



INDIAN INSTITUTE OF LEGAL STUDIES COOCH BEHAR

Affiliated to the Cooch Behar Panchanan Barma University
Recognized by the Bar Council of India, New Delhi

Ref: IILSCOB/ML/72/116

Date: 08/04/2024

NOTICE

This is in communication to all the present semester students of B.A. LL.B.(H) and LL.B. of Indian Institute of Legal Studies Cooch Behar that our institute is going to organize the **5th Intra Moot Court Competition, 2025** to be held in the month of May, 2025 at our college campus. The said competition is mandatory for the students of LLB Semester- IV and VI and B.A. LLB (H) Semester- VIII and IX.

The detailed information brochure of the said competition is hereby attached below in the annexure I.

All the above concerned students are instructed to take note of it and act accordingly.

Moot Court Committee:

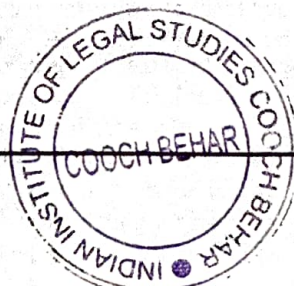
1. Dr. Jayati Kharga, Principal-in-charge (Convener)
2. Dr. Priya Singh, Dean (Academics)
3. Mr. Anit Kumar, Assistant Professor of Law (Co-Convener)
4. Ms. Rachana Dhar, Assistant Professor of Law
5. Ms. Perna Lama, Assistant Professor of Law
6. Mr. Soumyadeep Ghosh, Assistant Professor of Law

Anit Kumar
08/04/2024

Mr. Anit Kumar
Co-Convener
Moot Court Committee
Indian Institute of Legal Studies Cooch Behar

Copy to-

1. Notice Board
2. Notice File
3. WhatsApp group
4. College Website Upload



INDIAN INSTITUTE OF LEGAL STUDIES COOCH BEHAR

5th INTRA MOOT COURT COMPETITION, 2025

Organized by

*Moot Court Committee
Indian Institute Legal Studies Cooch Behar*

**Date of Competition: 24th May, 2025
(Tentative)**



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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 also aspires to host more such innovative and conventional programs for the enhancement of knowledge and awareness of students and its faculties. Indian Institute of Legal Studies Cooch Behar is an institute that promotes holistic studies in law. The Institution has been designed by the best architect in India with modern amenities and technology. It runs the classes as per the University and Bar Council guidelines. The institution is having well sitting capacity, accommodating 60 students keeping in mind their comfort in each point and audio visual- based orientations. In order to mould the students into budding professional of tomorrow, the institution provided high tech classroom with extra ordinary faculties.

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. Till now the Moot Court Society has organized 1st National Moot Court Competition, 2023 and four Intra Moot Court Competition and send/allowed our students in other college's /institution/ university to participate in the moot court competition in both offline and online/hybrid mode in order to develop their advocacy and legal argumentative skills by encouraging and motivate the students. Recently we have won the National Moot Court Competition, 2024 held at Goalpara Law College, Assam. The Moot

