



# VII INDRAPRASTHA NATIONAL MOOT COURT COMPETITION, 2020

27<sup>th</sup> -29<sup>th</sup> March 2020

**UNIVERSITY SCHOOL OF LAW AND LEGAL STUDIES,**

**Guru Gobind Singh Indraprastha University**

Sector 16-C, Dwarka

New Delhi- 110075



## **RULES AND REGULATIONS**

The following Rules shall be called the VII Indraprastha Moot Court Competition, 2020.

Wherein,

- **Organizers** mean the University School of Law & Legal Studies, GGS Indraprastha University.
- **Competition** means the VII Indraprastha Moot Court Competition, 2020.
- **Participating Team/ Institution** means the team that has registered itself for the competition as per the rules.
- **Venue** means University School of Law & Legal Studies, GGS Indraprastha University, Sec-16-C, Dwarka, New Delhi-110078.

The Rules mentioned herewith are not exhaustive. The Rules shall be strictly adhered to, and any deviation from the same shall result in immediate disqualification, unless exempted by the Organizers. All decisions made by the Organizers in case of any disputes, doubts or other problems of such nature, shall be final and binding on the participating teams. The Organizers further reserve the right to alter, amend or add Rules herein at any point of time and the same shall be informed to the teams. Imposition of penalties is exclusively the right of the Organizers; in case the Rules are not adhered to by the Participating teams.

### **I. GENERAL:**

1. **Date and Venue:** The Competition shall be held from 27th March, 2020 to 29<sup>th</sup> March, 2020 at the University School of Law & Legal Studies, GGS Indraprastha University, New Delhi.
2. **Dress Code:** Participants are required to adhere to the formal dress code while present in any court room during the Competition.

**II. THEME:**

The moot proposition for the VII Indraprastha National Moot Court Competition 2020 is based on Constitutional Law, Land Acquisition Act, CrPC, and IPC.

**III. LANGUAGE:**

The official language for the Competition shall be English only.

**IV. ELIGIBILITY:**

The Competition shall be open for '*bona fide*' students who are currently pursuing an integrated 5-year B.A. LL.B. Programme or 3 year LL. B Programme in India. Such institution must be recognized by the Bar Council of India. Only **1 team per institution** is allowed to participate.

**V. TEAM COMPOSITION:**

1. Each team shall consist of a minimum of **two** members or maximum of **three** members. There shall be no circumstance whatsoever that a team consisting of more than 3 members be allowed to participate. No observer/additional member can be part of a team in any capacity.
  - i. In case of a *three-member team*, there shall be two speakers and 1 researcher in the team.
  - ii. In case of a *two-member team*, there shall be two speakers only who shall not be eligible for the researcher's test.
  - iii. The marks of researcher's test shall not be taken into consideration for the eligibility of any team to qualify for quarter finals.
2. The teams shall identify such speakers and researcher during registration.
3. Teams shall not disclose their identity whatsoever, i.e. the name of their institution, city, etc. or any other information which has the effect of disclosing their identity and affiliation with a particular university or institution, except in the registration form. Such disclosure shall result in disqualification subject to the discretion of the Organizers.

4. Each team shall be allotted a team code (TC) and each participant shall be given an individual code. Teams shall not disclose their identity or that of their institution or city etc. Any such disclosure shall invite strict penalty including disqualification. The decision for the same shall be at the discretion of the Organizers.
5. Scouting is strictly prohibited and shall lead to immediate disqualification at the discretion of the Organizers.

**VI. REGISTRATION:**

1. All participating institutions have to confirm participation by sending an email to [inmccuslls@gmail.com](mailto:inmccuslls@gmail.com) along with a scanned copy of the Demand Draft and Travel form by 01.02.2020 latest by 1600 hrs.
2. The hard copies of the filled registration form along with a travel form and draft of Rs. 5000/- should reach at the below-mentioned address by 21<sup>st</sup> February, 2020 (1700 hrs) to

**Dr. Upma Gautam (Moot Court Convenor),  
University School of Law & Legal Studies,  
GGSIIPU,  
Sec-16-C, Dwarka,  
New Delhi- 110078.**

3. The draft of Rs.5000/- shall be drawn in favour of “Registrar, GGSIPU”, payable at New Delhi and is **strictly non-refundable** even in case where team decides not to participate post the registration.
4. Formal registration of the teams shall be done on 27<sup>th</sup> March, 2020 at the venue at 1400 hrs.
5. Any change in the team composition **should be intimated** to the Organizers before the Formal Registration.
6. No forms received after the deadline shall be considered for registration.
7. Each team shall be assigned a team code (TC) upon registration.
8. All correspondence to the organizing committee shall specify only the team code.

