

Semester VII

Paper I

B.A.LL.B.: Semester-VII BAL 701:JURISPRUDENCE	
Teaching Scheme	Examination Scheme
Lectures: 4hrs/Week	Class Test -12 Marks
Tutorials: 1 hr/Week	Teachers Assessment – 6 Marks
Credits: 5	Attendance – 12 Marks
	End Semester Exam – 70 marks

CO Number	CO Statement
CO1	Illustrate the concept and importance of jurisprudence
CO2	Determine students with the knowledge of jurisprudence.
CO3	Define their legal skills
CO4	Evaluate awareness regarding basic concept of jurisprudence
CO5	Develop thinking skills
CO6	Conclude theories with examples

Unit –I : Introduction

Nature and scope of Jurisprudence Need for study of Jurisprudence

Linkage between Jurisprudence and other sciences

Unit – II Schools of Jurisprudence:

Natural Law with Indian Perspective Analytical Positivism, Pure Theory, Legal Realism, Historical Jurisprudence Sociological Jurisprudence with Indian Perspective

Unit – III Administration of Justice

Civil and Criminal Justice System

Sources of Law: Custom,, Legislation, Precedent

Unit-IV : State, Sovereignty and Law:

Nature and functions of a State and its relationship with law

Nature and development of Sovereignty

Nature and Kinds of law and theories of justice

Law and Legislation, Law and Morality, Law and Religion, Law and Social change

Unit-V : Concepts of Law-

Rights and Duties,

Personality,

Possession, Ownership and Property

Books

Bodenheimer-Jurisprudence-The Philosophy & Method of Law (1996) Universal, Delhi

R.W.M. Dias-Jurisprudence (1994) Indian Reprint-Aditya Books, Delhi

Fitzgerald-Salmond on Jurisprudence (1999), Tripathi, Bombay

Dhyani SN-Jurisprudence-A Study of Indian Legal Theory (1985)

Paper II

B.A.LL.B.: Semester-VII BAL 702: CIVIL PROCEDURE CODE II	
Teaching Scheme	Examination Scheme
Lectures: 4hrs/Week	Class Test -12 Marks
Tutorials: 1 hr/Week	Teachers Assessment – 6 Marks
Credits: 5	Attendance – 12 Marks
	End Semester Exam – 70 marks

CO Number	CO Statement
CO1	Identify the courts by which decree may be executed.
CO2	Describe the mode of execution.
CO3	Classify general provisions relating to appeal.
CO4	Explain the questions to be determined by Executing Court.
CO5	Explain the procedure of appeal by indigent person.
CO6	Assess the definition, essentials and types of decree.

Unit I : Judgement and Decree

Judgment : Definition, Essentials, Pronouncement, Contents and Alteration

Decree : Definition, Essentials, Types, Drawing up of a Decree, Contents and Decree in particular Cases, Interest, Costs

Unit II : Execution

Court by which decree may be executed

Payment under decree

Application for execution

Mode of execution

Questions to be determined by executing court

Unit III : Appeals

Appeals from original decree

Appeals from appellate decree

General provisions relating to appeals

Appeals to Supreme Court

Appeals by indigent person

Reference to High Court

Review and Revision

Execution

Unit IV : Law of Limitation and Registration

Meaning, nature and scope of law of limitation

Bar of Limitation and its efficacy

Sufficient Cause : its meaning and applicability

Legal Disability : Meaning, Scope and Effect

Continuous running of time : General principle, meaning, scope and its exceptions

Law relating to Registration of documents

Books : Same as previous semester

Paper III

B.A.LL.B.: Semester-VII BAL 703: PUBLIC INTERNATIONAL LAW	
Teaching Scheme	Examination Scheme
Lectures: 4hrs/Week	Class Test -12 Marks
Tutorials: 1 hr/Week	Teachers Assessment – 6 Marks
Credits: 5	Attendance – 12 Marks
	End Semester Exam – 70 marks

CO Number	CO Statement
CO1	Explain the Meaning, and Nature of International Law
CO2	Identify the sources of International Law.
CO3	Differentiate between International Law and Municipal Law.
CO4	Apply international legal rules to hypothetical scenarios.
CO5	Apply international legal norms and standards to real-world situations, such as armed conflicts, economic relations, and environmental protection
CO6	Characterize the principles and concepts of international law, such as sovereignty, statehood, jurisdiction, and human rights

