

NOVICES MOOT COURT COMPETITION 2018, ORGANISED BY  
ARMY INSTITUTE OF LAW MOOT COURT SOCIETY



**NOVICE MOOT COURT COMPETITION- 2018**  
**27 to 30th August 2018**  
**Army Institute of Law, Mohali**

**I. ABOUT NOVICES**

Army Institute of Law, Mohali, will be hosting a Novice-2018 from **27 to 30th August 2018**. **Novice Moot Court Competition** is an annual event in which the students who join the course of B.A.LL.B. are introduced to the activity of mooting. Moot is the mock activity on how the legal proceedings take place in the courts.

Novice is a beginner's guide for the First year's students to make them learn formal legal writing and drafting, to develop good and effective oratory skills and to work as a team in coordination with each other.

**II. DATE SCHEDULE**

<b>Date</b>	<b>Event</b>
<b>27-28<sup>th</sup> August 2018</b>	<b>Preliminary Rounds</b>
<b>29<sup>th</sup> August 2018</b>	<b>Quarters and Semi-Finals</b>
<b>30<sup>th</sup> August 2018</b>	<b>Final Round</b>

### III. MOOT PROPOSITION

1. Dr. Mansher Singh, a resident of Mohali, was a very intelligent and hardworking person. He belonged to a middle class family. He was a Junior Resident in AIIMS, New Delhi. He liked Sunidhi, who was also resident of Mohali. She was extremely beautiful but was just a matriculate. Dr. Mansher Singh married Sunidhi in February, 2012 according to Sikh rites.
2. Being at AIIMS, due to heavy patient intake, Dr. Mansher Singh had long working hours. He occasionally came to meet Sunidhi and also seldom attended to her calls.
3. In the matrimonial home there lived a distant cousin of Mansher named Balveer, who worked in a Pharma Company in Baddi. Balveer and Sunidhi became friends and used to spend long hours together once Balveer was back from office.
4. In the meantime, Dr. Mansher got fellowship for super specialisation at Mumbai, and he left for his post doctoral studies. Sunidhi insisted on going with him, but he refused to take her stating that his parents were alone at home.
5. Sunidhi left the matrimonial house in August 2013 and filed a petition for restitution of conjugal rights. The Court allowed the petition of Sunidhi and ordered Dr. Mansher to take her along to Mumbai.
6. After arranging for a reasonable accommodation, Dr. Mansher took his parents and Sunidhi to Mumbai in December 2013. Sunidhi used to talk on mobile with Balveer.
7. After approximately a year, Sunidhi and Mansher were blessed with a baby girl. The child was majorly taken care of by the grandmother. Sunidhi was not taking good care of the child and she was mostly on the phone. After celebrating her first birthday, Sunidhi alongwith the baby came back to Punjab without informing Dr. Mansher and her in laws.
8. When Dr. Mansher called her, she did not attend to his call, rather she send a SMS sharing her bank details asking him for transferring a sum of Rs. 20000/- monthly for the daughter's care and maintenance. Dr. Mansher leaving his very important assignment in between came to Mohali, Punjab to get her back. Heated arguments turned into a quarrel between the two but no solution was worked out.
9. Initially for three months, Dr. Mansher sent Rs. 10000/- in Sunidhi's bank account but thereafter stopped.
10. In August 2018, when Dr. Mansher came to attend a Conference at PGI, Chandigarh, he went to meet Sunidhi and his daughter. He was very happy to see his daughter who was almost 3.5years now. The child was with the maid who looked to be very untidy. He tried to mix with the child but the baby did not. When Sunidhi returned home with Balveer, seeing this Mansher felt very disturbed and he immediately asked for his child's custody to which Sunidhi bluntly refused.
11. Thereafter, within a week, Dr. Mansher filed a petition for divorce and for custody of the child.

Argue from both sides.

#### **IV. RULES & REGULATIONS**

##### **1. TEAM PRE-REQUISITES:**

- 1.1. The language for the Competition shall be English
- 1.2. The team shall comprise of only two Speakers per team. The students are free to pair up inter-sections.
- 1.3. In the event of odd number of students- team comprising of one person, he/she will be representing both the speakers and hence, will adhere to the requisite stipulated time limit of two speakers.

##### **2. DRESS CODE:**

The dress code for the oral rounds shall be advocate's attire, i.e. Black and White combination including Blazer and Formal Shoes. The participants are requested to dress up in Western Formals for the other events taking place during the competition.

##### **3. MEMORIALS**

The following requirements for memorials must be strictly followed. Non-conformities will be penalized.

- A. Each team must prepare memorials for both parties to the dispute and submit the soft copy of the same through email- novicesail@gmail.com.
- B. Once the memorials have been submitted, no revision, supplements or additions will be allowed. The Cover page of the memorials for the Plaintiffs should be in BLUE and Defendants should be in RED.
- C. All participating teams shall submit soft copy of one set of written memorials (Plaintiffs and Defendants) to the organizers on or before 20th August 2018.
- D. Late submissions will result in 1 point penalty per team per day.
- E. Only the teams that qualify for quarter finals will have to submit the hard copies of the memorials.

##### **FORMAT OF MEMORIALS**

- A. The memorials shall conform to the standards mentioned above.
- B. The font and size of the text used in all parts of the written submissions (except the covers) shall be in Times New Roman, 12-point and footnotes shall be in Times New Roman, size 10.
- C. The text in all parts of each written submission shall have 1.5-line spacing except the text of footnotes and headings which shall be single spaced.