## VII. ORAL PLEADINGS:

### General Procedures

- i. There shall be two preliminary rounds, a quarter final, a Semi Final and a Final
- ii. Each Oral Round of the Competition shall consist of Ninety (90) minutes of oral pleadings. Petitioner and Respondent shall be allotted forty-five (45) minutes each.
- iii. Two (2) members, and no more than two (2) members, from each Team shall make oral presentations during the round.
- iv. Prior to the beginning of the Oral Round, each Team shall indicate to the Court Clerk (CC) how it wishes to allocate its 45 minutes among (a) its first Speaker, (b) its second Speaker, and (c) rebuttal (for Petitioner) or sur-rebuttal (for Respondent). No single Speaker shall plead more than twenty-five (25) minutes, including rebuttal or sur-rebuttal.
- v. **Extension of Time at Judges' Discretion**- Judges may, at their discretion, extend total Team oral argument time beyond the forty-five (45) minute allocation, up to an additional five (5) minutes per Team. Speakers asked to further expand upon arguments may, in this instance, appear for more than the twenty-five (25) minute individual limit.
- vi. **Order of Submission**- The order of the oral submissions in each Round at all levels of the Competition shall be:

**Petitioner 1 --> Petitioner 2 --> Respondent 1 --> Respondent 2 --> Rebuttal (Petitioner 1 or 2) --> Sur-rebuttal (Respondent 1 or 2).**

- vii. Each Team may reserve up to five (5) minutes for rebuttal or sur-rebuttal.

- viii. **Ex Parte Procedure**- In extreme circumstances, such as when a Team fails to appear for a scheduled Oral Round, the CC, after waiting fifteen (15) minutes, may allow the Oral Round to proceed ex parte. In an ex parte proceeding, the attending Team represents its oral pleading, which is scored by the judges to the extent possible as if the absent Team had been present and arguing. In such a case, the Team that fails to appear for the scheduled Round forfeits all points of the Oral Round.
- ix. **Competition Communications**- Oral communications during the Oral Round shall be strictly limited to the following. Any Team, which engages in communications not listed in this Rule, shall be penalized.
- **Oral Courtroom Communication between Counsel and Judges** - Each Speaker designated to present oral pleadings may communicate with the judges, and the judges may communicate with that Speaker, during the Speaker's allotted time. In addition, in extraordinary circumstances, the judges may communicate directly with either Team's counsel table (for example, to clarify the spelling of a Speaker's name or to request that a Team remain quiet during its opponent's oral presentation).
  - **Oral Courtroom Communication and Activity at Counsel Table** - Every courtesy shall be given to Speakers during oral argument. Communication at the counsel table shall be in writing to prevent disruption, and Teams shall avoid all unnecessary noise, outbursts, or other inappropriate behaviour, which distracts from the argument in progress. Any Penalties imposed under this Rule shall be deducted from the Oral Scores of both Speakers of the offending Team.
  - **Written Courtroom Communication** -Written communication during the Oral Round shall be limited to
    - (a) written communication among a Team's members seated at the counsel table, and



(b) a Team member at counsel table handing a document to an Speaker when that Speaker has been questioned about such document during the course of his or her argument or

(c) a written note to assist the Speaker in answering an issue raised by the judges.

No other written communication may take place among the Speaker, Team members seated at counsel table, spectators or Team members not present at the counsel table. There is no prohibition on the teams handing over supporting documentation to the judges, but the same should be done through the clerk.

