



**MAHARSHI DAYANAND UNIVERSITY, ROHTAK**  
**DEPARTMENT OF LAW**

Ref. No.  
All Heads/Principals  
Departments of Law &  
Law colleges of Haryana

Date: 1-2-2011

**Subject: Haryana State Level Moot Court Competition to be held on March 5 & 6, 2011.**

Dear Sir/Madam,

Greetings!

We have immense pleasure in announcing that MDU, Rohtak is organizing **All Haryana State Level Moot Court Competition** to be held on March 5 & 6, 2011 at **Maharshi Dayanand University, Rohtak**.

You are invited to participate in the above mentioned competition. Interested institution must confirm their participation one week before the competition. Your early registration will help us to make appropriate arrangements.

Please find enclosed here with Moot Problem, Rules and Registration Form. The same can also be downloaded from <http://www.mdurohtak.com/mootcouts.htm>.

Looking forward to your participation.

With regards,

Prof.(Dr.) K .P .S. Mahalwar  
Head & Dean

Dr. A.S Dalal  
Convener



**MAHARSHI DAYANAND UNIVERSITY, ROHTAK**  
**DEPARTMENT OF LAW**  
**ALL HARYANA STATE LEVEL MOOT COURT COMPETITION**  
**HELD ON MARCH 5 & 6, 2011**

**REGISTRATION PROCEDURE**

Please fillup the proforma for the registration for participating in the moot court competition. Moot competition team registration form along with registration fee of Rs.500/- be submitted at the time of registration.

For any query feel free to contact

	Mobile no.	email id
1. Convener Moot Court Committee <b>Dr. A.S Dalal</b>	0-93158-13273	dalalas@gmail.com
2. Student member organizer		
a. Vijay Sharma	0-99963-06705	
b. Deepak Saini	0-99960-23804	

## **TEAM REGISTRATION FORM**

### **Participant Information:**

The no. of participants in a team shall be in pursuance with official rules of the competition. Information required here in after is mandatory to be filled in the registration form. Two ticket size photographs, duly attested by the Head of Department of each team member should be sent along with this application form.

Institution/college/university information

Name of Institution/college/university: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Postal code: \_\_\_\_\_ City: \_\_\_\_\_

Contact No.: \_\_\_\_\_ Email ID: \_\_\_\_\_

Name of the participant:

Stamp size photograph



1. \_\_\_\_\_



2. \_\_\_\_\_



3. \_\_\_\_\_

Signature  
Head of Department/Authorized Signatory

**MAHARSHI DAYANAND UNIVERSITY, ROHTAK**

**DEPARTMENT OF LAW**

**MOOT COURT SOCIETY**

**ALL HARYANA STATE LEVEL MOOT COURT COMPETITION**

**GENERAL RULES:-**

The competition is open to LL.B. students of five year and three year courses imparting legal education in Haryana.

Each institution can send maximum of two teams.

Each team shall consist of two mooters and a researcher.

Each team shall prepare a written memorial according to the specifications herein after prescribed.

Registration is necessary for participation.

The outside participants shall be provided with boarding and lodging facility on the days of the competition.

The traveling expenses shall be borne by the respective institutions.

The teams coming from distant places must give their travel plan along with registration by the specific date.

The teams must report the registration desk in the department itself by 9.00 a.m. on March 5, 2010. The schedule of the competition will be given to the respective teams at the time of registration.

Depending upon the number of teams the competition will be on “league-cum-knock out” bases. In the absence of sufficient number of teams, the organizers may allow more teams from Dept. of Law, M.D.U., Rohtak to participate in the competition.

The language of the competition shall be English.

**STAGES OF THE COMPETITION:**

There shall be three rounds in the competition: Preliminary, Semi Final and Final round.

The preliminary round shall be on league basis. The four teams, securing highest marks shall contest in the next round i.e. semi final round.

The semi final round shall be a knock round.

The two teams having highest score in semi final shall participate in final round.

There shall be a draw of lots for preliminary round for grouping the team into pairs and for ascertaining the side. Each team shall argue in the preliminary round.

In the semi-final side from which the team has to argue shall be decided by draw of lots.

Each team shall get a total time of 30 minutes to argue in preliminary round, semi-final and final round.

The prosecution side can reserve five minutes out of allotted time for rebuttals.