Unit- I

Definition and nature, General and Regional rules of International Law, Distinction between public International Law and Private International Law, Sources of International Law (Article 38, Statute of the International Court of Justice), Relationship between international law and municipal law (Monism, Dualism, British, American and Indian Practice), Subjects of International law (Various theories), Individual as subject of international law

Unit- II

Recognition-Definition of State Recognition, Recognition of Government, Theories of Recognition, Recognition De Jure and De Facto, The Duty to Recognize, Legal Effect of Recognition, Withdrawal of Recognition, Retroactive effect of Recognition.

States Succession : Definition and Kinds of Succession, consequences of state succession, Succession in respect of International Organization.

Intervention : Definition and its Prohibition, Grounds of Intervention. Intervention by invitation. State Jurisdiction-Territorial Jurisdiction and its limitations.

State Responsibility-Kinds of State Responsibility, Consequences of State Responsibility.

Unit- III :

State Territory : Concept, modes of acquisition, International Rivers

Air Space : Various Theories, Aerial Navigation (Five freedom of Air), Outer Space Treaty, 1967

Law of Sea : Maritime Belt, Contiguous Zone, Continental Shelf, Exclusive Economic Zone, The High Seas, Land Locked States, International Tribunal for the Law of the Sea, Piracy.

Unit IV :

Extradition : Definition, Purpose of Extradition, Legal Duty, Extradition of Political Offenders, Doctrine of Double Criminality, Rule of Speciality

Asylum : Meaning, Right of Asylum, Types of Asylum

Diplomatic Agents : Who are Diplomatic Agent? Classification of Heads of Mission, Function of Diplomatic Agents, The basis of Immunities and Privileges, Privileges and Immunities, Waiver of Immunity, Termination of Diplomatic Mission.

Consuls : Classification, function, privileges and Immunities. International Treaties : Meaning,

kinds formation, Pacta Sunt Servanda, Rebus Sic Stantibus, Jus Cogens, Reservations and Termination.

Books

1. Starke, Introduction to International Law (Oxford Universal Press).
2. Rebecca Wallace, International Law
3. Brownlie, Principles of International Law (Oxford Universal Press).
4. S.K.Kapoor, Public International Law
5. M.P.Tandon, Public International Law, ALA
6. K.C.Joshi, International Law

Paper IV

B.A.LL.B.: Semester-VII BAL 704: LABOUR LAW I	
Teaching Scheme	Examination Scheme
Lectures: 4hrs/Week	Class Test -12 Marks
Tutorials: 1 hr/Week	Teachers Assessment – 6 Marks
Credits: 5	Attendance – 12 Marks
	End Semester Exam – 70 marks

CO Number	CO Statement
CO1	describe the genesis and purposes of the Industrial laws in reducing frictions between capital & labour in India.
CO2	understand the causes of industrial disputes in India and legal framework for dealing with the industrial disputes.
CO3	apply their legal knowledge in preventing the further exploitation and victimization of the workers in India.
CO4	criticize the major labour enactments and strive for their effective enforcement for advancing the wellbeing of labour community.
CO5	review the role of independent Judiciary in promoting social justice in the society.
CO6	explain the importance of collective bargaining, more particularly in the backdrop of organized trade unions in India.

Unit-I: Industrial Relation, Labour Problem and Labour Policy in India

Trade Union Act, 1926 (Labour Management Relation); History and Development of Trade Union Movement, Registration of Trade Union, Rights and Liabilities of Registered Trade Union, Penalties and procedure, Collective Bargaining-Process, Merit and Demerit

Unit-II Industrial Dispute Act, 1947

Scope of Industry, Workmen, Employers, Industrial Disputes, Authorities under the Industrial Dispute Act, 1947; Procedure, Power and Duties of Authorities, Reference of Disputes to Boards, Courts or Tribunals

Unit-III

Strike, Lock Out, Lay Off, Retrenchment and Closure

Unfair Labour Practices, Penalties, Offences by Companies etc. Industrial Employment (Standing Order) Act, 1946

Unit-IV

Philosophy of Labour Welfare, Historical Development of Labour Welfare, The Factories Act, 1948 : Interpretation-competent person, Hazardous process, manufacturing process, Worker, Factory, Occupier, Health, Safety and Welfare, Working House of Adults, Employment of young persons, Inspectors-Appointment and Powers.