- x. **Anonymity of Teams in Courtrooms-** Teams shall be identified by Team Codes and the side of the dispute they represent only. However, Team members may provide their individual names to judges for purposes of conducting courtroom discussions. Participants shall not disclose the identity of their Team through direct or indirect means, including statements to judges, name tags or other signifiers, the placement of folders, files, library books or other materials bearing the name or logo of the school on the counsel table, and wearing of pins or clothing revealing the identity of their school.

Draw of lots

- i. The draw of lots shall take place after the inauguration on 27<sup>th</sup> March, 2020.
- ii. To ensure unbiased selection, teams shall be subjected to drawing of lots for the Preliminary Rounds.
- iii. Half of the total number of participating teams shall be called upon to draw lots to select their opposition.
- iv. In no circumstance shall any change be entertained after such selection.

Preliminary & Quarter Final Rounds

- i. The Preliminary & Quarter Final Rounds are scheduled to take place on 28<sup>th</sup> March, 2020.
- ii. Teams shall be subjected to two preliminary rounds.
- iii. The teams shall be arguing on each side during the Preliminary Rounds.

- iv. The total of each round shall determine selection to the Semi-final Rounds.
- v. No two teams shall face each other more than once in the preliminary rounds.

Semi-final Round

- i. The Semi-final rounds are scheduled to take place on 29<sup>th</sup> March, 2020.
- ii. The top-four scoring teams shall compete according to the draw of lots.
- iii. The Semi-final rounds shall be in the nature of knock-outs, i.e., the team with the lesser score shall be evicted.
- iv. The two teams that emerge victorious shall succeed to the Final rounds.

Final Round

- i. The Final rounds are scheduled to take place on 29<sup>th</sup> March, 2020.
- ii. The teams shall argue on the side decided by the draw of lots.
- iii. The team obtaining a higher score shall be adjudged victorious.

The Oral rounds shall be judged as per the following criteria:

<u>S. NO.</u>	<u>CRITERIA</u>	<u>MARKS</u>
01.	Knowledge of Facts and Law	20
02.	Application of law to facts	20
03.	Ingenuity and ability to answer questions	15
04.	Presentation Skills	15
05.	Time Management and Organisation	10
06.	Court Etiquettes	10
07.	Logical coherency in Arguments	10
	<b>Grand Total</b>	<b>100 Marks</b>

**IX. RESEARCHER'S TEST:**

- 1. The Researcher's Test shall be conducted on 27<sup>th</sup> March, 2020.



2. **Only** the registered researcher during the formal registration shall take the researcher's test.
3. There shall be no such test for the teams comprising of only two members.
4. The test shall contain questions related to the moot proposition and the law applicable.

**X. MEMORIALS:**

1. All requirements must be strictly followed. Non-adherence to the same shall result in disqualification subject to the discretion of the organizers.
2. Each team shall prepare memorials for both the sides to the dispute. Eg. Petitioner and Respondent.
3. The soft copies of the memorial from each side shall reach the Organizers on inmccuslls@gmail.com in .pdf or .doc or .docx format latest by 14<sup>th</sup> March, 2020 (23:59hrs). Attachments shall be titled as [TEAM CODE] [P] for Petitioner side and [TEAM CODE] [R] for Respondent side. e.g. 007P and 007R.
4. No memorial will be accepted after 14<sup>th</sup> March, 2020.
5. 10 Copies i.e. hard copy of the memorial from each side should reach the Organizers on this address by 19<sup>th</sup> March, 2020 to

**Dr. Upma Gautam (Moot Court Convenor),  
University School of Law & Legal Studies,  
GGs Indraprastha University,  
Sec-16-C, Dwarka,  
New Delhi- 110078.**

6. Format of Memorials.

- i. *Cover Page*: The cover page of the memorial must state the following:
  - Team Code on upper Right-hand side corner.
  - The Case Title
  - Color of the cover page must be
    - Blue in case of Petitioner.
    - Red in case of Respondent.

