

Dr. D.Y. Patil College of Law
Litigations 2017
National Judgement Writing Competition



Litigations 2016-17

National Judgement Writing Competition

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His Excellency Padmashree Dr. D.Y. Patil Saheb

Former Governor of Tripura, Bihar and West Bengal

There is an old adage, which goes, “one man with confidence can make a majority”. This is very apt in the case of Dr. D.Y Patil. There is no area in the field of education which has been untouched by him- from establishing schools, imparting basic education to providing a large number of institution of higher learning to the people. The Ramrao Adik Institution of Technology (RAIT) in Navi Mumbai, established about twenty five years ago and the Krishi Vigyan Kendra in Kolhapur bear testimony to this fact. The University at the Nerul Campus is a jewel in his crown Luminaries like Dr. Patil are best remembered by their work, not by the recognition and awards they win, still a mention has to be made of the title of Padmashree accorded to him by the president of India for his undoubtedly huge contribution in the field of education as well as the Honorary Doctorate adorned on him by the Nottingham Trent University, United Kingdom. He is a devout follower of Shri Gajanan Maharaj of Shegaon.

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Her Excellency Late Mrs. Pushpalatatai D. Patil

Mrs. Pushpalta D. Patil was a Secretary of the Society. She believed that the institution should be known by the quality of education provided by it. According to her the quality of the education depends not only on the best facility but also good infrastructure but also on the harmony between the students and the faculty. To achieve this goal, the organization must provide the best and state-of –the-art facilities to the students and the staff.



Dr. Vijay D. Patil

President: Dr. D.Y. Patil University

An education institute to truly be world class has to be solid and state of the art when it comes to infrastructure. The person responsible to make this happen here is Shri. Dr. Vijay Patil. Armed with a Bachelors degree in Engineering, a Masters degree in Business Administration from Bond University, Australia, Shri Dr. Vijay Patil possesses the right qualification and organisational capability for managing the infrastructural needs of a group of this magnitude. A pointer towards his skills is the well-established and state-of-the-art facility of a 750-bed hospital in the University campus worth Rs. 60 Crores, which has

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created a benchmark in hospital planning and management. He has been instrumental in constructing the international D.Y.Patil Stadium which boasts of a capacity of 55,000 people.



Dr. Ajeenkya D. Patil

President: Dr. D.Y. Patil University

Dr. Ajeenkya D. Patil possesses a Master's degree in Business Administration from Richmond College, United Kingdom and a specialisation in Marketing from the London School of Economics. In 2005, he was nominated as Chairman of the Central Board of Workers Education (CBWE) by Union Ministry of Labour and Employment, Government of India. In February Of 2007, he was nominated to the International Baccalaurate Organisation Development Council based in Geneva, Switzerland. Recently he was nominated by the Hon'ble Governor of Maharashtra through the University of Mumbai to become its management member. He is also a trustee of many educational and philanthropic trusts and societies. He is a member of the Vijay Merchant rehabilitation centre for the disabled. In recognition of his relentless pursuit for social causes, Prof. Lord Patel of Bradford and Mrs. Cherie Blair, QC, invited him to the World Water Day event in the House of Lords in March. Most recently he was awarded an Honorary Doctorate by University of Central Lancashire, United Kingdom, for his contribution to society in the fields of Education, Healthcare and Social Causes. He lives a dream of turning the state into a centre of world class learning and education. The International School in Pune on a 100 acre land under his leadership speaks volumes about his dreams. He is also the force behind providing international linkages to various institutions of the Group. His dynamic personality is a strong aid in providing a clear direction to the group.

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Message from the Principals Desk

I am Proud to say that Dr D.Y. Patil College of law is one of the best Institutions in the field of legal education. It gives me an immense pleasure to be associated with such a prestigious institutions . With the great support of our management, trustees and teachers and staff we have achieved a tremendous success in the field of legal education. Dr DY Patil College of law has been a meeting point of ideas and best academic practices. Apart from regular lectures we organize guest lectures by eminent legal luminaries, Judges and senior advocates. We also organize seminars, debates, Moot Courts and elocution competitions as we believe in overall development of the student at large.

We believe in development of each and every student. Our aim is to provide quality legal education taking into consideration of changing need of the society it is rightly said that Law is king of kings. Our dream is to empower the students community and providing them with deep legal knowledge and practical application of it for the betterment of the society dedicated towards the legal education our aim is to provide practical knowledge of the legal education so that they can apply practically. We also successfully conduct various camps, police station visits, court visits and jail visits so that students shall benefit from them.

Dr. Ajay W. Patil

Principal

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Dr. D.Y. Patil College of Law
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To

The Principal

Subject : Invitation for National Judgement Writing Competition
“Litigations 2016-17”

Sir/Madam,

We take immense pleasure in inviting you for the National Judgement Writing Competition “Litigations 2016-17”. It will be of great pleasure if your esteemed institute participates in the competition.

The best entries will be adjudged on the 15th of March 2017 and the winners will be announced thereafter. This competition will be conducted online in its entirety. Winners will be intimated once the decision has been made.

Other important dates and further details of the competition are enclosed along with this invitation. Registration can be completed by sending a soft copy of the enclosed registration form at dypcl.moot@gmail.com

Participation will be confirmed by authorities on receipt of the softcopy and the last date for registration shall be 8th March 2017. The detail rules and regulations are enclosed with the invitation. We request your kind participation in this competition.

