

**4<sup>th</sup> SURANA & SURANA AND ARMY INSTITUTE OF LAW  
NATIONAL FAMILY LAW MOOT COURT COMPETITION 2023**

**30<sup>th</sup> March – 1<sup>st</sup> April 2023**

**RULES**

**MOOT**  
Joint Organizer

Host & Joint Organizer



Surana & Surana  
International Attorneys

Army Institute of Law  
Mohali

**Venue**  
**Virtual ( Online)**

**Army Institute of Law,  
Sector 68. Mohali,  
Punjab, India-160062**  
Email: [ailsurana2023@gmail.com](mailto:ailsurana2023@gmail.com)

## RULES AND REGULATIONS

### I. AIM & PURPOSE

The Surana & Surana and Army Institute of Law National Family Law Moot Court Competition has been conceived with the aim to

- i Create awareness on Family Law in a systematic / scientific manner and train participants for effective practice
- ii Facilitate the evolution of Family Law through the jurisprudential analysis of the existing law and consequential emergence of new laws besides developing cutting edge skills in research, writing and advocacy.

### II. VENUE AND DATE

The 4<sup>th</sup> Surana & Surana and Army Institute of Law National Family Law Moot Court Competition shall be held from 30<sup>th</sup> March – 1<sup>st</sup> April 2023 virtually (Online).

**The competition shall be in the English language.**

### IV. ELIGIBILITY

The competition is open for students who are pursuing LLB three year / five year course during the current academic year.

### V. TEAM COMPOSITION

- a. Each team should consist of a minimum of 2 and maximum of 3 members. This number cannot be modified under any circumstances.
- b. There shall be 2 speakers and 1 researcher designated for each team. The researcher shall be allowed to argue with prior permission of the court and National Administrator in case of illness of the designated speakers.
- c. Each team will **be provided a team code** prior to the submission of memorials via e-mail. This team code is only for the memorials. Teams should not disclose the identity of their institution in their memorials; such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the National Administrator.

## VI. REGISTRATION

- a. Online registrations are open from **10<sup>th</sup> February, 2023**. The teams must register online by **10<sup>th</sup> March 2023**. Teams will have to register online at [www.moot.in](http://www.moot.in).
- b. No temporary registration requests will be entertained. Kindly refrain from sending such requests to Surana & Surana or Army Institute of Law (AIL).
- c. Participants will receive an automated system generated acknowledgement on successful submission of registration. Participants will receive an approval as acceptance of their request for participation by **11<sup>th</sup> March 2023** or earlier.

### d. *Registration Process*

**Option 1** - The Registration form cum Approval letter as provided in the rules duly signed & sealed by your university / college / moot society.

**Option 2** - Upload both (i) & (ii) together **as a single PDF**

- (i) The Registration form cum Approval letter (without seal & signature) as provided in the rules duly filled along with
- (ii) Scanned copy of authorisation letter with sign and seal from your university / college / moot society

**or**

An email communication from the official id ( to be filled as notification email id during online registration process) of the institution, from your university / college / moot society to complete the registration process.

### **Note :**

1. Signatories on the registration form should be any of the following :- Faculty-in-charge of MCA / MCS / MCC, Registrar, Dean, Principal, Director, Chancellor or Vice-Chancellor
  2. Registration without the scanned copy of the approval letter / an email communication from the college/institution/university or duly attested registration form will not be valid.
- e. Soft copy of the registration and approval letter/ an email communication as a **single**

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PDF to be sent by email to : [ailsurana2023@gmail.com](mailto:ailsurana2023@gmail.com) marked as 4<sup>th</sup> SURANA & SURANA AND ARMY INSTITUTE OF LAW NATIONAL FAMILY LAW MOOT COURT COMPETITION REGISTRATION as subject of the mail latest by 11<sup>th</sup> March 2023. The provisional team code shall be allotted to the registered teams by Host University soon after receiving of registration particulars.

- f. On receiving the provisional team code from Moot Court Society of AIL you may proceed to pay the registration fees.
- g. A registration fee of Rs. 2500/- is to be paid online by 12<sup>th</sup> March, 2023 at: <https://www.onlinesbi.sbi/sbicollect/icollecthome.htm?corpID=593474>

Receipt of the online payment to be sent by email to: [ailsurana2023@gmail.com](mailto:ailsurana2023@gmail.com)

**Fee once paid will not be refunded.**

## VII. ORIENTATION

There will be an Orientation Program for all the participants on 30<sup>th</sup> March 2023. The top 16 teams based on memorial scores will be announced on the day of orientation. It will be followed by a draw of lots and exchange of memorials for the Preliminary Rounds. Competition team codes and side will be allotted during the orientation only.