- The Party for which the Memorial has been prepared.
- ii. *The Table of Content*
- iii. *The Index of Authorities.*
- iv. *The Statement of Jurisdiction.*
- v. *The Statement of Facts.*
- vi. *The Statement of Issues.*
- vii. *The Summary of Arguments.*
- viii. *The Arguments Advanced.*
- ix. *The Prayer.*

8. Memorial General Format:

- i. **Spacing:** 1.5 Line Spacing
  - ii. **Margins:** One-inch margin on all sides of each page.
  - iii. **Font:** The font for the body of the memorial shall be Times New Roman, Size 12.
  - iv. **The Font for the footnotes:** The font of the footnotes shall be Times New Roman, Size 10.
9. Memorials must be **either sewn bound or coil bound**. Use of Plastic sheets is strictly prohibited and will invite deductions of 1 mark per copy of the memo.
10. **Page numbering** should be at the **bottom middle** of each page.
11. The memorials must not contain any annexure /photographs /sketches /exhibits /affidavits etc.
12. Teams shall cite authorities in their Memorials by way of **Blue Book (20<sup>th</sup> Edition) Style of Citation.**
13. The **maximum number of pages** in each Memorial shall not exceed **35 pages** including 20 maximum pages for Written Submissions/ Arguments Advanced.
14. Marking Scheme of the Memorials:
- Every Memorial will be marked on a total of 100 marks and the team memorial marks will be the average of the total of both sides.
- All memos shall be evaluated on the following basis—

<u>S.NO.</u>	<u>MARKING SCHEME</u>	<u>MARKS ALLOTTED</u>
01.	Knowledge of Facts & Law	20 Marks
02.	Extent & Use of Research	20 Marks
03.	Structured and Articulate Analysis	15 Marks
04.	Originality in Presentation	15 Marks
05.	Grammar, Style and Coherency	10 Marks
06.	Correct Format and Use of Citation	10 Marks
07.	Original Thought	10 Marks
	<b>Grand Total</b>	<b>100 Marks</b>

**XI. SCOUTING:**

1. Teams shall not be allowed to observe the Oral Rounds of any other teams whatsoever.
2. Scouting is strictly prohibited as per the Rules of the Competition.
3. Scouting by any of the teams shall entail instant disqualification.
4. Any team can file a written complaint to the Organizers for the same. The Organizer's decision regarding scouting shall be final.

**XII. ANNOUNCEMENT OF RESULTS:**

1. The results of the preliminary rounds shall be announced shortly after the rounds.
2. The winners of the semi-final rounds shall be announced shortly after the conclusion of the rounds.
3. The winners of the final round shall be announced during the valedictory ceremony.

**XI. AWARDS AND CERTIFICATES:**

1. Winning Team Award: INR 25,000.
2. Runners-up Award: INR 15,000.

3. Best Student Advocate (Male): INR 5,000.
4. Best Student Advocate (Female): INR 5,000.
5. Best Memorial: INR 5,000.
6. Best Researcher: INR 5,000.
7. Certificates for participation will be given to all the participants.
8. Separate Certificates will be provided to the Semi-Finalists.
9. All Certificates and awards will be presented to the participants only at the Valedictory Ceremony on 29<sup>th</sup> March, 2020. The participants are advised to finalize their travel plan accordingly.
10. The certificates will not be provided to any participant who is not present at the Valedictory Ceremony and the same will not be sent by post/courier to participant under any circumstances whatsoever.

**XII. COPYRIGHT:**

1. The copyright with regard to the memorials submitted for the participation in the Competition is assigned by participants and shall vest completely and fully on the Organizers. The participants shall certify the originality of the memorials and the materials used and shall be responsible for any claim or dispute arising out of further use and exhibition of these materials.
2. The Organizers shall have the right to publicly display, distribute in any manner whatsoever and they shall not be responsible for any liability thereof.

**XIII. DISCLAIMER:**

The proposition is fictitious and any resemblance to any person, living or dead, or incident, past or present, is coincidental and not intended by the authors of the proposition

**XIV. CLARIFICATIONS:**

1. The moot proposition shall remain the way it is and no change shall be made whatsoever.
2. The Organizers further reserve their right to alter, amend or add to the moot proposition and the same shall be intimated to the Registered Teams well in advance.

3. No queries or requests for clarifications will be entertained whatsoever after 19<sup>th</sup> March, 2020.
4. Clarifications regarding matters other than the moot proposition may be sought from the Organizers.

