

Presents

10<sup>th</sup>

# National Moot Court Competition



**VIDHIज्ञान 2026**

## ABOUT VIDHIज्ञान

'VIDHIज्ञान' is a law fest hosted and organized by the students and faculty of M.K.E.S. College of Law. **VIDHIज्ञान** provides an ideal platform for the students of various colleges to showcase their talents. It provides an opportunity for students to come together, interact, and get motivated with the experience gained through participation. It endeavors to bring together the creativity, intellect and spontaneity of youth. We strongly believe that there is a bit of art in every heart & **VIDHIज्ञान** helps to unleash the same. **VIDHIज्ञान** promises to create history and achieve great success.

**VIDHIज्ञान** hosts legal events to enhance the competitive spirit in a multi-dimensional aspect. This year we, at **VIDHIज्ञान**, are organizing the Preliminary and Quarter Final Rounds of the National Moot Court Competition Virtually and the Semi-Final & Final Rounds at the college campus. The students and their performance-oriented participation is the reason that **VIDHIज्ञान** exists and flourishes with every passing year.

## INTRODUCTION

Mooting is an integral part of every law student's life. Mooting helps students to understand court procedures, refine their legal analysis and gain confidence in presenting complex arguments in a professional setting. **M.K.E.S. College of Law** endeavors to provide a suitable platform with this National Moot Court Competition. We, at **M.K.E.S. College of Law**, believe in the art of advocacy and interpretation of laws to relevant facts aiming to gain practical real-life experience.

After the astounding success of the last 9 National Moot Court Competitions, our Team **VIDHIज्ञान** is organizing the 10<sup>th</sup> National Moot Court Competition offering students an amazing opportunity of learning as it serves as a concurrence of the academic appraisal with pragmatic sensibility.

## **RULES AND REGULATIONS**

### **MODE OF COMPETITION**

Preliminary & Quarter Final Rounds: Google Meet (any changes shall be notified)

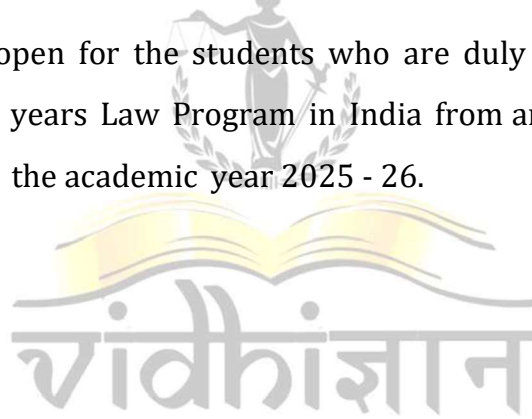
Semi Final and Final Rounds: On-Campus (M.K.E.S. College of Law, Mumbai)

### **MEDIUM OF LANGUAGE**

The Competition shall be held in English only.

### **ELIGIBILITY**

The Competition shall be open for the students who are duly enrolled and are pursuing an integrated 5 years or 3 years Law Program in India from an institution recognized by the Bar Council of India in the academic year 2025 - 26.





## **REGISTRATION**

Scan this QR code to access the registration link in order to provisionally secure the participation.



Kindly email the Registration Form duly signed and stamped by participants along with Authority Letter in soft copy to [mkesvidhigyaan26@gmail.com](mailto:mkesvidhigyaan26@gmail.com) in order to finalize participation in our event.

## **REGISTRATION FEES**

**Rs. 2,000/- per team payable at the time of registration for Law Colleges.**

**Teams must register themselves latest by 14<sup>th</sup> February, 2026 (subject to changes and extension)**

**GENERAL NOTE:** Each college shall send only one team which shall comprise of Minimum **Two** and Maximum **Three** members. This number cannot be modified under any circumstances.

## **“RULES AND REGULATIONS FOR THE NATIONAL MOOT COURT COMPETITION”**

### **MEMORIALS**

The Memorial shall consist of following: -

I. Cover page	VI. Statement of facts
II. Table of contents	VII. Statement of issues
III. List of abbreviations	VIII. Summary of pleadings
IV. Index of authorities	IX. Argument advanced
V. Statement of jurisdiction	X. The prayer

- Each team shall consist of two speakers and one researcher. Teams are to notify which members are the respective speakers and researcher. No change of speaker to researcher or vice - versa shall be permitted except upon application to the Organizing Committee.
- The Memorials shall be typed on A4 size on one side paper with margin **1.5 (one point five) inches** from left side and **1 (one) inch** from the other sides.
- Arguments advanced must not exceed **25 (twenty-five)** pages
  - i) **Font:** - Times New Roman.
  - ii) **Font size:** - 12 and for footnotes 10.
  - iii) **Line spacing:** - 1.5
- The memorials once submitted will be final in nature and shall not be subject to any changes in future.
- Page numbering should be at bottom middle of each page.
- Covers must be placed on briefs as follows:
  - Petitioner: - **Blue colour.**
  - Respondent: - **Red colour.**
- Identity of the institution shall not be disclosed anywhere in the memorial. Instead, code numbers allotted to the students should be mentioned. Violation of these provisions shall result in penalties including disqualification. The decision of organizer shall be final in this regard.

