DEPARTMENT OF LAW
Aligarh Muslim University, Aligarh - 202 002, U.P., INDIA

Prof. (Dr.) Iqbal Ali Khan
LL.M., Ph.D.
CHAIRMAN
Department of Law, AMU, Aligarh

Ref. No. .................. / Law

Date 10-01-15

Dear Sir/Madam

I am immensely pleased to inform the legal fraternity, particularly students of B.A.LLB., LL.M. Lawyers and Researchers that the Department of Law, A.M.U., Aligarh is going to organize the First Sir Syed National Moot Court Competition -2014-15 scheduled to be held on 28th & 29th March, 2015.

All students of law are very kindly urged to participate in the aforesaid Moot Court Competition.

For details please visit - www.amu.ac.in

We look forward to your positive response and participation.

For queries kindly contact: 09927008430, 09214482190.

(Prof. Iqbal Ali Khan)
Dean & Chairman

Resi. : 25, Greater Azad Enclave, Gali No. 1, Dhorra, Aligarh - 202 002 (U.P.) INDIA
Profile of Aligarh Muslim University (AMU)

Aligarh Muslim University (AMU) is among the oldest Central Universities in India. It was established by Sir Syed Ahmad Khan, the great social reformer and statesman. In 1877, he founded the Mohammedan Anglo Oriental College (MAO) in Aligarh and patterned the college after Oxford and Cambridge universities that he had visited on a trip to England. His objective was to build a college in tune with the British education system but without compromising its Islamic values. It was one of the first purely residential educational institutions set up either by the government or the public in India. It was also around this time that a movement began to have it developed into a University. To achieve this goal, expansions were made and more academic programs added to the curriculum of the college. By 1920 the Mohammedan Anglo-Oriental College was transformed into the Aligarh Muslim University (AMU).

The main campus of AMU is located in the city of Aligarh, spread over 467.6 hectares in the city of Aligarh. AMU offers more than 300 courses in the traditional and modern branches of education. Aligarh Muslim University occupies a unique position amongst Universities and institutions of higher learning in the country. It draws students from all states in India and from different countries, especially Africa, West Asia and Southeast Asia. The University has consistently ranked among the best educational institutions in India. In 2012, the University was ranked 5th by India Today. In 2013, the University ranked 9th in the top 10 higher education institutions in India by Times Higher Education World University Rankings. According to Times Higher Education, Asia Ranking 2014, A.M.U ranks 3rd among Universities in India. The University is open to all irrespective of caste, creed, religion or gender. The Aligarh Muslim University is the realization of a vision which was broad, far-reaching and realistic. Apart from the conventional Under graduate and Post graduate courses in Social Sciences, Sciences and Humanities, the University keeps pace with the nations growth by offering facilities for specialized learning in areas of technical, vocational and interdisciplinary studies. It is proudly Indian institution; a living symbol of composite culture of India and a bulwark of its secular principles.

About the Faculty of Law

The Faculty of Law, Aligarh Muslim University Aligarh has a glorious history. It has shown remarkable progress and has significantly contributed to the academic as well as social development. The Department of Law, Aligarh Muslim University is one of the oldest Departments in India. The teaching of Law in AMU was introduced in the year 1883. Sir Syed Ahmad Khan, the Founder was greatly impressed by the Programme of Legal Education in British Universities and he was very keen to have legal education on that pattern in AMU also. In 1960, the Department of Law came into being into a full-fledged Faculty. Credit goes to Late Prof. Hafizul Rehman, the first Dean of the Faculty to develop a modern curriculum and research programme. In real sense he was the architect of the present Faculty of Law.