**XV. ACCOMMODATION & FOOD:**

1. Accommodation and Food will be provided from 27<sup>th</sup> March, 2020 (1200 Hrs) till 29<sup>th</sup> March, 2020 (1200 Hrs). Accommodation shall be provided to all the teams from colleges outside Delhi-NCR region.
2. If any Delhi-NCR team wishes to book accommodation, they can do so in the same venue as out station teams at their **own cost** and will be provided assistance from the organisation institution. **Under no circumstance will the organizers will bear the cost of accommodation of team belonging to Delhi-NCR region.**
3. Conveyance will be provided to all the teams from Metro Station Sector 14 Dwarka on their arrival. Please note that this will only be done from 0800 Hrs, 27<sup>th</sup> March, 2019. So teams are advised to plan their travel accordingly.
4. Conveyance shall be provided for dropping the teams to the Sector 14 Metro Station Dwarka. Sector 14 Metro Station is well connected to Rajiv Chowk, Airport, Railway Station and other metro lines. GGSIP University is at the distance of 1.5 Km from Sector 14 Metro Station. Teams must send their travelling details by 01.02.2020 along with the registration mail.

**XVI. CONTACT DETAILS:**

In case any queries or clarifications regarding the competition, the teams may contact:

<b>Dean, USLLS</b>	Prof. A.P. Singh	011-25302572
<b>Moot Court Convenor</b>	Dr. Upma Gautam	+91-9899053039
<b>Moot Court Expert Member</b>	Prof. Kanwal D.P. Singh	+91-9910003228

<b>Moot Court Expert Member</b>	Dr. Lisa P. Lukose	+91-9818663503
<b>Student Convenor</b>	Ms. Jharna Singhal	+91-7838069689
<b>Student Co-Convenor</b>	Mr. Shivam Sachdeva	+91-9971358035
<b>Student Secretary</b>	Ms. Aditi Singh	+91-9771956701
<b>Student Secretary</b>	Ms. Sameeksha Singh	+91-9990291375

Or mail their queries at [inmccuslls@gmail.com](mailto:inmccuslls@gmail.com)

VII INMCC



## **SCHEDULE:**

<b><u>Sr. No.</u></b>	<b><u>EVENT</u></b>	<b><u>DATE</u></b>
1.	RELEASE OF MOOT PROPOSITION	13.01.2020
2.	LAST DATE FOR INSTITUTIONAL REGISTRATION VIA GOOGLE FORM	10.02.2020
3.	LAST DATE FOR SUBMISSION OF REGISTRATION FORMS ALONG WITH THE DEMAND DRAFT AND TRAVEL FORM <b>(SOFT COPY)</b>	14.02.2020
4.	LAST DATE FOR SEEKING CLARIFICATIONS	19.02.2020
5.	LAST DATE FOR SUBMISSION OF REGISTRATION FORMS ALONG WITH THE DEMAND DRAFT AND TRAVEL FORM <b>(HARD COPY)</b>	21.02.2020
6.	LAST DATE FOR MEMORIAL SUBMISSION <b>(SOFT COPY)</b>	14.03.2020
7.	LAST DATE FOR MEMORIAL SUBMISSION <b>(HARD COPY)</b>	19.03.2020
8.	VII INDRAPRASTHA NATIONAL MOOT COURT COMPETITION, 2020	27.03.2020 – 29.03.2020

## MOOT PROPOSITION:

1. Aryavarta is a country with a resplendent heritage and heterogeneous demography. With an exquisite landscape, this country has a dense green-cover. A billion and quarter population spreading over a continental sized country, this side of the globe experiences a spectrum of climate dynamics; from 50 centigrade below zero to the same rising of mercury above the zero-mark. A country with rich flora and fauna, the culture of Aryavarta has classically been eco-centric.
2. Sārdapur is a village at a distance of about 300 km from the state capital of Banga Pradesh: a state located on the eastern coast of Aryavarta. Banga Pradesh has historically been a political as well as a revolution capital of the country. The state homes people from various sects and religious beliefs. For innumerable tribal communities, the forests of the state are the learning as well as the earning grounds.
3. The village of Sārdapur adjoins the forests of Sindhuban. This forest is one of the densest forests on the face of the Earth, and maintains the ecological balance of the sub-continent.
4. The villagers of Sārdapur belong to a traditional tribe community, and are adept in making baskets and bowls from the leaves and stems collected from the forest. This craft of the villagers is appreciated all over and makes Sārdapur the largest manufacturer of recyclable eco-bowls in the world.
5. In the month of December 2018, due to unexpected rainfall, the state of Banga Pradesh had to face severe floods. The infrastructural damage was high. The only school in the district, which was located 50 km from Sārdapur, collapsed due to floods. There was a huge loss in the district due