- The written memorial shall be in accordance with the High Court rules.
- Each team participating in the Competition must prepare a Written Submission on behalf of the Petitioner/Applicant and on the behalf of the Respondent/ Defendant.
- A Written Submission shall be identified solely by the Team Code assigned to the team. The Written Submission shall not, in any way, disclose any fact pertaining to the identity of the team or members.
- Each team must send its memorials via e-mail in PDF format, latest by 17<sup>th</sup> February 2026, 11:59 P.M. and the memorials shall be distinctively marked with your team code specifying which side. **Example:** “VG99\_RESPONDENTS” or “VG99\_PETITIONERS”.
- The memorials shall be e-mailed on [mkesvidhigyaan26@gmail.com](mailto:mkesvidhigyaan26@gmail.com) with the subject of the e-mail being “Memorial Submission - Team Code”.
- Late submission of memorials will result in loss of marks for memorials.
- In case the subject is not as prescribed, memorials shall be deemed to have not been received and the Organizers shall not be responsible for any delay and default.
- The file names of the electronic copies of the memorial must contain only the team code and the side being represented in the format prescribed herein.

### **PLAGIARISM**

Participants must refrain from using same language or copying from other memorials and other sources. Even use of publicly available information must be accompanied by proper citations. These rules shall apply to all parts of the memorial and not just the Pleadings and Prayer. Failure to comply with this rule may result in the guilty participants being debarred from mooting in **VIDHIज्ञान** 10<sup>th</sup> National Moot Court Competition, 2026. The Organizing Committee in consultation with the memorial judges will take a final decision regarding determination of cases of plagiarism and penal measures for such action.

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## **ORAL SUBMISSIONS**

1. The preliminary and quarter-final oral rounds shall be conducted online on a live video conferencing platform which shall be notified to the participants in advance through their respective ushers. The semi-final and final rounds shall be conducted On-Campus, **M.K.E.S. College of Law, Mumbai.**
  2. The language to be used in the oral rounds is **ENGLISH.**
  3. As specified hereinabove, each team shall have two speakers who shall further divide the oral submissions between themselves as they may deem fit.
  4. At no point of time during the Competition, shall any speaker reveal their identity.
  5. At the commencement of each round of Oral Submissions, each team shall notify to the Court Officer the division of time between the two speakers. Further, each team must notify to the Court Officer the amount of time that the team wants to reserve for their rejoinder/ surrejoinder. A maximum of five (5) minutes may be reserved for the rebuttal/ surrebuttal.
  6. 5 (Five) minutes and 2 (Two) minutes before the completion of the allocated time for each speaker, there will be a warning bell, and at the completion of the allocated time for each speaker there will be a final bell.
  7. In case a speaker continues to speak after the completion of his/her specified time, the additional time which he/she consumes will attract negative marking at the discretion of the judges. The judges shall have all the rights to grant opportunity to give rebuttal or surrebuttal and to allocate additional time.
  8. During oral submissions, the participants cannot submit to the court any material containing pictorial representation whatsoever. Further, the participants are not permitted to make any audio/visual representation nor allowed to use any online search engines during their submissions.
  9. If at any instance a submission is made with any material in violation of rules and if any picture, sketches, photos, cartoons, caricatures, audio film, video film, projector slide or a computer -generated image is used or submitted or presented to the court, the teams shall be subject to disqualification.
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10. The Best Speaker Award shall be determined based on the individual aggregate score of the Speaker taken only from the Preliminary Rounds.