## VIII. ROUNDS

### Preliminary Round

- a. There will be two preliminary rounds of arguments per team, once for applicant & another for respondent.
- b. No team will face each other more than once in the preliminary rounds.
- c. Each team will face a different two-judge bench in their second round of arguments.
- d. Preliminary rounds I, II will be held on 30<sup>th</sup> March, 2023 (Thursday).
- e. Top eight teams from the Preliminary Rounds will advance to the Quarter final rounds. Preliminary rounds will be decided on
- a. Win points

- b. Win points + Aggregate raw points
- c. Win points + Aggregate raw points (in case of tie minus memorial marks)

NB: Aggregate raw points = oral scores + memorial score.

Memorial marks will be added to the scores of the preliminary round only.

- f. The dress code shall be advocate's attire during the rounds of the competition.
- g. The oral arguments need not be confined to the issues presented in the memorials

**Quarterfinal / Semi Final Round / Final Round:**

Quarter finals and Semi Finals will be held on 31<sup>st</sup> March 2023 (Friday), followed by and Final on 1<sup>st</sup> April 2023 (Saturday)

Draw of lots/ Power match will decide the side of the arguments in Quarterfinals, Semifinals & Finals. The Quarterfinal / Semifinal are knockout rounds.

**Results (Announcement)**

Results will be announced within 30 minutes after the full completion of the respective preliminary/ quarter / semifinal rounds. The Final result and the winners of the various categories will be announced only during the valediction / prize distribution ceremony.

**IX. Memorials**

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

- a. Each team must prepare memorials for both parties to the dispute (Applicant and Respondent).
- b. The soft copy of the Memorials for the Applicant / and the respondent should be mailed to [ailsurana2023@gmail.com](mailto:ailsurana2023@gmail.com) with copy to [mootcourt@lawindia.com](mailto:mootcourt@lawindia.com) on or before **21<sup>st</sup> March 2023**. Late submission will be penalized by two point each per memorial per day. Once the soft copy of the memorials has been submitted, **no revisions, supplements, or additions will be allowed.**

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c. The memorials must contain:

- The table of contents
- The index of authorities
- The statement of jurisdiction
- The statement of facts (1 page only and argumentative statement of facts would attract penalties)
- The statement of issues
- The summary of arguments (not more than 1 page)
- The arguments advanced (not more than 15 pages)
- The prayer

d. The font size should be 12 (doubles space) and for footnotes it should be 10 (single space) & double space between two foot notes. Footnoting must conform to the Oxford University Standard for Citation of Legal Authorities (OSCOLA), 4th Edition.

e. The memorial must have a margin measuring one inch on all sides of each page

f. The page numbering should be on the top right side of each page.

g. Covers must be placed on briefs as follows:

**Petitioner : Light Blue Color; Respondent: Light Red Color.**

h. The cover page of the memorial must state the following :

i) Team code (on the top right corner)

ii) The cause title

iii) Identify brief as Applicants & Respondents as is applicable

i. Identity of the institution shall not be revealed anywhere in the memorial. Violation of this provision shall result in penalties including disqualification. The National Administrator's decision shall be final.

j. The teams may share a separate paper book (compendium) of not more than 50 pages, which will carry all the annexure and case laws that have been referred to in

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the memorial. The paper book will have a white cover. The teams may submit through screen sharing with judges or submitted during virtual registration before commencement of the Competition as advised by the organisers. Any identifying marks/seal of the college/university shall attract severe penalties including disqualification.

## **X. ORAL ROUND**

### **Preliminary Round & Quarter finals**

- a. Each team will get a total of 30 minutes to present their case.
- b. This time will include rebuttal and sur-rebuttal time (for Quarter finals).
- c. The division of time is at the discretion of the team members, subject to a minimum of 10 minutes per speaker. Division of time shall be informed to the court officer before arguments begin.
- d. The oral arguments need not be confined to the issues presented in the memorials.
- e. Passing of notes to the speakers by the researcher during the rounds is allowed.
- f. The researcher shall sit with the speakers at the time of the orals.

