

ROOT OF THE DAY

cap / capt / cept / cip — Latin *capere, captum* — to take, to seize · “take; seize”

capacity — cap (take) + -acity = the power to take in or take on → in law, the competence to take on an obligation; Section 11 of the Indian Contract Act, 1872 sets out who is competent to contract

emancipate — e- (out of) + manus (hand) + cip (take) = to take out of another’s hand → to free a person from the legal control of a parent, guardian or master

intercept — inter- (between) + cept (take) = to take in between → to stop a message, call or consignment on its way to the intended receiver

susceptible — sub- (under, up) + cept (take) + -ible = able to be taken up → open to being affected or influenced; ‘susceptible of two meanings’ is said of an ambiguous clause

anticipate — ante- (before) + cip (take) = to take beforehand → to expect and act in advance, as in anticipatory bail, sought before an arrest is made

precept — prae- (before) + cept (take) = something taken as settled beforehand → a rule of conduct or a maxim of law

recipient — re- (back) + cip (take) + -ent = one who takes in return → the person who receives a benefit, a subsidy or a transplanted organ

POWER WORDS

adduce v.

“The prosecution failed to adduce a single document showing that the grounds of arrest had been served.”

Meaning: to bring forward a fact, reason or piece of evidence in support of an argument

Syn: to cite · **Ant:** to withhold

HOOK: ad- (to) + ducere (to lead): you lead the evidence up to the judge.

dilatory adj.

“The Bench warned that dilatory applications filed only to stall the trial would be met with costs.”

Meaning: tending to cause delay; slow to act

Syn: delaying · **Ant:** expeditious

HOOK: Latin dilatus, put off (from differre, to postpone): a dilatory party keeps putting the hearing off.

condone v.

“The court refused to condone a delay of four years for which no explanation at all was offered.”

Meaning: to overlook or forgive an offence, lapse or delay

Syn: to excuse · **Ant:** to penalise

HOOK: con- (wholly) + donare (to give): to give the wrong away instead of holding on to it.

scurrilous adj.

“Scurrilous allegations against a judge, made without any material, invite proceedings for criminal contempt.”

Meaning: making scandalous and abusive accusations, usually untrue

Syn: defamatory · **Ant:** respectful

HOOK: Latin scurra, a jester or buffoon: abuse pitched at the level of a street joker.

trenchant adj.

“The dissent contained a trenchant criticism of the majority’s reading of Article 22.”

Meaning: vigorous and incisive; cutting straight to the point

Syn: incisive · **Ant:** vague

HOOK: Old French trenchier, to cut (as in trench): trenchant words cut.

invidious adj.

“A classification that singles out one trade for a higher levy, without any reason connected to the object of the law, is invidious.”

Meaning: unfairly discriminating; likely to cause resentment because it is unjust

Syn: discriminatory · **Ant:** equitable

HOOK: Latin invidia, envy or ill will: an invidious rule is one that seems to look at you with ill will.

interlocutory adj.

“An interlocutory order granting interim maintenance does not decide the suit and can be varied later.”

Meaning: made during the course of a case, without finally deciding it

Syn: interim · **Ant:** final

HOOK: inter- (between) + loqui (to speak): an order spoken between the filing and the final judgment.

repudiate v.

“A buyer who repudiates the contract before the date of delivery entitles the seller to sue at once.”

Meaning: to refuse to accept or be bound by something; to reject a contract or a claim

Syn: to disown · **Ant:** to affirm

HOOK: Latin repudium, a divorce: to repudiate a contract is to divorce yourself from it.

propound v.

“The executor who seeks to propound the will must prove that the testator signed it in a sound state of mind.”

Meaning: to put forward a proposition, theory or will for consideration and acceptance

Syn: to put forward · **Ant:** to withdraw

HOOK: pro- (forward) + ponere (to place): you place your case forward for the court to look at.

surreptitious adj.