### **STRUCTURE OF THE COMPETITION**

1. The Moot court Competition shall comprise of following rounds:
  - a. Preliminary Rounds: Each team will have to present both the sides i.e. Petitioner/Plaintiff or Respondent/ Defendant in this round. The top eight (8) teams, based on the cumulative score of memorials and preliminary rounds shall qualify for the quarterfinals.
  - b. Quarterfinal Rounds: The top eight (8) teams from the Preliminary Round shall proceed to the quarterfinals. This will be a knockout round; hence winners will be decided on the basis of courtroom win.
  - c. Semi - Final Round: The winning 4 teams from the quarter finals shall proceed in this round. This round will again follow the knockout rule. The draw of lots will again take place after the completion of this round.
  - d. Final Round: The winner from each court room fixture i.e., 2 teams from the semi – final round shall proceed to this round.
2. Each team will have a team code (designated during draw of lots). Each team shall be assigned with a team code decided by the Organizing Committee of M.K.E.S. College of Law. Team shall use their team code for identification purpose. Name of the participants should not appear on or within the written submissions. Signature pages are prohibited.
3. After the virtual orientation of the teams, the draw of lots shall take place and the team has to argue on behalf of the side in accordance with the draw of lots, (the Petitioner/Applicant or the Defendant/Respondent) in the preliminary round.
4. In case of a draw, highest memorial marks will be taken into consideration to decide the winner.

Note: The conduction of Quarter-Final Rounds shall be subject to the number of participating teams.



### **PRELIMINARY & QUARTER-FINAL ROUNDS**

- 1) Each team will have a maximum of 20 (15+5) minutes to present its oral submissions.
- 2) All the participating teams are expected to carry with themselves case laws and authorities which they intend to refer along with their own copies of memorials.
- 3) The participants during the course of oral submissions will not be permitted to make any audio/visual representation nor will they be allowed to use personal computers, laptops and any other technical or mechanical device.

### **SCORING CRITERIA**

The Marks shall be given as per following criteria for preliminary round:

Written memorials	15 Marks
Oral arguments	15 Marks
Time adherence	10 Marks
Overall performance	10 Marks
<b>Total</b>	<b>50 Marks</b>
<b>Time allotted</b>	<b>20 Minutes</b>

### **SEMI-FINAL & FINAL ROUNDS**

In the final round each team will get 30 (25+5) minutes to present the side allotted to them.

### **SCORING CRITERIA**

For final round the marks shall be given as per following criteria:

Application of law relevant to the case	20 Marks
Advocacy and presentation	15 Marks
Court etiquettes	10 Marks
Answers to court questions	15 Marks
Interpretation of and use of facts	10 Marks
Research relevant to the case	10 Marks
Time adherence	10 Marks
Overall performance	10 Marks
<b>Total</b>	<b>100 Marks</b>

## **TEAM COMPOSITION**

1. Each college shall send only one team which shall comprise of Minimum **Two** and Maximum **Three** members. This number cannot be modified under any circumstances.
2. Each team which consists of three members shall comprise of **Two Mooters** and **One Researcher (Moot Court Competition)** and each team shall participate in all the events as per prescribed compositions compulsorily. Each team should identify such speakers and researcher at the time of their registration for the Moot Court Competition. During the Moot Court Competition, the researcher won't be required nor allowed to speak except under special cases and only with express permission of the organizers/Judges. If a team consists of **Two Members, then both of them shall be mooters only.**
3. Each team will be given a **unique team code** which will thereafter be the identity of the team and its members.
4. During the course of the competition, the identity of the college must not be disclosed to the judges or to any other person. Any such disclosure shall lead to disqualification. The decision for the same shall be at the discretion of the organizers.

## **DRESS CODE**

The dress code for participants shall be as prescribed by the **Bar Council of India.** (Gowns and bands are prohibited)

## **AWARDS**

<b>PERFORMERS</b>	<b>PRIZE</b>
<b>Winner</b>	<b>Rs. 25,000/- &amp; Accompanying Certificate</b>
<b>Runner-up</b>	<b>Rs. 15,000/- &amp; Accompanying Certificate</b>
<b>Best Speaker</b>	<b>Rs. 3,000/- &amp; Accompanying Certificate</b>
<b>Best Memorial</b>	<b>Rs. 2,500/- &amp; Accompanying Certificate</b>

## **DATES TO REMEMBER**

- 1) Last date for Registration: 14<sup>th</sup> February, 2026
- 2) Submission of Memorials: 17<sup>th</sup> February, 2026
- 3) Orientation and Draw of Lots: 20<sup>th</sup> February, 2026
- 4) Exchange of Memorials: 21<sup>st</sup> February, 2026
- 5) Preliminary & Quarter Finals: 22<sup>nd</sup> February, 2026
- 6) Draw of Lots & Exchange of Memorials: 27<sup>th</sup> February, 2026
- 7) Semi-Final & Final Rounds: 28<sup>th</sup> February, 2026

## **NOTE**

**FAILURE IN ABIDANCE WITH ABOVE DATES OF MEMORIAL SUBMISSION  
MAY LEAD TO DEDUCTION OF MARKS.**

For any queries, kindly reach out to us via call or email.

**CONTACT INFORMATION**

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**Authorized By:**

**Ms. Shiji Biji  
Datta I/c Principal**

**Prof. Dr. (Mrs.) Moushumi  
Director  
M.K.E.S. Group of Institutions**



Scan this QR Code for the event details.