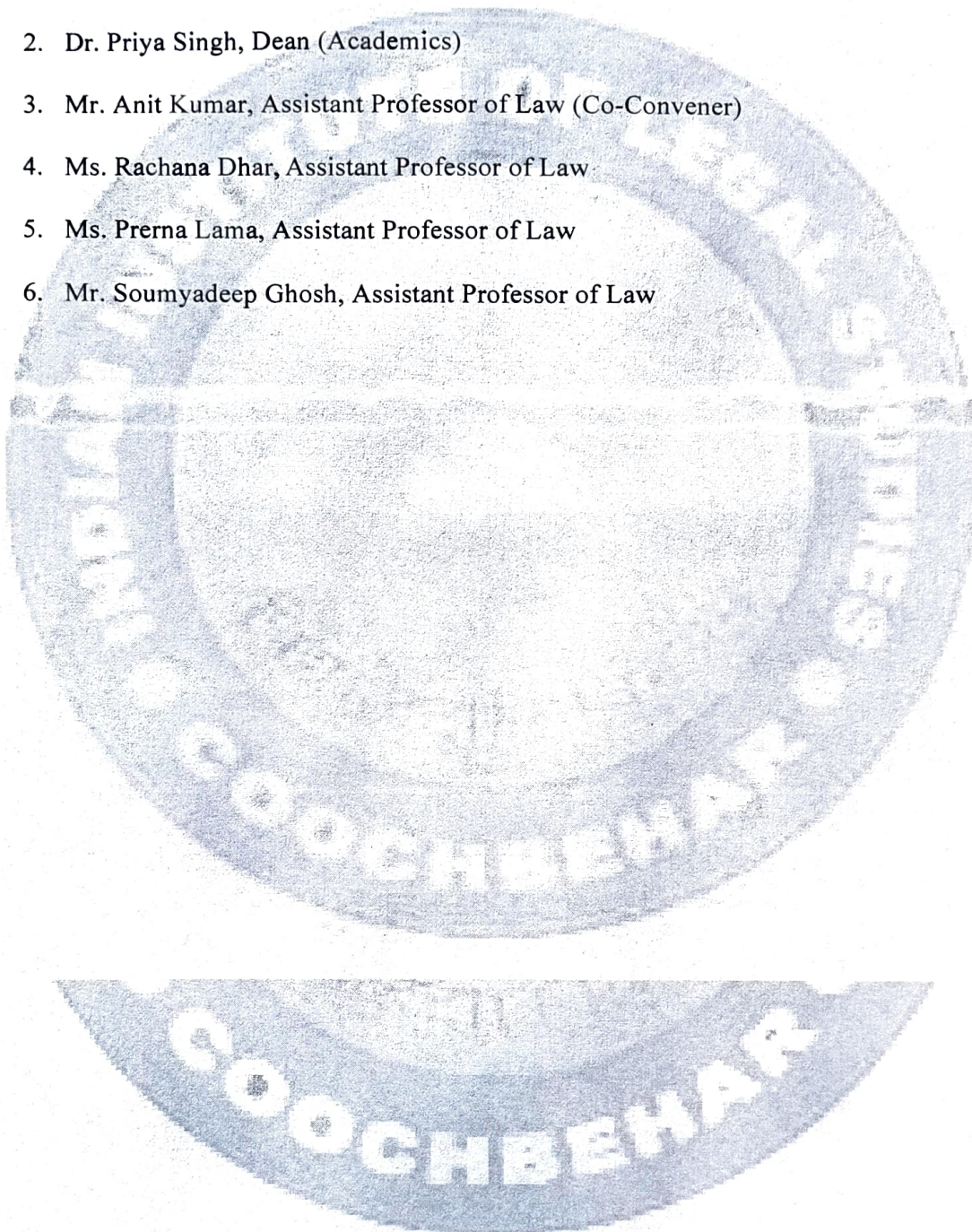
Court Society of Indian Institute of Legal Studies Cooch Behar constituted with the following members:

1. Dr. Jayati Kharga, Principal-in-Charge (Convener)
2. Dr. Priya Singh, Dean (Academics)
3. Mr. Anit Kumar, Assistant Professor of Law (Co-Convener)
4. Ms. Rachana Dhar, Assistant Professor of Law
5. Ms. Prerna Lama, Assistant Professor of Law
6. Mr. Soumyadeep Ghosh, Assistant Professor of Law

III. ORGANISING COMMITTEE

The Indian Institute of Legal Studies Cooch Behar has constituted an Organizing Committee for the 5th Intra Moot Court Competition, 2025 scheduled to be held on 24th May, 2025. The Committee comprised of the following members:

1. Dr. Jayati Kharga, Principal-in-Charge, Convener
2. Dr. Priya Singh, Dean (Academics)
3. Mr. Anit Kumar, Assistant Professor of Law (Co-Convener)
4. Ms. Rachana Dhar, Assistant Professor of Law
5. Ms. Prerna Lama, Assistant Professor of Law
6. Mr. Soumyadeep Ghosh, Assistant Professor of Law



IV. ABOUT THE EVENT

Indian Institute of Legal Studies Cooch Behar proposes to organise the 5th Intra Moot Court Competition, 2025. Moot Court competitions are simulated court proceedings where participants argue on the hypothetical cases. The 5th Intra Moot Court competition aims students to develop and showcase their advocacy, legal research, and oral presentation skills. It further aims to provide valuable practical experience for law students, helping them develop crucial skills such as legal research, writing, oral advocacy, and teamwork. Additionally, participation in moot court can enhance students' resumes and help them stand out to potential employers in the legal field.

The Moot Proposition for the 5th Intra Moot Court Competition, 2025 revolves around the case of conversion marriage and restitution of conjugal rights under personal laws that aims to create an environment where the participants would focus on legal arguments surrounding the validity of marriage, conversion and dower and conjugal rights of the parties . In this Moot Court, the competitors would need to demonstrate a clear understanding of law relating to personal laws of Hindu and Muslims laws. Therefore, the present Moot Proposition is based on conversion marriage which would provide the participants with an opportunity to delve into complex legal, ethical, and societal issues surrounding end-of-life decision-making and to develop their advocacy skills in a simulated courtroom setting.