to the natural calamity. The children of the district had to discontinue their studies as there was no school in the vicinity.

6. Mr. Ratandas, an industrialist and a philanthropist of repute was a staunch supporter of Access to Education and the associated rights for the marginalized. His grandfather played a pivotal role in establishing the country's first 'Institute of Science' after drawing inspiration from S. Vireshwaranandam, a visionary monk who hailed from Banga Pradesh. This archaic relation carved a special place for Banga Pradesh in the heart of Mr. Ratandas. He proposed to collaborate with the government to construct an educational institute of global standards for the students in the Sārdapur and neighbouring villages who were adversely affected by the natural calamity.
7. The appropriate authority, after following the requisite procedures, invoked Section 9 of 'The Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013' ["Land Act, 2013", for short] and hence dispensed away with the Social Impact Assessment and Environment Impact Assessment while acquiring the land for constructing the educational institute for the public purpose. The land area for the proposed project included some huts of the villagers of Sārdapur, a part of Advaita Ashram and a patch of the forest area of Sindhuban.
8. The proposed institution was to have, apart from schooling till class XII, a center for forest studies, adventure school, trekking institute, and world-class stadium to make Sārdapur the capital for athletics in Aryavarta.
9. One Mr. Karmakar S., an artist and a lover of nature, filed a Writ Petition in the Supreme Court of Aryavarta as a next friend of the Sindhuban forest. In the petition, it was contented that the forests have a juristic personality

and hence accorded with rights akin to the Fundamental Rights enshrined under Part III of the Constitution of Aryavarta. This petition was grounded on the averment that the acquisition proceedings without any Impact Assessment infringes the fundamental rights of the forests.

10. The petitioner, Mr. Karmakar filed this petition to perform his Fundamental Duty enshrined under Article 51A (g) of the Constitution of Aryavarta. The state, in reply to a representation earlier filed by Mr. Karmakar, had contended that the project for the construction of the educational institute was undertaken to perform the duty of the state to provide education, which is the direction to the state under Part IV of the Constitution of Aryavarta. This action by the state also aims to enforce the fundamental duty of the citizens mentioned under Article 51A (k).
11. The Supreme Court, on the W.P by Mr. Karmakar, issued a notice to the State and listed the matter for hearing.
12. A part of the acquired land belongs to the Advaita Ashram. The ashram is not merely a spiritual institution but conducts several philanthropic activities including facilitation of free medication service and value education. The ashram premises has an orchard of the basil plant, known as Tulsivan. The leaves of these plants are used for the preparation of indigenous medicines. The Holy Basil also has a religious sentiment associated with it and it is worshipped as a goddess. The ladies of the village gather at the Tulsivan every evening for the *Sandhya* or the evening prayers.
13. The secretary of the ashram, Swami Aatmashapriyananda, challenged the acquisition through a Writ Petition filed before the Supreme Court of Aryavarta. The contention of the writ petitioner stemmed from the fact that the sect considered the worship of the Holy Basil as an integral and

essential feature of their religious practice. It was also contended that the acquisition of the ashram land infringes upon the right given under Article 26 of the sect. The petition filed by Swami Aatmashapriyananda was clubbed with the batch of petitions challenging the project for building an educational institution at Sārdapur.