Acts

1. Trade Union Act, 1926
2. Industrial Dispute Act, 1947
3. Factories Act, 1948

Books

1. John Bowers & Simon Honey Ball, Text Book on Labour Law (1996) Blackstone, London
2. K.M.Pillai, Labour and Industrial Laws
3. V.G.Goswami, Labour and Industrial Laws, 1999
4. Dr. S.K.Puri, Labour and Industrial Laws (New Ed.)
- 5 D.D.Seth, Commentaries on Industrial Disputes Act, 1998

Paper V

B.A.LL.B.: Semester-VII BAL 751: PRACTICAL TRAINING I(Professional ethics)	
Teaching Scheme	Examination Scheme
Lectures: 4hrs/Week	Class Test -12 Marks
Tutorials: 1 hr/Week	Teachers Assessment – 6 Marks
Credits: 5	Attendance – 12 Marks
	End Semester Exam – 70 marks

CO Number	CO Statement
CO1	Describe Historical development of Legal Profession in India
CO2	Explain Standards of Professional Conduct and Etiquette
CO3	Discuss Rights and Privileges of Advocates
CO4	Analyse Defences under contempt of court
CO5	Discuss Bench-Bar Relationship
CO6	State the Punishment and Remedies against punishment for Contempt of Court

Unit I

Historical development of Legal Profession in India.

Constitution, Function, Powers and Jurisdiction of State Bar Council and Bar Council of India

Admission and enrolment of Advocates.

Unit II

Profession ethics and Advocacy, Standards of Professional

Conduct and Etiquette, Conflict between interest and duty, Duty to court, Duty to Client, Duty to opponent, Duty to Colleagues, Duty towards Society and obligation to render legal aid

Unit III : Bench-Bar Relationship

Reciprocity as partners in administration of Justice

Professional Misconduct

Rights and Privileges of Advocates

Unit IV : Contempt of Court Act, 1971

Historical development of Contempt of Court Act in India, Object and Constitutional validity of Contempt of Court Act. Definition, Kinds of Contempt Contempt by Judges, Magistrates, Lawyers and other persons Cognizance, Procedure, Appellate provisions regarding Contempt Defences, Punishment and Remedies against punishment for Contempt of Court and Punishment for Contempt, Defences under contempt of court.

Cases

1. Rajendra V Pai v Alex Frnandes AIR 2002 SC 1808
2. In re; A an advocate AIR 1962 SC 1337
3. In re; Mr. G a Senior Advocate of SC AIR 1954 SC 557
4. In re; Lalit Mohan Das AIR 1957 SC 250
5. Sheo Narayan Jafa v Judge Allahabad H.C. AIR 1953 SC 368
6. P. J. Ratnam v d. Kanik ran AIR 1964 SC 244

Acts

1. The Advocate Act, 1961

2. Contempt of Court Act, 1971
3. The Advocates Welfare Fund Act, 2001

Rule

The Bar Council of India Rules, 1961

Books

1. Holland Avrom Shree, Advocacy, 1994 Universal, Delhi

Semester VIII

Paper I

B.A.LL.B.: Semester-VIII BAL 801:LAW OF TAXATION	
Teaching Scheme	Examination Scheme
Lectures: 4hrs/Week	Class Test -12 Marks
Tutorials: 1 hr/Week	Teachers Assessment – 6 Marks
Credits: 5	Attendance – 12 Marks
	End Semester Exam – 70 marks

CO Number	CO Statement
CO1	Define the provisions related to why and How Government imposes tax and by what way the residential status works in Computation of taxes and Income if Arise in India.
CO2	Explain the Basis of Charges, Business & Profession, House Property, Salary, Capital Gain and other and how and on what basis it will be computed
CO3	Analyze the computation process and determine what and how much deductions are provided and concept of Income which is not a part of total income.
CO4	Assess that how the assessment took place and if person is not satisfied on which platform they can claim and in what manner revision will be made.
CO5	Evaluate the taxing schemes and the slabs of taxation on salaries.
CO6	Analyse the Functions, Duties & Powers of Income Tax Authority.

