



**Jayoti Vidyapeeth**  
Women's University, Jaipur.



**“MOOT COURT  
COMPETITION 2015”  
FOR WOMEN**



## RULES AND REGULATIONS

1. **Purpose:** - To give exposure to students pursuing the law course to the Indian Court system & Advocacy skills.
2. **Date & Venue:** - 9th May 2015 to 10th May 2015 at The Faculty of Law and Governance, Jayoti Vidyapeeth Women's University, Jaipur.
3. **Team Composition and Eligibility Criteria**
  - (1) Each team shall comprise of four members only out of which two will be Mooters/Speakers and one will be researcher and one assistant from first year Law.
  - (2) Arguments shall be in English only.
  - (3) The competition is open for bonafide female students pursuing five year and three years LL.B. course.
  - (4) Each University/Institution shall be eligible to send one team only. Team should not disclose the identity of their University/institution in course of proceedings in the court room; such disclosure shall invite penalties including disqualification.
4. **Registration:-**
  - (i) The registration form completed with all team details must be submitted online and also sent to the university/institution on or before 25th April, 2015.
  - (ii) A Registration fee of rupees 1000/- is to be sent by way of Demand Draft in favor of JAYOTI VIDHYAPEETH WOMEN'S UNIVERSITY, Jaipur payable at Jaipur along with the Registration form. The Registration fees shall be non-refundable.
  - (iii) No change in the names of the participants shall be permitted after the receipt of the registration form except at the sole discretion of the organizers.
  - (iv) Teams should clearly mention the participants' name, contact Number including year /Semester of study, Email Address of the participant shall be highly appreciable but in case Email is not furnished, it will not have any adverse impression/impact regarding registration.
  - (v) After Receipt of the Registration form along with Demand Draft, the participating team will be allotted a Team code which they are required to mention on their memorial.
  - (vi) Teams shall not mention any details about them except for the Team code on the memorial.
  - (vii) Dress Code: - White Shirt and Black Trouser along with black coat and tie.

# MOOT PROBLEM

## COMPETITION ROUND

There shall be three rounds; four teams will be selected for Semi-final round from the first round. Final round shall be only between first and second winners of the Semi-Final Round.

## FIRST ROUND

- I. In first rounds each team shall argue from both the sides (appellant and respondent).
- II. The team shall be credited with a win in the first round if their round total is more than opposing team.
- III. The marks of EACH first round shall be the cumulative total of the marks of both the mooters/speakers and the marks of the memorial of the side in which they are appearing.
- IV. No team shall face each other more than once in the first round.

## SEMI-FINAL ROUND /FINAL ROUND

The marking criteria in semi-final, final round shall be the same as that of the first round.

"Gauri Sahai", aged 23 years, a beautiful girl residing in Jaipur city and working as an Office Assistant in a firm. She is in love with a handsome Muslim boy 'Sarfaraz', aged 32 years., who was already married to 'Nilofer', having two kids a boy aged 5 years and a girl child of aged 3 years. Sarfaraz was working as a Transportation In-charge in a Tour & Travels company. After a period of one year they decided to marry in spite of disapproval of their parents and family members. one day they finally decided to left the job as well as the city and moved to Jhodpur where on 28th January, 2008 they solemnized their marriage in 'Arya Samaj Mandir' for which 'Sarfaraz' converted himself as Hindu after following rituals of 'Sudhi Sanskar' and named himself 'Gauri Shankar' in Sudhi Sanskar certificate. On 29.01.2008 they solemnized their marriage according to Muslim rituals and performed 'Nikah'. In 'Nikahnama' "Gauri" named herself 'Shabnam'. Thereafter they started living together happily as an ideal married couple for others. On 17.06.2008 'Sarfaraz' divorced his wife 'Nilofer' . On 3rd July 2008 'Gauri' found a job in a reputed his corporate firm but 'sarfaraz' was still unemployed. After sometimes 'Sarfaraz' started behaving in an odd manner which reflect his obsession and over possessiveness towards 'Gauri', but it was not so because now he starting suspecting and blaming her character and for that he abused and assaulted her on every other day. To avoid these day-to-day quarrels and arguments on baseless issues, she suggested him to start a business in partnership firm to start export-import business, on one day while working in the office 'Gauri' found a video recording and few obscene photograph of 'Sarfaraz' on his laptop unveiling the hard truth of his intimate relationships with other girls too. It was very shocking to 'Gauri'. She rushed to 'Sarfraz' and inquired about all these objectionable recordings and photograph initially he denied and tried to be fooled her. Later on by saying that these are edited by his friend but he accepted few things. After few weeks of this incident, she caught him with his girlfriend in her own house in a suspicious condition, both had a hot argument on that very day. 'Sarfaraz' assaulted her and thresh her to endure and accept him as he is. He forced her to abort her three months pregnancy. The argument gone to such extent that at once she left the house and shifted to the 'women hostel'. On 27.07.2011 she gave birth to a boy child. After all efforts and threats of 'Sarfraz' she has cleared her stand on the issues and not to continue this relationship and asked him to dissolve partnership of the firm and to windup the business too but 'Sarfraz' didn't acted accordingly and withdrawn an amount of two lac from their joint account to start his own another business. 'Gauri' field a petition for divorce and maintenance against 'Sarfaraz' on 20.11.2011. Her petition was dismissed by the family court. She filed an appeal to the High Court. High Court admitted her appeal on the grounds to decide the issues:

