

TMV'S LOKMANYA TILAK LAW COLLEGE

Gultekadi, Pune – 41103

Contact No.: 020 - 24403101
24403102

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

Date: 25/1/2016

To,

The Principal / Head of Department,

Subject: Invitation to Participate in the Lokmanya Tilak Second State Level Moot Court Competition, 2016.

Dear Sir / Madam,

It gives me an immense pleasure to announce that TMV's Lokmanya Tilak Law College, Pune is organizing Lokmanya Tilak Second State Level Moot Court Competition to be held on 27th February 2016, Saturday. This Competition provides mooting opportunities to the students for honing their skills which are a pre-requisite for entering the legal profession. We would like to invite your prestigious institute to participate in the competition

. Kindly find attached a copy of the moot problem and rules. For any queries write to us at law@tmv.edu.in. We look forward to your positive response and participation.

Thanking you,

Your's Sincerely,

Dr. Vishwanath Patil
Principal.

Lokmanya Tilak Second State Level Moot Court Competition, 2016

Moot Problem

Date- 27th February (Saturday) 2016

Mehboob Pathan.....Appellant

v.

Salim Kureshi and others-----Respondent

In 2011, the First respondent was a candidate of Indian Union Muslim League was declared elected to 12 Erankulam Legislative Assembly Constituency with 62,598 votes as against 52,452 votes secured by the petitioner, who contested as an independent candidate, allegedly supported by the Left Democratic Front. It was alleged that the First respondent disseminated false information regarding involvement of the petitioner in the murder of one Afzul by using various promotional tactics with the intention to prejudice the prospects of the petitioner. Thereafter, the petitioner sought for a declaration before the High Court of Kerala to set aside the election of the first respondent on the ground use of corrupt practice of undue influence u/s 100(1)(b) read with Section 123(2)(ii) and (4) of Representation of People Act, 1951 and also to declare the petitioner as the duly elected candidate from 12 Erankulam Legislative Assembly Constituency. The electronic records involved were Video, CDs containing the election propaganda announcements, interviews and public meetings alleged to have been made by the respondents' side, which were originally recorded in mobile phones and movie cameras, and the same were transferred to computers and by using the said computers as devices for data transferring, the CDs were produced. The CDs produced were marked before the Court as evidence, without being produced the originals. High Court dismissed election petition holding that corrupt practices pleaded in petition were not proved, and hence, election could not be set aside u/s 100(1)(b) of Representation of People Act, 1951.

Aggrieved by the order of High Court, the petitioner approached the Supreme Court. Now Students are expected to argue before the Full bench of the Supreme Court on the issue of, whether any documentary evidence in the form of an electronic record can be proved only in accordance with the procedure prescribed under Section 65B of the Evidence Act?

Rules

1. The Competition will commence at 10:00 a.m. on Saturday, the 27th February 2016. 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 February 2016**. Registration Form (Scan Copy) mailed to **law@tmv.edu.in**
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.
 - II. The next team getting highest of marks will be declared as the **Runner Up team** and will be awarded the Trophy and Cash Prize.
 - III. 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 February, 2016**.
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 Lokmanya Tilak Law College, Tilak Maharashtra Vidyapeeth, Pune
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 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.

ANNEXURE-I

Registration Form

TMV'S Lokmanya Tilak Law College, Pune.

Lokmanya Tilak Second State Level Moot Court Competition, 2016.

1. Name of the College :

2. Address :

Email :

Contact No.

3. Name and Signatures of the Speakers :

Appellant: Mr/Ms

Mobile No.

Respondent: Mr/Ms

Mobile No.

Researcher: Mr/Ms

Mobile No.

4. Name of the Techer (In-charge of Moot Court) :

Mobile No.

5. Any other Information :

Name and Signature of the Principal

ANNEXURE – II

TRAVEL PLAN

1. Name of Institution –

2. Arrival Details –

a. Mode of Arrival: Train / Air / Bus _____

b. Train No./Bus No./Flight No. _____

c. Estimated Time of Arrival _____

3. Departure Details –

a. Mode of Arrival: Train / Air / Bus _____

b. Train No./Bus No./Flight No. _____

c. Estimated Time of Departure _____

4. Any other details:

For Accommodation, Please Contact:

Asst. Prof. Rahul Bharati (9420801318)

Asst.Prof. Aditya Shelar (9763980004)

(Signature & Seal of the Head of the Institution)