



**Consumer Protection Cell, Manipal University Jaipur
In Association with
Law Maven Legal Review Online
Presents**

National Tort Law Moot Court Competition

17 & 18 July, 2021

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1st LMLRO NATIONAL TORT LAW MOOT COURT COMPETITION

1. About Law Maven Legal Review Online and CPC

The Law Maven publishes a bi-monthly online journal entitled the Law Maven Legal Review-Journal Online. The online journal reviews shorter submissions and publishes articles on a rolling basis throughout the calendar year. The Law Maven Legal Review aims to be the premier source for articles concerning laws of national and global importance. We publish articles by scholars, practitioners, and policymakers. The Law Maven Legal Review is particularly focused on publishing more brief and timely articles. Recently Law Maven felt the necessity to help law students to get various opportunities including publications, paper presentation competitions and other such skill enhancing events. Law Maven aims to organise this event for the purpose of enhancing moot culture and tort subject awareness among law students.

The Consumer Protection cell was formed in early 2019 with a view to act as a bridge between victim and remedy, the cell was established under the guidance of renowned advocate of consumer laws -Adv. D.M. Mathur. From the very beginning the cell received great support from law students, later on, some non-law students also joined us in the activities. Our activities do provide the ground level exposure within the society, it empowers members with legal knowledge and provides them with the opportunity to make an actual positive impact on society. Dr. Sunita Khatana is currently serving as faculty co-ordinator of the cell.

2. About the Moot

Mooting is one of the most essential skills for any law professional. Moots Courts or Mock Trials are usually based on hypothetical cases, involving emerging or unsettled areas of law. Law students, who participate in these activities, are given the opportunity to develop their research, legal writing, and oral advocacy skills in a mock courtroom setting. Additionally, moot court presentation includes professional legal etiquettes in the students which equip them to adapt to courtroom practices.

The 1st LMLRO National Moot Court Competition, 2021 has been introduced to students pursuing the law course during these times, to try and enhance the research and advocacy skills among the coming generation of the legal fraternity. This moot will enrich the students with their research as well as mooting skill and our endeavour would be to carry forward the chain of law learning process even during this time of the pandemic.

3. Objectives of the Programme

- To bring a different perspective of the same case before the judges and the audience.
 - Students can analyse a problem with a proper legal background and help them demonstrate the same before a panel of judges after proper arguments in an ethical and professional manner.
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4. Eligibility

- All students who are pursuing 5-year LL.B. or 3-year LL.B. programs from recognized Law Schools, Universities, and Institutions in India shall be eligible to participate.
- Each participating team shall comprise a minimum of two (2) and a maximum of three (3) members, in the case of a 3-member team, the third member will be a researcher and he won 't be allowed to speak. Participants are not allowed to change their role in any case. A maximum number of two teams shall participate from a college/institution.
- No team shall contradict the composition mentioned above. No faculty member, coach, or a designated observer will be allowed to join the video conferencing or chatroom during the session.
- The language of the competition shall be 'English' only.

5. Competition Format

- Preliminary Rounds- July 17th, 2021
 - Quarter-Final Round – July 17th, 2021
 - Semi-Final Round- July 18th, 2021
 - Final Round- July 18th, 2021
 - The preliminary round shall be conducted through the pre-submitted video. The same information will be conveyed to the participants after
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the registration is closed. Other Rounds shall be conducted through virtual platforms only.

- The video for preliminary rounds shall be submitted by July 16th, 2021 at 11:59 PM last.

6. Registration

- The last date of early-bird registration shall be June 26th, 2021.
- The last date of registration shall be July 5th, 2021.
- The memorial must be submitted by July 10th, 2021.
- The registration fee- 1200/ per team.
- For Early bird- 800/ INR per team.
- The fee once paid is non-refundable.

Procedure to Registration

- To register click on the link provided.
- Take a screenshot of your payment and upload the same at the required place in Google form.
- The registration shall be deemed complete only when the Registration Fee has been remitted successfully, the
- The Application Form is duly filled, and the screenshot of payment is submitted.
- Once the application form is filled, O.C team shall send a confirmation mail allotting a team code to all teams.
- The link for joining the competition shall be sent before the day of the competition.

7. Rules and Regulations

RULES OF WRITTEN SUBMISSIONS:

(a) Language of Written Submissions: All written pleadings must be in English.

(b) Memorials: Teams have to prepare memorials for both the sides, i.e. Petitioners and Respondents. Written memorials must be typed on A4 pages in Times New Roman font with 12 font size and with 1.5 line spacing. The footnotes must be in Times New Roman font with 10 font size and with 1.0 line spacing. A page margin of one inch on all the sides must be maintained.

- The Memorials must comprise the following sections:

• Cover Page – The Cover Page must be coloured differently for the - - - Petitioner(s) and Respondent(s).

Blue Cover – Petitioner

Red Cover – Respondent

- Table of Contents
- List of Abbreviations
- Index of Authorities
- Statement of Jurisdiction
- Facts
- Issues
- Summary of Arguments
- Arguments Advanced; and
- Prayer Memorials

Any standard citation method may be used for footnotes.

