

OF LITIGATION

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ABSTRACT

A litigant is not happy. He wants not to allow others to be happy as well. He likes to remain in a disturbed state of mind. He is habituated to remain such a wretched condition. Others cannot. He enjoys sadistic pleasure.

Keywords: Litigation, litigant, lawsuit, dispute, law court

INTRODUCTION

Creative writing is based more on manifestation rather than on expression. It does not inform rather reveals, so it bears no reference. The best creative writing is critical, and the best critical writing is creative. The present article is the outcome of creative writing meant for lay readers. As such free style is the methodology adopted so that the pleasure of reading can be enjoyed by the common mass. As you know well that, Francis Bacon (1561-1626), the immortal writer, wrote many essays, and notably "Of Love", "Of Friendship", "Of Ambition", "Of Studies", etc. The myriad-minded genius rightly pointed out that all the words of the dictionary can be the themes of essays one can write. But little has been done, in this regard since his death, in order to finish his unfinished monumental works. In fact Bacon's way of presentation and his unique style kindled imagination and inspired me to write essays, in the light of creative writing, thus to get relief through Catharsis.

ARTICLE

Litigation is the act or process of carrying on a lawsuit. It is a lawsuit. It is the process of bringing or defending a claim, etc. before a law court e.g. run the risk of litigation; litigation costs/procedures.

Litigant is a person involved in a claim or dispute brought before a law court. It is a person engaged in a lawsuit. It is contending at law.

Litigate is go to law. It is be a party to a lawsuit. It is to dispute, especially, by a lawsuit. It is to take a claim or dispute to a law court. It is to make the subject of a lawsuit. It is to contest at law. It is to dispute a point, assertion, etc. It is to carry on a lawsuit.

Litigious is of or pertaining to litigation. It is inclined to engage in lawsuits. It is inclined to dispute or disagree. It is excessively inclined to litigate. It is unreasonably fond of going to law. It is disputable in a law court. It is offering matter for a lawsuit. It is argumentative. It is disputatious. It, in derogatory sense, is quick to argue or to take a case to a law court. It is given to carrying on lawsuits. It is quarrelsome. It is disputable at law. It is of lawsuits. It is open to contention.

Litigable is subject to litigation. It gives cause for litigation, or a lawsuit. It is actionable.

Litigating is engaged in a law suit.

A litigant may either start a lawsuit of his own or compelled to defend. The first type does not want to be free from lawsuit. If he be free then he becomes sorry. If he has no problem that itself is a problem. He wants to be involved in any dispute by hook or by crook i.e. by any means, fair or foul. It is his hobby to go to the court regularly. He counts regularly the increasing number of lawsuits filed in the court. He takes pride in it. He enjoys sadistic pleasure thinking that he successfully created trouble in the lives of so many people. Such type of person keeps the court lively and the law-practitioners to earn regularly. The second category wants to be free from all encumbrances.

A litigant laughs at a peace-loving people. None laughs for him. Rather everybody laughs at him in reciprocation. He does not avoid anybody. But everybody avoids a litigant. The litigant is so shameless that he wants not realise it. His business is to start a lawsuit. It is his daily drama. It is his only single agenda. That's why he is dangerously active to catch a prey.

Very few persons can save from its clutch. Thus he is either dangerously brilliant or brilliantly dangerous or both simultaneously.

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Provocation insists a lawsuit for long voyage. A fool is allured and trapped accordingly in a lawsuit. A wise seldom be involved in dispute but mutually settles the matter. Obviously, there should be resistance; otherwise the society will be ruled by the tyrant.

A litigant may either be honest or dishonest. Similarly, the he may either be rich or poor. Thus in the light of these personality traits the whole population can broadly be classified into four different categories.

The first category is litigant, honest and rich. Such a person is proud for his richness. If he is an educated person then he considers lawsuit as a venue for academic discussion. He does not involve anybody in the legal matter. But if anybody drags him in the court yard then he becomes furious to fight till the last drop of blood remains. Sentiment compels him to fight for long. Prestige issue provokes him to spend whatever amount of money is required in this regard.

The second category is litigant, honest and poor. Such type of person cannot continue the suit for long due to lack of money. If the person is educated he can manage the situation one or two times seldom always. For, law is of the rich, by the rich and for the rich. The poor is simply passive observer. Since he is litigant in nature, he gets involved in lawsuit again and again though he knows well the fate of the venture.

The third category is litigant, dishonest and rich. Such a person is alias and akin to a criminal. He is a threat to its neighbour thereby society at large. He wants to grab all and everything. As such he is a regular client of the court. None can resist him for his richness. Only a superior opponent can defend him properly and teach him a good lesson. Perhaps he was not properly educated. It seems unshaded infant coupled with unguarded childhood offered him such a unique personality trait.

The fourth category is litigant, dishonest and poor. Such a person hails from down-trodden society. He is mean-minded. He may be educated, but he is hated by all for his dishonesty. He cannot win a suit or continue the same for long due to bad financial condition. Yet he tries to be rich through lawsuit. As such he files suit even on starvation. He is so obsessed. He is so mad. Only God can save him.

It is obvious that honesty wins today or tomorrow. Honesty may not pay instant. But its payment is constant like universal truth.

There are two types of persons. The first type rushes towards litigation and the other type rushes away from litigation. One goes to earn. The other wants to leave all and everything instead of peace and happiness. He wants to live peacefully at any cost.

Further, there are two types of litigant. The first category litigates thereby complicates simple thing. The second category simplifies litigious thing. The first category may be called complex litigant and the second one may be crowned with simple litigant respectively. Their philosophies towards life are diagonally opposite.

The astrologer says, due to ret rogation of stars a person becomes involved in law suit unnecessarily. Someone considers litigation as wastage of time, money, energy. He gives up all. He goes elsewhere. He contends that it is easier to earn more than to win a litigant property. The litigant property demands both time and money for its recovery. When the property comes back then the person has already crossed his autumn of life, if not more. Rather, with less effort one can compensate and get more, as opined by a wise person.

Some families are litigious. They are so cursed. All the members are quarrelsome. They cannot prosper. They experience stalemate condition. None marries them. None gives them bride. They can't move ahead. Their lives are shaded by dark night only. No light or no rays of hope reach them.

Some families carry lawsuit generation after generation. In future, if a Good Samaritan is born in that family to save the ailing family only then the family becomes free from curse and welcomes new dawn, otherwise they have to face ultimate destruction.

To someone what is litigation, to the other it causes no tension. He relishes it. The mechanism of his brain/personality is so uniquely tuned. Someone becomes restless hearing the name of litigation. Someone remains cool. It depends on the personality trait of the concerned individual. He is ready/mentally prepared to adapt the new environment. Someone resists change due to uncertainty, injustice and fear. Someone accepts this challenge/new environment. To him variety is the spice of life. He is quite adventurous and hates monotony that causes agony.

CONCLUSION

To a litigant litigation is quite normal. Common people are afraid of court, police, income tax officer, etc. A litigant is not afraid of those. Rather they are afraid of a litigant. He reads regularly and updates with the latest rules and regulations of the authority so that he can argue thereby defend properly the litigation as is faced with.

REFERENCES

No reference, since the present article is an outcome of Creative Writing.