



# 10<sup>th</sup> NATIONAL MOOT COURT COMPETITION



**Academic Partner:**

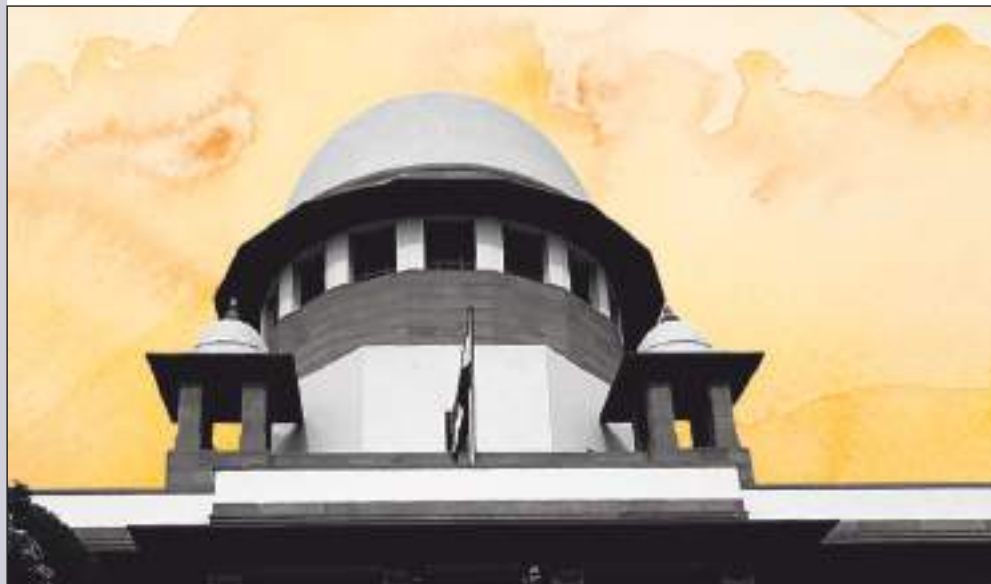


**Media Partners:**



Organised by:  
Moot Court Society  
School of Law,  
IMS Unison University,  
Dehradun

## 09<sup>th</sup>-11<sup>th</sup> October, 2023



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# MESSAGES FROM THE LEGAL LUMINARIES

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Date: 18/08/2023

## MESSAGE


It brings me great pleasure to know that the prestigious 10th edition of the National Moot Court Competition 2023 will be organised by the Moot Court Society of the School of Law, IMS Unison University, Dehradun, Uttarakhand, and will feature participation from all over the country.

"An ounce of practice is worth more than tons of preaching." This competition helps you develop the competence to wield the law through cogent reasoning, ethical conduct and honed advocacy skills. You will sharpen the ability to separate right from wrong, just from unjust.

IMS Unison University (IUU), a part of the Unison Education Foundation, has been active in the higher education sector for more than 25 years. Special recognition is due to the School of Law at IUU, which has been providing the greatest legal education to numerous students from the bachelors in law up till Ph.D.

I commend the School of Law's Moot Court Society, its officers, and organizers for hosting this tournament on such a wide scale in India and wish them the best of luck in all of their future endeavours and admirable social causes.

I wish you the very best!

  
**Pravin H. Parekh**

# Ratan K. Singh

Senior Advocate & Arbitrator

## Message

It is with great joy that I laud the Moot Court Society of IMS Unison University, Dehradun for their extraordinary achievement of reaching the decennial milestone of the eminent National Moot Court Competition 2023.

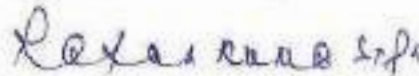
Moot court, akin to forging steel in the crucible of legal discourse, hones the intellect and fortifies the oratory prowess of aspiring legal minds. It is through the arena of rigorous legal simulations that future advocates are sculpted, metamorphosing the novices into eloquent champions of justice. This monumental journey would not have been possible without the dedication and mettle of the Moot Court Society, whose tireless efforts have sown the seeds of erudition and nurtured the saplings of advocacy.

As you stand at the precipice of this 10th edition, I urge each participant to harness the wisdom acquired through your arduous preparation and channel it into a symphony of intellectual discourse. Your presence here is not just a participation; it is a celebration of a decade-long legacy of legal erudition. Let the hallowed walls of your alma mater reverberate with your articulate voices, echoing the essence of legal brilliance that this competition embodies.

The aphorism "Fortune favors the bold" rings true for those who dare to engage, to learn, and to excel. May this edition transcend all precedents, and may your diligence shine as a beacon of inspiration for the legal fraternity.

My earnest appreciation and wholehearted best wishes to you all for continuing to scale greater heights of success in the years ahead. May your journey ahead be just as exciting and rewarding.

*Congratulations once again!*



**Ratan K Singh**

**Sr. Advocate and Arbitrator,**

**Director – India; Chartered Institute of Arbitrators, UK**

**Member – Keating Chambers, London**

**RATAN K. SINGH**

Senior Advocate

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Greetings,

I am writing to extend my heartfelt congratulations on the upcoming 10th edition of your prestigious National Moot Court Competition in 2023. Reaching the significant milestone of conducting the competition annually for a decade is a remarkable achievement.



The Moot Court Society of IMS Unison University has consistently demonstrated an exceptional commitment to advancing legal education in India. By providing a platform for students nationwide to showcase their advocacy and legal reasoning skills, you are shaping the next generation of legal experts and leaders. Your contributions through organising this national-level competition each year, as well as the high quality of legal training you provide, have firmly established IMS Unison University as an institution of emirence in the field of law.

The competition brings out the best in the participants, as iron sharpens iron. It's an opportunity for them to test their mettle and push themselves to excel. As the saying goes - *smooth seas do not make skilful sailors*. The rigour of preparation and arguments helps the students realise their potential and equips them for future success. I'm confident the competition will stimulate great talent.

My best wishes for the success of the 10th National Moot Court Competition in 2023. I am confident it will be conducted with the same high standards and commitment to excellence IMS Unison University is recognized for.

With appreciation for your achievements,

A handwritten signature in black ink, appearing to read 'Suvidutt Sundaram'. The signature is stylized and includes a horizontal line at the end.

