

## INTERVIEWING TECHNIQUES AND PRE-TRIAL PREPARATIONS

09-06-2014

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I went to the chamber of the advocate introduced myself to him and said to him that as a final year student of law, I have to observe pre-trial preparation for a month as part of my course and also requested to allow me to sit and observe in his office.

He permitted me to sit in his chamber observe preparations. I went to the office regularly at every working day at 10.00 am.

While we were sitting in the office the advocate was verifying the case diary then one came to the office and told the advocate that his brother was arrested by police while he was returning home from the temple and kept him in custody.

The advocate enquired about the arrest and asked him in which police station he was kept in custody. He said that his brother was kept in the west police station of Tirupati.

The advocate made a telephone call to the police station and asked about the arrest of Kurnaran brother of Karthi keyan and he told him that he was arrested for theft. We have to move bail for his release and get on the details of the arrested person and prepare to move bail.

.....09-06-2014

On this day a client Sudhakar came to the chamber and gave a promissory note down for a sum of Rs. 1 0000 by Anil a co-employee of the client. He also said that Kumar did not repay the promissory note amount though he had demanded it many times. He requested him [advocate] to make ways to get the amount from Krishnan.

The counsel advised him that a legal note should be served to Krishnan for the recovery of the amount concerned with an advised to give to reply we would take necessary action

according to the reply otherwise may file a case on him. He gathered all details of the debtor Krishnan.

.....09-06-2014

On this day a person came to the lawyer chamber and told him that his son was arrested by police last night while returning from the theater after watching the second show while the police enquiring he gave no reply to them because of the fear so on the suspicious ground police arrested him so he wanted to take his son out of the custody of the police. The advocate asked him in which police station his son was arrested and the client said that the west police station nagery.

The advocate sent his junior with that person to know the reason for the arrest and take necessary steps to relieve him from the police custody.

.....10-06-2014

On this day a person came to the chamber and seeking advice on his matrimonial life. He told that his marriage was taken place at Padmavathi Kalyana Mandapam Tirupati on With Sujatha wife they lived happily for two years. One day she went her parents house to take test for some days and she did not feel well.

But after that she did not came back . He went there asked her to come back, but there is no reply on part of the his wife.

In meantime he sent his family members to her and they advised and her asked her family members also to make her to come with them. They also got no proper reply. After telling all the factors, he requested the advocate to what do and hat relief he is entitled by law.

The advocate asked him whether he wants to live with her or not. He replied yes and then the counsel advised him that he has a right to file a petition against his wife. After giving

the legal notice they have to give legal notice in reply to that. In that reply he nut know the reasons for not coming to his house.

...10-06-2014  
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Today a person came to his office and told that he borrowed a sum of Rs. 1000 from X a promissory note also made by him to the creditor. I am paying the monthly interest regularly. While so the creditor z sent him a legal notice for recovery of the amount without asking anything Z from him.

The advocate advised him that the creditor's act is correct because the period of limitation will expire in this month. He sent also suggested to him to sent a legal notice to him on the point of the promissory note amount . He agreed and the advocate prepared to send legal notice to the creditor.

....10-06-2014  
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On this day a person X came to the office and said to the advocate that he was the owner of the house in Gnndi Nagar, Tirupati. He let the house for monthly rent for a period of 6 months and monthly rent of Rs. 600. The tenant did not paid the monthly rent and also agree to evict the house so he wanted to evict that tenant from the house and to recover the rent due of Rs.3600.

The advocate advised him to send a legal notice to him to evict and pay the rent amount within 15 days. If he did so there was no need to take any citron otherwise we have to file a case on him in the court for the eviction and collection of the amount.

11-6-2014.....

Today a person came to his office to apply for an injunction. He told that in the vacant land situated in Srinivasa Nagapuram village his neighbor is trying to occupy it or his own.

But he is the real owner of the land, so the neighbor has no right to occupy his property. So he wants to file a petition for grant of an injunction order against the encroachment of the neighbors. He gave documents to the property concerned. The advocate scrutinized and prepared to file an injunction petition as the prima facio evidence of the documents given by the client.