Faculty of Law is considered as the mother Faculty which has produced innumerable legal icons. Its alumni have distinguished themselves nationally and internationally in various spheres of life and are spread far and wide around the world. Some of its illustrious products who rose to senior and eminent positions in judiciary include the Supreme Court Judges such as Mr. Justice Baharul Islam, Mr. Justice Murtaza Fazle Ali, Mr. Justice R. P. Sethi. Other prominent foreign Justices & Chief Justices include Justice Baseer Ahmad Khan
Foreign Advocates/Attorney Generals include Mr. Ali Ahmad Fuzail (Attorney General of Pakistan & Advocate General of United Provinces), Mr. Faiyyaz Husain (Advocate General of Pakistan & Advocate General of United Province), Mr. Qazi Khan Bux (Advocate General, Sindh), Mr. S. Nasiruddin (Advocate General of West Pakistan) etc. A few other eminent personalities of this Faculty who have served or are serving in different prestigious capacities include Prof. Hafizul Rehman, Former Dean and founding father of the Faculty of Law, AMU, Aligarh, Prof. N.R. Madhava Menon-Former Vice-Chancellor, NLS, Bangalore, Former Vice-Chancellor, LJ, Kharagpur and Member, Sarkaria Commission on Centre-State relations, Member of Law Commission, Former Vice-Chancellor, National Judicial Academy, Bhopal etc., Prof. Tahir Mahmood-former Dean, Faculty of Law, Delhi University, Former Chairman, National Minorities Commission, Member of Law Commission, New Delhi, Prof. V.S.Rekhi-Former Dean & Chairman, AMU and Former, Vice-Chancellor, NLU, Bhopal, Prof. S.K. Agrawal, Former Vice-Chancellor, Agra University, Agra etc.

This year it has been ranked at 6th position in terms of academic and research excellence among the Indian Law Universities. The Department of Law also signed Memorandum of Understanding (MoU) with Washington Law School.

**First Sir Syed National Moot Court Competition (SSNMCC) 2014-15**

The Faculty of Law, Aligarh Muslim University, Aligarh is fortunate enough to organize the Sir Syed National Moot Court Competition (SSNMCC) for the session 2014-15. This is the first time in the history of Faculty of Law that such a national event like Moot Court Competition is being organized in the name of Sir Syed who was great visionary, social reformer and one of the architects of modern India. He was one of those early pioneers who recognized the critical role of education in the empowerment of the poor and backward community particularly Muslims. This first Sir Syed National Moot Court Competition (SSNMCC) 2014-15 shall be held on March, 28th and 29th, 2015 at the Deptt. of Law, Qila Road, AMU, Aligarh.

**Rules for the First Sir Syed National Moot Court Competition (SSNMCC) 2014-15**

- SSNMCC 2014-15 will be organized by the Deptt. of Law, AMU, Aligarh. All decisions by the Organizers in case of any disputes/ doubts etc. will be final. The Organizers may make such rules and procedures at any point of time, as they deem fit.
- Participating College/University/Institution shall be presumed to be the parent institution of the Participating Team.
- Rules should be strictly adhered to. Any deviation therefrom would attract disqualification or other penalties mentioned subsequently.
- Imposition of penalties including disqualification rests solely with the Organizers in case of failure to comply with the rule(s) and deadline(s)
- All the rules are only inclusive and not exhaustive for the competition.

**Date and Venue:** The First Sir Syed National Moot Court Competition (SSNMCC) 2014-15 shall be held on March, 28th and 29th, 2015 at the Deptt. of Law, Qila Road, AMU, Aligarh.
**Dress Code:** Inside the Court Room the participants shall be in formal wear only.

- Boys
  - Black Coat/Sherwani
  - White Pajama
  - White Shirt
  - Gray Trouser
  - Black Tie
  - Black Shoes

- Girls
  - Black Coat
  - White Shalwar
  - White Kameez
  - White Dupatta
  - Black Shoes

**Language:** The official working language of the Moot Court Competition is English.

**Eligibility:** The competition is open only for bona fide students of recognized Institutions /Universities /Organizations who are currently pursuing their Bachelors degree in Law i.e. 3-Year LL.B. or 5-Year LL.B. Programme.

**Team composition:**

- Each team shall consist of a minimum of 2 and maximum of 3 members. This number cannot be modified under any circumstances.
- There shall be 2 speakers and 1 researcher designated in a 3 member team while in case of a 2 member team, both the members shall be considered to be speakers. Teams shall identify the speakers and researcher during registration. No extra member or observer shall be allowed.
- Any additional member of any Participating Team shall not be entitled for hospitality or for any award.