Suvidutt Sundaram

Advocate-on-Record, Supreme Court of India

### MESSAGE

I extend my warmest congratulations to the Moot Court Society of IMS Unison University, Dehradun for hosting their 10<sup>th</sup> edition of the National Moot Court Competition 2023. I am deeply honored to be part of the 10<sup>th</sup> National Moot Court Competition of the IMS Unison University, an educational society which is filled with aspiring minds and boundless potential.



I stand in awe of the remarkable achievements and progress that IMS Unison University, Dehradun has made over the years and your dedication to excellence, commitment to fostering a nurturing environment, and relentless pursuit of knowledge are truly commendable.

As a member of the legal fraternity for the past 32 years, I would like to add that college life is a transformative phase, where the students embark on a journey of self-discovery, growth, and exploration. It is a time to question, to challenge, and to expand your horizons beyond the confines of the classroom.

As you navigate through the maze of academia, I encourage you to embrace every opportunity that comes your way. Participate in extracurricular activities, engage in thought-provoking discussions, and immerse yourself in diverse experiences. These experiences will shape your character, broaden your perspectives, and prepare you to tackle the complexities of the real world.

At this pivotal juncture, remember that education is not just about memorizing facts and figures. It is about nurturing a thirst for knowledge and developing critical thinking skills. It is about learning to adapt, innovate, and find solutions to the challenges that lie ahead.

Moreover, do not underestimate the power of collaboration and networking. Your fellow students and professors are invaluable resources, offering unique insights and support on your journey. Form meaningful connections, seek guidance, and embrace the spirit of teamwork. In the pursuit of greatness, do not be disheartened by setbacks. Embrace failure as an opportunity to learn and grow. Each challenge you encounter will strengthen your resilience and equip you with the tools to overcome future obstacles.

Lastly, never forget the impact you can have on the world. As future leaders, thinkers, and change-makers, you possess the power to shape a brighter and more compassionate future. Use your education not just for personal gain, but to make a positive difference in the lives of others.

Wishing you all the very best on this incredible journey of learning and self-discovery.

With warmest regards  
and deepest reverence,

A handwritten signature in black ink that reads "Murari Tiwari". The signature is fluid and cursive.

**Murari Tiwari**  
Advocate  
Chairman Disciplinary Committee  
Bar Council of Delhi

# Singh & Rathi Associates

## Advocates Supreme Court of India

**I.P.Singh**

Ex. District Judge

**Sanjay Rathi**

Ex. Addl. Advocate General  
Supreme Court of India  
Member, Bar Council of Delhi

**Deepak Khatri**

Advocate

REF. NO. 199/SR/2023

DATED: 18.08.2023

### APPRECIATION LETTER

I extend my warmest congratulations to the Moot Court Society of IMS Unison University, Dehradun on the occasion of the 10th Edition of the National Moot Court Competition. It gives me immense pleasure to acknowledge and celebrate this remarkable milestone in the field of legal education and advocacy.

Over the past decade, your unwavering dedication and commitment to fostering excellence in legal education through the Moot Court Society have been truly commendable. The legacy you have built over these years is a testament to your diligence, perseverance, and passion for the legal profession. The National Moot Court Competition has not only provided a platform for aspiring lawyers to showcase their advocacy skills but has also set a standard of excellence that serves as an inspiration for legal institutions across the nation.

The efforts you have put into organizing this competition have undoubtedly enriched the academic and professional experience of countless law students. This event not only sharpens the skills of participants but also serves as a valuable opportunity for networking and exchange of ideas among the legal fraternity.

As the legal landscape continues to evolve, competitions like the National Moot Court play a pivotal role in shaping the future of the legal profession. They provide a platform for budding advocates to engage with contemporary legal issues, develop their argumentative prowess, and cultivate the ethics and values that define a successful legal practitioner.

I wholeheartedly urge law students to actively participate in this significant event, which not only serves as a testament to the hard work and dedication of the Moot Court Society but also offers a chance to contribute to the continued growth of the legal community.

Once again, I extend my sincerest appreciation and best wishes to IMS Unison University and the Moot Court Society for this monumental achievement. May the 10th Edition of the National Moot Court Competition be a resounding success, upholding the high standards of legal education and advocacy that you have consistently demonstrated.


Wishing you all the very best for this event and for your future endeavors.

Warm Regards



**SANJAY RATHI**

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**SANJAY RATHI**  
**ADVOCATE**

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## Moot Court Society at a glance

*For last year's words to belong to last year's language,*

*The next year's words await another voice.*

Greetings to all the mooters!

A decade ago, the School of Law of the I.M.S. Unison University collectively took up the words of hard-learned skills of trial advocacy, drafting and pleading of legal documents, and the paramount job of research management to vocalise the idea of a Moot Court Society, into a real-life baton since we were well rehearsed with the fact that the greatness of this responsibility is not in what we leave behind but in what we send forward.

To orchestrate the finesse of trial advocacy, to initiate teamwork, and to bring out the best in our budding lawyers, we declared this baton ours. We were committed to a show of cooperative and collective resilience as both specialised Faculty Conveners and the student core committee. We took huge pride in adhering to the guidelines mentioned under the 2008 Rules of Legal Education by the esteemed Bar Council of India, which made it a duty for every premier Law institute to conduct Moot Court Competitions.

This Edition of the National Moot Court Competition is a plinth to reflect on society's past and remember those who have helped to shape who we are, and to acknowledge the members and individuals, both past and present, who have influenced the character and values that embody the vibrant, engaging, and nurturing environment we see today. We recognise those helping hands that never lost faith in us when we have now accomplished a milestone by organising the 10th edition of this flagship event, and we also welcome you to share in this joy with us. As the organising Committee, we believe that whether in the courtroom or classroom, it's always nice to find room for decorum, and we expect the same from you since this euphoria is about celebrating the sanctity of sagacity and the suitability of representing a distant voice in a court of law.

The best of the best is what we strive to be. A legacy is what we are trying to leave. This three-day event will not only enhance your knowledge receptors but will also let us set up a great store of memories of outlasting wisdom. Attention, all participants, as we bring you something to look back on. Something to send forward as a baton of legacy for years to come.