Speaking footnotes in the Memorial is not allowed. Any issue or pleading not discussed within the body of the Memorials must not be raised in the virtual Court(s).

RULES OF ORAL SUBMISSIONS:

(a) Language of Oral Submissions: All oral pleadings must be in English.

(b) Maximum Time: In the Preliminary Rounds, Semi-Final and Final, each team will get a maximum of 25 minutes to put up their arguments, which

will include the rebuttal/sur-rebuttal time. It is left to the discretion of the individual teams to divide the time among the members, which in any case shall not be less than five minutes or more than 15 minutes for an individual speaker.

(c) Online Mooting Etiquettes: Only the respective team members, judges, and members of the organizing Moot Court Committee may be present in the online Court Rooms. No faculty designate or observer of participating colleges/institutions/universities shall be allowed to join the virtual mooting sessions. In the Virtual Court Rooms, all participants shall keep their videos turned on until and unless they face serious network disruptions in which case, they can turn off their videos till the time they face such disruptions. Their microphones must be in mute position till they are required to speak.

- The team shall quote Team Code in all further communication with the O.C.
- Any change in rules and regulations is subject to the discretion of the organizer, however, any such change will be intimated to participants within the stipulated time.

8. Payment Details

Teams are required to transfer the registration fee/amount to the details mentioned below:

Name: RAHUL KUMAR RAY

Account Number: 919582850331

IFSC Code: PYTM0123456

UPI ID: 9582850331@paytm

Paytm/GPay/Phonepe- 9582850331

9. Awards

- Winner – Certificate + Cash prize + Free Publication in Jus Corpus
 - Runner Up- Certificate + Cash prize
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- Best Speaker- Letter of Appreciations + Vouchers
- Best Researcher- Letter of Appreciations + Vouchers

10. Contact Details

- Sanidhya Kulshreshtha- +91 9352603383
- Vasudha Priyansha - +91 7050143529,
mootcourtsociety.lawmaven@gmail.com

11.

MOOT PROPOSITION

1. Modi Group is a Trentland based multinational company which has its chain of business across the world. Modi Group is well known for their quality services and customer care centric approach.
2. Richard Garry is a heavy-metal vocal artist, who is a resident of Trentland. Richard has his fan-base across the globe. He travels to different countries to promote heavy metal music.
3. Richard signed a contract with Modi Group. According to the contract, Richard was to be paid a total amount 3.5 Million US Dollars, for a total of 10 performances in different Countries. Modi Group was also responsible for the management of hospitality and other event management related responsibilities of the artist.
4. The first event was hosted in Finland and the event was a huge success according to social media and reliable news sources. The next lined-up event was in Clerden, Clerden is an underdeveloped country with a limited fan base of metal music. Artist insisted in shifting the location but since all the arrangements were started with, the organizers denied the request.
5. At the time of the event, a large number of residents of Clerden were infected with 'Pharyngitis'. The event was conducted on a beach of Clerdon. After the event Richard observed some issues with his throat, he decided to take some rest in his room. This wasn't the appropriate solution because sooner than later Richard had a headache and severe tonsils.
6. He was then admitted to Modi Hospital where he was taken to a care room however, the discomfort increased because the room was not very well ventilated.

7. The medicines which were provided to Richard were affecting him negatively.
8. Richard and his team decided to leave for Trentland immediately for better treatment. The team left without conveying the same to organizers. Assuming the infection to be a minor one, the organizers started preparing for their third and flagship line-up which was to be conducted in Sweden.
9. Later on, when the organizers came to know that the artist had left and had no intention to continue the performances with the organizers they called up the manager of the artist and threatened them to face appropriate consequences if the artist did not make himself available for the next event.
10. The next day, the artist went live on social media and told that he had been treated poorly by the organizers and that organizers are planning to harm the artist. The artist said - *“I signed up for this event to reach out to maximum fans of metal music, I signed up to give power to the people through our music. The Finland event was a great success, I don’t know what made them treat me and my staff poorly. Clerdon was a black chapter of my career, the facilities were worst. Doctors here have told me that medicine provided in Clerdon didn’t suit my body and the infection is serious. My career is on stake, maybe money is the only thing which those inhumane capitalists care about”*
11. This went viral and a social media campaign was launched against the Modi Group. Triggered by the message, fans of the artist pelted stones on the property of Modi Group. Hashtags like #InhumaneModi and #BoycottModi started trending over social media.
12. This campaign led to cancellation of the whole tour of artists. The Modi group observed substantial loss of finances due to the campaign.

13. In reply, Modi Group sued Richard for breach of contract and civil defamation and Richard cross sued the group for Negligence and Medical Negligence.

14. After being decided in favor of the Modi Group, Richard went to the Supreme Court of Trentland where the matter is listed on the date - July 18, 2021 for final arguments.

ISSUES

- A. Whether the Modi group has committed willful and medical negligence ?
- B. Whether there was a breach of Contract by either of the parties ?
- C. Whether Richard is liable for civil defamation against Modi Group ?
- D. Whether either of the parties shall be compensated for the loss/harm incurred ?