



# RAMA UNIVERSITY

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## **FACULTY OF JURIDICAL SCIENCES**

**Course : LL.B. 1st Semester**

**SUBJECT: Jurisprudence**

**SUBJECT CODE: LLB 301**

**LECTURE: 25**

**NAME OF FACULTY: Ms. Anjali Dixit**

**Assistant Professor**

# Lecture-25



## Lecture 25: Essential conditions of legal right

### Essential conditions of legal right

According to Salmond, there are five essential conditions that need to be fulfilled:

- **The person of inheritance/ Subject of right:**

He shall be the person who is the owner of the right. He is the subject of the legal right. Such a person is called a person of inheritance. Example:-Y purchase a van for Rs 20,000. Here Y is the subject of the right.

Even in the case when the property is bequest to the unborn child, the unborn child is the owner of the property even though he is uncertain.

- **The subject of duty/ the person of incidence:**

It is the duty of another person or persons to respect and recognize the right of the person. Such a person who has a legal duty is called a person of incidence. Example- If A has a legal right against B, then it is the duty of B to respect the right of A.

- **Contents or Subject Matter of legal right:**

The subject matter of legal right is an essential element. It deals with the subject matter of the legal right. It is related to do something or to refrain from doing certain acts or forbearance. It obligates the person to forbear or act in favour of the person possessing a legal right. Example-Y purchase a van for Rs 20,000. Here Y is the subject of the right. The subject matter ( Y ) has a legal right and he can exclude others.

- **The object of the legal right:**

The object of the legal rights is a thing or object over which the legal right is exercised. Example- A purchases the car for Rs 1,00,000. Here the car is the object.

- **Title of the legal right:**

The title is the process by which the right is vested or conferred on the person. It is certain events by which right is acquired from its previous owner. Example- By purchase or gift or will etc.

### SELF-TEST QUESTIONS

S.NO	Question	Option (a)	Option (b)
1.	He shall be the person who is the owner of the right	True	False
2.	It is the duty of another person or persons to respect and recognize the right of the person	True	False
3.	The subject matter of legal right is an essential element	True	False
4.	The object of the legal rights is a thing or object over which the legal right is exercised.	True	False
5.	The title is the process by which the right is vested or conferred on the person.	True	False

**Answers: 1-(b),2-(a), 3-(a),4-(a), 5-(a)**