**Regards,**

**Moot Court Society 2023,**

**School of Law,**

**IMS Unison University, Dehradun**



*From the*

## CHANCELLOR'S DESK



**Dear Participants,**

IMS Unison University is spirited to bring out the best from all its students with a goal to provide an exceptional environment for teaching, learning, and research and make students competent to handle different challenges posed in life by enhancing their inner strength and aptitudes. With such an objective to provide devoted educational facilities to the students while transforming them into policymakers, the Faculty of Law has uninterruptedly worked remarkably. It has constantly inspired its apprentices to participate and achieve innumerable rewards.

The art of mooting is one of the most important facets of a Law School. It is an activity which can perhaps best be described as the closest one comes to being a lawyer while still in law school - it entails identifying legal issues in situations, exhaustive research in that area of law, followed by extensive written submissions and gruelling orals before a bench of eminent judges.

We at IMS Unison University understand the importance of such activity which also promotes a collaborative fervour among the aspiring minds. The practice of participating in such moot court competitions are the need of the hour and thus need to be initiated at the very outset when the students are in their very first year.

On a promising note, and with the ongoing progressive turns and feats achieved by the School of Law, IMS Unison University, we cordially invite you all to be a part of this enthusiastic legal paradigm – The 10th Edition of National Moot Court Competition, 2023. A venture by the Moot Court Society comprising of our well-groomed Law Students, under the able and efficient guidance of their Faculty members will be a landmark in setting new standards not only for students but also for an enhanced and innovative pedagogy of Mooting.

The role of law in society is continually investigated through intense intellectual exchange. We intend to take up this challenge and impart rational thinking to build social engineers who can do justice to humankind and society, drawing upon the profound roots of international law. The University is dedicated to scholarly excellence and to equipping our students with the knowledge required for acquiring fulfillment in law, including a deep understanding of arbitration—an indispensable mechanism derived from international law that plays a pivotal role in resolving cross-border disputes. Our team is fully committed towards maintaining and expanding our horizon of world-class education.

In our pursuit of legal excellence, let us remember that upholding justice is not just a task for the courts, but a collective responsibility of society as a whole.

**Warm Regards,**

**Prof. (Dr.) Gurdip Singh,**

**Chancellor IMS Unison University, Dehradun**

*From the*

## **DEAN'S DESK**



Greetings from School of Law, IMS Unison University, Dehradun!

“The life of law has not been of logic; it has been experience.”

With the profound words of Oliver Wendell Holmes Jr. echoing in our minds along with great contentment and high spirits in our hearts, we are delighted to bring out the 10th Edition of National Moot Court Competition, 2023, which involves a plethora of efforts, boundless inspirations, and unwavering dedication of the Moot Court Society. The Tenth Edition, a triumphant stride in our journey, after the success of the prior editions, has expanded beyond its original base and has continued to accelerate. It stands as a fervent endeavour by The School of Law to establish a platform on the national level for the new-age legal minds.

We at IMS Unison University, acknowledge the significance of creating a space for students to not only thrive in academia but also flourish socially and intellectually. Our emphasis on learning, creativity, and innovation is based on the belief that our students can and will achieve prodigious success. Our multidisciplinary learning approach has yielded exceptional results as evidenced by our accomplished alumni who are setting new milestones in their professional domains.

This 10th edition of National Moot Court is an outshining testament of our continuous and enduring efforts towards establishing a mark of excellence. Our eminent faculty members, our student-oriented approach based on global perspective and an open & healthy competitive environment are the three pillars that have been instrumental in shaping our success. This Competition has consistently aimed at providing a gratifying experience to the aspiring law professionals. It offers new legal minds the opportunity to immerse themselves in the practical intricacies of legal practice. By engaging in simulated legal proceedings, students are able to refine their advocacy skills, hone their argumentation prowess, and develop a profound understanding of the judicial process. It strives to recognise and appreciate the art of advocacy among the next generation of lawyers while providing with a platform to enhance the immense talents they inherently possess.

We assure you of the enriching experiences that will surely leave impressions of professional learning. We pledge to make this 10th Edition into an experience that stands as a benchmark in your legal expedition.

**Warm Regards,  
Prof. (Dr) Ashish Verma,  
Dean School of Law,  
Chairman Moot Court Society,  
IMS Unison University, Dehradun**

*From the*  
**FACULTY CONVENER**



**Esteemed future counsels,**

**‘Mooting develops in the mind what the anvil does to steel – sharpens its edge through repeated strikes’.**

It is with great delight that I welcome you all to the *10th edition* of our National Moot Court Competition 2023. Reaching this decade milestone is a feat worthy of celebration. It testifies to IMS Unison University’s unrelenting pursuit of mooting distinction. The strong foundations laid by the diligence of our alumni and the fervour of our students built the edifice on which we now stand.

Law is not an abstract philosophical discourse, but a living, breathing practice. Mooting helps develop the competence to wield the law through cogent reasoning, ethical conduct and honed forensic skills. You will hone the ability to separate right from wrong, just from unjust. As Martin Luther King Jr. said, "*Injustice anywhere is a threat to justice everywhere*", the values imbibed will hold you in good stead as future defenders of justice.

The focus on arbitration is apt, as it ascends as an expeditious dispute resolution mechanism in India's evolving legal landscape. Mastery of incisive advocacy skills in Arbitration Law will prove worthwhile as legal professionals, in a milieu where celerity is paramount. With statutory frameworks like the Arbitration and Conciliation Act, and preeminent institutions like *SIAC* and *ICC* accruing prominence, expertise in this burgeoning area will be an invaluable asset for our future counsels across leading sectors.

I hope you revel in healthy competition and forge enduring bonds. Uphold the highest ethical standards - for morality underpins your vocation. May your arguments be as potent as the ink that carves the annals of history. May your diligence be a reflection of the arduous journey that justice undertakes. And may your pursuit of legal excellence shine bright, igniting the path for generations to come.

As you immerse yourself in this competition, over the next two days, *remember* - it's not about winning or losing, but about kindling your passion for justice, for advocacy, for the law, through practice. Stay open to learning, from teammates and opponents alike.

I wish you the very best and look forward to our interactions over the next few days. Welcome to the *10<sup>th</sup> edition* of our mooting voyage!

*In sincere anticipation,*

**Dr. Shalini Saxena,  
Faculty Convener,  
Moot Court Society,  
School of Law,  
IMS Unison University, Dehradun**

*From the*

## **FACULTY CO - CONVENER**



"Democracy and freedom are the best revolution. They can give every individual more power to control their lives. And we can work together to create a just, sustainable world."