The Intra 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 Competition will also comprise of researcher test of 20 marks at different rounds.

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 A4size**, and Opponent/Respondent's memorial cover page on **Red Color A4size**.

| PARTICULARS OF MARKS | Marks |
|---|--------------|
| Knowledge of Relevant facts and Laws | 25 |
| Extent & Use of Research (Researcher Test) | 20 |
| Use of Authority, precedents and Interpretation & Application of facts, laws and procedure | 20 |
| Clarity of thoughts, Organization and flow of arguments with original thoughts, theories by using authorities and precedents | 15 |
| Memorial, Format and Citation | 10 |
| Advocacy Skill, Style, poise, courtesy and response to questions and articulation | 10 |
| Total | 100 |

C. FINALITY OF DECISION

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

D .DRESSCODE

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 15 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 faculty coordinators through the following phone numbers.

Faculty Coordinators:

1. Dr. Priya Singh- 8250904926
2. Mr. Anit Kumar- 9332055429
3. Ms. Rachana Dhar-6296903445
4. Ms. Prerna Lama- 9647391801
5. Mr. Soumyadeep Ghosh-8016692752

VIII. IMPORTANT DATES

| S. No | | Event | Date (Tentative) |
|--|----|---|-----------------------------|
| Last date of sending soft copy of memorials | | | |
| 1 | a) | Last date of sending soft copy of memorials for all the compulsory batches i.e. LLB Sem IV and VI, B.A. LLB (H) Sem VIII and IX | 26 th April 2025 |
| | b) | Last date of sending soft copy of memorials for all the remaining semester batches of LLB and B.A. LL.B.(H) | 28 th April 2025 |
| Draw of Lots and Memorial Exchange | | | |
| 2 | a) | Draw of Lots and Memorial Exchange for the 1 st phase of Preliminary Rounds for LLB Sem IV | 28 th April 2025 |
| | b) | Draw of Lots and Memorial Exchange for the 2 nd phase of Preliminary Rounds for LLB Sem VI | 29 th April 2025 |
| | c) | Draw of Lots and Memorial Exchange for the 3 rd phase of Preliminary Rounds for B.A. LLB (H) Sem VIII | 30 th April 2025 |
| | d) | Draw of Lots and Memorial Exchange for the 4 th phase of Preliminary Rounds for B.A LLB (H) Sem IX | 02 nd May 2025 |

| | | | |
|--|----|---|---------------------------|
| | e) | Draw of Lots and Memorial Exchange for the 5 th phase of Preliminary Rounds for Rest of the remaining semesters teams of LLB and B.A LLB (H) | 03 rd May 2025 |
| Researcher Test for Preliminary Rounds | | | |
| 3. | | Researcher Test for Preliminary Rounds for both compulsory batches and remaining semester batches | 06 th May 2025 |
| Preliminary Rounds (compulsory batches and remaining batches) | | | |
| | a) | 1 st phase of Preliminary Rounds for LLB Sem IV | 08 th May 2025 |
| | b) | 2 nd phase of Preliminary Rounds for LLB Sem VI | 10 th May 2025 |
| | c) | 3 rd phase of Preliminary Rounds for B.A. LLB (H) Sem VIII | 13 th May 2025 |
| | d) | 4 th phase of Preliminary Rounds for B.A LLB (H) Sem IX | 15 th May 2025 |
| | e) | 5 th phase of Preliminary Rounds for the rest of the remaining semesters teams of LLB and B.A LLB (H) | 17 th May 2025 |
| Declaration of Preliminary Rounds Result | | | |
| 5 | | Declaration of Combined Preliminary Rounds Result for both compulsory and remaining batches | 20 th May 2025 |

Researcher Test and Semi Final Rounds

| | | | |
|---|--|---|---------------------------|
| 6 | | Researcher Test for Semi Final and Semi-Finals Rounds through draw of lots and memorial exchange among top four teams | 22 th May 2025 |
|---|--|---|---------------------------|

Declaration of Semi-Final Rounds Result

| | | | |
|---|--|---|---------------------------|
| 7 | | Declaration of Semi-Final Rounds Result | 23 rd May 2025 |
|---|--|---|---------------------------|

Researcher Test, Final Rounds and Declaration of Final Result

| | | | |
|---|--|---|---------------------------|
| 8 | | Researcher Test for Final and Final Rounds through draw of lots and memorial exchange among top two teams | 24 th May 2025 |
|---|--|---|---------------------------|

IX. MOOT PROPOSITION

The Republic of Trampet is a South Asian country with the second largest population in the world. The political structure of Trampet is a secular, sovereign, democratic and socialist nation which is reflected in the Constitution of Trampet, 1950. Trampet has a federal form of government which comprises of 28 States and 08 Union Territories.