“A surreptitious recording of a privileged conversation between lawyer and client was held inadmissible.”

Meaning: done secretly, because it would not be permitted if known

Syn: clandestine · **Ant:** overt

HOOK: sub- (under) + rapere (to seize): something seized from underneath, where nobody is watching.

CONFUSABLE PAIRS — DON’T MIX THESE UP

appraise vs **apprise**

appraise: to assess the value or quality of something (v.)

apprise: to inform someone of something (v.)

TIP: You ap**PR**aise a house (you put a price on it); you apprise a person (you give them news). Praise the property, inform the person.

tortuous vs **torturous**

tortuous: full of twists and turns; overly complicated (adj.)

torturous: causing great pain or suffering (adj.)

TIP: A tortuous clause twists (think tortoise shell, and ‘tort’ from Latin torquere, to twist); a torturous ordeal tortures.

loath vs **loathe**

loath: unwilling or reluctant (adj.), as in ‘loath to interfere’

loathe: to hate intensely (v.)

TIP: The ‘e’ turns the adjective into a verb: courts are loath to interfere, but nobody says they loathe to interfere.

ingenious vs **ingenuous**

ingenious: clever, inventive, resourceful (adj.)

ingenuous: innocent and frank; without guile (adj.)

TIP: An ingenious argument is smart; an ingenuous witness is simple and honest. Think genius for the first, genuine for the second.

waiver vs **waver**

waiver: the voluntary giving up of a right or claim (n.)

waver: to hesitate or be indecisive; to sway (v.)

TIP: A waiver waives a right; a witness who wavers cannot make up his mind. One ‘i’ for the document, none for the hesitation.

IDIOMS & ONE-WORD SUBSTITUTION

Idioms in context

- a **slippery slope** — a course of action that, once begun, is likely to lead to something much worse

One-word substitution

- a formal inquiry, held before a magistrate or coroner, into the cause sudden or suspicious death → **inquest**



"Allowing re-arrest on the same material, the petitioners argued, is a slippery slope that ends in indefinite custody."

- **to split hairs** — to argue about trivial distinctions that make no real difference
"Counsel was told not to split hairs over whether the grounds were 'served' or 'communicated'."
- **to move the goalposts** — to change the rules or requirements after the process has begun, so that success becomes harder
"Circulating a fresh questionnaire after members had already given their views was said to move the goalposts."
- **to take at face value** — to accept something as it appears, without questioning it
"A magistrate is not expected to take a remand application at face value; the reasons must be examined."

- the formal reading of the charge to an accused in open court, after which he is asked to plead → **arraignment**
- money or movable property left to a person by a will → **bequest**
- a person who unlawfully and deliberately sets fire to property → **arsonist**
- an accomplice who is pardoned on condition that he gives evidence against the other accused → **approver**

WORDS IN THE WILD — FROM TODAY'S NEWSPAPER

- **discretion** — the freedom or authority to decide a matter according to one's own judgment, rather than by a fixed rule
"In the Court's words, as reported by LiveLaw, once Article 22(1) has been breached, the power of re-arrest should not be left to the discretion of 'the very same authority' that violated it." — CLAT Gurukul Daily Brief, 22 Sep 2026 — 'SC re-arrest guidelines and Article 22'
- **vacate** — (verb) to give up or leave a seat, post or premises; in court usage, to set aside an order that was earlier passed
"He said he was vacating his seat so that the government could fill it promptly, and that, as a free citizen, he would be free to air his views." — CLAT Gurukul Daily Brief, 22 Sep 2026 — 'Maharashtra UCC committee member resigns; Article 44'
- **viable** — capable of working successfully in practice; workable
"A proviso says that a person who has not been assigned an Aadhaar number must be offered an alternate and viable means of identification." — CLAT Gurukul Daily Brief, 22 Sep 2026 — 'Biometric Aadhaar authentication for LPG subsidy refills'
- **volatile** — liable to change rapidly and unpredictably, especially for the worse
"Economists had argued that single deflation, especially during periods of volatile commodity prices, could distort measured real growth in manufacturing." — CLAT Gurukul Daily Brief, 22 Sep 2026 — 'New GDP series with 2022-23 base and double deflation'