I feel privileged for this opportunity to express my views on the forthcoming decennial National Moot Court Competition, 2023. Nestled in the verdure of Uttarakhand, IMS Unison University, Dehradun is the prime academic institute for scholars aspiring to achieve success and accomplish an all-around development.

The Moot Court Society, School of Law is set to host its 10th edition of the National Moot Court Competition on 09<sup>th</sup>, 10<sup>th</sup>, and 11<sup>th</sup> October 2023. This edition of the fore-running event marks a decade of the legacy and inspiration left behind by the preceding members and mentors. This competition stands as an embodiment of the essence of the legal vocation, placing a strong emphasis on the art of articulating arguments, accuracy in quick thinking, and the presentation of compelling case narratives. Its underlying purpose is to mould an individual's legal knowledge and solidify their identity as a practitioner of law. The very fabric of the courtroom embodies a stark duality, where victory and defeat coexist, and those who exhibit valour and seize opportunities are bound to attain success.

"Give me the Liberty to know, to utter and to argue freely according to conscience above all liberties."

The Freedom of Speech and Expression, as enshrined under Article 19(1) (a) empowers every individual to express their views and opinions freely, emboldening this provision, and keeping the view of strengthening the democratic modus operandi of our country, the Moot Court Society intends to procure conclusions which are instrumental for all.

In my capacity as the faculty co-convener of the 10<sup>th</sup> National Moot Court Competition in the year 2023, I extend a cordial invite to all law schools and academic institutions throughout the nation beseeching their participation in this esteemed affair.

Transpire and take away the experience and skills this event offers.

**Warm Regards,  
Dr. Aman Gautam,  
Faculty Co-Convener,  
Moot Court Society,  
School of Law,  
IMS Unison University, Dehradun**

*From the*  
**Advisor**



I extend my heartiest congratulations to the Moot Court Society, School of Law, IMS Unison University Dehradun for organising their 10th National Moot Court Competition. This event has always been the flagship event of School of Law and I have been fortunate enough to be a part of nine of these editions.

I am the witness to the growth of the event that has spanned over a decade. The organisers have strived and endeavoured to raise contemporary issues of the society and the legal issues associates with it. The Moot Court Competition organised by school of Law not only inculcates legal acumen in the participants but also develops administrative and management skills in the students organising it.

I started as a volunteer in this competition and today I am honoured to write this note, words shall always fall short, however, what remains constant is the legacy of this event. Once again, I tender my best wishes to the success of the National Moot Court Competition, 2023.

I am confident that the guidance of the faculty members and the zeal of the students will take this edition to new heights and shall set a benchmark for the events to come.

Wishing you all the very best for a successful event.

**Adv. Aditya Barthwal,**  
**Advisor,**  
**Moot Court Society,**  
**IMS Unison University, Dehradun**

*From the*

## **Student Conveners**



As the Moot Court Society, School of Law, IMS Unison University marks the onset of its 10th Edition of National Moot Court Competition 2023, we stand with great pride and pleasure to be steering such an intellectually stimulating competition as its Student Conveners.

While the idea of what justice means to people is continually evolving, it can edify us to see what changes have already occurred. If we would walk back in time, to when justice was not institutionalised, more so administered by selfish & exploitative hands, we would witness an arbitrary system where all were not considered equal and justice therefore never truly prevailed. The reality of *ADM Jabalpur vs Shivkant Shukla* has haunted our rights & liberties while cases like *Maneka Gandhi v. UOI*, *Minerva Mills Ltd. V. UOI*, *Keshavanada Bharti Vs State of Kerala* has sought a formidable transition of constitutional jurisprudence that till date guides our path.

Today as we stand on this free & democratic land of Bharat, we are shielded by a just & fair Judicial System. Our judiciary, standing as the pillar of justice, has continuously adapted to the changing times. One such evolution has been its proactive role in taking *Suo Moto* Cases, exemplified by its intervention in instances like the *Manipur Sexual Violence Case*. This speaks volumes about the judiciary's commitment to upholding constitutional values and protecting citizens' rights. Alongside this, the recent Supreme Court's issuance of a handbook against unjust vocabulary underscores its dedication to curbing stereotypes and promoting inclusivity in legal proceedings. The independence of the judiciary remains paramount in ensuring a just and equitable society. The tenets of justice are upheld when the judiciary operates without fear or favour, delivering judgments that stand as beacons of righteousness.

From the ancient *Darbar* system where justice was dispensed in royal courts, we have traversed through history to witness the advent of modern E-Courts, a true testament to the fusion of tradition and technology. The advent of E-Courts doesn't just signify an upgrade in infrastructure; it signifies a transformation in the way justice is delivered. It exemplifies the commitment to efficiency, accessibility, and transparency. This fusion of tradition and technology is not a mere transition; it's a celebration of human progress, where the echoes of the *Darbar* era resonate through the corridors of our digital courtrooms. The journey towards efficiency has seen our courts embark on the path of digitization, with a vision of becoming paperless.

In the ever-evolving tapestry of our judicial landscape, the Supreme Court of India stands as a beacon of progress, adapting to the changing times with wisdom and resilience. Likewise, this competition is dedicated to crafting a generation of eligible lawyers and responsible citizens who will stride confidently into the future. Just as the Supreme Court refines its mechanisms to ensure justice prevails, this competition seeks to instil in you the skills and values required to champion justice in every corner of society. Our moot court competitions are not mere exercises; they are crucibles where your legal acumen is forged, where your advocacy talents are honed, and where you cultivate the ethical compass that guides you through your legal journey.

Lastly, we sincerely hope that the 10th Edition of the National Moot Court Competition 2023 serve as a reminder to march forward without any fear or hesitation. Remember not to stay stagnant attempting to accumulate enough information to reveal the perfect moment before moving or taking a step forward. As this is futile, for making the 'right decision' is impossible, as one cannot assess the endless consequences that follow. We all walk with the fear of unknown. For one instance, we may be blessed - the next we may not. So, ask not what is right, as you can never know, forever remaining stationary as your mind malfunctions from information overload. Instead, momentarily calculate, take the step ahead, embrace the development, and learn from experience. Whether you're a first-year law student or a seasoned scholar, this competition promises to be a crucible of learning. IMS Unison University brings to you an avenue to embark on a transformative journey that will shape your legal acumen and ignite your passion for justice.