1. Validity of marriage according to Hindu Law & Muslim Law.
2. Validity of marriages not registered but solemnized in 'Arya Samaj Mandir'
3. Legitimacy of child
4. Claim of maintenance
5. Charge of Domestic Violence.



# MOOT MEMORIAL

- (i) All teams must submit Memorials /Written Submissions for both sides. (Appellant as well as Respondent);
- (ii) All teams must submit typed Memorials for both sides and the Memorials must fulfill all the following specifications; Participants are allowed to frame additional issues other than those provided in the moot proposition, if desired.
- (iii) Memorials must contain the following:
  - (a) Cover page / Cause title.
  - (b) Index.
  - (c) Index of Authorities.
  - (d) Statement of Jurisdiction.
  - (e) Synopsis of Facts.
  - (f) Summary of Arguments.
  - (g) Arguments / Pleadings.
  - (h) conclusion/prayer
- (iv) The moot memorial shall not exceed 40 pages including Arguments.
- (v) The Memorial shall be typed on A4 size page in Font type: Times New Roman, Font size: 12, 1.5 line spacing & 1 inch margin on each side. Blue Book pattern shall be followed.
- (vi) The Cover Page of the Memorial must follow the following colour scheme, Green for the Appellant and Yellow for the Respondent.
- (vii) The Memorial must be spiral binding only.
- (viii) The Memorial must not contain any Annexure/Photographs/ Sketches/Exhibits/Affidavits etc.
- (ix) Memorials that do not comply with the abovementioned specifications will be penalized.
- (x) Two (2) hard copies + one soft copy on CD for each side (appellant and respondent) must reach the organizers latest by 2nd May, 2015, No memorials shall be accepted after the prescribed date.
- (xi) Four hard copies from each side (appellant and respondent) shall be submitted by the teams on reaching the venue of the Moot Court.
- (xii) Identification of any type shall be strictly prohibited.



## AWARDS

1. There will be a running Trophy, which will be awarded to the Team Winning the Competition. This trophy shall be returned to the university at next year competition. If a team wins the competition for 3 years continuously, then the trophy shall be handed over to that University/institution.
2. The winning team will receive a cash prize of Rs. 11,000.
3. The Runner Up team will receive a cash prize of Rs. 7,500.
4. The Best Mooter/Speakers will receive a cash prize of Rs. 5,000.
5. The Best Memorial will receive a cash prize of Rs. 5,000.
6. There will be Certificate for participation for all the students who will participate in the Moot Court Competition.

## MISCELLANEOUS

- i. No team or any of its members or anyone connected with any team will be permitted to sit or hear the arguments in any court room in which that team is not one of the contesting teams while that team is competing in the competition. For the violation of this rule strict action may be taken against the team, even ranging to the disqualification of the team from the competition.
- ii. If there is any dispute with regard to the interpretations of the rules or with respect to any matter related to the competition which is not contemplated in the rules, the decision of the Organizers shall be binding and final.

## MARKING CRITERIA FOR THE MEMORIALS

- (i) Memorial from each side shall carry total of hundred (100) marks.
- (ii) The following shall be the criteria for marking the memorials:
- (iii) A penalty of two (2) marks for each side of memorial shall be entailed on each days default in submissions of memorials.

| Sr. No. | Marking Criteria               | Marks Allocated |
|---------|--------------------------------|-----------------|
| 1       | Knowledge of Facts             | 10              |
| 2       | Knowledge of Law               | 10              |
| 3       | Proper and Articulate Analysis | 10              |
| 4       | Evidence of Original Thought   | 10              |
| 5       | Grammar and Style              | 10              |
| 6       | Correct Format and Citation    | 10              |
| 7       | Extent and Use of Research     | 20              |
| 8       | Clarity and Organization       | 20              |
|         | <b>Total</b>                   | <b>100</b>      |

