

MOOT PROBLEM

Mr. Rux is a 38 year old struggling theatre artist who got married to Ms. Rupali, a 23 year old world renowned actress in a public ceremony on 12.01.2015. For the next few months the marriage of Ms. Rupali was the talk of the entire nation. Social media was flooded with the pictures and posts about the couple. Newspaper articles and various electronic media houses wrote articles suggesting that Ms. Rupali “deserved better” than to get married to an old struggling theatre artist such as Mr. Rux. Ms. Rupali took to social media including Facebook and Twitter to claim that she had found “true love” with Mr. Rux and requested her fans to support her in her “quest for ultimate happiness”, she also stated that she is taking a “two year sabbatical from work to enjoy married life”. Thereafter she was seen in almost all high profile events with her husband. Ms. Rupali shared various pics of the couple and celebrated every “milestone” of their relationship with her fans on social media. Mr. Rux also shared pictures of the couple on his social media accounts.

After 6 months the posts by the husband and wife gradually reduced with Ms. Rupali using twitter exclusively to post lyrics from old Bollywood songs seemingly suggesting that she was unhappy. The couple earlier seen together at almost every high profile event were not making any public appearances any more. On 10.10.2016, Ms. Rupali attended a party thrown by a leading actor Mr. Ren and various photos of her were posted online. She appeared to be drunk and looked unwell. The photos went viral and social media responded with speculation that the superstar was unhappy with her marriage. Support started flowing in for Ms. Rupali with people accusing and abusing Mr. Rux. Neither party responded to calls for comments by the media houses neither was any social media updates posted by either of them.

On 21.10.2016, at 11:00 am when the story about Ms. Rupali’s drunk photos was no longer the top news, Ms. Rupali posted on twitter “Rupali needs a real man”. After 15 minutes at 11:15 am she posted another tweet “Divorcing my GAY husband” and at 11:30 she posted another tweet “Disgusted to catch my husband with another man in



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my marital bed.” Social media went into a tizzy and by 1:00pm all three of the posts had more than 1 million retweets. Mr. Rux posted on twitter and Facebook at 2:00 pm, “Divorcing Ms. Rupali. Request Ms. Rupali to remain dignified. Request the media to respect my privacy”. These posts also went viral, however the media continued to speculate on the divorce. On 24.10.2017, at 5:00pm an electronic media house MMR Publications, published an Article titled “THE DISGUSTING SECRET LIFE OF RUX”, the article alleged that Mr. Rux is Gay and has had homosexual relationships with many artists in the theatre industry both before and after his marriage. The article went on to condemn homosexuality as both a sin against god as well as a crime against state. The author of the article went to the extent of saying that “Rux is gay, he is a disgusting and despicable and deserves to die for his sins”. The article also had a photo of Mr. Rux with an unknown man in a compromising position. Following the publication of this Article, on 25.10.2017 at 11:00 am Mr. Rux was attacked by a group of unknown men and suffered various minor injuries. Mr. Rux was also fired from his theatre troop.

On 25.10.2017 at 2:00pm Mr. Rux filed an FIR against unknown persons about the incident. Mr. Rux also filed a defamation suit for Rs.1 crore against Ms. Rupali and MMR Publications, on 26.10.2017. An FIR was also registered against Mr. Rux by a Mr. Rancho, under Section 377 of IPC on 25.10.2017.

Fearing his arrest Mr. Rux approached the Hon’ble Supreme for anticipatory bail. He also filed a writ petition challenging the constitutional validity of Section 377 IPC as it is violative of Article 14, 19 and 21.

Ms. Rupali also filed a petition challenging Section 497 IPC and stated that it is violative of Article 14 as it doesn’t prosecute Homosexual Adultery.

The Hon’ble Supreme Court decided to hear both the petitions together as they pertain to homosexuality.



MOOT COURT SOCIETY
UNIVERSITY SCHOOL OF LAW AND LEGAL STUDIES
GRAND INTRA MOOT COURT COMPETITION, 2018

RULES

The Moot Court Society at the University School of Law and Legal Studies, GGSIPU with the objective of developing the skills of written and oral advocacy in law students, striving to give students exposure to court room procedure and practice, and to ensure that the best teams represent University School of Law and Legal Studies at National and International competitions, hereby adopts the following rules of procedure for selection of teams to represent the college for the academic year 2018-2019, through the Grand Intra Moot Court Competition 2018.

1. ORGANISATION OF THE COMPETITION

The Competition is presented by the Moot Court Society of University School of Law and Legal Studies. The Competition is organized and administered by the Selection Committee of the Moot Court Society.

The Selection Committee shall consist of **Five (5)** students nominated by the Dean in consultation with the faculty in charge of the Moot Court Society.

All selections for the moot court competitions during the academic year 2018-2019 will be based on the Grand Intra Moot Court Competition 2018 conducted on 19.08.2018.