### **Semifinal & Final**

- a. Each team will get 40 minutes to present their case that will include rebuttal time
- b. The division of time is at the discretion of the team, with a minimum of 15 minutes per speaker.
- c. The oral arguments need not be confined to the issues presented in the memorials.

## **XI. Scouting**

Teams will not be allowed to observe the orals of any other teams. Scouting is strictly prohibited. Scouting by any of the team members shall result in disqualification.

## XII. Scoring

### A. Orals

The parameters for judging the oral presentation on a scale of 0 – 100 points are:

- a. Knowledge of facts
- b. Logic and reasoning
- c. Organisation and clarity
- d. Persuasiveness
- e. Deference to the court
- f. Proper and articulate analysis of the issues arising out of facts
- g. Understanding of the legal principles directly applicable to the issues
- h. Ability to explain clearly the legal principles in general keeping to the time allotted
- i. Knowledge and use of legal sources and authorities and general principles of national law
- j. Ingenuity (ability to argue by analogy from related aspects of law)

### B. Written Submissions (Memorials)

- . The memorials shall be marked on a scale of 1-100 points each.
- a. Any revisions, supplements or additions to the memorials after submission shall attract severe penalties subject to the discretion of the National Administrator.
- c. Award of the points shall be based on the following parameters:
  - a. Neatness, legibility, no typographical errors or format errors
  - b. Logical progression of ideas
  - c. Effective use of headings to outline arguments
  - d. Understanding essential legal issues presented
  - e. Focus on essential (not collateral) issues
  - f. Clear, concise and unambiguous writing style
  - g. Forceful and persuasive presentation
  - h. Integration of facts into legal argument



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- i. Understanding of strengths and weaknesses of case
- j. Discussion of viable alternative arguments
- k. Understanding and analysis of authority
- l. Proper use of citations and citation form
- m. Effective use of authority to support arguments
- n. Ability to distinguish adverse cases

### **XIII. AWARDS**

- |                            |             |
|----------------------------|-------------|
| i. Winning team:           | Rs. 24000/- |
| ii. Runner up team:        | Rs. 18000/- |
| iii. Best Memorial:        | Rs. 12000/- |
| iv. Best Student Advocate: | Rs. 10000/- |

In addition to the above awards, plaques and certificates will be given to other categories of winners. All participants will be awarded participation certificates.

### **XIV. ANONYMITY**

- a. Student counsel may introduce her/himself to the court in the usual manner and may also state her/his names. However, the team's college / institution affiliation may not be mentioned at any time before the Valedictory.
- b. Further, all team members, coaches, advisors, and observers shall refrain from identifying a team's school at any time and in any manner, including, but not limited to, wearing any identifying items, such as school clothing, ties, patches, or pins or carrying identifying material (such as a books with a college logo, or college seal).

### **XV. POLICY FOR VIRTUAL ROUNDS**

- a) The Oral Rounds for the competition will take place virtually via **Google Meet** platform.
- b) It would be the responsibility of every team to ensure a stable internet connection. The audio and video of every member of the team should be clear. Every team must ensure a proper background. The Moot Court Committee will under no circumstances be obligated to provide the participants with any such facility

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- c) All participants should mandatorily join with their laptops or desktops and in no circumstance join with any other device.
- d) **The link or the ID and password for the room on Google Meet will be conveyed to the participating teams before the oral rounds.**
- e) Each participating member of every team is advised to install the Cisco WebEx or Google Meet platform on their devices well in time.
- f) Each team is required to join the room at least fifteen minutes before the scheduled time of commencement of the oral rounds.
- g) The participants' camera and microphone shall be firmly positioned throughout the oral rounds so as to show speakers and to ensure their voices are clearly audible.
- h) All participants must keep their cameras on at all times during the rounds.
- i) At the time when one participant is speaking, others are expected to keep their microphones on mute. In case a participant is found disturbing the other pleader anyway, he/she or the entire team to which such participant belongs may be disqualified upon the discretion of the bench.
- j) Each participant is responsible for finding a suitable venue and background to participate. The venue must be a quiet location and one which has adequate and reliable internet connectivity and has a desk and chairs for the oralist. Locations in open spaces or hallways or cybercafes or similar areas are NOT permitted.
- k) Strict adherence to the dress code is required. The teams are required to be properly attired for the rounds. The participants are required to wear black trousers/skirts and a white shirt, black blazers, and a black necktie.
- l) Participants are cautioned to ensure that all equipment has a power supply sufficient to last for at least two hours without interruption.
- m) In case of a loss in internet connection, each team will be given a reasonable time to reconnect. If the problem still persists the decision made by the committee shall be final and binding.
- n) In the event where one or both of the speaker could not join due to connectivity issue, the team may be disqualified from the competition and at no circumstances can other member of the team be allowed to switch roles.
- o) Where a team does not appear within 10 minutes of the scheduled time for the round, the round shall proceed as ex-parte.