### ORAL SUBMISSIONS

- (i) Each team shall comprise of two (2) Mooters/speakers, as has been specified earlier.
- (ii) Court language shall be English only.
- (iii) Each team will have a maximum of thirty (30) minutes to present their Oral Submissions in First Round. No speaker will be permitted to address the Court for more than seventeen (17) minutes. This includes the time the speaker addresses the Court during the rebuttal/sub-rebuttal. The maximum time for rebuttal/sub-rebuttal is five (5) minutes.
- (iv) At the commencement of each session of Oral Submissions each team shall notify the Court Officer as to the division of time between the 2 speakers.
- (v) If any speaker continues to speak after the completion of her time, she shall entail penalty which shall be upon the discretion of the judges.
- (vi) The Final decision as to the time structure and the right to re-joinder/sub-joinder will be that of the bench judges.
- (vii) During the course of oral submissions the participants cannot submit to the court any material containing pictorial representation whatsoever. Further the participants will not be permitted to make/submit, any audio/visual representation nor will they be allowed to use personal computers, laptops and any other technical or mechanical device during their oral submissions.
- (viii) Speakers shall not be allowed to pass annexure to the judges; instead the teams may make a compendium of annexure that shall be given to the judges before the start of proceedings.
- (ix) If at any instance a submission is made with any material in violation to the above clause and if any picture, sketches, photos, cartoons, caricatures, audio film, video film, projector-slide or a computer generated image is submitted or presented to court, the teams shall be disqualified from the competition forthwith.
- (x) During the course of the Oral Submissions no speaker shall neither reveal her identify nor the identity of their University / institution by any means whatsoever.

### MARKING CRITERIA FOR THE ARGUMENTS:

- (i) Each Speaker will be marked on a total of 100 marks by each Bench Judge.
- (ii) The following will be the Marking Criteria and the Marks allocated to each Speaker by each Judge in the Round:
- (iii) The decision of the judges as to the Marks allocated to any team shall be final and binding on the participating teams. A maximum of two additional marks are reserved at the sole discretion of the judges in case of tie between two different teams on the basis of their overall oral presentation.

| Sr. No. | Marking Criteria                                       | Marks Allocated |
|---------|--|-----------------|
| 1       | Appreciation and Application of Facts.                 | 10              |
| 2       | Identification and Articulation of Issues.             | 10              |
| 3       | Application of legal principles.                       | 10              |
| 4       | Use of authorities and precedents                      | 10              |
| 5       | Response to questions                                  | 10              |
| 6       | Presentation skills                                    | 10              |
| 7       | Clarity of thoughts and logical structure of arguments | 10              |
| 8       | Poise and Demeanor                                     | 10              |
| 9       | Strategy   | 10              |
| 10      | Ingenuity  | 10              |
|         | <b>Total</b>   | <b>100</b>      |

## ORGANISING COMMITTEE

Patron

**JV'n Vidushi Garg,**

Hon'ble Chairperson, Jayoti Vidyapeeth Women's University, Jaipur.

Co-Patron

**JV'n Prof. Prabha Thoudam,**

President, Jayoti Vidyapeeth Women's University, Jaipur.

Chairman

**Shri Biri Singh Sinsinwar,**

Senior Advocate, Rajasthan High Court,  
Member Bar Council of India

Vice –Chairman

**Udai Chand Barupal, RHJS.(R),**

District Judge(Retd.), Principal Private Secretary,  
Hon'ble Lokayukta, Rajasthan.

Organizing Secretary

**JV'n Prof. (Dr.) Rajendra Kumar Patni**

Dean, Faculty of Law and Governance,  
Jayoti Vidyapeeth Women's University Jaipur.

Convener

**JV'n Dr. Beena Dewan**

HOD, Dept. of Law, Jayoti Vidyapeeth Women's University, Jaipur.  
Mob : 98282 77093 • E-mail : drbeena@jvwu.ac.in

Coordinators:

**JV'n Tushtid Joshi,**

**JV'n Ajay Kr. Barnwal**

**JV'n Namrata Jhingan.**

Disclaimer:

The moot court proposition is a hypothetical problem and is not reflection of or dealing with any person, situation and organization or in any case that has appeared in India, any similarity if found is merely coincidental and this moot proposition has been framed purely for academic purpose(s).

Note: All the participants will be facilitated with food and lodging on 9th May 2015, and those who will be shortlisted for Semi-final/ final round will be endowed with food and lodging on 10th May 2015.

### LOCATION MAP



## JAYOTI VIDYAPEETH WOMEN'S UNIVERSITY

Thikana & Post : Vedaant Gyan Valley, Jharna,  
Mahala - Jobner Link Road, Jaipur - Express Highway,  
Jaipur - 303122 INDIA  
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