**Registration:**

- Teams must confirm their participation either by sending a scanned copy or by speed post of the 'Registration Form' (annexed herewith) completely filled and duly signed by the Head of the participating Institution. Scanned copy must be sent to amumootcourt2015@rediffmail.com and speed post must be send to Chairman, Deptt. Of Law, A.M.U, Qila Road, Aligarh (UP)-202002 latest by 28th February 2015.
- No forms received after the deadline shall be considered for registration.
- In case of any changes in the team composition, in terms of the members, the same must be officially conveyed earlier to the Organizers.
Registration Fee:

The participating teams shall be required to pay the registration fee of Rs. 1000/- (Rupees one Thousand Only) on the first day of the competition between 9:00 a.m. to 10 a.m. in the Department of Law itself i.e. the venue of the Moot Court Competition.

Rounds:

There shall be two Preliminary Rounds, a quarter-final round, a semi-final round and a final round. Orientation and draw of lots shall take place on 28th March, 2015

- There shall be two preliminary rounds wherein every Participating Team shall be required to argue once from each side.
- Preliminary round(s), Quarter-Finals and the Semi Finals will be held on 28th March, 2015.
- Top eight teams will qualify for the Quarter- Finals at the end of the Preliminary Rounds. The first eight teams will be selected on the basis of their oral scores in the Preliminary Rounds plus the scores in the memorials.
- The Final will be held on 29th March, 2015.

Memorials:

The following requirements for memorials must be strictly followed and any non-compliance of the same shall attract penalties or disqualification:

- Each team must prepare memorials for both the sides to the dispute.
- Once the Memorials have been submitted, no revisions, supplements or additions will be allowed.
- The last date for submitting the Memorials for both the side in soft copy as well as hard copy is 10th March, 2015.
- No amendments/ improvements shall be made subsequent to the referred submission.
- The Memorials shall be sent via e-mail to amumootcourt2015@rediffmail.com The Soft Copy should be sent in Microsoft Office Word 2003/2007 Format only. [.doc or .docx] Attachments should be titled as for Petitioner side and as for Respondent side. e.g. PET.11 and RES.22.
- Six copies each of the memorials for Petitioner & Respondent (excluding copies for use by the team) should be carried by the teams at the time of Registration for the Oral rounds.
- It shall be the sole responsibility of the respective Participating Teams to ensure that the correct number of copies of the Memorials is submitted to the Organizers within the prescribed deadline.

Format of Memorials:

a) Cover Page: The cover page of the memorial must state the case title.

The Party for which the Memorial has been prepared:

b) The table of contents.
c) The index of authorities.
d) The statement of jurisdiction.
e) The statement of facts.
f) The statement of issues.
g) The summary of arguments.
h) The arguments advanced/ body of arguments.
i) The prayer

**Memorial format:** Spacing: 1.5 Line Spacing. Margins: One inch margin on all sides of each page. Font: The font for the body of the memorial shall be Times New Roman, size 12. The font for the foot notes shall be Times New Roman, size 10. Memorials must be spiral bound only. Page numbering should be at the bottom middle of each page. The maximum number of pages in each Memorial should not exceed 30 pages including 20 maximum pages for Written Submissions/Arguments Advanced.

**Marking of Memorials:** Every Memorial will be marked on a total of 100 marks and the team memorial marks will be the average of the total of both sides. The following shall be the marking scheme:

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Criteria</th>
<th>Marks Allotted</th>
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<tbody>
<tr>
<td>1.</td>
<td>Knowledge of Facts and Law</td>
<td>20</td>
</tr>
<tr>
<td>2.</td>
<td>Analysis, Organization and Clarity</td>
<td>20</td>
</tr>
<tr>
<td>3.</td>
<td>Extent and Use of Authority</td>
<td>20</td>
</tr>
<tr>
<td>4.</td>
<td>Correct Format and Citation</td>
<td>15</td>
</tr>
<tr>
<td>5.</td>
<td>Originality in Presentation</td>
<td>15</td>
</tr>
<tr>
<td>6.</td>
<td>Grammar and Style</td>
<td>10</td>
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<tr>
<td></td>
<td><strong>Grand Total:</strong></td>
<td><strong>100</strong></td>
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</tbody>
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**Oral Rounds:** In each oral round, a team shall be represented by two speakers to present the arguments. The researcher shall not participate in the arguments but may be present during the Oral Rounds.