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- p) If a team wishes to refer to any compiled Research Material (Compendium) such material shall be mailed to [ailsurana2023@gmail.com](mailto:ailsurana2023@gmail.com) on **29<sup>th</sup> March 2023**.
- q) Any compiled Research Material (Compendium) or other supplementary documents may be, as per the discretion of the bench, presented by the team by using the “screen sharing” option given they have fulfilled the preceding sub-clause.
- r) Participants will not be allowed to use the feature of personal chat on Cisco WebEx or Google Meet to communicate with their team members or members of the opposing team.
- s) Teams shall not use phones, internet or any other devices during the rounds for anything, except participating in the rounds.
- t) Participants are expected to cooperate with the Committee and the judges, in case anyone faces any issue.
- u) The organizers shall take best available measures to resolve or mitigate any connectivity issues that may arise. However, in cases where that is not possible, the organizer cannot be held responsible for the unforeseen issues which includes (but are not limited to) – Software failure and connectivity issues.
- The decision of the Organizers in consultation with the judges shall be final and binding.

#### **XVI. DECISION OF THE JUDGES WILL BE FINAL**

#### **XVII. COPYRIGHT**

- a. The copyright over the memorials submitted for participation in the competition is assigned by participants and shall also vest completely and fully in, Army Institute of Law, Mohali and Surana & Surana International Attorneys, Chennai. The participants shall certify in writing the originality of materials contained therein and shall be responsible for any claim or dispute arising out of the further use and exhibition of these materials.
- b. Further use and exhibition of these materials, electronically or otherwise, shall be the exclusive right of Surana & Surana International Attorneys, Chennai and Army Institute of Law, Mohali, and they shall not be responsible for any liability to any

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person for any loss caused by errors or omissions in this collection of information, or for the accuracy, completeness, or adequacy of the information contained in these materials.

- c. Distribution of these materials in print or on affiliated websites such as [www.moot.in](http://www.moot.in) and other platforms by Surana & Surana does not constitute consent to any use of this material for commercial redistribution either via the Internet or using some other form of hypertext distribution. Links to the collection or individual pages in it are welcome.

## **XVIII. ORGANISING TEAM**

**Prof. (Dr.) Tejinder Kaur, Principal, AIL, Mohali, will be the National Administrator.**

**Any clarifications for the competition can be sought from:**

Regarding Case / Submission of Memorials / etc.

### **Faculty coordinators-**

**Dr. Bajirao Rajwade**

Bajirao.rajwade@ail.ac.in

**Dr. Anmolpreet Kaur**

anmolpreet.kaur@ail.ac.in

### **Regarding online registration:**

**Preetam Surana**

Advocate & Head, Academic Initiatives  
Head(Admin) , Litigation & Arbitration Practice  
Surana & Surana International Attorneys

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### **Student coordinators**

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National Family Law Moot Court Competition, 2023**



**30<sup>th</sup> March – 1<sup>st</sup> April 2023**

**IMPORTANT DATES**

<b>Start of Online Registration</b>	<b>10<sup>th</sup> February, 2023</b>
<b>Last date for Online Registration</b>	<b>10<sup>th</sup> March, 2023</b>
<b>Last date for receiving copies of Reg. Form/Approval letter by AIL</b>	<b>11<sup>th</sup> March 2023</b>
<b>Payment of registration fees</b>	<b>12<sup>th</sup> March 2023</b>
<b>Last Date for Submission of Memorials (both petitioner and respondent) Soft Copy by email with temporary team code</b>	<b>21<sup>st</sup> March 2023</b>
<b>Orientation, Draw of Lots, Exchange of Memorial and Prelims I &amp; II</b>	<b>30<sup>th</sup> March 2023</b>
<b>Quarterfinals &amp; Semifinals</b>	<b>31<sup>st</sup> March 2023</b>
<b>Finals and Vaedictory</b>	<b>1<sup>st</sup> April 2023</b>

