



KARNATAK UNIVERSITY'S
SIR SIDDAPPA KAMBALI LAW COLLEGE
(Formerly University College of Law)



College Road, Dharwad – 580 001, Karnataka, India
(A Constituent College of Karnatak University, Dharwad)

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E-mail: kusssklawedu@gmail.com

Ref.No.K.U./U.Law/

Date: 06-08-2018

THE TWENTY FIRST SRI.S.C.JAVALI MEMORIAL NATIONAL MOOT COURT COMPETITION
13TH AND 14TH OCTOBER 2018

Dear Sir / Madam,

It is our great pleasure to inform you that the 21st Sri.S.C.Javali Memorial National Moot Court Competition will be held on the 13th and 14th of October 2018. We invite your esteemed institution to participate in the said competition. The moot court problem and detailed rules governing the competition are enclosed.

Dharwad, a very prominent centre for literary and cultural activities, is also a renowned centre of learning. Dharwad is situated between Belgaum and Hubli and can be reached by road or rail. The nearest airports are at Hubli-Dharwad, Belgaum and Goa. Mooters and researchers who have participated in our earlier competitions have always appreciated the local hospitality and have gone back with very pleasant memories.

Kindly let us know the travel plans of your team so that our volunteers can receive the team. For any information or clarification, please visit us at www.kud.ac.in ; write to us or call us at any one of the following numbers.

Contact numbers:

College (office) : 0836- 2448177, 2440686

Mr. Vishwanath M. (coordinator): +919880080243

Mr.Rakeshkumar Kamble : +919449396793

Ms.Shashirekha Malagi : +919742502894

kusssklawedu@gmail.com

Thanking you,

Yours sincerely

(Vishwanath M.)
Moot Court Coordinator

RULES GOVERNING THE MOOT COURT COMPETITION

General

1. Law Colleges recognized by the Bar Council of India are eligible to participate in the Competition. Students studying in **Five year Law Course** and **Three year law course** are eligible to participate in the competition.
2. Each College may send a team consisting of two mooters and a researcher.
3. Law Colleges/Institutions willing to compete, shall confirm participation by sending the DD and Registration form **on or before 9th October 2018**
4. **The moot competition is restricted to 30 teams and these teams will be selected on first cum first serve basis.** Teams may confirm their registration through email to kusssklawedu@gmail.com
5. Each participating team has to pay a **registration fee of Rs.1500/-** (Rupees one thousand five hundred only) through a demand draft drawn (preferably) on any nationalized bank, payable at Dharwad-Hubli in favour of **The Principal, Karnatak University's Sir Siddappa Kambali (KU'sSSK) Law College, Dharwad.**
6. The Organizers will not defray the travelling expenses of the participating teams. However, the participants will be provided boarding and lodging on the days of the competition. Lodging will not be provided for the teams from Dharwad and Hubli
7. The language of the Moot Court shall be English.
8. Lots will be drawn on 13th October 2018 around 11.00 a.m. and fixtures for the Preliminary Round will be announced. Fixtures for subsequent Rounds will be announced fifteen minutes before the commencement of the Competition.
9. The Moot Problem, being the property of Karnatak University, shall not be used by any Organization, College or Institution without the written permission from Karnatak University.
10. The enclosed Registration Form should be duly filled and returned on or before **9th October, 2018 to the Coordinator, 21st S.C.Javali National Moot Court Competition Karnatak University's Sir Siddappa Kambali Law College, College Road Dharwad-580001**
11. The team of the Karnatak University's, Sir Siddappa Kambali Law College, Dharwad shall not participate in the moot court competition.

SOME SALIENT FEATURES OF THE MOOT COURT COMPETITION

1. Each team shall be given 30 Minutes to advance its arguments or make submissions. Hence, each counsel shall have fifteen minutes only at his/her disposal.
2. Each team will be assessed for 100 marks in oral rounds. Memorials will be assessed for 50 marks separately. **Memorial marks will not be added to oral rounds to decide the qualifying team for the next round and finally, even to decide the winners and runners up.**
3. The Four stages in the Competition shall be: **First Round; Quarter Finals; Semi-Finals and Finals.**
 - (a) **First Round:** Every participating Team shall take part in the Preliminary Round as per the fixtures drawn and announced.
 - (b) **Quarter Finals:** Four top teams appearing for the Petitioner and Four top teams appearing for the Respondent shall, on the basis of the marks secured in the Preliminary Round, enter the Quarter Finals.
 - (c) **Semi-Finals:** Four out of the Teams participating in the Quarter Finals shall, on the basis of the marks secured therein, move on to the **Semi-Finals**.
 - (d) **Finals:** Two out of the Teams in the Semi- Finals shall, on the basis of the marks secured therein, enter the Finals.

Rules Regarding Submission of Memorials

1. Each team has to submit four sets of memorials for both sides on or before **9th October 2018** and in case of delay the team would **lose 2 points for each day of delay**. Spiral binding of the memorials should be in **Blue color for the Petitioner and Red Color for the Respondent**. A soft copy of the memorials for both sides should be sent to kusssklawedu@gmail.com
2. The Memorials should be typed on one side of bond papers and be double-spaced.
3. The arguments should not exceed 15 pages. However, these 15 pages will not include the Cover page, Page of Content, Table of Authorities, Table of Cases, List of Abbreviations, Statement of Facts, Issues/Questions presented, Summary of the Arguments and Appendices.
4. The Memorials should be neatly bound and submitted.
5. The Memorials submitted will not be returned.

