

KKC COLLEGE OF LAW

PR MANGALAM, PUTTUR

LAW/APR/2024

10-04-2024

CIRCULAR

Dear Students,

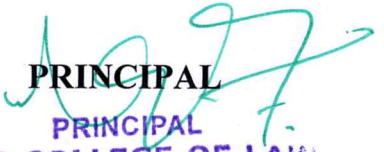
This is to Inform that 3 YDC & 3YDC (Hons) 6th Semester & 5YDC BA LLB 10th Students **MOOT COURT PROGRAMME** Schedule in the College Campus all the students must and should attend the programme without fail.

On 27th Apr 2024 @ 10:00 AM 3YDC LLB 6th Semester (General)

On 29th Apr 2024 @ 10:00 AM 3YDC LLB 6th Semester (Hons)

On 30th Apr 2024 @ 10:00 AM 5 YDC BA LLB 10th Semester

Copy to: 1) CO – for kind information.
2) Notice board


PRINCIPAL
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KKC COLLEGE OF LAW
P.R. Mangalam Puttur - 517 584
Chittoor Dt. A.P.



MOOT COURT PROBLEM .1
3 years 6th semester Honors students

Manisha, an eighteen year old girl was a student of 12th class. Her father used to work as a clerk in a private firm. She had always been an ambitious and a very bright student. To support her father, she used to give tuition. Ramesh, Accused No.1, Maths teacher of Manisha in her school secretly developed emotions for her. Manisha had always admired him as her teacher. On Manisha's 18th birthday, Ramesh organized a party for her at his house and gifted her an expensive watch.

Unaware of *Ramesh's* feelings, Manisha accepted the same. On 14th February, 2015, Ramesh proposed Manisha for marriage. Manisha, however, told him to speak to her parents regarding the same. On 20th February, Ramesh approached her parents with the proposal. However, they rejected his offer and warned him not to contact her anymore as they did not want that there should be any kind of distraction to their daughter as her XII board exam was approaching. They strongly admonished Manisha and threatened that they will discontinue her studies. Thereafter, she started avoiding Ramesh. On one occasion, Manisha also made it clear to him that she will not go against the wishes of her parents and asked him not to follow her anymore. Despite the disinterest shown by Manisha, Ramesh continued to follow Manisha to her tuition classes and contacted her personally, on phone and through internet, believing that all her actions were under pressure From her parents.

Manisha reported the same to her parents. The parents rebuked him for his unwarranted acts. He, however, tried to convince them about his feelings for her and further stated that he wanted to marry her. They beat him and asked him to leave. Enraged with the feeling of rejection, Ramesh went to Mahesh in whom he always confided and narrated the whole thing. Mahesh, aged 45, has always supported Ramesh, who was residing with him, ever since his parents died in a road accident in 2000. Mahesh, who had always treated Ramesh as his son, could not bear the pain of Ramesh. Mahesh suggested Ramesh that he should find Manisha alone and take her to the temple for marrying her without informing her parents. If Manisha resists Ramesh due to parental pressure, Mahesh will threaten her with a bottle of acid to pressurize her to come with them to the temple. Ramesh, who was initially reluctant, agreed to the plan on the condition that no harm will be caused to

Manisha and bottle of acid will only be used as a tool to threaten her for compliance to their wishes. On 23rd March, 2015 as per the plan, finding Manisha passing on a lonely road, Ramesh and Mahesh got out of the car. Ramesh approached Manisha and asked her to accompany him to the temple so that they can get married. On Manisha's *refusal*, Mahesh who was carrying the bottle of acid, threatened Manisha. Ramesh started dragging her into the car.

Manisha started shouting loudly and abusing. Mean while, Mahesh in a state of confusion opened the bottle, kept it holding for a fraction of second and then threw the acid on her face. After this both Mahesh and Ramesh fled away in the car belonging to and driven by Mahesh leaving the girl in immense pain. The girl was taken to the hospital by some passerby. The doctor immediately conducted the surgeries and opined that the injuries were grievous. FIR was lodged. Statement of Manisha was recorded. A case was registered against both the accused under Sec 326A r/w Sec 34 IPC, 1860 and Ramesh was also charged under Sec 354D, IPC, 1860. Mahesh absconded and was declared a proclaimed offender while Ramesh was arrested by police from his home and the bottle of acid and car, used in the crime, were seized from his possession. After investigation, he was put to trial before the Sessions Court, where he pleaded not guilty and claimed trial.

ISSUES:

1. Whether the accused are guilty of Acid attack under section 326A r/w section 34 of IPC ?
2. Whether the accused are guilty under section 354D r/w section 34 of IPC ?
3. Whether there exists common intention among the accused ?

NOTE:

- The matter to be heard by trial before the sessions court.
- Students shall prepare related of reference cases and judgment.
- Students shall prepare oral and written arguments for Prosecution and Defense counsel (Accused side) as allotted based on their roll number as follows:

PROSECUTION

9224001 to 9224060

DEFENSE COUNSEL

9224061 to 9224123

MOOT COURT PROBLEM.2

3 years 6th semester General students

Asha has just bought a New Groceries retail shop and, anxious to please the locals, decides to put an adv. in the local paper stating that she will sell boxes of luxury Belgian chocolate GODIVA at a discount price of Rs. 2500 Instead of the recommended retail price of Rs.5000.It also states that there are only 50 boxes available. Asha has recently bought a laptop from her son, Rohan to help with the running of the shop. The adv. states that anyone wanting the chocolate should contact Asha in person at the shop or email her at Asha@newshop.in. The adv. appears in the local paper on Saturday. Harsh sees the adv. at 4:30 P.M. on the Saturday afternoon and immediately sends an e-mail to Asha ordering 6 boxes of the Godiva Chocolate. The email is received on Asha's laptop at 5:09 p.m. on Saturday.