**YEARS**

**30<sup>th</sup> March – 1<sup>st</sup> April 2023**

Date:

**Registration form/ Approval letter**

(Please fill in capital letters)

**Undertaking**

1. We hereby state that our participation complies with the rules and regulations of the competition.
2. We certify that the materials submitted/to be submitted are prepared by us and agree to indemnify the organizers, i.e. the Surana & Surana International Attorneys, Chennai and the Army Institute of Law, Mohali for any claim or dispute arising out of the further use and exhibition of these materials.

(All particulars must be given)

**Name & Address of the participating Institution:**

Name of the Participant	Gender	Course	Year	Signature
Primary Email id and Contact number				

Seal & signature of the  
Head of the Institution

Duly filled, sealed & signed soft copy of the Registration form should be sent by E-mail: [ailsurana2023@gmail.com](mailto:ailsurana2023@gmail.com) by **11<sup>th</sup> March 2023**. The subject of the email must be “4<sup>th</sup> SURANA & SURANA AND ARMY INSTITUTE OF LAW NATIONAL FAMILY LAW MOOT REGISTRATION”



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1. Fatima, Anil, and Raza joined an Engineering course at a college in Chandigarh in 2014. They were of the same batch. Anil and Fatima were in Computer Science class while Raza was in Mechanical engineering. Raza was a childhood friend of Fatima, they both came from a small village in Ropar, Punjab. Anil came from Manimajra (Chandigarh). All were hostellers as the policy of the mandatory boarding for students. Anil and Fatima very quickly developed a fondness for each other. Coming from very different backgrounds, Anil belonged to an affluent Hindu family. Fatima, on the other hand belonged to a lower middle class Muslim family.
2. Coming from a lower middle-class family, Fatima wanted to do well in her career. She was very hardworking and focused. Anil wanted to pursue his dream of clearing the Civil Services exam after fulfilling his degree. Both Fatima and Anil bonded over their shared ambitions and had big goals in life.
3. Eventually, friendship led to a mutual liking for each other. Realising their different backgrounds and the bleak possibility of their families accepting their relationship, they decided to try all means to convince their families for the relationship. Coming from different religions, they tried to find a common ground by adapting to each other's culture. Fatima always had doubts about this relationship as her family was very conservative and deeply religious. Confused on whether she should end her relationship with Anil, Fatima consulted Raza, to which he said that no one will accept this match since he does not belong to their religion and community.
4. In order to make Fatima more acceptable to his parents, Anil would often bring Fatima along with him to the temple and would also include her in various Hindu festivities. In May 2017, Anil introduced Fatima to his sister and conveyed to her their intention to marry. Anil's sister was initially opposed to the idea, particularly due to Fatima's religion and background, but with Anil's persistence, eventually she agreed to the match. She would often meet Fatima after that and after a point of time, she started referring to her as Aarti. Fatima ignored and did not say anything, hoping that this would enable her to win Anil's sister's heart. When Fatima met Anil's parents in August 2017, she was introduced as Aarti. Fatima did not like it but she remained quiet.
5. In December, 2018 Anil decided to meet Fatima's parents with the intention of asking her hand in marriage. As expected, Fatima's family did not take the news very well and their primary concern was that accepting the match would mean that Fatima would have to give up on her family, culture, and religion. Further, they were concerned that Anil did not have a stable career and he had no plans of taking any job until he qualified the





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Civil Service exams. To convince Fatima’s parents, he assured them that Fatima would not have to convert or give up on her religion to marry him. However, Fatima’s family refused vehemently and decided to marry Fatima off to someone else. They even threatened Anil to stay away from their daughter and taunted him by saying “If you were from our religion, we could have considered”