Dress Code: The Dress Code for the Participants shall be as prescribed by the Bar Council of India.

Prizes: Prizes will be awarded to: 1. Winners, 2. Runners-up, 3. Best Memorials, 4. Best Gentleman Advocate and 5. Best Lady Advocate.

REGISTRATION FORM

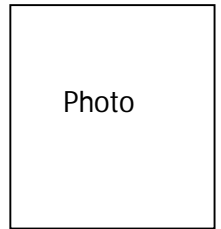
THE TWENTY FIRST S.C.JAVALI MEMORIAL
NATIONAL MOOT COURT COMPETITION
13TH AND 14TH OCTOBER 2018

Name and address of the College including phone numbers and e-mail:

1. Name of the Mooter:

Class : _____
Address : _____

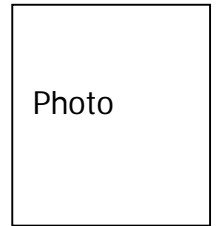
Phone No. : _____
Email : _____



2. Name of the Mooter:

Class : _____
Address : _____

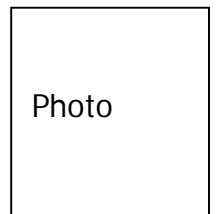
Phone No. : _____
Email : _____



3. Name of the Researcher:

Class : _____
Address : _____

Phone No. : _____
Email : _____



Signature and Seal
of the Principal

* Photographs should be attested by the Principal/Head of the concerned Institution.

MOOT PROBLEM*

MS. RUCHIKA SEN VS KINDIA NATIONAL LAW SCHOOL*

1. Mr. Avinash Bose - son of a High Court judge and Ms. Ruchika Sen - daughter of a bureaucrat, are students of the prestigious Kindia National Law School and are studying in the fifth year of the five year law course.
2. Avinash Bose and Ruchika Sen were seen as intelligent as well as sociable on the campus. On X August, when Prof Sanath Raj was teaching the subject “Privacy Rights”, he noticed the inattentiveness of Ruchika Sen sitting in the front row. Prof. Raj quickly moved to her desk and seized a smart phone from her hand. He asked her - “*What are you doing with the phone?*” Before she could answer, Avinash Bose, from his seat in the sixth row, said - “*Sir, we were chatting*”! Prof. Raj thundered - “*What? What have you been chatting...?*” Ruchika Sen said - *Sir...* Avinash Bose interrupted - “*Sir you shouldn’t bother about what we chat. We are in a University ... not in a School*”. Prof. Raj felt humiliated. He stopped his lecture and went straight to meet the Vice Chancellor.
3. On taking the report of the incident from Prof. Raj, the Vice Chancellor referred the matter to the Student Disciplinary Committee (SDC). Both Avinash Bose and Ruchika Sen appeared before the SDC and admitted to have chatted in the class-room during class hours as was reported by Prof. Raj. However, both stated that “*Prof Raj acted impulsively and in a fit of anger*”. The SDC in its Report found “*the class room conduct of both Avinash Bose and Ruchika Sen, unbecoming of a student*” and recommended their rustication from the School for the said semester term.
4. The disciplinary action invited strong reaction from the students as also section of the teachers, as an attack on academic freedom and, an imposition of totalitarianism.

*The Moot Court Problem is prepared by **Shri. Mohan V. Katarki**, Advocate Supreme Court of India, New Delhi, *alumni of University College of Law, Dharwad (now renamed as Karnatak University’s Sir Siddappa Kambli Law College, Dharwad)*. Any attempt to contact the author may incur disqualification.

• The Moot Problem is a fiction. Reference to Kinda is to be understood as Republic of India and Kindia National Law School as India National Law School.

5. Ruchika Sen decided to challenge the decision of rustication and filed a Writ Petition in the Supreme Court of Kindia. However, Avinash Bose, though he stood by her fully, couldn't challenge as he decided to join an international trekking of law students going to the Himalayas.
6. Ruchika Sen alleged that, the very act of Prof. Raj in seizing her smart phone was "*...unwarranted and constituted a breach of her privacy*". Among other grounds she also averred that - "*class-room chatting cannot be treated as unbecoming of a student of the University, particularly the Law School*". Besides praying for setting aside of the order of rustication, Ruchika Sen also sought a compensation of ₹ 1,00,000-00 (rupees one lakh) from the School for breach of her privacy and for the humiliation and mental agony caused.
7. The Supreme Court of Kindia, by an interim orders dated Y August, 2018, stayed the order of rustication and posted the matter for final hearing on X October, 2018.

Note: The Mooters shall prepare a brief for the Petitioner Ruchika Sen and Respondent Kindia National Law School.

Disclaimer: The names, characters and incidents portrayed in this moot problem are fictitious. No identification with actual persons (living or dead), places or buildings is intended or should be inferred.