



**INDIAN INSTITUTE OF LEGAL STUDIES COOCH BEHAR
INTER-COLLEGE MOOT COURT COMPETITION, 2023**

Organized by: -

Moot Court Committee of Indian Institute Legal Studies Cooch Behar

Date of Competition: 27th May, 2023 and 29th May, 2023

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I. ABOUT THE COLLEGE

Indian Institute of Legal Studies Cooch Behar was established in the year 2019. Geographically, the institute is situated in a place, which is strategically of national importance. Bordering states and countries make it essential for people staying in this region to be more aware. Through Indian Institute of Legal Studies Cooch Behar, we aim to fulfill the aspirations of people belonging to this region. Indian Institute of Legal Studies Cooch Behar has an intensive educational excellence and classroom deliberations by faculties having educational qualifications from the best National Universities. In order to mould the budding professionals of tomorrow, the institution provides hi-tech classrooms with power point and audio visual- based orientations. Classrooms are delineated providing spacious sitting capacity to students keeping mind their comfort, accommodating 60 students in each class as per the Bar Council guidelines. The state of art infrastructure of the institution is well complimented with modern amenities and technology. Indian Institute of Legal Studies Cooch Behar has been designed by the best architect in India. Indian Institute of Legal Studies Cooch Behar is an institute that promotes holistic studies in law in the form of short-term courses; field work, experiential learning in addition to regular under graduate course. The institution is a hub of activities. Apart from its regular academic courses the institution has organized various educational seminars and symposiums with the motive of enhancing knowledge and awareness of students and its faculties. In the coming years the institution also aspires to host more such innovative and conventional programs for the enhancement of legal education.

II. ABOUT THE MOOT COURT SOCIETY

Moot Court Society of Indian Institute of Legal Studies Cooch Behar has been set up in 2022. The aim of the society is to enhance the litigation skills of the students. Active participation in Moot Court Competition helps a student to develop his/her research skills and also train them to tackle difficult situation. The Moot Court Society has also organized Practice Moot Court Competition in order to encourage the students. The Moot Court Society of Indian Institute of Legal Studies Cooch Behar constituted with the following members:

1. Mr. Abhirup Bhattacharjee (Assistant Professor of Law)
2. Ms. Rachana Dhar (Assistant Professor of Law)
3. Mr. Noor Nowaz (Assistant Professor of Law)
4. Ms. Bipasha Mrug (Student)
5. Ms. Nayana Saha (Student)
6. Ms. Payal Pandit (Student)
7. Mr. Sayan Debadhikary (Student)
8. Mr. Altab Hossain (Student)
9. Mr. Subhadip Shil (Student)
10. Ms. Srijita Brahma (Student)
11. Ms. Ananya Sarkar (Student)
12. Ms. Anaita Rakshit (Student)

III. ORGANISING COMMITTEE

The Indian Institute of Legal Studies Cooch Behar has constituted an Organizing Committee for the Inter-College Moot Court Competition that is scheduled on 27th and 29th May, 2023. The Committee comprised of the following members:

1. Mr. Abhirup Bhattacharjee (Assistant Professor of Law)
2. Ms. Rachana Dhar (Assistant Professor of Law)
3. Mr. Noor Nowaz (Assistant Professor of Law)
4. Ms. Bipasha Mrug (Student)
5. Ms. Nayana Saha (Student)
6. Ms. Payal Pandit (Student)
7. Mr. Sayan Debadhikary (Student)
8. Mr. Altab Hossain (Student)
9. Mr. Subhadip Shil (Student)
10. Ms. Srijita Brahma (Student)
11. Ms. Ananya Sarkar (Student)
12. Ms. Anaita Rakshit (Student)

IV. ABOUT THE COMPETITION

With an object to provide the students an opportunity to develop their advocacy and research skills, the Indian Institute of Legal Studies Cooch Behar is delighted to organize the first Inter-College Moot Court Competition, 2023. This event has been designed with the goal of developing and enhancing among law students a better understanding of the law and its lacunas, while giving them an opportunity to debate in front of experts in the field, thereby rigorously testing the legal expertise, research abilities, and oral advocacy abilities of participants. It will be expected that the competitors would explore various facets of law and not limit themselves solely to the competition's theme in order to promote the part that encompasses legal training for providing an in-depth legal education.