Thanking you,

Yours faithfully,

Dr Ajay W Patil

PRINCIPAL

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Chandu and Ramesh were fast friends. Chandu was married to one Mrs. Sushila and they had one 7 year old son by the name Raghu. Mr. Ramesh used to visit Mr. Chandu and Mrs. Sushila as a friend and they would spend time together socially. One fine day Mr. Ramesh visited Mrs. Sushila at 3:00 p.m. in the afternoon, unbeknownst to Mr. Chandu. After some small talk, Mr. Ramesh asked for a glass of water and so Mrs. Sushila went to the kitchen to fetch a glass of water. By this time Mr. Ramesh had secretly entered the kitchen, held Mrs. Sushila's hand with a malicious intent and tried to force himself upon her. The lady resisted and started screaming. In the heat of the moment, Mr. Ramesh used the string of his keychain to strangle Mrs. Sushila which caused her to fall unconscious. Mr. Ramesh fled the scene. Raghu saw Mr. Ramesh running and on seeing the condition of his mother, he approached his neighbour, Mrs. Lalitha.

Mrs. Sushila was admitted to a nearby hospital in an unconscious condition and after a span of 3 hours she regained consciousness. After preliminary examination, the doctors declared her fit to give a statement to the Investigating Officer. In her oral narration she to the Investigating Officer she named Mr. Ramesh as the culprit. Subsequently, an FIR was registered under Section 307 of the Indian Penal Code. Her condition started rapidly deteriorating and further examination revealed that she was suffering from grave internal injuries. The SDM was informed and he recorded a statement at 8:00 p.m. in the evening. Raghu's statement was recorded under Section 164 of the Criminal Procedure Code and subsequently Mrs. Sushila died. Subsequently the FIR was converted from Section 307 to Section 302.

Mr. Ramesh was arrested on these grounds. In the trial the following took place.

Case of Prosecution : The two dying declarations are consistent and a valuable piece of evidence. The child, Raghu, had issued a statement. Under Section 313, the accused was asked certain questions, the answers to which were not satisfactory. A ticket was recovered from the personal search of Mr. Ramesh also confirms his presence in the city on the date of the incident.

Case of Defense : The statement of the child cannot be relied upon, on the contrary, the statement of the grandmother who was present in the house was not taken. The statement of the neighbour, Mrs. Lalitha was also not taken. Mr. Ramesh claims to have illicit relations with Mrs. Sushila and that in order to save her honour, she falsely implicated Mr. Ramesh. The key chain with the string was not found on the person of the accused or the place of the incident.

Write a judgement dealing with the rival contentions, citing the relevant statutes and case-laws.

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Rules and Regulations :

The Judgment Writing Competition 2017 intends to explore the area of legal education to increase and promote qualitative legal research by looking at practical aspects of implementation of laws studied by law students. The Judgment Writing Competition looks at a broad aspect of how laws learnt about in classrooms are actually put to effect and implemented in courtrooms. This competition seeks to capture the spirit of judges and decision-making from young law students aspiring to join the esteemed Judicial Services and to train the participants in developing a balanced and mature approach to dispute resolution and the vital role that judgments play in a society.

Rule 1:

Number of participants

One participant per team. Bonafide students of law are eligible to participate in the competition. Each college can send a maximum of two entries.

Rule 2:

Prizes

First Prize-- Cash Prize of Rs. 7,500 and Certificate of Merit

Second prize—Cash Prize of Rs. 5,000 and Certificate of Merit

All participants shall receive a Certificate of Participation

Rule 3:

Participants shall register online by sending a soft copy of the registration form duly signed by the Principal of the Institution to the email id dypcl.moot@gmail.com on or before 8th March 2017

Rule 4:

Every participant shall send the soft copy of the Judgement (minimum 1000 words and a maximum of 2500 words) in the pdf format to the email id dypcl.moot@gmail.com on or before 13th March 2017.

The list of the participants along with the names of the winners shall be announced on 15th March and an email shall be sent to all the participants. The

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prizes will be distributed on 16th March 2017. The winners may collect the prizes either personally on 16th march 2017 or it will be dispatched on 17th March 2017 to the winners at their address given by them.

Rule 5:

The said competition shall be in English only.

Rule 6:

Judging Criteria:

The judging panel shall consist of three judges and the decision by the judges shall be final and binding

A judgement is the result of application of law to the facts of a given case. It is an expression of the ultimate opinion of the Judge which he renders after due consideration of evidence and arguments advanced before him. It is intended to put a final end to the controversy involved in the matter so that the dispute brought before the Court by the parties is set at rest. Parameters for judging are:

1. Beginning of the judgement
2. Opening of the judgement
3. Issues and points for determination
4. Reference to the evidence; both oral and documentary:
5. The decision on issues framed or points formulated:
6. Decretal / operative part
7. Signature

For any further assistance and query participants can send email to dypcl.moot@gmail.com

Students can also contact the following persons of our Moot Court Association for clarifications

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Prof Dr. Kalyanikutty. S (Prof Co-ordinator)

Srikant Vutha - Secretary : 9820044920

Shivam Srivastav - Joint Secretary : 9820411454

Ravi Pandey - Joint Secretary: 9029975468

Bastele Jhakdey - Student Coordinator: 9833971933

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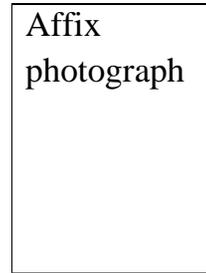
Registration Form

Name of the participant: -----

Year of study:-----

Contact no:-----

Email id of the participant :-----



Name of the college:-----

Address of the college:-----

Email id :-----

Contact No:-----

Postal address at which the certificate/Prize shall be sent :-----

Signature of the Principal/ Head of the institution

Seal of college

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