Unit I

History of Tax Law in India, Constitutional provisions relating to Taxation Nature and Scope of Tax, Definition : Persons, Assesses, Tax Pays, Previous year, Assessment years, Financial year, Income, Gross Taxable Income, Taxable Income, Agricultural Income, Tax Evasion and Tax Avoidance

Unit II : Direct Tax

Income Tax, Residential Status : Rules (Sec.6), Tax Liability

Exemption (Sec.10), Deduction (Sec.80), related to individual, Expenses & Income, Rebate (Sec.88 & 88 B), Deemed income and clubbing of income, Carried Forward and Set of losses.

Unit III : Income Tax

Heads of Income : Income from Salary, House property, Business and Profession, Capital Gain and other sources Calculation of Gross Total and Taxable income, Tax rebate and Computation of Tax Liability,

Tax Collection at source and Advance Tax

Unit IV

Assessment Procedure, Types of Assessment

Income Tax Authority : Their function, Duties and Powers, Appeal, Offences, Fines and Penalties, Settlement of grievances and Prosecution, Income Tax Act, 1961, Income Tax Rules

Books :

1. Ramesh Sharma, Supreme Court on Direct Taxes, (1998)
2. Sampat Iyengar, Law of Income Tax, (1998)
3. Kanga and Palkiwala, The Law and Practice of Income Tax

Paper II

B.A.LL.B.: Semester-VIII BAL 802: LABOUR LAW II	
Teaching Scheme	Examination Scheme
Lectures: 4hrs/Week	Class Test -12 Marks
Tutorials: 1 hr/Week	Teachers Assessment – 6 Marks
Credits: 5	Attendance – 12 Marks
	End Semester Exam – 70 marks

CO Number	CO Statement
CO1	Define the genesis and purposes of the Labour laws
CO2	Discuss the sources of labour laws in India and their significance in protecting the workers' interests.
CO3	Show their legal knowledge in preventing the further exploitation and victimization of the workers in India.
CO4	Analyze the various labour enactments and strive for their effective enforcement for advancing the wellbeing of labour community.
CO5	Evaluate & understand the role of independent judiciary in promoting social justice in the society.
CO6	Criticize the various labour laws and measures amongst the poor, weak and vulnerable sections of society.

Unit-I : Workmen's Compensation Act, 1923 (Sec.1-10, 12, 14, 14A, 17 & 20)

Conceptual frame work of Social Security-Evolution and concept of Social Security, Scheme of Social Security, Workmen's Compensation Act, 1923 : Definitions, Aims & Object, Liability of Employer, Notional Extension & Defences, Determination of Amount of Compensation, Compensation when due-Penalty for default, Contracting Out (Sec.17), Appointment & Powers of Commissioner (Sec.19-31)

Unit-II : Maternity Benefit Act, 1961 (Sec.3-18)

Aims & Object, Definitions, Restriction on employment, Right to Maternity Benefit, Medical Bonus, Leave Dismissal during Pregnancy (Sec.10-16), forfeiture of Maternity benefit, Leave for Miscarriage, Penalty for contravention of Act by Employer, Cognizance of offences. The Payment of Gratuity Act, 1972 : Aims and Objects of Act, Definition, Controlling Authority, Payment of Gratuity, Recovery of Gratuity, Determination of the amount of Gratuity

Unit-III : Minimum Wages Act, 1948

Theories and Concept of Wages , Aims & Objects of Act, Definition, Fixation & Revision of rates of Wages, Working Hours and Determination of Wages and Claim etc. Authority- Appointment & Powers of the Authority.

The Equal Remuneration Act, 1976, Payment of Remuneration at equal rates to Men and Women workers and other matters.

Unit-IV: Payment of Wages Act, 1936

Aims & Object, Responsibility of Payment of Wages, Time of Payment of Wages & Fixation of Wage Period, Authorized Deductions (Sec.7 to 13), Appointment & Powers of Inspectors and Authority for Adjudication of Claims (Sec.15-18), Penalty for offences under the Act.

The Payment of Bonus Act : Scope and Application, Definition, Computation of Gross profit and available surplus, Eligibility for Bonus, Disqualification for Bonus, Minimum and Maximum Bonus.