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- D. The comprehensive arguments with appropriate citations shall be contained in the Pleadings. The teams shall follow the 19th Edition of the Bluebook mode of citation. The Pleadings shall not exceed 15 pages.
- C. The memorials have to be typed in A4 size paper printed on one side and must contain:
  - I. Cover Page
  - II. Table of Contents
  - III. Index of Authorities
  - IV. Statement of Jurisdiction
  - V. Statement of Facts (Argumentative statement of facts would attract penalties)
  - VI. Questions of Law
  - VII. Summary of Arguments
  - VIII. Arguments Advanced Prayer Appendix (Optional)
  - IX. Exhibits (Optional)

The cover page of the memorials must state the following:

- I. The Case Title
- II. Identity of brief as Plaintiff or Defendant.
- III. The identity of the members shall not be revealed anywhere in the memorial.

**MARKING CRITERIA FOR MEMORIALS**

- 1. Knowledge of facts and law (20)
- 2. Proper and articulate analysis (20)
- 3. Extent and use of research (20)
- 4. Clarity and Organization (20)
- 5. Citation of sources (10)
- 6. Grammar and Style (10)

Memorials must have a one-inch margin on all sides of each page.

#### **4. ROUNDS**

There will be a total of two Preliminary rounds of arguments, one Quarter Final Round; one Semi-Final Round and consequently one Final Round.

##### **A. PRELIMINARY ROUND**

- a. Exchange of memorials and Draw of Lots will be held on 26th August 2018 and the teams are requested to report to the Seminar Hall at 1400 Hrs.
- b. There will be two preliminary rounds of argument per team, once as Plaintiff and other as Defendant.
- c. Teams shall email their memorial to the opponent team after the conclusion of draw of lots.
- d. Preliminary rounds will be held on 27th August and 28th August 2018
- e. Top eight teams will qualify for the quarterfinal rounds. The qualification to the quarterfinals will be based on: Win Points (2 wins)  
  
In case of a tie, teams with the highest aggregate of scores in the Preliminary rounds (inclusive of memorial marks) shall be considered to be the winners.
- f. The Best Advocate will be decided on the basis of the scores of the Preliminary rounds only.

##### **B. QUARTER FINAL AND SEMI FINAL ROUNDS**

- a. The Quarter Final and Semi Final Rounds would take place on 29th August 2018.
- b. Qualification to the next round will be based on win points. In case of a tie in the quarter rounds, teams scoring the highest point will move into the Semi-Final Rounds.
- c. The teams will be provided their opponent's memorial after declaration of results and the draw of lots for the next round.

##### **C. FINAL ROUND**

Finals will be held on **30th August 2018**

#### **5. TIME AND MARKING SCHEME FOR ORAL ROUNDS**

##### **A. PRELIMINARY ROUNDS AND QUARTER FINAL ROUNDS**

- a. Each team will get a total of 20 minutes to present their case.
- b. Each speaker should speak for a minimum of 10 minutes.

## **B. SEMI FINAL AND FINAL ROUNDS**

- a. Each team will get a total of 30 minutes to present their case.
- b. A speaker shall not use more than 20 minutes of the total time.
- c. This will be a knockout round.

## **C. MAXIMUM TIME PROVIDED**

The maximum time provided would include the time that each team may want to reserve for their rebuttal/sur-rebuttal. At the commencement of each session the team shall notify the Court Officer as to the division of time between the 2 speakers (including rebuttal/sur-rebuttal).

## **E. MARKING CRITERIA FOR THE ORAL PRESENTATIONS**

1. Knowledge of Law (30)
2. Application of Law to Facts (25)
3. Ingenuity and Ability to Answer Questions (30)
4. Style, Poise, Courtesy and Demeanour (10)
5. Time Management and Organization (5)

## **6. SCOUTING**

- a. Teams will not be allowed to observe the orals 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.
- b. Any team can file a written complaint with the Administrator, regarding a case of scouting. The decision of the Administrator will be final.
- c. The other team member shall sit with the speaker at the time of the orals and shall not attend the court sessions of any other team participating in the competition.

## **7. MISCELLANEOUS**

### **AWARDS**

1. Best Team
2. Runners Up Team
3. Best Student Advocate
4. Best Memorial

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**GENERAL ETIQUETTE**

- a. The participants are expected to behave in a dignified manner and not to cause any unnecessary inconvenience to the organisers. Deference to the Judges of the Moot Court Competition is expected to be maintained within and outside the Court Hall.
- b. The Organizers reserve the right to take appropriate action for any unethical, unprofessional and immoral conduct.

**DELAYS IN APPEARANCE/PRESENTATION**

- a. If a team scheduled to take part in a round does not appear within 10 minutes of the scheduled time, the other team shall be allowed to submit ex-parte.
- b. The criteria of rebuttals shall not be considered in such cases for evaluation in place of which an average for the same would be given on the basis of the marks scored by such team on other criteria.

**INTERPRETATION OF THE RULES**

- a. The Organizer's decision as regards the interpretation of rules or any other matter related to the competition will be final.
- b. If there is any situation, which is not contemplated in the rules, the Organizer's decision on the same shall be final.
- c. 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 anytime
- d. Any dispute arising in the moot court rooms during the rounds would be at the discretion of the presiding officer of the respective court room.
- e. In any kind of dispute, the decision of the Moot Court Society would be final.

Do well all you do

MOOTING IS AN ART