We look forward to hosting you.

*In anticipation,*

**Arpit Garg & Jaishree Bhadauria,  
Student Conveners,  
Moot Court Society  
School of Law,  
IMS Unison University, Dehradun**

## Key Dates :

Events	Dates
Registration Opening	30 <sup>th</sup> August, 2023
Last Date of Registration	26 <sup>th</sup> September, 2023
Last date of submission of soft copy of memorials	2 <sup>nd</sup> October, 2023
Last date of submission of hard Copy of memorials	09 <sup>th</sup> October, 2023
Inaugural, draw of lots, Exchange of Memorials, Compendium Submission & Researcher Test	09 <sup>th</sup> October, 2023
Preliminary Rounds, Quarter Finals & Semi Finals	10 <sup>th</sup> October, 2023
Final Round & Valedictory Ceremony	11 <sup>th</sup> October, 2023



# RULES AND REGULATIONS

## I. ELIGIBILITY

The Competition is open for students pursuing three/five-year L.L.B. Degree Course from recognized Law College/University in India, subject to fulfilment of the registration formalities. The participants are inclusive of L.L.M. students as well.

## II. TEAM COMPOSITION

Each team shall consist of maximum of three members (Two Mooters and One Researcher). All participants are mandatorily required to carry their University/College ID Cards during the competition.

## III. DRESS CODE

Inside the court room, the participants shall be in formals.

Female(s): White salwar and kurta/ White Shirt, Black Trouser & Black Tie along with Black Blazer and Black Shoes

Male(s): White Shirt, Black Trouser & Black Tie along with Black Blazer and Black Shoes

\*Note: non-adherence to the prescribed dress code shall attract penalties.

## IV. REGISTRATION

To confirm participation, teams of every Institution should register themselves as per schedule mentioned here in above. The registration process consists of the following two steps:

**Step 1:** Each team is required to fill the details in the Google Form for the purpose of registration. The link – <https://forms.gle/7FTrmVXGCf7a85yP9>

**Step 2:** Each team is required to send the scanned copy of the NEFT/IMPS/UPI transaction details to e-mail ID – [sol.mootcourt@iuu.ac](mailto:sol.mootcourt@iuu.ac) by September 26, 2023. Subject of the mail should bear “Registration for IMS UNISON UNIVERSITY 10<sup>th</sup> National Moot Court Competition 2023”.

## REGISTRATION FEES

Registration fees for the participants is as under (including GST) : 6000

Details for Payment through e-mode such as NEFT/IMPS/UPI are as under:

✦ **Beneficiary Name : IMS Unison University**  
✦ **Account No. : 15262191003778**  
✦ **Bank : Punjab National Bank**  
✦ **IFSC Code : PUNB0152610**  
✦ **Branch : Makkawala, Dehradun**

## V. RESEARCHER'S TEST

There shall be a Researcher Test on 09<sup>th</sup> October 2023, and it shall be mandatory for all the researchers to take part in this competition. Best Researcher shall be adjudged by the marks obtained in the researcher test. However, the marks of the "Researcher's Test" shall not be added to the mooting marks of any team.

*NOTE : In case of draw, the marks of memorial shall be taken into consideration.*

## VI. ROUNDS

*Preliminary Rounds* – 25 mins per team (Maximum time for one speaker 15 minutes)

*Quarter Finals* – 25 mins per team (Maximum time for one speaker 15 minutes)

*Semi Finals* – 30 mins per team (Maximum time for one speaker 20 minutes)

*Final Round* – 45 mins per team (Maximum time for one speaker 30 minutes)



*NOTE: Rebuttal (if available) shall be inclusive in the total time allotted to the team.*

*The Moot Court Society shall have the exclusive right pertaining to all, and any issues related to the 10th National Moot Court Competition. The decision of the Moot Court Society shall be final, and binding and no team or participant whatsoever shall have any right to challenge the same.*

## VII. MEMORIAL AND MARKING EVALUATION:

Each team must send their 5 set of hard copies of each side of memorial i.e., 10 Petitioner/ Appellant and 10 Defendant/ Respondent.

### NOTE

1. In no case, the page limit for Annexure should exceed 10 A4 size pages.
2. Any issue or pleading, not discussed within the Memorial, shall not be included in any other section of the Memorial.
3. Counsels are allowed to frame issues within the given facts in the moot proposition only.
4. Counsels are not allowed to introduce additional facts.
5. The font of the body of the memorial should be Times New Roman, Size 12, line spacing 1.5 & headings should be 14. Bluebook 20th edition must be strictly adhered to for citations. Font Size of the cover page may be 14 or 16.
6. Memorials should have one (01) inch margin on all sides of each page.
7. Pages should be numbered at the bottom middle.
8. The memorial should not contain any photographs/ sketches/ affidavits etc. Once the Memorials have been submitted, no revisions, supplements or additions shall be allowed.
9. Only the memorials received within the prescribed time schedule shall be evaluated by the Memorial Evaluation Committee (MEC) constituted by the Moot Court Society, IMS Unison University, Dehradun.

**The evaluation will be done on the following parameters:**

S. No.	Criteria	Maximum Marks
1.	Knowledge of Facts & Law	25
2.	Extent and Use of Research	25
3.	Proper and Articulate Analysis	20
4.	Clarity and Organization	10
5.	Correct Format and Citation	10
6.	Grammar & Style	10

## **VIII. CODE OF CONDUCT**

### **COURT MANNERS (ORAL ARGUMENTS)**

1. The language for the Moot Court Competition shall be English only.
2. Any form of communication between the Bar and by any person other than those on the Bench is completely prohibited, and any indulgence in the same shall result in a penalty.
3. Submission of any written material other than the memorials and any other documents related to the proposition in hand to the Bench prior to, during or after oral arguments is not allowed and any indulgence in the same shall result in a penalty.  
Failure to deliver an oral argument shall be considered in entirety, a disqualification.
4. Use of any kind of electronic devices like laptop, mobile, Tablets etc. is strictly not allowed during the moot proceedings.
6. All participants are expected to maintain the decorum of the Court during the online competition and are expected to conduct themselves in a manner befitting the legal profession.