Acts

1. Workmen's Compensation Act, 1923
2. Maternity Benefit Act, 1961
3. Payment of Wages Act, 1936
4. Minimum Wages Act, 1948

Books

1. K.D.Srivastava, Commentaries on Minimum Wages Act, 1995, Eastern Book Co.
2. K.D.Srivastava, Commentaries on Payment of Wages Act, 1998, Eastern Book Co.
3. S.B.Rao, Law and Practice on Minimum Wages, 1999

Paper III

B.A.LL.B.: Semester-VIII BAL 803: COMPANY LAW	
Teaching Scheme	Examination Scheme
Lectures: 4hrs/Week	Class Test -12 Marks
Tutorials: 1 hr/Week	Teachers Assessment – 6 Marks
Credits: 5	Attendance – 12 Marks
	End Semester Exam – 70 marks

CO Number	CO Statement
CO1	Explain the basic legal framework for companies, including the types of companies, their formation, and the roles and responsibilities of directors and shareholders
CO2	List the rights and duties of company stakeholders, such as employees, creditors, and investors
CO3	Analyze the challenges and controversies surrounding company law, such as corporate liability, insider trading, and shareholder activism
CO4	Applying company law to specific situations, such as mergers and acquisitions, corporate governance, and securities regulation
CO5	Describe as to how prospectus, MOA, AOA are formed by the company and who all are signatories to it.
CO6	Identify the procedure of Winding Up by the Tribunal.

Unit I : CORPORATE JURISPRUDENCE & INCORPORATION

Theory of Corporate Personality

Meaning & Nature of Corporation.

Uses and abuses of the corporate form: lifting the corporate veil.

Kinds of Company: Conversion

Incorporation of Company: Promotion of the Company

Memorandum of Association: Contents & Alteration, Doctrine of Ultra Vires.

Article of Association : Contents & Alteration

Doctrine of Constructive Notice and Indoor Management

Prospectus: Contents & Kinds; Liabilities for misstatement in Prospectus.

Unit II : CORPORATE FINANCE & DEBT MANAGEMENT

Share: Nature, Issue, Types, Allotment, Underwriting, Share Capital, Reduction of share capital, Transfer and Transmission of securities.

Dividend: Declaration of Dividend, Management of Unpaid Dividend; Unpaid Dividend, Account, Investor Education and Protection Fund, Punishment for failure to distribute dividends.

Borrowing powers and effect of unauthorized borrowing

Debenture: Kinds, Debentures Holders, Debenture Trustees, Public Deposits Hybrid Instruments:

Fully Convertible Debentures, Partially Convertible Debenture. Charges and Mortgages, Registration of Charges Inter-corporate Investment

Unit III: CORPORATE MANAGEMENT AND ADMINISTRATION

Membership of Company Meeting : Kinds and Procedure, Voting Rights and Kinds, Resolutions

Directors: Appointment and Qualifications of Directors, Kinds. Removal, Director Identification

Number and Obligation. Powers and Duties. Meetings of Board and its Powers.

UNIT IV: Protection of Corporation and Shareholders Account Books of Company

Corporate Auditing: Types : Liabilities Corporate Scams and Serious Fraud Investigation Office Inspection, Inquiry and Investigation
Majority Rule Protection of Minority; Oppression and Mismanagement, Class Action & Derivative Action.

Unit V : Corporate Death & NCLT, NCLAT

Winding Up: Winding up by the Tribunal and Voluntary winding up.

Circumstances of Winding Up, Power & Jurisdiction of the Tribunal, Power and Duties of Company Liquidator, Liability of officers, Penalty for fraud by officers etc. Official Liquidators; Appointment, Power and Functions, Procedure, Order of Dissolution of Company

NCLT, NCLAT : Special Courts Definition, Constitution, Powers & Functions.

Acts:

The Companies Act, 2013

The Companies Rules

The Indian Contract Act, 1872

Securities Contract Regulation Act, 1956

SEBI (Issue of Capital & Disclosure Requirements) Regulations 2009

Books:

L.C.B. Gower, Principles of Modern Company Law, 1997 Sweet & Maxwell, London

A Ramaiya, Guide to Companies Act, 2011 Lexis Nexis

Palmer, Palmer's Company Law, 1987 Stevens, London.

Dr A.K. Majumdar & Dr G.K. Kapoor, Taxmann's Company Law and Practice 2013 18th Ed.