6. Anil and Fatima decided not to meet but it was not easy for both. They continued to pursue their respective degrees and gave their final exams in May, 2019. After it, Fatima joined a job in Ropar and Anil planned to prepare for his coaching for Civil Services and stayed in a PG near his Coaching institute. On 20<sup>th</sup> Dec, 2020, Fatima came to Chandigarh for an interview, Anil and Fatima met after months of separation, shared their feelings that it was difficult to stay apart and decided to elope and get married fearing that they would never get the approval from each other’s families. Anil tried to make Fatima understand that her parents would never agree to this union so they would have to elope. But Fatima was not convinced with the idea to elope. She kept trying to convince her parents.
7. Meanwhile Fatima moved to Chandigarh to take a new job with a reputed US MNC. She did so in-anticipation to move abroad as she always wanted to go to US for settling as she believed that there are better opportunities abroad. Fatima was staying in a rented Paying guest accommodation in Chandigarh. Within a month of moving to Chandigarh, she reconnected with Anil, who was in Chandigarh for his coaching. After a while, Anil and Fatima decided to rent an accommodation together as they wanted to give their relationship another chance. When they told their friends that they were planning to stay together, most of them were apprehensive but they would justify themselves by claiming that it was also economical for them and by doing so, Fatima would be helping Anil as he did not have a source of income at this point. During lockdown, Fatima and Anil continued to stay together instead of going back to their respective homes. After few months of staying together under one roof, they decided to go ahead with their plan to get married on 23<sup>rd</sup> August, 2020. Fatima wanted her family to take her family’s blessings and wanted to perform a nikah, but considering the situation, both decided that getting married in a Hindu temple would be the most convenient option.
8. Fearing persecution from both families, they decided to undergo a quiet and simple marriage ceremony in a temple in Chandigarh. The ceremony involved exchange of garlands, application of vermilion and ceremony solemnized by a priest on 23 August 2020. There were no friends or family present during the ceremony. The marriage was not registered. Immediately after the ceremony, Anil took a selfie with Fatima and





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uploaded on his Facebook account with the status- “*Finally Together*”. That night Fatima also changed her FB relationship from “Single” To “*Its Complicated*”. When Fatima’s parents got to know that she has been residing with Anil, they expressed their disappointment and compelled her to quit her job and come home, Fatima did not take this well and got into a fight with her family. Anil’s parents had a similar reaction.

9. After this the couple continued to live in their shared accommodation. Both Fatima and Anil maintained no contact with their respective families during this time period. Fatima decided to continue her job in order to run the house while Anil would pursue his dream of qualifying for Civil Services. The job was lucrative and it allowed Anil to focus on his exam preparation for the time being while Fatima took care of household expenses. The burden of managing the expenses alone bothered Fatima which led to fights between the two. The couple however agreed that Anil would eventually clear his exam or else he would start working within two years.
10. Because of the stressful atmosphere, Fatima felt very disturbed. She felt overburdened with her responsibilities at home and felt that she was not getting enough support from Anil. Fatima would often confide to her friends that she was missing her family and she wanted them to give her their blessings so that they could finally have a proper wedding/nikah. To get some relief and mental peace, she started going to the mosque as she felt happy going there. She started communicating with Raza to vent out and would call him whenever she was concerned about her family. Raza had come to Chandigarh on 27<sup>th</sup>, September 2021, for two months for some Immigration Expo and Study Awareness Camps in various institutions in and around Chandigarh. Raza had moved to the US right after his degree and he would frequently visit India for his immigration work. Fatima never disclosed Raza about her relationship status with Anil.
11. On Raza’s persistence, Fatima tried to reconnect with her family and would often meet her parents. Raza used to always accompany Fatima’s parents when she visited them. Fatima’s family always wanted Fatima to get married to Raza as Raza belonged to the same religion and was well settled in the US. Raza was running his Immigration business and had a good clientele. She would visit them during festivals and went to mosque with them, observing all religious customs. Fatima would often complain to her family about the problems that she was facing at her job but never told them about Anil.
12. Raza also liked the company of Fatima a lot and got close to her. Raza always had a soft spot for her. They spent a lot of time together. She started meeting Raza more



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frequently, visited his hotel several times, sharing close moments with him. Raza was very well settled and she liked his lifestyle and was very impressed with his status. Raza proposed her for marriage and for moving to US, but Fatima did not reply anything. In November, 2021, Raza returned to US, thereafter Raza and Fatima used to spend long hours on phone and exchanged several WhatsApp messages.