The Inter-College Moot Court Competition shall comprise of three rounds: Preliminary Rounds; Semi Final Rounds and Final Round.

The language of the Competition will be English.

The Participation is open to all the semester of 3 Years/5 Years LLB degree Course.

We cordially invite your Institute to participate in the competition.

V. RULES OF THE COMPETITION

A. TEAM COMPOSITION

1. Each team shall consist of three members, comprising of two speakers and one researcher.
2. Students have to form their own teams. Moot Court Society bears no responsibility in team formation.
3. Any request for alteration in the groups will not be entertained after the registration.

B. MEMORIAL SUBMISSION GUIDELINES / RULES

1. Memorial submission is mandatory in order to appear for the oral rounds
2. Teams have to prepare memorials for both sides. (Appellant/Petitioner and Respondent/Defendant).
3. The memorials have to be submitted on A4 size paper, and must contain the following sections.

COVER PAGE;

TABLE OF CONTENTS;

INDEX OF AUTHORITIES;

STATEMENT OF JURISDICTION;

STATEMENT OF FACTS;

STATEMENT OF ISSUES;

SUMMARY OF ARGUMENTS;

ARGUMENTS ADVANCED;

PRAYER

4. The memorials must be printed in **Times New Roman 12 font size** with **1.5 line spacing**. The **footnotes** must be in **Times New Roman 10 font size with 1.0 spacing**. And should contain the '**Team Code**' on cover page. (**Top-Right Corner**).

5. The Petitioner/Complainant/ Appellant's memorial cover page shall be **Blue Color A4 size**, and Opponent/Respondent's memorial cover page on **Red Color A4 size**.

6. The teams have to use the **latest edition of Blue Book for citation** format throughout the memorial. (Bluebook 20thEdition).

7. The maximum scores for the memorial shall be 100 marks.

The marks will be evaluated as follows:

PARTICULARS OF MARKS	Marks
Knowledge of Facts & Law	25
Extent & Use of Research	20
Analysis	20
Clarity & Organization	15
Format & Citation	10
Grammar & Style	10
Total	100

C. SELECTION

From Preliminary Round, 4 teams would be selected on the basis of scores for the Semi Finals. Accordingly Draw of Lots would be conducted. Out of 4 Teams, 2 best teams (on the basis of marks) would be selected for the Final.

D. FINALITY OF DECISION

The decision of the judges with regard to the outcome of the rounds shall be final.

E. DRESS CODE

Men- Formal White Shirt, Black Trousers, Black Blazer, Black Tie and Black Shoes

Women- Formal White Shirt, Black Trousers, Black Blazer, Black Tie and Black Shoes

VI. TIME FOR ORAL ROUNDS

A. PRELIMINARY ROUNDS

Each Team will be given 10 mins for presenting the arguments. The Rebuttal rounds will be at the discretion of the judges.

B. SEMI FINALS AND FINAL

Each Team will be given 20 mins for presenting the arguments. The Rebuttal rounds will be at the discretion of the judges. (Each team shall get 5 minutes time for rebuttal)

VII. CONTACT DETAILS

Any query related to the moot court competition shall be asked through sending e-mail to mcs.iilscob@gmail.com. However, the participants can also contact our student coordinators and faculty coordinators through the following phone numbers.

Student coordinators:

1. Ms. Bipasha Mrug- 8637585704
2. Mr. Altaf Ali Hossain- 8945809864

Faculty Coordinators:

1. Mr. Abhirup Bhattacharjee- 7001384191
2. Ms. Rachana Dhar - 7908352105
3. Mr. Noor Nowaz- 7001339210

VIII. IMPORTANT DATES

- Last Date of Registration by sending the Team Names- **17th May, 2023**
- Submission of Memorials (Both Parties) - **24th May, 2023**

- Preliminary Round(s)- 27th May, 2023
- Semi Finals and Final- 29th May, 2023

IX. MOOT PROPOSITION

Nirvana is a democratic republic having citizens of every religion. Citizens of the country enjoy equal rights and privileges. The laws of Nirvana are in *pari materia* with the laws of India. The state of Silcia is located in the Northern Part of Nirvana. Silcia is a place of small and new businesses. The state is famous for startups business. It's a commercial and educational area where different educational institutions are set up. People of Silcia are ambitious, religious, literate and have moral values. Mr. Suresh and Miss Mita are the citizens of the State of Silcia.