**Preliminary Rounds:** Each team will be given a total of 30 minutes to present its case. The time includes questioning by judges. The division of time is left to the discretion of the team members, subject to a maximum of 18 minutes per speaker. Division of time should be informed to the Court Assistants/Clerks at the beginning of the round. The oral arguments need to be confined to the issues presented in the memorials. Passing of notes to the speakers by the researcher during the rounds is allowed. A maximum of 5 minutes may be reserved for rebuttal or sur-rebuttal. Judges may at their discretion, extend the time allotted for the oral arguments up to a maximum of 10 minutes. In the Preliminary Rounds, each Team shall argue once as a Petitioner and once as a Respondent. All teams are expected to carry with themselves any case law and authorities which they intend to refer to.

**Quarterfinal, Semi-final & Final Rounds:** The time limit in the Quarterfinals and the Semi-finals is the same as preliminaries. In the Finals each team will get a total 45 minutes to present its case. The division of time is left to the discretion of the team members, subject to a maximum of 25 minutes per speaker. Division of time should be informed to the Court Assistants/Clerks before the beginning of the rounds.
Scouting: Teams will not be allowed to observe the Oral Rounds of any other teams. Scouting is strictly prohibited. Scouting by any of the teams will result in instant disqualification. In case of any default, the Organizers’ decision will be final.

Awards:

i Winning Team Award
   - Winner's Trophy

ii Runner up Team Award
   - Runner's up Trophy

iii Consolation Prize
iv Best Speaker Award
v Best Memorial Award
vi Best Researcher Award

Copyright:

The copyright over the memorials submitted for participation in the competition by participants shall vest completely and fully in the Deptt. of Law, Qila Road, AMU, Aligarh.

- The Participants shall certify in writing the originality of materials contained therein and shall be responsible for any claim or dispute arising out of the further use and exhibition of these materials.
- Further use and exhibition of these materials, electronically or otherwise, shall be the exclusive right of the Faculty of Law, Aligarh Muslim University, Aligarh, UP, India which shall not be responsible for any liability to any person for any loss caused by errors or omissions in the collection of information, or for the accuracy, completeness, or adequacy of the information contained in these materials.

Disclaimer: The Moot Court Competition is based on a fictitious problem, whereby the characters & the incidents or the course of events in the moot court are completely imaginary and the same has no relation to any person living or dead or any post/present real life incident. The Moot Court Competition is made solely for the purpose of training law students of India in developing an analytical bent of mind and serving the Bar and the Bench to the best of their abilities.

Accommodation and food: Accommodation and food shall be provided by the Organizers from the evening of 27th March, 2015 to evening of 29th March, 2015.

Note: Intake/use/even mere possession of any prohibited substances (e.g. cigarettes/alcoholic/narcotic substances) is strictly banned during their stay throughout the competition.
Clarifications:

- Last date for requesting clarifications on Moot Problem is 15th March 2015. Teams are requested to use the email as the mode for seeking clarifications.

Contact: In case of any queries or clarifications regarding the competition feel free to contact the following. E-mail correspondence is encouraged. Correspondence on the address given should only be through speed post.