The Teams declared qualified in the Grand Intra Moot Court Competition, 2018 shall be eligible to participate in one International and two National Moot Court Competitions in the academic year only. The team composition adopted in Grand Intra Moot Court Competition, 2018 shall remain frozen for the entire year. No changes in the same shall be permitted for any reason. In case of International Moot Court Competition the team allocated such Moot Court will be eligible to opt for extra members from the teams in the pool.

A competition shall be considered an International Moot Court Competition if any of the rounds shall be conducted in a foreign country or if international teams are eligible to participate in the same irrespective of the nature of the moot proposition.

Competition will be comprising of two rounds namely **Qualification** and **Ranking** rounds.

Teams are required to prepare memorials from the side allotted to them by the Moot Court Society at the time of registration.

Every member of the team will have to compulsorily take the researchers test. The overall score of the team will be determined on the basis of the sum of the scores of both

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the oralist, memorial score and the score of each member of the team in the researchers test.

Merit List shall be prepared according to the total scores obtained by each team in the final round. In case two teams have the same score, the tie shall be broken by the team having the higher sum of scores of the oralists. In case the tie persists, the team having the highest individual oralist score shall be ranked higher. In case the tie still persists, the team having the higher overall score in the researchers test shall be ranked higher.

Information regarding the enlisted moots shall be sent via email to all the rank holding teams, by the MCS in due course of time.

Once an invite/information is sent via email to all the rank holding teams they will be obliged to check their emails and revert with their consent/dissent within 48 hours.

In case of multiple claimants the higher ranking team shall be granted the moot. Once a team has accepted a particular moot they can only go to that specific moot and if upon a later date they decline to go for the same for any reason whatsoever, a penalty will be imposed under which they will be ranked as the last qualifying team.

In the event an invitation is received after all qualifying teams have already been exhausted from the Grand Intra Moot Court Competition 2018 another Intra Moot Court Competition may be planned and administered.

2. PARTICIPATION AND ELIGIBILITY

The competitions are open to all students of University School of Law and Legal Studies.

Students desirous of participating in the Grand Intra Moot Court Competition must form teams comprising of Two (2) speakers and one (1) researcher and register their teams for the Grand Intra Moot Court Competition 2018. Under no circumstance a team will be allowed to change their composition.

The teams desirous of participating in the Grand Intra Moot Court Competition 2018 shall send their registration to the Moot Court Society at usllsintramoot2018@gmail.com latest by 20th July, 2018, 11:59 PM IST.

3. ORAL ROUND PROCEDURES

Each individual in the qualifying round shall be allotted 10 minutes for oral presentation. In the final round each Team will be allotted 30 minutes. It is at team's discretion to allocate this time between the speakers. Before the start of the Oral Rounds of any Team, the Oralists of the Team shall inform the Bailiff regarding the order of speaking as well as allocation of time between themselves and the time reserved for Rebuttal. If an Oralist speaks for more than the time reserved for him/her it would result in penalty of 1 point for every 1 minute exceeded. Any extension of time beyond this specified period is subject to the discretion of the Judges. No penalty would be attracted in such a case.

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The oralists are judged on the following criteria:

S. No	Criteria	Maximum Marks
1	Knowledge of Law	25
2	Application of Law to Facts	20
3	Ingenuity & ability to answer questions	30
4	Style, poise, courtesy, demeanor	15
5	Time management	10
	Total	100

Memorial Scoring

Following would be criteria for judging the memorial:

S. No	Criteria	Maximum Marks
1	Knowledge of Law and Facts	20
2	Proper and articulate analysis	20
3	Extent and use of research	20
4	Clarity and Organization	20
5	Style, Grammar and Citation of sources	20
	Total	100

Researchers Test

The researchers test shall consist of hundred (100) objective type questions based on the facts of the moot proposition and the law relating to the same as also knowledge relating to preparation of memorials.

Each question shall carry one (1) mark. There shall be no negative marking.

4. MISCELLANEOUS

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All participants will be attired in proper dress code of formal black and white along with a tie and blazer. Any violation of dress code would attract penalty of 3 points in the Style, poise, courtesy demeanor section.

The Moot Court Society reserves the right to alter any rule in necessary circumstances. Any violation of the rules specified hereinabove would attract penalty which, could even result in disqualification of a team to participate in the competition. Further, the Student Moot Court Committee constituted for the academic year 2017-2018 stands dissolved. The procedure for selection of members of Student Moot Court Committee will be notified in due course of time.


For any queries or clarification, please contact the Moot Court Society at usllsintramoot2018@gmail.com. Moot Court Society wishes the all the very best to the participants.

Members of the Selection Committee:

1. Sonali Sharma, Ph.D. Scholar, USLLS, M: 9654824230
2. Kavita, Ph.D. Scholar, USLLS, M: 9654630846
3. Shivani Singh, Ph.D. Scholar, USLLS, M: 8860192958
4. Mohd. Rizwan Ansari, Ph.D. Scholar, USLLS, M: 8923249289
5. Sukriti Yagyasen, Ph.D. Scholar, USLLS, M: 9818817544


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To be uploaded on university website.