### **SCOUTING:**

Teams will not be allowed to observe the rounds of any other teams. Scouting in any form is strictly prohibited. Scouting by any of the team members will result in immediate disqualification. The decision of the organizer shall be final and binding in this regard.

### **CHEATING, INTIMIDATION AND MISCONDUCT**

1. Cheating or using of unfair means of any kind is strictly prohibited and if found indulged in, shall result in disqualification of the team.
2. Intimidation in any form is prohibited and if found indulged in, shall result in disqualification of the team.
3. Misconduct, whether behavioural or otherwise, is not allowed and any indulgence in the same shall result in disqualification of the team.

### **NON-COMPLIANCE WITH THE RESULT OF THE MOOT COURT SOCIETY**

The participants are required to comply with the rules formulated by the Organizing Committee during the Moot Court Competition. In case of any non-compliance with the rules of the Moot Court

Society penalty may be imposed by deduction of marks and the teams may also be disqualified after they have been warned once.

## **PENALTY**

The penalties shall be levied as under for non-adherence to competition rules:

1. Penalty for non-adherence of memorial guidelines
2. Late submission beyond the stipulated time period will attract 2 points penalty per memorial for each day of delay.
3. The memorial exceeding maximum number of pages i.e., 40 A4 size pages shall attract 5 points penalty.
4. Introduction of additional facts in the memorial shall attract 5 points penalty per additional fact.
5. Use of incorrect font or font size, use of inconsistent size, improperly formatted index of authorities or improper line spacing shall attract 5 points penalty. Failure to include all parts of the memorial, or inclusion of an unremunerated part, substantive legal argument outside of approved sections of memorial, excessive length, failure to include necessary information on the memorial cover, inclusion of any identifying mark, character or text in the memorial shall attract 5 points penalty.
6. Exceeding prescribed time limit to a team for the oral rounds may attract up to 5 points penalty as per the discretion of the presiding judge.
7. Penalty for misconduct during Pleadings.
8. Any form of communication between the Bar and by any person other than those on the Bench is completely prohibited, and any indulgence in the same, shall result in a penalty point of 1 mark per communication.
9. Submission of any written material other than the memorials and any other documents related to the proposition in hand to the Bench prior to, during or after oral arguments is not allowed and any indulgence in the same shall result in a penalty point of 5 marks.
10. Non-adherence to the prescribed dress code shall attract penalty of 5 marks per member of the team.

## **DISQUALIFICATION**

Notwithstanding anything written as a part of the above-mentioned rules, following shall result in disqualification of the team in entirety.

The hard copies must be exact print outs of the soft copies. Non-compliance with this rule would entail disqualification.

*In addition to this following shall lead to disqualification:*

1. Use of Electronic Devices like Mobile, Laptop, Tablets etc
2. Scouting
3. Misconduct with the judges or with the members of the Moot Court Society
4. Any act which is not found befitting the standards of Legal Profession

## DISPUTES

Any dispute about the Moot Court Competition shall referred to the Moot Court Society, before the end of the competition. The decision of the Moot Court Society shall be final and binding.

## IX. FOOD & TRAVEL

1. Transport services shall be provided by the organisers from a pre-decided stop to the 'Venue'.  
(IMS Unison University, Dehradun).
2. Breakfast, Lunch and High-tea and dinner is inclusive in the following event (as per itinerary).

## AWARDS AND CERTIFICATES

CATEGORY	CASH PRIZE / CERTIFICATES
WINNER	Rs. 21,000- Cash Prize with certificate. Along with certified online course by <i>LawyersClubIndia</i>
Runner up	Rs. 11,000/- Cash Prize with certificate. Along with certified online course by <i>LawyersClubIndia</i>
Best Mooter Male	Rs. 4000/- Cash Prize with certificate. Along with certified online course by <i>LawyersClubIndia</i>
Best Mooter Female	Rs. 4000/- Cash Prize with certificate. Along with certified online course by <i>LawyersClubIndia</i>
Best Researcher	Rs. 4000/- Cash Prize with certificate. Along with certified online course by <i>LawyersClubIndia</i>
Best Memorial Respondent	Rs. 3500/- Cash Prize with certificate.
Best Memorial Petitioner	Rs. 3500/- Cash Prize with certificate.

### NOTE:

1. The Awardees shall be given a Certificate of Excellence
2. The Semi-finalists shall be given a Certificate of Merit
3. A Certificate of Participation will be given to each participant.

# PATRONS



Mr. Amit Agarwal  
Chairman  
Board of Governors  
IMS Unison University  
Dehradun



Prof.(Dr.) Gurdip Singh  
Chancellor  
IMS Unison University  
Dehradun



Brigadier (Dr) M Srinivasan (Retired)  
Vice Chancellor  
IMS Unison University  
Dehradun



Prof.(Dr.) Ravikesh Srivastava  
Pro Vice Chancellor  
IMS Unison University  
Dehradun

# MOOT COURT SOCIETY



Prof.(Dr.) Ashish Verma  
Chairman, Moot Court Society  
IMS Unison University  
Dehradun



Dr. Shalini Saxena  
Faculty Convener  
IMS Unison University  
Dehradun



Mr. Aman Gautam  
Faculty Co-Convener  
IMS Unison University  
Dehradun



Mr. Aditya Barthwal  
Advisor  
IMS Unison University  
Dehradun



Mr. Arpit Garg  
Student Convener  
IMS Unison University  
Dehradun



Ms. Jaishree Bhadauria  
Student Convener  
IMS Unison University  
Dehradun



Mr. Daksh Sharma  
Student Co-Convener  
IMS Unison University  
Dehradun



Mr. Rushabh Rajeev Tripathi  
Student Co-Convener  
IMS Unison University  
Dehradun