Director

Prof. Iqbal Ali Khan
Chairman & Dean
Faculty of Law
AMU, Aligarh.
Phone: 09927008430

The Convener

Dr. Javaid Talib
Deptt. of Law
AMU, Aligarh.
Phone: 09411416135

Organizing Secretaries

Dr. Mohammad Tariq
Phone: 09214482190

Mr. Hashmat Ali Khan
Phone: 09411488911
**STUDENT MEMBERS**

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Name</th>
<th>Class &amp; Roll No.</th>
</tr>
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<tbody>
<tr>
<td>01</td>
<td>Mr. Mohd. Tariq Umar</td>
<td>14 LL.M. - 20</td>
</tr>
<tr>
<td>02</td>
<td>Ms. Anam Rais Khan</td>
<td>10 B.A. LL.B. - 02</td>
</tr>
<tr>
<td>03</td>
<td>Mr. Altamish Ilyas Siddiki</td>
<td>10 B.A. LL.B. - 84</td>
</tr>
<tr>
<td>04</td>
<td>Mr. Ali Faran Gulrez</td>
<td>13 B.A. LL.B. - 15</td>
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<tr>
<td>05</td>
<td>Ms. Shareya Mahalwar</td>
<td>11 B.A. LL.B. - 36</td>
</tr>
<tr>
<td>06</td>
<td>Mr. Aqa Raza</td>
<td>11 B.A. - 12</td>
</tr>
<tr>
<td>07</td>
<td>Ms. Roshan Alam</td>
<td>11 B.A. LL.B. - 59</td>
</tr>
</tbody>
</table>

Office Telephone Number: **0571-2902627**

**Note:** All correspondence relating to the Moot Court Competition should be made to the official Email id for the Moot Court Competition which is [amumootcourt2015@rediffmail.com](mailto:amumootcourt2015@rediffmail.com).
First Sir Syed National Moot Court Competition (SSNMCC) 2014-15

Department of Law, A.M.U Aligarh (U P)

REGISTRATION FORM

1. Name of Institution/College/ University : 

2. Postal Address : 

   City:                                            State:                                                  Pin No. :

3. Official Email Address : 

4. Official Telephone No. : 

   Seal & Signature of the Head of the Institution 

   Date: 
   Place:

TEAM REGISTRATION FORM

Speaker 1:

Name : 

Sex : M / F 

Email Id : 

Contact No. : 


REGISTRATION FEES PARTICULARS

The Registration Fee of **Rs1000/-** (Rupees One thousand only) is payable by way of cash on the first day of the competition between 9:00 a.m. to 10:00 a.m. in the Department of Law itself i.e. the venue of the Moot Court Competition.
REGISTRATION FEE RECEIPT

Thankfully received Rs. Rs1000/- (Rupees One thousand only) from Mr./Ms.............................................................. of ..............................................................

.....................................................................................................................by way of cash

Date: Signature
Moot Problem

Mohd. Siddique and Inayati Begum were the owners in possession of the house, the suit property. They lived in the aforesaid house during their lives and after their death, Smt. Tahira Begum, the Petitioner, being the legal heir of them, was continuously residing in the said house. The petitioner’s predecessors in their life time borrowed a loan of Rs. 8,000/- on interest from one Mr. Bashir Khan S/o Mr. Nazeer Khan on dated 17.06.1943 by mortgaging the suit property to Bashir Khan with the condition to resell the suit property to the Predecessors of the Petitioner within the period of five years on the payment of Rs. 8,000/- with interest to Mr. Bashir Khan and thus, the transaction was ostensible sale.

That as the term of 5 years was about to lapse and the loan was not paid back by the predecessors of the petitioner, one Mr. Syed Rahman Ali, the Respondent No. 01 here who was closely related to Mohd. Siddique and Inayati Begum came to their rescue and paid back the loan of Bashir Khan and got a similar deed (ostensible deed) in his favour, with a condition to resale the suit property to them within the period of 10 years on repayment of loan amount with interest of Rs. 9,000/- paid by him. The said deed was executed by Mohd., Siddique, Smt Inayati Begum and also Bashir Khan in favour of Mr. Rahman Ali on dated 16.10.1947.