The team members shall divide issues between them for arguing and also should try to divide the time equally between them in each round.

Students advocates are expected to wear a formal code dress and maintain the decorum of the court.

### **WRITTEN MEMORIAL:**

Participants are required to submit at least five copies of the written memorials in advance on their arrival.

The memorials shall consist of following parts:-

1. Cover page
2. Table of contents
3. Index of Authorities
4. Statement of Jurisdiction
5. Statement of facts
6. Statement of Issues
7. Summary of Arguments
8. Arguments advanced, including prayer

All memorials must be printed in black ink on white A4 size(210 X 297 mm) paper in the following font and font size:

Main Body: Times New Roman Font size 12, 1.5 line spacing.

Footnotes : Times New Roman, Font Size 10, single (1) line spacing

\* Footnotes may be used to support but not to substantiate the materials that is already stated in the body of Arguments.

\* No team shall be permitted to derogate from aforesaid specifications except in relation to Heading and Sub-heading used with in the body of memorials. The written memorials shall be assessed on the following criteria:

* Adherence to Memorial Specifications	10 marks
* Use of legal language	20 marks
* Manners of citing authorities	15 marks
* Contents and legal aspects of arguments	35 marks
* Any other criterion at the discretion of the Judges Committee	10 marks

Totals: 100 marks

### **Evaluation And Assessment:**

The student-advocate shall be assessed on the following counts:

a) Marshalling of facts	10 marks
b) Articulation of issues	10 marks
c) Presentation skills	10 marks
d) convincing ability	10 marks
e) Communication skills	10 marks
f) Court agitates	10 marks
g) Precedents & Authorities	10 marks
h) Response to questions	10 marks

i) Rebuttals	10 marks
j) Application of legal Principles	10 marks
Totals:	<u>100 marks</u>

**PRIZES:**

Trophies along with merit certificate shall be awarded to:

1. Best team
2. Runner up team
3. Best male student advocate
4. Best female student advocate
5. Best memorial

The assessment of the best mooters shall be done on the basis of the marks in the preliminary ground not with standing the fact that such students have not reached the next rounds.

Dr. A S Dalal  
 Convener, Moot court Committee

## **STATE LEVEL MOOT COURT PROBLEM**

Gori is the daughter of Chottee belonging to a tribal community. She used to attend literacy classes arranged by Gopal, a voluntary worker belonging to a NGO working for tribal development. They fall in love. However, Gori refused to have sexual intercourse with Gopal despite his persistent demands because he told her that he was already married and has a child back home. But Gopal told her that he would marry her after divorcing his first wife. Still Gori refused.

On a rainy day after the class they were alone in the tribal school. Gopal persuaded Gori to have sexual intercourse. Though Gori was not initially willing. She did not resist his advances repeating his promise to marry her. Because of fear of her elder brother who received education in town, Gori did not disclose the incident to any one. On the subsequent days Gopal had sexual intercourse with her and she did not object. This relation continued for some months and she became pregnant. She had no other go but to report the fact to her brother who was furious and complained to the police. A case of rape was registered against Gopal.

The matter was taken up by the tribal Panchayat and though under their custom they were not to be married, because of the influence of her brother and Panchayat arranged their marriage. The police investigation was however continuing while Gori delivered a baby. After a month Gopal deserted her and the baby. And she filed a petition under S125 Cr. P.C. for maintinance. The Magistrate refused to treat her as Gopal's legally wedded wife and maintinance to her was refused.

At this stage, the criminal case came up for trial. Gopal moves to the High Court under S. 482 Cr. P.C. for quashing the case. He argues that Gori is his wife and that since she consented to have intercourse there was no rape. He also argued that she was a major and that her school certificate indicating that she is minor cannot be accepted as the Head Master claims that he recorded the age given by her father without verification. In fact Gori has no record to prove her age except the statement of her father as recorded by the Head Master of the school where she was once admitted.

The state argues that:

1. She is a minor as signified in the school certificate.
2. She did not consent to have sexual intercourse.
3. She is not Gopal's wife and
4. Even if she accepted to be his wife still the criminal case would have to be continued.

Gopal counter these arguments saying:

1. She is a major. Her certificate cannot be accepted
2. She did consent
3. She is his wife as he married her according to tribal custom
4. It is not proper to initiate criminal case against the husband for having sexual intercourse with his wife.

Argue the case as advocate for respective side.