LEGAL & LATIN TERMS EVERY ASPIRANT MUST KNOW

- **respondeat superior** — let the master answer; an employer is liable for the wrongs an employee commits in the course of employment
- **qui facit per alium facit per se** — he who acts through another acts himself; the basis of an agent's acts binding the principal
- **contra proferentem** — against the one who puts it forward; an ambiguous clause is read against the party that drafted it
- **functus officio** — having discharged its duty; an authority that has given its decision cannot reopen the same matter
- **doli incapax** — incapable of crime; the presumption applied to a child below the age fixed by law
- **uberrima fides** — utmost good faith; the standard required in insurance contracts, where every material fact must be disclosed
- **nemo tenetur seipsum accusare** — no one is bound to accuse himself; the principle behind the protection against self-incrimination in Article 20(3)
- **restitutio in integrum** — restoration to the original position; the aim of damages and of setting aside a voidable transaction
- **sub silentio** — under silence; a point passed over without argument or decision, and therefore not a binding precedent on it
- **jus cogens** — compelling law; a peremptory norm of international law from which no State may derogate by treaty

PRACTICE DRILL

1. 'Emancipate', 'anticipate' and 'intercept' are built on a root that means:
A) to take or seize · B) to hold back or restrain · C) to carry across a distance · D) to speak plainly in public
2. An interlocutory order is one that:
A) finally disposes of the entire suit between the parties · B) is passed by a tribunal and never by a civil court · C) is made during a case and does not finally decide it · D) can be passed only with the written consent of both sides
3. In 'the power of re-arrest should not be left to the discretion of the very same authority', 'discretion' means:
A) the duty to record detailed reasons in writing · B) the freedom to decide according to one's own judgment · C) the power to punish disobedience as contempt · D) the secrecy maintained during an ongoing investigation
4. Counsel who adduces a document in court:
A) objects to it being read out to the witness · B) withdraws it from the record with leave · C) admits on instructions that it is a forgery · D) brings it forward in support of the case
5. A clause in a standard-form insurance policy, drafted entirely by the insurer, is genuinely capable of two meanings. The maxim that decides how it is read is:
A) functus officio · B) doli incapax · C) contra proferentem · D) animus possidendi
6. Choose the correct sentence:
A) The auditors were asked to appraise the value of the seized stock. · B) The auditors were asked to apprise the value of the seized stock. · C) Counsel will appraise the court of the latest development. · D) Counsel will apprise the market value of the disputed property.
7. A judge who refuses to condone a delay:
A) records that the registry alone was responsible for it · B) extends the period of limitation by a further six months · C) treats the delay as a mere irregularity of procedure · D) declines to overlook it and excuse the lapse
8. An ingenuous witness is one who is:
A) unusually clever at devising explanations · B) innocent and frank, speaking without guile · C) deliberately evasive under cross-examination · D) openly hostile to the party who called him

Answer key: 1-A · 2-C · 3-B · 4-D · 5-C · 6-A · 7-D · 8-B

ETYMOLOGY TRAIL

Everything today is taken from Latin *capere*, to take or seize: legal capacity is the power to take on an obligation, an emancipated minor is taken out of a guardian's control, and to intercept a letter is to take it in between. A party who cannot **propound** a will or **adduce** a single document will often fall back on **dilatory** tactics, seeking one **interlocutory** order after another until the other side gives up. A **trenchant** judgment refuses to **condone** that: it repudiates the **surreptitious** use of process, abates the mischief, and declines to leave the matter to the discretion of the very authority that caused it. The judge then vacated the order, and what had looked volatile at la **viable** case.