On Saturday evening Asha realizes that the discount was too generous as she is making no money on the chocolate and people are not coming to the shop and buying lots of other groceries as she has hoped. She phones the local paper asking them to put notice in the next day informing people that the discount price is no longer available.

The Sunday paper is published at 9:00 a.m. on Sunday morning and it is delivered to Harsh at 10:30 a.m. Asha opens for business at 10:00 a.m. on Sunday. She reads Harsh's email at 10:35am but refuses to sell him the chocolate. She replies stating that the discount is no longer available. Harsh sued Asha breach of contract (BOC).

ISSUE

1. Whether there was a contract between Asha and Harsh under Indian Contract Act.1872?
2. Whether there was a breach of contract (BOC) by Asha?

NOTE:

- The matter to be heard by learned junior civil judge.
- Students shall prepare related of reference cases and judgment
- Students shall prepare oral and written arguments for Plaintiff and Defendant as allotted based on their roll number as follows:

PLAINTIFF

9223001 to 9223075

DEFENDANT

9223076 to 9223150

MOOT PROBLEM - 3

MOOT COURT PROBLEM ON CIVIL LAW

STATEMENT OF FACTS:

The Defendant borrowed Rs. 1,00,000/- from the Plaintiff on 17.09.2021 and executed promissory note promising to repay the same with an interest @12% P.A. subsequently inspite of repeated demands made by the Plaintiff the Defendant did not pay the amount towards discharge of promissory note and has been postponing pretext .

On that the Plaintiff issued legal notice to the defendant calling upon him to discharge the pronote debt on 05.07.2022.

The Defendant after receiving the said legal notice issued reply notice with false allegation that the said pronote is a forged one and created by Plaintiff to falsely accure the Defendant tarnish the reputation of the Defendant.

Barring on the above facts, the following issues are framed:

- i) Whether suit pronote is true, valid and binding on the Defendant?
- ii) Whether Plaintiff is entitled to recover suit amount?
- iii) To what relief?

NOTE:

- i) The matter to be heard by learned Junior Civil Judge, Puttur.
- ii) Students shall prepare oral and written arguments based on their allotted Roll No.

5 YDC 10TH SEMESTER :

Plaintiff side:

9205001 to 9205030

Defendant side :

9205031 to 9205062

MOOT PROBLEM - 4

MOOT COURT PROBLEM ON CRIMINAL LAW

STATEMENT OF FACTS:

On 21st Feb 2018, Mohan was aged 28 , S/o Late Sohan R/o. 51/2, Indira Nagar, Tirupati and Sonali aged 27, D/o. Late Harshavardhan, R/o.32/8, N.V.K. Nagar, Puttur were married according to their religious rituals. Their marital life was going smoothly on some occasions they used to have few verbal quarrels with each other but they reconciled soon after the verbal fight.

Two years after the marriage on 4th September 2020, Sonali gave birth a baby boy. The boy was named Suhael. After few months of baby, Sonali observed certain changes in the behavior of Mohan.

Mohan started behaving in a rude way and he usually becomes violent on every petty issue without any reason, initially Sonali did not takes the matter in a serious way but when the violent charcter of Mohan continued , Sonali took her husband Mohan to doctor Anvesh Mukerjee who was a Psychiatrist (DW1)

The doctor advised Mohan to control anger and to take certain medicines. The doctor diagnosed him to be suffering from first stage of biopolor mood disorder (Biopolor Mood Disorder also known as Manic – depressive illness, is brain disorder that cause unusual shifts in mood, energy, activity levels and the ability to carry day to day tasks).

Inspite of medical treatment the violent behavior of Mohan continued to exist on slight issues Mohan becomes violent and he also started to fight with Sonali and beat her without any reasons.

On dated 27th July 2022, in the time of Pandemic lock down at around 2 p.m in the afternoon loud noise of fighting, crying and shouting was heard from house of Mohan. On hearing the cry Mr. Sohan (PW3) who was neighbor of Mohan went in the house of Mohan and found Sonali lying unconscious on the floor pooled in blood with various injuries on her body. At the time Sohan saw Mohan hiding a 7 inch iron axe in the garden.

Thereafter Sohan called police and Sonali was taken to govt. hospital whereby she was treated by Dr. Hareesh (PW2). Mohan was arrested by police on the same day and was kept in police custody on 28th July 2022. Sonali regained her consciousness and her statement was recorded by Shankar (PW1) SHO of Puttur Police Station. In her statement she told to the police that on 27th July 2022 Mohan came home and started fighting with her in a violent way and when she resisted Mohan attacked her with an axe kept in the garden. On 29th July 2022 Sonali died because of the injury in her lower abdomen which proved fatal.

On the basis of statement of Sohan and the dying declaration of Sonali FIR was lodged against Mohan vide CC 899/2022 in Puttur Police Station.

Bared on above facts, the following issued are framed:

- i) Whether the act of Mohan amounts to an offence of murder?
- ii) Whether Mohan had an intention to kill Sonali?
- iii) Whether the series of actions of Mohan is horrible?
- iv) Whether the offence is a pre-mediated one?
- v) Whether Mohan is liable for the offence of Murder?

NOTE:

- i) The matter to be heard by learned Sessions Court, Chittoor
- ii) Students shall prepare oral and written arguments based on their allotted Roll No.

3 YDC 6TH SEMESTER :

Plaintiff side:

9223151 to 9223200

Defendant side:

9223201 to 9223315