



MOOT COURT SOCIETY

Department of Laws, Panjab University, Chandigarh.

INTRA-DEPARTMENT MOOT COURT COMPETITION, 2024

Department of Laws, Panjab University, Chandigarh

(1st-3rd March, 2024)

Faculty Coordinator

Dr. Shipra Gupta

(Associate Professor)

Organizing Team

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TENTATIVE SCHEDULE FOR INTRA-DEPARTMENT MOOT COURT COMPETITION 2024

Sr No		Dates
1.	Clarifications	22nd February, 2024 (Till 5 pm)
2.	Memorial submission-Soft Copy	25th February, 2024
3.	Memorial submission- Print Copy	29th February, 2024
4.	Researcher's Test	1st March, 2024
5.	Orientation and Exchange of Memorial	1st March, 2024
2nd March, 2024		
6.	Preliminary Round- 1	9:30 am to 10:35 am
7.	Preliminary Round- 2	11 am to 12.05 pm
8.	Lunch Break	1:30 pm to 2:30 pm
9.	Quarter Final Round	3:00 pm to 4:05 pm
3rd March, 2024		
10.	Semi-final Round	10:30 am to 12:05 pm
11.	Lunch Break	1:30 pm to 2:30 pm
12.	Final Round	2:45 pm to 4:00 pm
13.	Valedictory	4 pm onwards

Venue:

Moot Court Hall, Department of Laws, Panjab University, Chandigarh

Eligibility:

The Competition is open for all the students pursuing LL.B. Course in the Department of Laws, Panjab University, Chandigarh.

Language:

The language for the competition shall be English only.

Team Composition:

Each team shall consist of three members (two speakers and one researcher).

Registration:

- A. The first **thirty-four (34)** teams shall be entertained on a first come first serve basis for registration.
- B. Registration link and instructions will be provided soon.

Dress Code:

1. For Female(s): White Salwar and Kurta along with Black Blazer and Black Shoes OR White Shirt and Black Trouser along with Black Tie, Black Blazer and Black Shoes.
2. For Male(s): White Shirt and Black Trouser along with Black Tie, Black Blazer and Black Shoes.

Memorial Rules:

1. Each team must prepare memorials for both sides.
2. Once the memorials have been submitted, no revision, supplements or additions will be allowed.
3. Identity of the students should not be revealed anywhere in the memorial as well as in any Annexure. Violation of this provision will result in a penalty including disqualification. The Organizer's decision shall be final in this regard.
4. **No Difference between Soft Copy and Hard Copy of Written Submission:** The hard copy of written submission must be an exact replica of the soft copy submitted with the Organizers. Any difference in the same will result in non-evaluation of the memorial/disqualification from the Competition.
5. Written submissions shall be printed on white standard A4 size paper, the front/cover page being an exception (**Red and Blue A4 sheet as per the side of party**)
6. Maximum limit for arguments advanced is 20 pages.
7. The font and size of the text used in all parts of the written submissions (except the covers) shall be in **Times New Roman, size 12, footnotes font size 10, line spacing 1.5 & headings 14** with uniform citation style.
8. Memorials should have one inch margin on all sides of each page.

9. The colour of the cover page must be Blue in case of Appellant/Petitioner and Red in case of Respondent.
10. Body of Memorial shall include:
 - a. The Cover Page: The cover page shall contain the case title, side of the written submission, year of competition, and space for team Code shall be left on top right corner (team code will be written by the organizers);
 - b. Table of Contents
 - c. List of Abbreviations
 - d. Index of Authorities
 - e. Statement of Jurisdiction
 - f. Statement of Facts
 - g. Statement of Issues
 - h. Summary of Arguments
 - i. Arguments advanced/detailed arguments.
 - j. Prayer
11. Memorials should be hard bound, no spiral binding or taping.
12. Pages should be numbered at the bottom middle.
13. The memorial shall not contain any photographs/ sketches.
14. Penalty for late submission will result in deduction of 1 mark for delay of each day.
15. Soft copy of the memorials from both sides (Petitioner and Respondent) to be sent on: mootcourtsociety.pulaws@gmail.com

Memorial Evaluation:

The evaluation will be done on the following parameters:

- A. Knowledge of Facts and Law: 25 marks
- B. Extent and Use of research: 25 marks
- C. Proper and Articulate Analysis: 20 marks
- D. Clarity and Organization: 10 marks
- E. Correct Format and Citation: 10 marks
- F. Grammar and Language: 10 Marks

Total: 100 MARKS

Researcher Test:

1. The member designated as Researcher shall take part in the researcher's test.
2. Participants are requested to write only the Team Code on the question paper.
3. The Researcher's Test shall be objective with the questions based on the applicable law, precedents and facts pertaining to the Moot Proposition.
4. The duration of the Researcher's Test shall be 30 minutes. The test will comprise of 30 objective type questions of 1 mark each.
5. The use of mobile phones, laptops, or any other electronic gadgets/written material is strictly prohibited during the Researcher's test.
6. The Winner of the Test shall be determined on the basis of highest score attained.
7. The Speakers of any team will not be allowed to sit in the Researcher Test in any case.