14. Due to the floods in December, a considerable land mass eroded in water, along with the international border between Aryavarta and Bangistan. The opening of border resulted in large-scale drug smuggling in the country. On 8<sup>th</sup> June 2019 at 04:00 AM, on a secret information, the police party did a patrolling at check-posts (*naka-bandi*) on the road connecting the village with the state-capital. At about 05:30 AM, a white colour Scorpio car, which was of the same registration number that was intimated to the Police through the secret streak, arrived towards the village. When the police party tried to intercept the same, the driver didn't stop, rammed the check-post and drove away the car from the side-road. The police party pursued the car and after a chase of 30 minutes, the driver ran away towards the forest leaving behind the car on the un-lighted road. While searching the car, 10 sacks full of cannabis leaves, each weighing 10 kg, were recovered. Some Identity cards were found in the dashboard of the car. These cards included the Unique Identity card (UID) of one Sh. Noor-ul-Bhattacharyajee, who happens to be the caretaker of the Advaita ashram, and the Departmental Identity card of the DM of the district.
15. Police registered an FIR under Section 20 (ii) (C) of the Narcotics, Drugs and Psychotropic Substances Act ['NDPS', for short] and Sections 465, 468 and 473 of Aryavarta Penal Code ['APC', for short] against unknown people along with Mr. Noor-ul- Bhattacharyajee, but the name of DM was

nowhere mentioned in the FIR. The police continued the investigation, but neither anyone was arrested nor a notice was served upon anybody.

16. Sh. Noor-ul Bhattacharyajee came to know about the recovery of a UID card bearing his name. He filed a copy of his original UID to the SHO of the concerned Police station and also moved before the appropriate court under Section 482 of Code of Criminal Procedure of Aryavarta ['CrPCA', for short] for quashing of FIR against him. On the advice of his counsel, Sh. Noor also sought protection from arrest and thus moved a Criminal Miscellaneous Petition under Section 438 CrPCA before the appropriate court. The court clubbed both of these petitions and listed for hearing after issuing notice to the state.
17. The life of the commoners of the state revolved around nature. The villagers of Sārdapur celebrate *Sneh Diwas*, marking their love and reverence for the nature, on the 26<sup>th</sup> day of June each year. They gather near the ashram and perform worship at Tulsivan and pray for a balanced rainfall in the monsoon season. On the day of *Sneh Diwas*, i.e. 26<sup>th</sup> June 2019, the villagers had gathered at the Tulsivan, when the secretary Swami Aatmashapriyananda received an order under Section 133 of CrPCA, from the office of the District Magistrate, directing the removal of Tulsivan.
18. Swami Aatmashapriyananda filed an I.A. in his writ petition challenging the above order by the DM and sought the stay on the same as interim relief. The Supreme Court allowed the listing of I.A. along with the writ petition.
19. A bench, presided by Hon'ble Mr. Justice Amarnath Moitra, is constitute at the Supreme Court of Aryavarta to hear these petitions clubbed together, on 29<sup>th</sup> March 2020.



20. HMJ Amarnath Moitra commands high regards and respect, both from the Bar and the Bench. He is an upright judge, who encourages the young advocates to work diligently while preparing the briefs. Mr. Justice Moitra served as the Chief Justice of the High Court of Maha Rajya before his elevation to the Supreme Court of Aryavarta. As the Chief Judge of H.C., Mr. Justice Moitra had decided a case by the name *Karnveer Singh v. State of Maha Rajya*, where His Lordship had held that the rivers and forests can't be conferred with the status of juristic person as it would have huge implications on the development projects and thus the state economy would suffer.
21. The counsels for the Petitioners in the present petitions came across the judgment of *Karnveer Singh v. State of Maha Rajya* while preparing for the matter, and hence they approached the Respondents' counsel proposing a joint representation by them to request the recusal of Hon'ble Justice Moitra from the bench as his views on the matter were already expressed through his decision as a H.C judge. The presence of Hon'ble Justice Moitra on the Supreme Court bench, which has been constituted to decide a question of law which is similar to the one decided by him at H.C, would raise a reasonable apprehension of bias; hence it would be better if the bench is re-constituted.
22. The counsels for the Respondents had a contrasting view and believed that it would be in the interest of the independence of Judiciary that no such application for recusal is filed before the bench. This situation made it difficult to file a joint representation and hence the Petitioners alone filed an application seeking recusal of Hon'ble Mr. Justice Amarnath from the bench.