# MOOT COURT SOCIETY

CONVENERS
<i>Mr. Arpit Garg</i>
<i>Ms. Jaishree Bhadauria</i>

CO-CONVENERS
<i>Mr. Daksh Sharma</i>
<i>Mr. Rushabh Tripathi</i>

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JAISHREE BHADAURIA

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**Moot Court Society,**

**School Of Law,**

**IMS Unison University, Dehradun**



# MOOT PROPOSITION

1. The State of Indiana is a sovereign, democratic, republic country situated in the south-eastern part of Masia. The entire world is facing a transition from fuel ignited engines in automobiles to battery/ electronically powered vehicles. Various Companies such as Besla are the world leaders in the manufacture of electric vehicles. The Prime Minister of the State of Indiana in his speech has clearly mentioned that Indiana would soon introduce an EV Policy-2030 whereby the Indiana plans to replace all fuel ignited vehicles by Electric Vehicles.
2. Readon Pvt. Ltd. ("RPL"), a Bumbai based company is in the business of manufacturing of Lithium batteries used for electric vehicles, and electronic gadgets. RPL is one of the leading companies in the market of Indiana and covers almost 56% of the market share in Indiana. In order to meet its demand of Lithium batteries, RPL imports Lithium from Australia.
3. Ministry of Mining and Extraction ("MoME"), Government of Indiana in the year 2005 discovered one of the largest reserves of lithium in the northern part of Indiana, which was sufficient to fulfil the demand of Indiana for next 60 years. As soon as the news pertaining to discovery of Lithium was circulated, all the companies dealing in electronic vehicles and electronic gadgets started revising their contracts with the foreign entities, including RPL.
4. In the month of August 2006, the Ministry of Energy and Power ("MEP") announced that all the Lithium discovered recently would be solely utilised in fulfilling the demands of people of Indiana. MEP in collaboration with MoME launched a Special Purpose Vehicle ("SPV") Lithium Extractor Pvt Ltd ("LEPL") for extracting and mining of Lithium. All day-to-day affairs, such as finance, operations, and management of LEPL was under the joint control of the committee headed by the Managing Director of MoME and MEP.
5. RPL being the market leader, approached LEPL for entering into a collaboration agreement wherein RPL would provide the technological support for extraction of lithium. LEPL in return would provide Lithium to the RPL at subsidised prices. RPL and LEPL entered into an agreement for the term of 25 years ("Collaboration Agreement"). [Exhibit A].
6. Owing to the Collaboration Agreement, RPL witnessed a significant growth in its market share, as now RPL was a lead market player and was almost fulfilling the demand of batteries in approximately 85% electric cars which were being manufactured in Indiana.
7. After the significant growth in the market of Indiana, RPL decided to venture into automobile Industry with the primary object to promote the sustainable energy across the globe. In January 2015, RPL entered into a joint-venture with an England based automobile company SINO Automobiles Ltd and formed a SPV in the name of E-Wheel Pvt. Ltd ("EPL").
8. RPL infused capital of INR 1,000 Crores for developing the state-of-the-art manufacturing facility in England, for manufacturing electric cars and electric scooters. RPL on the official launch event of EPL, conducted a press conference. Wherein, one of the press reporters asked the chairman of RPL about the scarcity of Lithium across

the world and strict legal regime of Government of Indiana, with respect to the export of Lithium.

9. The chairman of RPL, while addressing the press, very confidently stated that “*In our new venture, we are not exporting the Lithium out of Indiana. As per our arrangement with EPL, RPL will export batteries which are manufactured in Indiana, which will also benefit the trade corridors of Indiana and UK*”.
10. The said announcement of the RPL came as a surprise to LEPL. LEPL immediately sent a termination (“Notice”) pertaining to the Collaboration Agreement to the RPL [Exhibit B] and stopped the supply of Lithium to the RPL with immediate effect.
11. On receiving the Notice, RPL immediately, approached the High Court of Delphi (Commercial Division) (“Court”) for seeking following reliefs: (a) LEPL to be refrained from terminating the Collaboration Agreement and (b) LEPL should not take any coercive action against RPL and (c) supply of lithium should be restored.
12. The Court only granted relief (a) to the RPL vide its order dated 22.01.2020 (“Interim Order”) Subsequently, RPL issued the arbitration notice to the LEPL and nominated Mr. Harry Gujral as a sole arbitrator. In response to the arbitration notice LEPL did not provide its consent to the nomination of Mr. Harry Gujral.
13. Consequently, RPL filed an application before the High Court of Delphi for the appointment of Arbitrator. The High Court appointed Dr. Bruce Wayne as a Sole Arbitrator. Mr. Bruce was a retired Chairman of World Energy Forum and a global scholar. [Exhibit C]
14. As soon as Mr. Bruce was appointed, RPL immediately moved for the extension/continuation of the Interim Order. Mr. Bruce extended the Interim Order till finalisation of the arbitration proceedings.
15. The Arbitration proceedings was concluded on 21.03.2023. The Hon’ble Sole Arbitrator rejected all the claims of RPL vide its Award dated 21.05.23 (“Award”) held the following:

[Relevant Extract]

*“The sole purpose of the collaboration agreement was to meet the demands of the people of Indiana. However, RPL through EPL was diverting the Lithium purchased at subsidised price outside Indiana in the form of supplying batteries, which was against the intent of the Collaboration Agreement.”*

16. After the passing of the Award RPL came to know about certain facts about the Hon’ble Sole Arbitrator. RPL immediately moved to the Court for challenging the Award stating that the Hon’ble Sole Arbitrator lacked independence and impartiality on the following grounds:
  - a) Mr. Nylo Wayne, the brother of Mr. Bruce Wayne was head of MoME and MEP in the year 2001 and 2002. Further, Mr. Nylo Wayne was also heading the team which discovered the Lithium reserve. However, he retired from his office in the year 2013.
  - b) The current Managing Director of MoE, who got appointed in the year January 2023, completed his Ph.D. under the supervision of Mr. Bruce Wayne in the year 2010.