Suresh works as an Income Tax Officer of Gerua District of Silcia. After several failed attempts, Suresh was successful in securing a government job. Mita works as an Assistant Prof. of English in one of the Private College of Silcia.

On 06/03/2022, Mr. Suresh and Miss Mita got married as per their religious rituals. Their marriage was fixed by their family members. However, Mr. Suresh was against the marriage as he was in a romantic relationship with a girl named Fatima. Fatima, being a girl of different religion, Suresh's parents didn't accept their relationship. As a result, Suresh's parents forced him to get married with Mita. Mita belongs from a wealthy industrialist family.

Being a single child, Mita enjoyed a royal wedding. Her parents also gifted several gold ornaments and furniture to Suresh and his family members. Their marriage was functioning well. A few verbal fights between the pair used to occur occasionally, but they would quickly make up. In the meanwhile, Suresh lost contacts with Fatima.

After two months of their marriage, Suresh desired to have one Black Cretan Car. He forced Mita to convince her parents for gifting him the desired car. Mita's parents happily gifted him the desired car.

The demands don't end here. On several occasion, Suresh has asked money from Mita's parents. On 12/08/2021, Suresh again desired to have a 3 BHK Flat. On hearing this, Mita

stopped her husband from demanding any further gifts from her Parents. On this rejection, Suresh slapped Mita and left the house.

After leaving the house, Suresh went to a nearby bar where he met with Fatima. This resulted in the revival of the old memories. The revival further resulted in an extra-marital affair with Fatima.

On 18/08/2021, Mita found out that she is pregnant. On the same evening, when Suresh came from the office, Mita informed him about the pregnancy. However, Suresh didn't want the child and asked Mita to abort it. Mita didn't listen to him. Suresh could not take the rejection and started beating her. After that day, on several occasions, Mita became the victim of physical and mental torture. Mita became the victim of domestic violence not only in the hands of her husband but not also in the hands of her in laws. They even stopped Mita from communicating with her parents.

On 31/01/2022, the entire family except Mita went to attend a family function. Mita was alone in the house. In the meanwhile, Mita was looking for her lost ornament. While searching, she opened Suresh Wardrobe. She found love letters written by Fatima to Suresh. Mita was devastated and decided to confront Suresh. On the same evening, when Suresh came home, Mita confronted her with the letters. The couple got into a serious argument. While arguing, Suresh pushed Mita against the wall. Mita in anger slapped Suresh and went to another room to pack her dress. Suresh got furious in anger. He went to the kitchen to drink water. Thereafter, Suresh went to Mita's room and with the belief of initiating a conversation, but he saw Mita was describing the entire matter to her father and planning to lodge complaint against Suresh and his family. Suresh tried to snatch the mobile phone from Mita and while doing the same Mita pushed Suresh and he fell down. Thereafter Suresh losing his temperament hit her head with the Flower Pot thrice. This resulted in the death of Mita and her unborn child.

After three hours, Suresh got scared and called the police. He made a statement that Mita's death was due to the accident. Mita's Parents were called. However, Mita's Parents didn't believe him. They lodged one FIR against Suresh and against the Parents of Suresh. Police after Investigation made charge sheet and Charge under Section 302, 498A, 313 of Indian Penal Code, 1860; Section 3 and 4 of Dowry Prohibition Act, 1961 has been brought label against Suresh. Parents of Suresh were being charged under section 498A.

The Sessions Court of Gerua convicted Suresh and imposed Death Penalty and convicted the parents of Suresh under Section 498A.

The High Court of Silcia upheld the judgment of the Sessions Court. Being aggrieved by the decision of the High Court, Suresh and his parents preferred an appeal before the Supreme Court of Nirvana.

