

TMV'S LOKMANYA TILAK LAW COLLEGE

Gultekadi, Pune – 411037

Contact No.: 020 - 24403101
24403102

Dr. Vishwanath Patil
LL.M (Pune), Ph.D.(Law)
Principal

Date: 10th December 2016

To,

The Principal / Head of Department,

Subject: Invitation to Participate in the Lokmanya Tilak Third State Level Moot Court Competition, 2017.

Dear Sir / Madam,

It gives me an immense pleasure to announce that TMV's Lokmanya Tilak Law College, Pune is organizing Lokmanya Tilak Third State Level Moot Court Competition to be held on Saturday 28th January 2017. This Competition provides mooting opportunities to the students for honing their skills which are a pre-requisite for entering into the legal profession. We would like to invite your prestigious institute to participate in this competition

Kindly find attached a copy of the Moot Problem and its Rules. For any queries write to us at law@tmv.edu.in or rahulbharati.2009@gmail.com. We look forward to your positive response and participation in this State Level Moot Court Competition.

Thanking you,

Your's Sincerely,

Dr. Vishwanath Patil
Principal

Lokmanya Tilak Third State Level Moot Court Competition, 2017

Suma, a 23-year-old woman from a poor family at Shemur got a small job at an institution in [Ernakulam](#). She and her family consisting of her younger brother and their mother were eking their livelihood from the monthly salary being earned by her. Once in a while, during holidays, she used to go to her house at [Shemur](#) by the Ernakulam - Shemur passenger train, which leaves Ernakulam in the evening. As there was nobody else in the Ladies compartment, Suma hurriedly made an entry into the Ladies coach attached just in front of that last compartment. Bassapa, a habitual offender noticed that, Suma was left alone in the Ladies compartment, thereby he entered in that compartment and Suma was caught hold by Bassapa and forcibly raped her. Thrissur Fast Track Court convicted Bassapa for the rape and murder charges. Bassapa has been convicted under Section 302 of the Indian Penal Code, 1860 and sentenced to death. He has additionally been convicted under Section 376 IPC and sentenced to undergo rigorous imprisonment for life. The conviction of the Bassapa has been confirmed in appeal by the Kerala High Court. But the sentence of death for commission of offence under Section 302 IPC has been set aside by the Supreme Court of India, instead of that accused is sentenced to undergo rigorous imprisonment for seven years. One Former Supreme Court Judge, Monu Patel criticized the Bench's judgment, calling it a "grave error" on his Face Book Blog. A Supreme Court Bench took *suo motu* judicial notice of Justice Monu Patel's personal Blog criticizing the Supreme Court judgment and converted his Face Book Blog into Review Petition. The Supreme Court of India has issued notice to Justice Monu Patel and asked him to appear before the Court in person and ordered him to a specific question as to whether the judgment suffered from any 'fundamental flaw' so as to require exercise of the review jurisdiction. The Supreme Court of India after hearing Justice Monu Patel's review plea, dismissed it with issuance of contempt notice to him. Due to which so many questions are pop up such as-

1. Whether the Supreme Court can issue notice to a Former Supreme Court Judge Monu Patel and instruct him to appear and participate before it?
2. Whether the Supreme Court as upholder and enforcing agency of the Constitution can work against a constitutional provision in doing so?
3. Whether Article 124(7) grants immunity to a Supreme Court Judge from being asked to appear in a Court of Law?
4. Whether in absence of any voluntary interest shown by Former Judge of a Supreme Court, can he be called to respond, appear and participate before the Court?
5. Whether the Supreme Court order amounts to the first step in silencing affirmative criticism against Supreme Court by calling critiques to appear before it?

On this above issues, the Participants are requested to argue before the Moot Court on 28th January 2017.

Rules

1. The Competition will commence at 10:00 a.m. on Saturday, the 28th January 2017. Participant should report at the TMV's Lokmanya Tilak Law College, at 9:00 a.m., before the commencement of the competition. **(If any change in the date of the Competition, it will be informed later on well in advance).**
2. A nominal Registration Fee for per team (Two Speakers and one Researcher) is INR 1000. The Registration Fee must be submitted by Demand Draft drawn in favour of **“The Registrar, Tilak Maharashtra Vidyapeeth, Gultekadi Pune” payable at Pune or by cash.**
3. There will be only one round of competition with one moot problem.
4. Each college is required to send a team (Consisting of three Students) one for the Petitioner / Appellant, one for the Respondent and one Researcher. The names of the team members (bonafide students) should be communicated in writing (i.e. in Registration Form given in Annexure I) by the Principal, on or before **20 January 2017**. Registration Form (Scan Copy) mailed to law@tmv.edu.in and rahulbharati.2009@gmail.com
5. The order of presentation will be on the basis of lots drawn before the time of commencement of the competition. The arguing team is not to reveal the name of their College either while arguing or on the written submission.
6. There shall be Following Prizes:-
 - I. The Best team getting highest of marks will be declared as the **Winner Team** and will be awarded the Trophy and Cash Prize.
 - AI. The next team getting highest of marks will be declared as the **Runner Up team** and will be awarded the Trophy and Cash Prize.
 - BI. The **Best Student Advocate on behalf of Appellant** side securing highest individual marks will be given Memento and Cash Prize.
 - IV. The **Best Student Advocate on behalf of Respondent** side securing highest individual marks will be given Memento and Cash Prize.
7. All the participants will be given Certificate of Participation.
8. At a time only the team which is arguing will be present in the Court. All the other participant will be seated at a place marked by the Co-ordinator of the competition.
9. Each participant has to argue for the total 10 minutes ie.8 minutes for argument and 2 minutes for each student to answer the queries asked by the judges. Student participants are advised to come with proper attire.
10. The Student must carry with them the photo Identity Card duly signed by authorized Signatory / Principal.
11. Necessary books and reports for reference must be brought by the Participant only.
12. Argument shall be in English only.
13. Each Participating team shall submit two copies of the written submission. Each for the Petitioner and the Respondent i.e. 4 copies of the written submission, on or before **20 January, 2017**.

14. The marks will be assigned to each team in the manner shown below : Total Marks 100

Written Submission	20 Marks
Substance of Argument	40 Marks
Advocacy Skill	20 Marks
General Impression + Court Manners and behavior	20 Marks
Total Marks	100 Marks

15. Written Submission / Memorials must contain the following:

- i. Table of Contents
- ii. Index of Authorities
- iii. Statement of Jurisdiction
- iv. Statement of Facts
- v. Questions / Issues Presented
- vi. Summary of Arguments
- viii. Prayer.

16. The Competition will take place at the TMV's Lokmanya Tilak Law College, Tilak Maharashtra Vidyapeeth, Mukundnagar, Gultekadi, Pune-37.

17. The decision of the Judges will be final in regard to the result of the competition and no complaints in this regard will be entertained.

18. All the communication regarding the competition is addressed to :

Dr. Vishwanath Patil
Principal,
Lokmanya Tilak Law College,
Tilak Maharashtra
Vidyapeeth, Mukundnagar,
Gultekadi,
Pune-37
Phone No-020-24403101 / 3102

19. The Prof- In- Charge of the Moot Court Competition is **Mr. Rahul Bharati**, Assistant Professor, Department of Law, Tilak Maharashtra Vidyapeeth, Pune.
Email: - rahulbharati.2009@gmail.com

Mobile No. - 9420801318

20. The result of the competition and prize distribution will be on the same day.