Rounds:

1. Preliminary Round-I
2. Preliminary Round-II
3. Quarter Final
4. Semi Final
5. Final

General procedure for rounds:

1. The Researcher needs to be present with the speakers during all the rounds.
2. The Researcher shall not be permitted to address the Court during the Oral Rounds. The Researcher may however, be permitted to pass notes to the Speakers at the discretion of the Judges. Such notice shall be passed through the court clerks present in the courtroom.
3. The use of mobile phones, laptops, or any other electronic gadget is strictly prohibited during the Oral Rounds. Any violation will result in deduction of marks.
4. Participants may use their own Bare Acts, print outs and commentaries provided that anonymity is not violated during the Rounds.
5. The decision of the Judges as to the marks allotted to each team shall be final and binding.
6. Speaker 1 and Speaker 2 to remain the same throughout the competition.

Procedure for rounds:

1. Top fourteen teams shall qualify for the quarter-final rounds and top eight shall qualify for the Semi-final rounds (subject to the number of total registered teams for both rounds).
2. The qualification for the quarter- finals will be based on:
 - a. Teams with more number of wins in preliminary rounds. Wins will be decided on the basis of aggregate marks in Both Preliminary Rounds and the Memorials.
3. Semi-final will be the knockout round.
4. Out of eight teams, two teams with maximum marks will qualify for the final round.

Wins will be decided on the basis of aggregate of marks in the semifinal round.
5. Winning team shall be decided on the basis of aggregate of marks in the final round.

Time for Rounds:

1. At the commencement of each session the team shall notify the Court Clerk as to the division of time between the 2 speakers (including rebuttal/sur-rebuttal) prior to the commencement of each Round.
2. Preliminary Rounds: Each side shall get a maximum of 30 minutes (exclusive of rebuttals and sur-rebuttal) to present their arguments of which no Speaker shall be permitted to address the Court for less than 12 minutes. 5 minutes shall be given for rebuttals and sur-rebuttal to both the teams in total.
3. Quarterfinals: Each side shall get a maximum of 30 minutes (exclusive of rebuttals and sur-rebuttal) to present their arguments of which no Speaker shall be permitted to address the Court for less than 12 minutes. 5 minutes shall be given for rebuttals and sur-rebuttal to both the teams in total.
4. Semifinals: Each side shall get a maximum of 45 minutes (exclusive of rebuttals and sur-rebuttal) to present their arguments of which no Speaker shall be permitted to address the Court for less than 20 minutes. 5 minutes shall be given for rebuttals and sur-rebuttal to both the teams in total.

5. Finals: Each side shall get a maximum of 50 minutes (exclusive of rebuttals and sur-rebuttal) to present their arguments of which no Speaker shall be permitted to address the Court for less than 20 minutes. 7 minutes shall be given for rebuttals and sur-rebuttal to both the teams in total.
6. Time can be extended at the discretion of the judges.

Marking Criteria for Rounds:

1. Maximum scores for the court rounds will be 100 marks per speaker. The court rounds will be judged on the following parameters:
 - a. Knowledge of Facts and law: 20 marks
 - b. Application of law to Facts: 15 marks
 - c. Extent and Use of Research: 15 marks
 - d. Ingenuity and Ability to Answers questions: 10 marks
 - e. Grammar, Style, Poise, Court Etiquettes and Demeanour: 10 marks
 - f. Proper and Articulate Analysis: 10 marks
 - g. Time Management: 10 marks
 - h. Clarity and Organization: 10 marks

Total: 100 marks

2. The Best Speaker Award will be awarded on the basis of the scores awarded to the individual Speakers in the Preliminary Rounds. Individual Aggregate Score shall be determined as the sum of the following:
 - a. Score of Speaker in Preliminary Round I;
 - b. Score of Speaker in Preliminary Round II.
3. In case of tie between best speakers, the award shall be equally shared by both the speakers.

Anonymity:

Student Counsel may introduce him/herself to the court in the usual manner, however the name shall not be indicated to the judges during the court proceedings.

