers	Used when a body acts beyond the scope of its legal authority.
69	**Volenti non fit injuria**	To one who consents, no harm is done	Defense in tort law where the plaintiff voluntarily assumed risk.
70	**Lex posterior derogat priori**	A later law repeals the earlier	Later statutes override conflicting earlier statutes.
71	**Nulla poena sine lege**	No penalty without a law	Principle that one cannot be punished for an act that wasn't legally penalized.
72	**Cessante ratione legis cessat ipsa lex**	When the reason for the law ceases, the law itself ceases	A law becomes inapplicable when its rationale no longer exists.
73	**Donatio mortis causa**	Gift in contemplation of death	A conditional gift made by a person expecting imminent death.

74	**In dubio pro reo**	When in doubt, rule for the accused	Criminal law principle that uncertainty should benefit the defendant.
75	**Lex talionis**	Law of retaliation	Refers historically to “an eye for an eye” principle.
76	**Cogitationis poenam nemo patitur**	No one is punishable for mere thought	Criminal liability generally requires an overt act, not just intent or thought.
77	**Lex non a rege est violanda**	The law must not be violated by the king	Even a ruler must adhere to the law; underscores rule of law.
78	**Nemo ex proprio dolo consequitur actionem**	No one can derive an action from their own fraud	Prevents a wrongdoer from profiting by their misconduct.
79	**Pendent lite nihil innovetur**	During litigation, let nothing be changed	Preserves the status quo until a dispute is resolved.
80	**Quod per me non**	What I cannot do myself, I	Similar to delegatus non potest delegare, restricting

	possum, nec per alium	cannot do through another	unauthorized delegation.
81	**Rex non potest peccare**	The king can do no wrong	Historical doctrine of sovereign immunity (though limited or abolished in many jurisdictions).
82	**Ubi eadem ratio, ibi idem jus**	Where there is the same reason, there is the same law	Similar facts or issues should have similar legal outcomes.
83	**In pari delicto potior est conditio defendentis**	In equal fault, the condition of the defendant is better	Where both parties are equally at fault, the defendant prevails.
84	**Fortior et potentior est dispositio legis quam hominis**	The disposition of the law is stronger and more powerful than that of man	The law overrides individual will.

85	**Qui tacet consentire videtur**	He who is silent is taken to consent	Silence can be interpreted as acceptance in certain contexts (though not absolute).
86	**Optima statuti interpretatrix est (omni tempore) consuetudo**	Custom is the best interpreter of a statute	Longstanding practice helps clarify ambiguous statutes.
87	**Verba ita sunt intelligenda ut res magis valeat quam pereat**	Words are to be understood such that the matter may prevail rather than fail	Statutes or contracts should be interpreted to give them effect rather than render them void.
88	**Res inter alios acta alteri nocere non debet**	A thing done between others should not harm another	A contract or act between some parties should not prejudice others not party to it.
89	**Fas est et ab hoste doceri**	It is lawful to learn even from an enemy	Accepting truth or facts from any source is permissible.

90	**Falsa demonstratio non nocet**	A false description does not vitiate (if there is sufficient certainty otherwise)	An incorrect detail in a document does not invalidate it if the intended subject is clear.
91	**Dolo malo pactum se non servabit**	An agreement obtained by fraud is not binding	A contract formed through fraud is void or voidable.
92	**Equity looks to the intent rather than the form**	Equity focuses on substance, not mere technicalities	Courts of equity emphasize fairness over strict legal form.
93	**Equality is equity**	All parties should be treated equally	Underlines equitable principles, especially in distribution of assets.
94	**Equity aids the vigilant, not those who slumber on their rights**	Those who promptly assert rights are favored in equity	Encourages timely enforcement of legal and equitable rights.