Sohanswammy alias Razzak, born as second child in family consisting of his father Rakesh alias Sayed Khan belonging to shia community, his mother Rinki alias Parveen khan, belonging to sunni community and three siblings, used to live in Madapa, a Southern state of Republic of Trampet with his maternal grandparents who was Hindu. At this instance of observing different practices in family it was explained to him that his parents were also Hindu by Birth, though belonging to a lower caste. The discrimination that arose against their people belonging to low caste had prompted him to convert into Islam religion.

Determined to bring about change in such discrimination he applied for seat in Tamsi Dental College, but the converts to other religion from Hinduism were treated as backward classes thereby he did not get admission in it. Hence, on the advice, he got himself converted to Hinduism by going through Suddhi ceremony, claiming to be a member of Maila caste he got admission as falling under Schedule Caste in the year 2020.

In the third year of his study of academic calendar i.e. in the years 2022, Sohanswammy, who already had the wife had fall in love to a Sunni Muslim girl Mumtaz, a widow, observing iddat period and completed one month of her iddat period, though aware about their status in the society. The girl reasoned that she can convince her father for their marriage as they are both Muslims, but then Sohanswammy disclosed about his conversion to Hinduism which made her dreaded that the marriage, that took place would not be acknowledged by her father since he is a very strong follower of Islam religion. When she went home and got aware about the preparation of her marriage with someone else. Then she told everything to Sohanswammy, who constantly insisted that they should get married soon and under the emotional threat, compulsion, mental pressure and anxiety that her father would marry her to someone else, she finally agreed for such marriage.

Later on he made Mumtaz to undergo Suddhi ceremony in the year 2023 and named her as Mamta, and solemnized the marriage in a temple near Miso district of a Northern State of Republic of Trampet having a rich culture and prosperity, thereafter he also married under Muslim form after his re-conversion to sunni community through publically declare that he has renounced his original religion and also perform ceremonies prescribe in Islam religion, wherein Qazi performed their marriage with one adult male and two female witnesses of which one is a 15 years of age but later on Sohanswammy was out caste from society. Immediately after her marriage both resides together in Madapa, but later on, the girl felt guilty about the marriage, she confessed it to her father who convinced her to get out of this relationship as Sohanswammy is not a trustworthy person. He made her to trust and migrated her to another Dental college situated in Dalhou, A Union Territory. When she stopped all her contacts with Sohanswammy, he filed petition in the same year for Restitution of Conjugal Rights under Hindu Marriage Act, 1955 in Family Court of Dirupa, Madapa, Republic of Trampet while thinking that his conversion to Islam is not mandated by law and thinks still itself as Hindu.

Mumtaz alias Mamta had also challenged petition by stating that the so-called validity of the Hindu marriage is not at all valid as per mandate law since his conversion to Hindu is not valid and also challenge the validity of petition filed in Family Court as he is a Muslim and She takes the defence against Restitution of Conjugal Rights and claimed proper dower from her husband

mandated by law. Sohanswammy countered that he is a Hindu since his reconversion is not valid. Moreover he also countered that in case the Hindu marriage is not valid, the Muslim marriage is valid one and he is not liable to pay proper dower to her wife. Mumtaz again contended that even that Hindu marriage was not valid as a Muslim woman cannot marry a non – Muslim. Thus creating, dichotomy when Sohanswammy accepted that his conversion was not valid, as done for the purpose of getting admission in Dental College, thereby validating the Muslim marriage.

Issues

1. *Whether the conversion of Mumtaz to Hindu Religion is valid under law or not?*
2. *Whether the conversion of Sohanswammy is valid or not as per the law mandated?*
3. *Whether their marriage is valid under the Hindu law or in Muslim Law or not?*
4. *Whether Restitution of Conjugal Rights can be granted to Sohanswammy and dower to Mumtaz, if yes then under which laws?*

NOTE/DISCLAIMER

- a) All the laws of Republic of Trampet are in Pari materials with the laws of India
- b) The facts, incidents, circumstances or situations of the aforesaid memorial problem for the 5th Intra Moot Court Competition, 2025 are purely based on fictional and do not intent or attempt to resemble any incident, authority or person living or dead. Any similarity or resemble to any incident, person or authority of this moot problem (if any) with any incident/factual situation/or any person living or death is not intended but purely coincidental.