17. The aforesaid two grounds were not in the knowledge of the RPL at the time of appointment of Mr. Bruce Wayne as the Arbitrator. Further, the said facts were also not disclosed by Mr. Bruce Wayne.
18. Along with the challenge application, RPL also moved an interim application for stay of termination notice pertaining to the Collaboration Agreement before the Hon'ble High Court of Delphi.
19. RPL learned from its sources that LEPL in the year 2021-2022 i.e., during the pendency of arbitration proceedings, placed an order of INR 500 Crores with M/s Magnetic Rovers Pvt Ltd for purchasing excavators and cranes for mining of Lithium ("Transaction"). M/s Magnetic Rovers Pvt Ltd is owned by Mr. Nylo Wayne and the stepson of Mr Bruce Wayne.
20. RPL to fortify its claim of lack of independence of arbitrator, filed an application before the Court for recovery of money against the Hon'ble Sole Arbitrator with respect to cost incurred in the arbitration proceedings.
21. RPL alleged that the said transaction was overpriced and indirectly a fair share of INR 500 crore has been given to the Mr. Bruce Wayne, as he passed an award in favour of LEPL.
22. Since all three cases, stems out from one arbitration proceedings. Therefore, the Hon'ble High Court of Delphi (Commercial Division) decided to frame following issues:

***(a) Whether the Court can grant interim relief in favour of RPL?***

***(b) Whether the Court has jurisdiction to entertain legal proceedings against the Sole Arbitrator?***

***(c) Whether the Arbitration Award can be set-aside on ground of lack of independence and impartiality?***

Note:

1. No issue of pecuniary jurisdiction is involved in the moot problem.
2. The laws of Indiana are *pari materia* to that of India.
3. Any attempt of solicitation with the Moot Court Committee or the Draftsmen of the Moot Proposition, shall be a ground for disqualification of teams.
4. The Moot Court Society, IMS Unison University holds the copyright of the above-mentioned moot proposition, and any un-authorized use may invite legal consequences.

[Exhibit A]

Collaboration Agreement

The Collaboration Agreement is made on this 19<sup>th</sup> day of January 2007 (“Execution Date”) at Delphi.

.....

.....

.....

- A. Whereas Based on the terms and conditions of the contract RPL has agreed to provide the technical support for extraction of Lithium.
- B. Whereas LEPL has agreed to provide Lithium at a subsidised price.
- C. Whereas RPL has agreed to use Lithium only for the purposes of fulfilling the demand of citizen of Indiana

NOW THEREFORE, in consideration of, and subject to, the representations, mutual covenants, agreements, terms and conditions herein contained, the mutual benefits to be derived therefrom and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

.....

**Termination Notice**

Either party can terminate the Collaboration Agreement by giving 30 days written notice.

.....

**Dispute Resolution**

- 1. If any dispute, controversy or claim between the Parties arises out of or in connection with this Agreement, including any question regarding its existence, validity or termination arising out of or in connection with this Agreement the Parties shall use all reasonable endeavors to negotiate with a view to resolving the Dispute amicably.
- 2. The Parties are unable to resolve the Dispute amicably within 30 (thirty) days of service of the Dispute Notice.
- 3. Any Dispute arising from this Agreement shall be referred upon the application of any Party to arbitration as per Arbitration and Conciliation Act, 1996
- 4. The arbitral tribunal shall comprise of 1 (one) arbitrator.
- 5. The seat of the arbitration shall be Delphi, Indiana.

**[Exhibit B]**

Date: 22.01.2016

To,  
The Managing Director,  
Readon Pvt. Ltd.,  
New Delphi.

**SUBJECT: TERMINATION NOTICE WRT TO THE COLLABORATION  
AGREEMENT**

Sir,

1. We have learnt that recently you have made an endeavor to enter into an automobile sector for manufacturing and selling electric vehicles and you have also launched your facility in England.
2. Recently, newspaper articles reveal, while addressing the gathering, you have made a claim of surplus Lithium at your disposal, which we believe that the same is procured by virtue of the Collaboration Agreement.
3. At the time of signing of the Collaboration Agreement it was made clear to you that Lithium is to be solely used for meeting the demands of citizens of Indiana. However, it appears that you are diverting the same for your own motives and in clear breach of the Collaboration Agreement.
4. Your actions of yours are not in good spirit and co-operation. Therefore, we are constrained to issue the present termination notice. You are requested to give your representation to the undersigned within 15 days of receipt of the present notice as to why LEPL should not terminate the present Collaboration Agreement.

Yours Sincerely

Executive Director

LEPL, Delphi

[Exhibit C]

DISCLOSURE AS PER SIXTH SCHEDULE, SECTION 12(I)(B) OF THE ARBITRATION  
ACT

Prof (Dr.) Bruce Wayne

University of Falcon

Expert Valuer Extraction of Minerals

Advisor Indianana- UK Energy Corridor

Ex- Chairman World Energy Forum

**Permanent Res. Add: 1/3 Pentagon Square, Beverly Hills, Chennai,**

To whosoever it may concern

- I have been appointed to act an arbitrator in dispute between RPL v. LEPL.
- I do not have any conflict with either of the parties.
- I am ready and willing to dedicate the time and effort for adjudication of the present dispute.
- I will act with utmost independence, impartiality, and fairness.
- I will apprise the parties if during the course of proceedings any circumstances arises, which can in any manner create a justifiable doubt.

Number of appointments (Domestic Arbitration)	24
Number of appointments (International Arbitration)	34
Number of pending arbitrations	6
Acted as president in arbitrations	42

Drafted by:

Ankit Singh & Aditya Barthwal

Advocate, High Court of Uttarakhand at Nainital

**Drafter's Note:**

-The present moot problem is drafted for educational purposes only.

## TRAVELLING PLAN

Name of the Participant as per college ID card	
College Name	
Contact No	

**MODE OF COMMUTE -** \_\_\_\_\_

Arrival Ticket (TRAIN / FLIGHT / BUS Booking Reference Details)

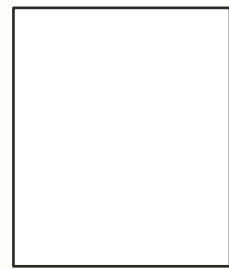
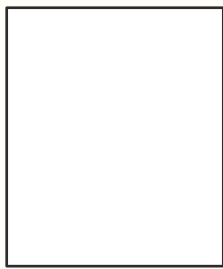
IF LOCAL, ADDRESS DETAILS –

RETURN TICKET ( BOOKING REFERNCE DETAILS) –

**DECLARATION BY THE TEAM MEMBERS**

**We hereby certify that the information given by us is true and complete in all material respect.**

**We also undertake to abide by the Rules & Regulations of the Moot Court Competition.**



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**Signature  
Speaker 1**

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**Signature  
Speaker 2**

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**Signature  
Researcher**

**DATE : \_\_\_\_\_**

**Seal and Signature of  
Dean/HOD School of Law**