Scouting:

1. Teams will not be allowed to observe/sit in the oral round of any other team till the time the team is declared to have advanced to the next round. Scouting is strictly prohibited. Scouting by any of the teams will result in disqualification.
2. Any team can file a written complaint with the Organizers, regarding a case of scouting. The decision of the Organizers will be final.
3. The researchers shall sit with the speakers at the time of the oral round and shall not attend the court sessions of any other team participating in the competition.

Awards:

- Winning Team
- Runner Up Team
- Best Student Advocate
- Best Researcher

General Etiquette:

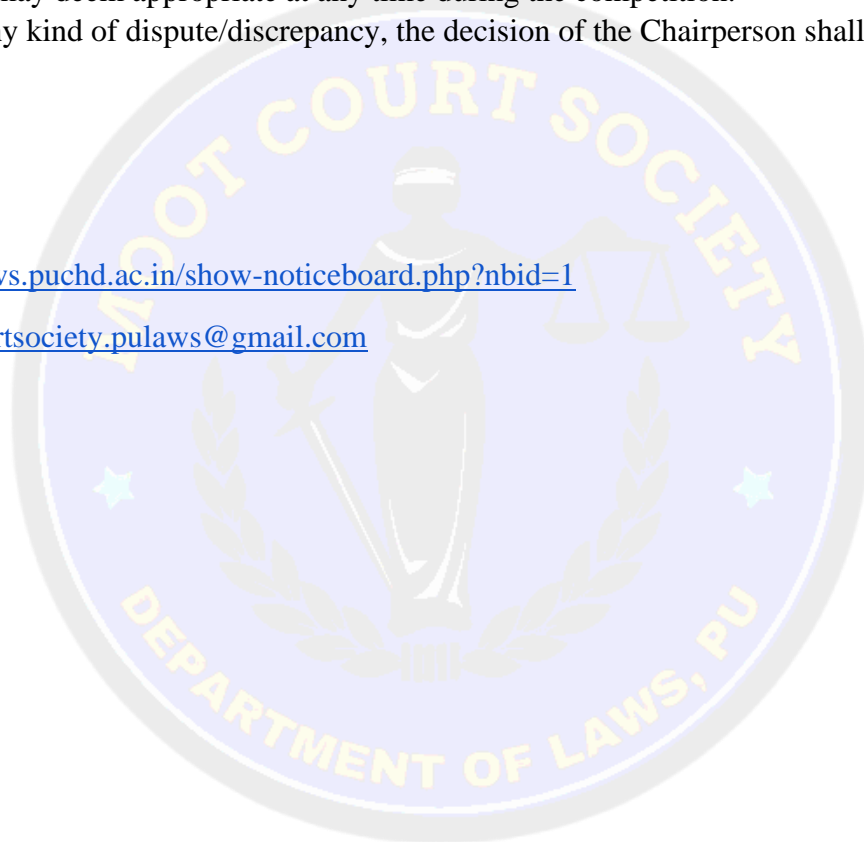
1. The participants are expected to behave in a dignified manner and not to cause any unnecessary inconvenience to the organizers.
2. The Organizers reserve the right to take appropriate action for any unethical, unprofessional and immoral conduct.

Interpretation of the Rules:

1. The Organizer's decision as regards to the interpretation of rules or any other matter related to the competition will be final.
2. If there is any situation, which is not contemplated in the rules, the Organizer's decision on the same shall be final.
3. The Organizer's reserve the right to vary, alter, modify, or repeal any of the above rules if so required and as they may deem appropriate at any time during the competition.
4. In case of any kind of dispute/discrepancy, the decision of the Chairperson shall be final.

Website: <https://laws.puchd.ac.in/show-noticeboard.php?nbid=1>

Email Id: mootcourtsociety.pulaws@gmail.com



Fact-sheet

A young man overcomes huge physical disabilities to reach Olympian heights as an athlete; in doing so he becomes an international celebrity; he meets a young woman of great natural beauty and a successful model; romance blossoms; and then, ironically on Valentine's Day, all is destroyed when he takes her life. In the early hours of 14 February 2023, the respondent, Mr. Jatin (at times the accused hereafter), shot and killed the 29-year-old Miss Mamta (at times the deceased hereafter) at his home in a secured complex known as Oliver Estate in Mumbai, Maharashtra.

The accused was born with deformed legs, consequently before his first birthday, both of his legs were surgically amputated below the knee and, since then, he has had to rely on prosthetics. Despite such a severe physical handicap, he made his way bravely into the world and had a spectacular athletic career. He competed by using prosthetic legs at the international level in both disabled and able-bodied athletic events. He won numerous international medals, including gold medals at the Paralympics. The accused represented India in both the Olympic and the Paralympic Games of 2012. His athletic achievements not only brought him international fame but also into contact with charities, and he was awarded an honorary doctorate for his humanitarian work in the world of prosthetics.