95	**He who comes into equity must come with clean hands**	A party seeking equitable relief must be free from wrongdoing in the matter	Bars equitable relief if the claimant acted unethically.
96	**He who seeks equity must do equity**	One must act fairly and fulfill related obligations to receive equitable relief	Requires reciprocal fairness by a claimant in equity.
97	**Equity follows the law**	Equity does not replace law but supplements it	Equity will not contradict established legal principles.
98	**There is no wrong without a remedy**	Where there is a violation of right, a remedy should exist	Foundation of common law and equitable relief.
99	**Equity regards as done that**	Equitable principle treating something as	Used to ensure fair outcomes in cases of agreements or trust.

	which ought to be done	completed if it was required to be done	
100	**Equity delights in equality**	Equity aims to distribute rights or assets fairly among parties	Applied to partition actions, distribution of estates, etc.
101	**Aedificare in tuo proprio solo non licet quod alteri noceat**	One must not build on one's land that which may harm another's	Used in nuisance and property disputes to limit harm to neighbors.
102	**Bonum judicem veritas, non auctoritas, facit**	Truth, not authority, makes a good judge	Emphasizes integrity and pursuit of truth in judicial conduct.
103	**Ex nudo pacto non oritur actio**	No action arises from a naked agreement	A mere promise without consideration is not enforceable.
104	**Factum valet**	The deed is valid	Used to validate an act or deed that meets legal

			requirements despite challenges.
105	**Fraus est celare fraudem**	It is fraud to conceal a fraud	Concealment of fraud is itself fraudulent; relevant in fraud investigations.
106	**In jure non remota causa sed proxima spectatur**	In law, the immediate cause, not the remote cause, is considered	Basis for proximate cause in tort liability.
107	**Justice must not only be done but also be seen to be done**	Fairness in proceedings must be apparent to observers	Reinforces public confidence in the judicial system.
108	**Qui peccat ebrius, luat sobrius**	He who offends while drunk must be punished while sober	Reflects the principle that intoxication is generally no excuse in criminal law.
109	**Qui suo jure utitur nemini facit injuriam**	He who exercises his own right	Asserts that lawful use of one's right does not constitute a legal wrong.

		injures no one	
110	**Salus populi suprema lex**	The welfare of the people is the supreme law	Constitutional or public policy principle prioritizing the common good.
111	**Lex dilationes semper exhorret**	The law always abhors delays	Encourages timely resolution of legal matters.
112	**Ex dolo malo non oritur actio**	From fraud a right of action does not arise	No legal action can be based on a fraudulent act.
113	**Leges humanae nascuntur, vivunt, moriuntur**	Human laws are born, live, and die	Recognition that laws evolve and may be repealed or become obsolete.
114	**Necessitas non habet legem**	Necessity knows no law	Used as a defense that extraordinary circumstances override usual rules.
115	**Nemo potest esse simul actor et judex**	No one can be at once a party and a judge	Ensures impartiality in judicial or administrative proceedings.

116	**Nemo prohibetur pluribus defensionibus uti**	No one is prohibited from using multiple defenses	Allows defendants to raise all available defenses.
117	**Nullus commodum capere potest de injuria sua propria**	No one can profit from their own wrong	Prevents wrongdoing parties from benefiting from their illegal or wrongful acts.
118	**Omnia praesumuntur rite et solemniter esse acta**	All things are presumed to be done rightly and with due form	Presumption of regularity in official or procedural matters.
119	**Optima legis interpres consuetudo**	Custom is the best interpreter of the law	Long-established practice guides interpretation where the statute is unclear.
120	**Pacta privata juri publico derogare non possunt**	Private agreements cannot derogate from public law	Individuals cannot contract out of public law requirements.

121	**Qui non habet, ille non dat**	He who does not have, cannot give	Similar to nemo dat; underscores that one cannot transfer a right/title not held.
122	**Quod necessitas cogit, defendit**	Necessity justifies what it compels	Forms part of the necessity defense in criminal/civil law.
123	**Rei publicae interest ne crimina remaneant impunita**	It is in the state's interest that crimes not remain unpunished	Emphasizes prosecution of criminal acts to maintain public order.
124	**Respondere, cavere, agere**	To advise, to prepare, to act	Ancient Roman summarization of a lawyer's tasks.
125	**Secundum allegata et probata**	According to what is alleged and proved	Courts base decisions on allegations made and evidence presented.
126	**Suppressio veri, expressio falsi**	Suppression of the truth is equivalent to the expression of falsehood	Concealing truth can be treated similarly to making a false statement.