Today a lady came to the office and told to the advocate, she was married with one M. Suresh S/O Chengaiah on .....her husband left her alone and went to Bangalore, She went there and asked him to provide maintenance and to live with him. But the husband sent her out of his house, scolded her if she come to him with the relationship of wife he will kill her. She asked advice and remedy through court.

The advocate advised her that fist we had to sent a legal notice to him for the restitution of conjugal right. if there is no reply to the notice we will file a maintenance petition against her husband and prepared for the same.

...11-06-2014

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Today a person came to the office with a summons to him from court. He said that he obtained a loan from SBI Tirupati but paid no dues because his Industry started with the loan amount is not functioning because of change of law. The Bank sent the summons through court for the recovery of the loan amount and requested the advocate to defend from case filed against him. The advocate advised him to arrange the amount to pay or he will arrange to pay the amount after an year on some due dates. But the client said he has no means to repay the amount so he asked the advocate to defend him from the loan.

The advocate prepared vakalat fro the defense of the client and received the summon sent to him by the court.

12-06-2014.....

Today, a person who is a client already filed Vakalatnama for the defense. The advocate asked the documents for the purpose to prepare counter for the defense of the diem. F he client gave some documents and some details. The advocate prepared counter for the defense of the client by referring many books.

12-06-2014.....

Today a group of persons came to the chamber and told to the advocate that there was a fight at last night. In this many persons were injured. The police came to the spot and arrested four persons and kept them in this custody and asked him o take them out of police custody.

The advocate made a telephone to the police station and enquired under which ground there were arrested. In the reply we came to know that all the four persons are arrested and charged under section 307 IPC attempt murder and other sections for hurt a grievous hurt.

The advocate told that the persons arrested are arrested under non boilable sections. The case is serious in nature. So, advice them to move bail for them. He gathered details of the persons arrested and also advised to arrange sureties of the bail.

....13-06-2014

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In this day a person came to the chamber and told to the advocate that he is a tenant in the house owner without giving any information and time try to assist him though there is an agreement between them so he requested the advocate to tile an injunction petition against the eviction of the house owners.

The advocate advised him that there are many grounds to protect the tenants from the house owner so need not worry and he will file an injunction petition against the eviction and collected the details of the case.

...16-06-2014

Today a person came to die chamber and asked the advocate to file a suit for specific performance against a contractor.

The advocate asked the details the agreement and the conduction before and obtained advance for the same. But he failed to do so The non performance of the contractor caused a lot of lose to him such as interest and so on.

So he requested the advocate to file a case against the contractor for the performance of the specific work and to recovery of the lose caused by the delay of the contractor.

The advocate received the agreement from the client and calculated the lose caused to the client ay the an performance of the contractor and he prepared to file a suit against the contractor tar specific performance.

....17-06-2014

On this day a woman came to the office of the advocate and asked him to file a divorce petitioner against her husband The advocate asked the reasons and details of her contention.

She bandana her husband were married on She and her husband lived together for one year. After the (lay she came to know that her husband had illegal relationship with another woman who is working with her husband. So she decided to get divorce from her husband under the ground of bigamy or Adultery.

The advocate received the details concerned and prepared a divorce petition and advised her to come nest week and got signature of the lady.

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Today a man came to his office. He told that he gave a loan to a person A who is living in a living in a Hindu joint family A is ready to repay his loan amount. But he has no money in his hands. So he wants to give his share for the debt from the property of the Hindu joint family.

The other coparceners of the family reused to give share to him. So A as a coparcener is having right in that property of the joint family. He registered his shack to him for the repayment of debt. So he wants to get the share from the property.

The advocate scrutinizing a the documents and details related to the case told that told to the client that the client has the right to file a petition for general partition towards the joint family property.

...19-06-2014

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Today, a person came to the chamber and asked the advocate to defend him from the creditor who claims for the possession and ownership of the mortgaged property which he mortgaged for the debt and to get some more period to the repayment of the due.

The advocate received the mortgaged deed copy and other details. Then he advised him to file a written statement for the claim of the mortgages and also to file a petition for the extension of period for the repayment of the debt.