The accused met the deceased, who was a successful model on 4th November, 2022. Romance quickly blossomed and they became intimate. As so often happens with romantic relationships, they had petty conflict and tensions as evidenced by a transcript of text messages that had passed between them. But despite these hiccups, the deceased at times slept over at the accused's home. She did so on the night of 13 February 2023. In the early hours of the following morning, screams, gunshots, loud noises and cries for help were heard, emanating from the accused's house. Within minutes, one Mr. Raju and one Dr. Deep, the latter a medical practitioner, arrived at the accused's home. There they found the accused in a highly emotional state, kneeling alongside the deceased who was lying on the floor at the foot of the stairs leading to the sleeping quarters of the house. She had been carried there by the accused from an upstairs bathroom where the shooting had taken place. She had been shot several times and was mortally wounded. The severity of her injuries was such that she was not breathing and Dr. Deep was unable to find a pulse. In due course, FIR was registered against the accused under Section 302 of the Indian Penal Code for murder. The State's prosecutor attempted to persuade the trial court that the accused had threatened the deceased during the course of an argument, that she had locked herself into the toilet cubicle in the bathroom to escape from him, and that he had thereupon fired the four fatal shots with a 9mm pistol through the door of a toilet cubicle in the bathroom adjacent to his bedroom and killed her.

The accused, on the other hand, alleged that he had awoken from his sleep in the early hours of the morning. It was very warm and so he sat up, although it was dark in the room, he was aware that the deceased was

awake in the bed next to him as she rolled over and spoke to him. He got out of bed, brought the two fans from the balcony into the room, closed and locked the sliding doors, and drew the curtains. It was very dark in the room, the only light being from a small LED on an amplifier at the TV cabinet. He then heard the sound of a window opening in the bathroom. The bathroom is situated not directly adjacent to the bedroom but down a short passage lined with cupboards. He immediately thought that there was an intruder who had entered the house through the bathroom window, possibly by climbing up a ladder. He quickly moved back to his bed and grabbed his 9mm pistol from where he kept it under the bed. As he did so, he whispered to Mamta to 'get down and phone the police' before proceeding to the passage leading to the bathroom. He was not wearing his prosthetic legs at that stage and, overcome with fear, he started screaming and shouting both for the intruder to get out of his house and for Mamta to get down on the floor and to phone the police. When he reached the entrance to the bathroom, he stopped shouting as he was worried that the intruder would know exactly where he was. As he neared the bathroom, he heard the toilet door slam. Peering around the wall at the end of the passage, he saw that there was no one in the bathroom itself but that the toilet door was closed. He alleged that at that point he started screaming again, telling Mamta, who he presumed was in the bedroom, to phone the police. He then heard a noise coming from inside the toilet and promptly fired four shots at the door. After that he retreated to the bedroom where he found that Mamta was no longer there. It then dawned on him that it could be her in the toilet. In panic he went back to the bathroom and tried to open the door, but found it to be locked. He then started screaming for help and put on his prosthetic legs. He unsuccessfully tried to kick open the door but on seeing the key lying on the toilet floor, he unlocked the door and found Mamta slumped with her weight on the toilet bowl. She was not breathing. He held her and pulled her out of the bathroom before telephoning the other two residents of the estate, Mr. Raju and Dr. Deep, followed by the calls made to the paramedic organizations for ambulance and the estate's security by the accused.

The accused pleaded in the trial that he cannot be held guilty of murdering Mamta because he had no subjective intention to cause her death as he had not known Mamta was in the toilet. The accused believed that, at the time he fired shots into the toilet door, the deceased was in the bedroom while the intruders were in the toilet. This belief was communicated to a number of people shortly after the incident. The counsel for the accused emphasized the accused's physical disabilities, the fact that he had not been wearing his prostheses at the time and that he had thus been particularly vulnerable to any aggression directed at him by an intruder. His counsel argued that it had to be inferred that he must have viewed whoever was in the toilet as a danger, hence there was a genuine belief of an imminent attack upon him. The Court of Session convicted him for culpable homicide not amounting to murder holding that there was no intention to kill the person behind the door. He had shot the deceased believing that she was an intruder. The accused had erroneous belief that his life was in danger therefore cannot be found guilty of murder. Aggrieved by the decision of the trial court, the State has made an appeal to the High Court