23. The bench listed this application along with the clubbed matters and decided to adjudicate the same, without prejudice to the merits of the petitions.

*Note: The laws, demography and socio-political situation of Aryavarta are Pari-Materia to India.*

VII INMCC

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VII INDRAPRASTHA NATIONAL MOOT COURT COMPETITION, 2020

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REGISTRATION FORM

**Participating College/University**

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Name: \_\_\_\_\_

Address: \_\_\_\_\_

Faculty In-charge: \_\_\_\_\_

Designation: \_\_\_\_\_

E-Mail ID: \_\_\_\_\_

Contact No.: \_\_\_\_\_

**Team Members**

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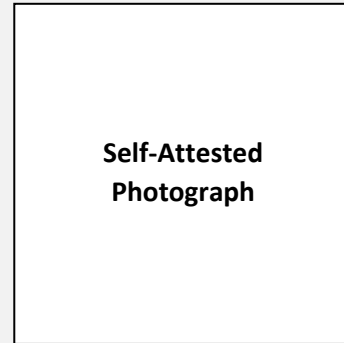
**Speaker 1:**

Name: \_\_\_\_\_

Semester \_\_\_\_\_ Sex: \_\_\_\_\_

E-Mail ID: \_\_\_\_\_

Contact No.: \_\_\_\_\_



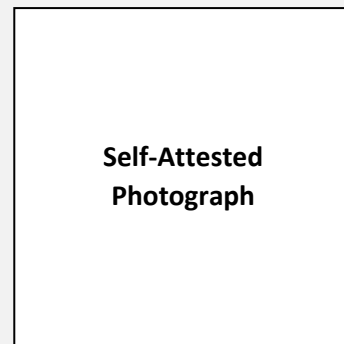
**Speaker 2:**

Name: \_\_\_\_\_

Semester: \_\_\_\_\_ Sex: \_\_\_\_\_

E-Mail ID : \_\_\_\_\_

Contact No.: \_\_\_\_\_



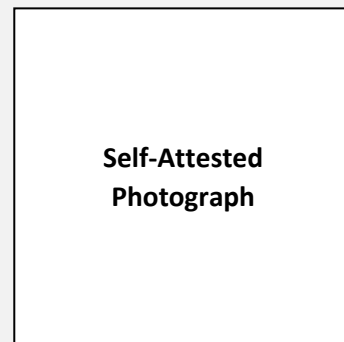
**Researcher:**

Name: \_\_\_\_\_

Semester: \_\_\_\_\_ Sex: \_\_\_\_\_

E-Mail ID: \_\_\_\_\_

Contact No.: \_\_\_\_\_



**Contact Person (A member of the team to whom all communication related to the competition shall be made):**

Name: \_\_\_\_\_

E-Mail ID: \_\_\_\_\_

Contact No.: \_\_\_\_\_

**Demand Draft Details**

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Demand Draft No. : \_\_\_\_\_

Name of the Bank: \_\_\_\_\_

Date of Issue: \_\_\_\_\_

**Declaration**

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We, the undersigned participating college/university and its team members will abide by all the rules of the competition notified to us from time to time throughout the period of the competition. We also declare and confirm that all the information provided in the registration form is true and accurate.

Speaker 1: \_\_\_\_\_

Speaker 2: \_\_\_\_\_

Researcher: \_\_\_\_\_

Faculty In-Charge: \_\_\_\_\_

Head/Dean/VC of the participating college/university  
(Signature & Seal)

**VII INDRAPRASTHA NATIONAL MOOT COURT COMPETITION, 2020**

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**TRAVEL FORM**

Name of the Participating College/University:

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Number and Names of Team Members:

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E-Mail IDs:

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Accommodation needed: Yes/ No

**Arrival Details**

Date and time of Arrival:

---

Place of Arrival:

---

Name of Flight/Train/Bus

---

Flight/Train/Bus number:

---

**Departure details**

---



Date and time of Departure:

---

Place of Departure:

---

Name of Flight/Train/Bus:

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Flight/Train/Bus Number:

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**Note: The nearest metro station to the university is Dwarka Sector-14 Metro Station, and the conveyance from only this metro station to the university and vice versa will be provided by the university.**