127	**Ubi eadem legis ratio, ibi eadem legis dispositio**	Where there is the same reason for the law, the same law applies	Extends a legal rule to similar fact patterns.
128	**Verba chartarum fortius accipiuntur contra proferentem**	The words of a deed are taken most strongly against the party using them	Similar to contra proferentem; ambiguous documents construed against the drafter.
129	**Voluntas in delictis non exitus spectatur**	In crimes, the intention is regarded, not the outcome	Highlights the importance of mens rea over actual consequences.
130	**In claris non fit interpretatio**	No interpretation is made when words are clear	When the language is unambiguous, courts apply the plain meaning.
131	**Quando lex aliquid alicui concedit, concedere**	When the law grants anything, it grants that without	Basis for implied powers or necessary means to exercise a legal right.

	videtur et id sine quo res ipsa esse non potest	which the thing cannot exist	
132	**Actus legitimi non recipiunt modum**	Lawful acts do not receive a measure	Certain acts must be fully performed; partial performance is invalid.
133	**Voluntas reputatur pro facto**	The will is taken for the deed	In attempt crimes, intent can be treated similarly to the act.
134	**Nemo est haeres viventis**	No one is heir to a living person	An heir's rights only vest upon the death of the testator.
135	**Mater semper certa est**	The mother is always certain	In family law, maternity is usually presumed based on childbirth.
136	**Pater est quem nuptiae demonstrant**	The father is he whom the marriage indicates	Presumption of paternity for children born in wedlock.
137	**Qui parcit nocentibus innocentes punit**	He who spares the guilty punishes the innocent	Suggests that failing to punish wrongdoing can lead to further harm to innocents.

138	**Cujus est solum, ejus est usque ad coelum et ad inferos**	He who owns the land owns it up to the heavens and down to hell	Traditional property law principle about vertical extent of land ownership (often limited by modern law).
139	**Voluntas testatoris ambulatoria est usque ad mortem**	The will of the testator is revocable until death	Wills can be changed anytime before the testator's death.
140	**Actus curiae neminem gravabit**	An act of the court shall prejudice no one	Errors or delays by the court should not harm litigants' rights.
141	**Culpa lata dolo aequiparatur**	Gross negligence is equivalent to intentional wrong	Certain legal systems treat gross negligence on par with intentional acts.
142	**Ex iniuria jus non oritur**	A right cannot arise from a wrong	Illegal acts do not create legitimate rights for the wrongdoer.
143	**Fiat justitia, ne pereat mundus**	Let justice be done, lest the world	A variant emphasizing the necessity of justice for societal survival.

		should perish	
144	**In integrum restitutio**	Restoration to the original condition	An equitable remedy restoring a party to the position they were in before a wrong.
145	**Male fide**	In bad faith	The opposite of bona fide; indicates dishonesty or fraud.
146	**Qui sentit commodum, debet et sentire onus**	He who receives the benefit must also bear the burden	One who gains advantages must also accept the accompanying responsibilities.
147	**Conclusio sequitur judicium**	The conclusion follows from the judgment	Reflects logical consistency between judgment and its outcome.
148	**Declaratory statutes do not prejudice prior rights**	A law clarifying an existing rule does not destroy previously established rights	Used in statutory interpretation when new laws merely clarify.

149	**Lex imperat, non disputat**	The law commands; it does not argue	Emphasizes the binding nature of the law, not up for individual debate.
150	**Veritas nihil veretur nisi abscondi**	Truth fears nothing but to be hidden	Encourages full disclosure; truth stands unafraid unless it is concealed.

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