

Chennai Dr. Ambedkar Government Law College, Pudupakkam
V BA.LLB- 'C' Section

1. Three moot problems have been uploaded in accordance with the pattern prescribed in the syllabus.
2. Students whose register number ends with an odd number will have to prepare memorials for Petitioner and those with register number ending with even number will have to prepare memorials for the Respondent side, for all the three cases.
E.g., 518XXXX2 – Respondent
518XXXX3 - Petitioner
3. Details of the last date of submission and presentation will be uploaded in the college website.
4. The Memorials shall be typed on A4 size page in Font type: Times New Roman, Font size: 12, 1.5 line spacing & 1inch margin on each side. The memorials shall not exceed 40 pages.
5. The Cover Page of the Memorials must follow the following color scheme, Blue for the Applicant/Petitioner/Appellant Cover Page and Red for the Respondent Cover Page. The Memorials must be spiral bound ONLY.
6. The Memorials must fulfill all the following specifications;
 - i. Cover page / Cause title
 - ii. Index
 - iii. Index of Authorities
 - iv. Statement of Jurisdiction
 - v. Synopsis of Facts
 - vi. Statement of Issues
 - vii. Summary of Arguments / Pleadings
 - viii. Arguments Advanced / Pleadings
 - ix. Conclusion / Prayer

MOOT PROBLEM NO. 1

An Advertisement was issued inviting applications for grant of Short Service Commission in the Army Medical Corps. There were 200 vacancies. The applicants could be either male or female. They were required to have passed the final year M.B.B.S. Examination in the first or second attempt and must not have attained the age of 45 years on 31.12.2017. The tenure for the fresh candidates was five years extendable by another nine years in two spells first one of five years and the second one of four years, subject to eligibility. There was no condition that the candidate had to be unmarried. The petitioner, Mrs. Sheela, who was MBBS, MD applied in response to the advertisement. She was called for the interview on 10.01.2018 and was intimated that she had been selected for grant of Short Service Commission (hereinafter referred to as 'SSC') in the rank of Captain. Though, initially, declared unfit in the medical examination on 11.01.2018, she was declared medically fit by the Appeal Medical Board on 16.02.2018. She was issued appointment letter dated 16.02.2018 whereby she was asked to report on 10.09.2018 to the Commandant of Military Hospital, Pathankot for commencement of employment.

In the appointment letter it was stated that she had been found fit by the Medical Board. But she would be required to undergo medical inspection on reporting to the unit to simply confirm that there has been no deterioration in the health status.

Mrs. Sheela reported for duty on 10.09.2018. After her medical inspection, certificate was issued that she was medically fit and is free from contagious disease. However a remark was entered that she was seven months pregnant but with no complications. It was conveyed to her that there are no clear instructions or guidelines or rules as to whether pregnancy can be construed as deterioration of health.

Accordingly, the petitioner was asked to wait pending a clarification on this issue from the Headquarters. Finally, vide letter dated 15.09.2018 the petitioner was intimated that as per the competent authority, she was unfit to join service. She made a request to keep a vacancy for her so that she could join after delivering the child but received no response.

Aggrieved, Mrs. Sheela has filed the writ petition.

- Submit your Arguments

MOOT PROBLEM NO. 2

Mr. Iniyam, a Multi-service contractor entered into two contracts –

- One, with Public Works Department, Government of Pondipur to construct a Civil Supplies Storage building at Visaka Puram, Ramakur District, Pondipur
- Another, with the Director of Civil Supplies, Pondipur to supply 100 tons of Sugar at Newly constructed Civil Supplies Storage building at Visaka Puram, Ramakur District, Pondipur

Mr. Iniyam fulfilled both the contracts. The Building constructed by the contractor was used to store 100 tons of Sugar, which was also been supplied by the same contractor. With regard to the contract made with Public Works department no payment was made to the contractor. In an action, the Government contended that, since the requirement of Article 299 (1) of Indian Constitution has not been complied with, and hence the contract was not enforceable.

With regard to the contract made with Director of Civil Supplies only part payment was made. When the balance amount was claimed, the Government contended that the contract is void, since the Director was not authorized to enter such contract.

In this scenario, Mr. Iniyan approached the Court of Law.

- Submit your Arguments

MOOT PROBLEM NO. 3

Radhika Vasudev aged 22 years from college of architecture, Mumbai was the topper in the college and worked with acclaimed architects of the country. She became close to friend and senior Vikram Burman who was also a good student. Both of them were seen together a lot in and outside college. Their common friends were surprised. Vikram was from a luxurious lifestyle while Radhika was a sombre girl from a middle class background. They decided to get married when Radhika completed her course. On 9th November 2012, they got married and Radhika moved into matrimonial home where Vikram's parents, sister and grans mother were staying therein.

As she started her career she became close to her sister-in-law and had some issues with her in-laws but were settled amicably. The practice of Vikram did not go as expected and moreover he wanted to maintain a high life style which led to financial crises. A baby was born on 11th December 2014 and the pretext of poor practice, Vikram began to borrow money from friends and relatives. He therefore took a loan of 5 lakhs from Radhika's parents but refused to return later saying that the money was for their daughter only. All this led to deterioration of married relation and at times he use to beat her, when drunk. Vikram use to blame Radhika being from a family of beggars and the consequence of which she once tried to slit her wrists and end her life but was saved by her sister-in-law. This incident left a deep impression on the family and family physician prescribed medicines and advised her to consult a psychiatrist.

Later on 13th April 2017, a baby boy was born and even then family was in a financial mess. Money lenders used to threaten Vikram, and he vented his frustration on Radhika. She started suffering from depression and mood swings. On 4th January, 2018, neighbours saw Radhika running out with her saree on fire and her mother-in-law chasing her shouting she was out of her mind to do something like this. She finally collapsed on the road and was taken to hospital. It was reported that she had 88% burns on her body and was declared to be unfit for statement recording. On 6th January, 2018 on brief improvement in her condition, the police was called and her dying declaration was recorded by Mohan Lal, Sub-Inspector of Mahapur at 11:00 AM.. She accused her mother-in-law and husband of setting her on fire. At 12:30AM she died. On 6th itself the body was sent for post-mortem and house was searched and subsequently a suicide note was found dated 9th November 2017.

Mother-In-Law Mrs. Suganthi Burman and Mr. Vikram Burman were arrested and sent to judicial custody and were charged under Section 302, 304, 498(a) read with 34 of Indian Penal Code and were sentenced to Life Imprisonment by Sessions Judge on 22nd February 2019. Aggrieved by this order Mrs. Suganthi Burman and Mr. Vikram Burman prefers appeal to Hon'ble High Court of Madras.

- Submit your Arguments