13. Anil was noticing a change in Fatima's behaviour, but he kept quiet as he was unaware about Raza. But soon this incident came to Anil's knowledge, he blamed Fatima for it and claimed that she was blowing things out of proportion. Fatima felt that Anil was not willing to understand her. The argument escalated into a fight between the two and resulted in Fatima leaving the house. She went to her parent's home situated in a village in Ropar and decided to stay there.
14. In first week of December 2021, Fatima discovered that she is expecting a child. She moved back with Anil, telling her family that she had to resume work. On knowing this, Anil, who was not on talking terms with his family, now planned to share this news with his parents. For the sake of Anil's child, the family visited Fatima and Anil at their home and organised a pooja for the well-being of the child where both Fatima and Anil were present. On this occasion, Fatima went through all the Hindu rites and rituals that Anil's family made her do primarily for the sake of her child. Again, she was introduced as Aarti to all the relatives.
15. Subsequently, Anil tried to improve things with his family as they were willing to accept Fatima for their grandchild's sake. Anil wanted to shift with his parents for the well-being of their child. However, Fatima was reluctant to make the move as she feared that this would be a hinderance to her independence. This led to a huge fight between the two and They eventually decided that they would go and stay with Anil's family until the child is born. Fatima was unhappy but still moved into Anil's family home on 15<sup>th</sup> December, 2022.
16. On several occasions, Anil's mother would take Fatima to the temple with her and she would also participate in religious ceremonies at home. Everybody in the family started calling her 'Aarti'. Fatima would often be annoyed and fight with Anil over this issue. Fatima tried to convince Anil to start working so that he could support the family and they could live independently, but Anil would deny the same so that he could prepare for his exam. This caused further rift between the couple. All this really bothered Fatima and she would feel guilty about lying to her family. She felt stuck in Anil's home and wanted to escape. She tried to convince Anil to move back to Chandigarh but he paid



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no heed. This led to another fight between the two. As Fatima's pregnancy was of few weeks, so there was no change in her appearance, she left for her parents' house on January 10<sup>th</sup>, 2022. Anil tried calling Fatima but she did not reply

15. Fatima's parents who always wanted her to be with Raza, contacted Raza and Raza made necessary arrangements for Fatima's visit to US. Fatima left India on 14<sup>th</sup> Feb, 2022. Fatima revealed her pregnancy to Raza. Raza did not ask anything and proposed her for marriage. Fatima wilfully agreed.
16. Here in India, Anil got no reply to his messages and calls from Fatima. Then he went to Fatima's hometown to meet her. Fatima's brother misbehaved with Anil and shunned him out of their house.
17. During this time, Fatima had no conversation with Anil or his family, she also changed her number. Anil then gave up trying Fatima's number, as his exams were approaching. He did not try to visit her parents to know the wellbeing of Fatima. He finally cleared his mains and started with his interview preparations for Civil Services.
18. Fatima did not call Anil at all. During the entire period of her pregnancy, Fatima was well taken care of by Raza. On August 5<sup>th</sup>, 2022, Fatima was blessed with a baby boy. They both were very happy. To take medical benefits, Fatima got the name of the parents in the hospital records entered as *Father-Raza Ahmed and Mother- Begum Fatima*.
19. In October, 2022, Fatima visited India along with Raza and the child for a family wedding. Anil got to know about it from one of the relatives of Fatima. He reached out to her but Fatima refused to meet her. She said that she was happily married to Raza. Anil got argumentative and claimed his child back, to which Fatima denied his paternity and warned him to stay away from her child.
20. On this, Anil has now reached the District Court, Chandigarh asking for restitution of conjugal rights and for a Paternity Test. In his plaint, he also pleads that in case restitution is not granted, then custody of child be given to him. Fatima, on the other hand, denies the existence of marriage and custody of the child.



**4<sup>th</sup> SURANA & SURANA AND  
ARMY INSTITUTE OF LAW  
NATIONAL FAMILY LAW MOOT  
COURT COMPETITION 2022-23**



**Issues:**

1. Whether the present suit is maintainable in the District Court Chandigarh?
2. Whether the marriage between Anil and Fatima is valid?
3. Whether Anil is entitled for a decree of Restitution of Conjugal Rights?
4. Whether the application for paternity test is justified?
5. Any other issue- Teams are free to frame any other relevant issue to the said moot proposition.

MOOT



YEARS