Robert R. Penington, Company Law, Oxford University Press

Paper IV

B.A.LL.B.: Semester-VI	
BAL 804: INTERPRETATION OF STATUTES & PRINCIPLES OF LEGISLATION	
Teaching Scheme	Examination Scheme
Lectures: 4hrs/Week	Class Test -12 Marks
Tutorials: 1 hr/Week	Teachers Assessment – 6 Marks
Credits: 5	Attendance – 12 Marks
	End Semester Exam – 70 marks

CO Number	CO Statement
CO1	Explain of the concept of interpretation and its significance in law.
CO2	Identify the various rules of interpretation such as the literal rule, golden rule, and mischief rule.
CO3	Express the principles of legislation and the process of law-making.
CO4	Analyze and interpret statutes using the appropriate rules of interpretation.
CO5	Recognize of the importance of legislative intent in the interpretation of statutes.
CO6	Evaluate the role of the judiciary in the interpretation of statutes and the limits of judicial discretion.

Unit I

Law Making : Legislature, Executive and the Judiciary, Principle of Utility, Law and Public Opinion, Law and Social Control, Relevance of John Rawls and Robert Nozick-individual interest to community interest. Law and Morals

Unit II

Meaning of the term Statute, Enactment, Interpretation and Construction, Kinds of Statutes, Statutes are valid, Intention of the Legislature, Commencement, operation, repeal and revival of statutes, Statute must be read as a whole in its context.

Unit III

Necessity for Rules of Interpretation, Literal Rule, Mischief Rule, Golden Rule. Harmonious Construction. Noscitur a sociis, Ejusdem generis, Reddendo Singula Singulis, ut res magis valeat quam pereat, In bonam partem, Delegatus non potest delegare, Expressio unius exclusio alterius.

Unit IV

Interpretation of Directory and Mandatory provision, Beneficial Construction, Taxing Statutes, Penal Statutes, Internal and External Aids to Interpretation.

Books :

1. P.St.Langan (Ed.), Maxwell on the Interpretation of Statutes, (1997), N.M.Tripathi, M ombai
2. Vepa, Sarathi, Interpretation of Statutes
3. Bawa & Roy, Interpretation of Statutes
4. Benthem Theory of Legislation, Eastern Book Co.
5. G.P.Singh, Principles of Statutory Interpretation, 1999 Wadhwa

Paper V

B.A.LL.B.: Semester-VIII	
BAL 851: PRACTICAL TRAINING II(Drafting Pleading & Conveyancing)	
Teaching Scheme	Examination Scheme
Lectures: 4hrs/Week	Class Test -12 Marks
Tutorials: 1 hr/Week	Teachers Assessment – 6 Marks
Credits: 5	Attendance – 12 Marks
	End Semester Exam – 70 marks

CO Number	CO Statement
CO1	Describe Meaning and Definitions of Pleading
CO2	Explain Rules of Pleading ,General and Fundamental
CO3	Discuss Model Draft of Application
CO4	Analyse Appointment of receiver/ local commission
CO5	Discuss Petition under Article 226 and 32 of the Constitution of India.
CO6	Explain General Power of Attorney

Unit I : Fundamental Rule of Pleading

Meaning and Definition of Pleading, History/Object and Interpretation

Rules of Pleading : General and Fundamental, Amendment of Pleading.

Civil : Complaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.

Unit II :

Criminal : Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision.

Unit III : Model Draft of Application

Application for Restoration of Suit; Amendment in the Pleading, Impleadment of Parties, Substitution of Parties, Setting aside exparte decree, Alimony, Bail, Matrimonial petition, legal notice, Appointment of receiver/ local commission; Compromise of Suit, Condonation of delay and application for execution etc., Drafting of Writ petition and PIL petition.

Unit IV : Conveyancing : Theory and Model Draft

Defintion and essential part of a deed, Model deed : Sale-deed, Mortgage deed, Gift-deed, Willdeed, Trust deed, Lease-deed, Promissory Note, General Power of Attorney, Partnership deed; Tenancy deed; Relinquishment deed etc.

Books

1. Banerjee and Awasthi, Guide to Drafing
2. Michael Haewood, Conveyancing
3. William M.Ross, Pleading