Mohd. Siddique and Smt. Inayati Begum remained in exclusive possession of the suit property during their life time over the said property and neither Bashir Khan, nor Rahman Ali, the Respondent No. 01, ever got the possession over the said house. Subsequently, the Respondent No. 01, on account of having the said deed in his favour in respect of the suit property, got his name mutated in Municipal records in pursuance of the deed executed on dated 16.10.1947 and later on, the House Tax and Water Tax receipts were issued in his name. He issued a registered legal notice dated 06.05.1950 on Inayati Begum asserting himself to be the absolute owner with possession of the suit house by virtue of deed dated 16.10.1947 and demanded damages for illegal occupancy of the said house and asked her to vacate the same. The said notice had been duly replied by Inayati Begum claiming herself to be
exclusive owner in possession of the house and thereby she refused to vacate the house denying the title of the Rahman Ali. After this, Mr. Rahman Ali remained silent for more than 16 years until Inayati Begum and Mohd. Siddique died.

After the death of the predecessors, the present petitioner Smt. Tahira Begum filed a suit vide O.S. No. 241 of 1965 for Redemption of mortgage, but the suit was dismissed by II Additional Civil Judge (Senior Division) Agra through its judgment and decree dated 20.05.1967 holding therein that the deed dated 16.10.1947 is not a mortgage deed, but is an outright sale deed.

Aggrieved by the dismissal order of II Additional Civil Judge (S.D.), Agra, the Petitioner preferred the first appeal before the District Judge, Agra vide Civil Appeal No. 625 of 1947, which was also rejected by the First Addl. District Judge, Agra on dated 06.12.1967. Then, the Second Appeal was preferred by the Petitioner vide second Appeal No. 1425 of 1967 before the High Court of Allahabad. The Hon’ble High Court through its judgment and order dated 25.02.1970 dismissed the II Appeal and upheld the decision of the First Appellate Court of Agra.

On the other hand, after passing of almost two decades, the present Respondent Mr. Rahman Ali filed a suit No. 1473 of 1976 before Judge Small Causes Court (JSCC), Agra for eviction of the present Petitioner and recovery of arrears of rent, mesne profit/compensation against use and utilization of the house by the present Petitioner thereby claiming himself as the absolute owner of the said house by virtue of having the deed of 16.10.1947 executed by the predecessors of the petitioner and by relying upon a unregistered Qabuliyatnama dated 17.10.1947 said to have been executed by the predecessors of the Petitioner admitting the tenancy in the suit house. Mr. Rahman Ali also produced and relied upon the rent receipt and counterfoils allegedly bearing the signatures of Smt. Inayati Begum.

That suit was contested by the present Petitioner by filing the written statement dated 16.07.1997 on the ground that since the house was never sold to the Rahman Ali, therefore, there was no relationship of tenant and landlord between the parties and thus the question of title did not involve and therefore, the JSCC, Agra had no
jurisdiction to try the suit. The petitioner also denied the authenticity of the unregistered Qabuliyatnama and the signature of Smt. Inayati Begum inscribed on the rent receipt as she was an illiterate lady and was incapable of doing signatures, which is also evident from the deed wherein she had put her thumb impression only. The petitioner also claimed that she had matured her right by being in adverse possession of the suit house. The Trial Court decreed the suits for eviction on dated 22.02.1986 against the Petitioner relying on the documentary evidences available on record, holding thereby that Mr. Rahman Ali became the owner of the suit house through the deed dated 16.10.1947. The Petitioner being aggrieved from this filed SCC Revision U/s 25 of SCC, Act before the District Judge, Agra. Then the Tenth ADJ, Agra dismissed the Revision of the petitioner on dated 26.7.1993 and upheld the decision of JSCC, Agra. The petitioner after that filed one writ petition against the decision of the Tenth ADJ, Agra dated 26.07.1993. But during pendency, of the Writ petition, Mr. Rahman Ali died on 19.02.2001 and legal heirs of the deceased were substituted in place of the deceased party. After hearing both the parties, the writ petition was dismissed by the Hon’ble High Court of Allahabad on dated 17.07.2014 holding that the issue whether respondent became owner of the suit house after execution of the deed dated 16.10.1947 has already been adjudicated between the parties and therefore, has attained finality and shall operate as Res-Judicata against the Petitioner also. Against such dismissed order dated 17.07.2014 passed by Hon’ble High Court of Allahabad in aforesaid writ petition, the Petitioner preferred the present special leave petition before the Supreme Court of India.