## **MOOT PROPOSITION**

### **FACTS OF THE CASE:**

Vertex Infrastructure Pvt. Ltd. (“Vertex”) is a company incorporated under the Companies Act, 2013, Indica, having its registered office in Mumbai and is engaged in the execution of large-scale public infrastructure projects across various States in Indica.

Nova Equipment Ltd. (“Nova”) is a company incorporated under the laws of Singacore, having its principal place of business in Singacore. Nova is engaged in the manufacture and supply of specialised construction machinery for infrastructure projects across multiple jurisdictions.

Pursuant to commercial negotiations, Vertex and Nova entered into a Supply and Service Agreement dated 10 March 2021 (“the Agreement”). Under the Agreement, Nova agreed to supply ten advanced road-laying machines to Vertex along with on-site maintenance and technical support for a period of three years. The Agreement stipulated phased delivery timelines and corresponding payment obligations.

The Agreement expressly provided that it shall be governed by and construed in accordance with the laws of Indica.

The Agreement contained a force majeure clause which included disruptions in international supply chains, governmental restrictions, and logistical constraints, provided that timely notice was given to the other party.

The Agreement also contained a dispute resolution clause providing that any dispute arising out of or in connection with the Agreement shall be referred to arbitration under the Arbitration and Conciliation Act, 1996. The seat of arbitration was agreed to be Singacore, the language of arbitration was English, and no specific procedure for appointment of the arbitrator was prescribed except that the arbitrator shall be independent and impartial.

Subsequently, Vertex was awarded a highway development project by the Public Works Department of the State of Indica. During execution of the project, Nova supplied six machines within the agreed timelines. However, the supply of the remaining four machines was delayed.

Nova attributed the delay to overseas supply chain disruptions and logistical constraints beyond its reasonable control and claimed protection under the force majeure clause, asserting that Vertex had been duly informed. Vertex alleged that the delay caused substantial financial losses, exposed it to contractual penalties under its government contract, and amounted to a material breach of the Agreement.

Nova further alleged that Vertex had defaulted on scheduled payments, which adversely affected Nova's ability to perform its contractual obligations. Vertex denied these allegations and contended that any payment issues arose solely due to Nova's non-performance.

Multiple communications were exchanged between the parties. Attempts at negotiation and informal alternative dispute resolution mechanisms failed to resolve the dispute.

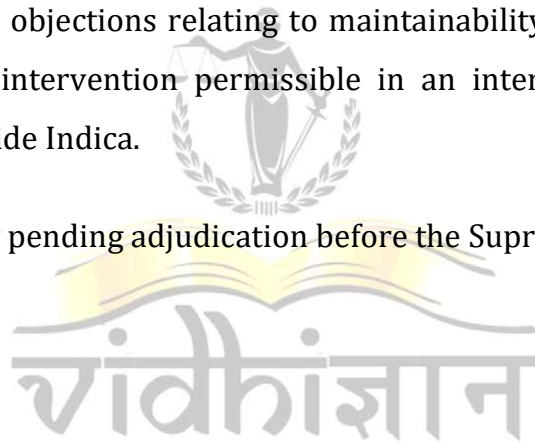
On 14 February 2023, Vertex issued a notice terminating the Agreement, alleging material breach on account of delay in supply. Nova disputed the termination, contending that it was arbitrary, unlawful, and contrary to the terms of the Agreement.

On 1 March 2023, Nova issued a notice invoking arbitration and proposed the appointment of a sole arbitrator. Vertex objected to the proposed appointment on grounds of lack of independence and impartiality, and the parties failed to reach a mutual consensus regarding the appointment of an arbitrator.

During this period, Vertex initiated steps to invoke and encash bank guarantees furnished by Nova pursuant to the Agreement. Nova approached the Commercial Division of the Mumbai High court under Section 9 of the Arbitration and Conciliation Act, 1996 seeking interim protection against such encashment. The court granted limited interim relief and directed the parties to adhere to the contractual dispute resolution mechanism.

In view of the continued deadlock regarding the appointment of the arbitrator, Vertex approached the Supreme Court of India under Section 11 of the Arbitration and Conciliation Act, 1996, seeking appointment of a sole arbitrator. Nova opposed the application, raising objections relating to maintainability, applicable law, and the extent of judicial intervention permissible in an international commercial arbitration seated outside India.

The matter is presently pending adjudication before the Supreme Court of India.



### **LEGAL ISSUES INVOLVED:**

1. Whether the termination of the Supply and Service Agreement dated 10 March 2021 by Vertex Infrastructure Pvt. Ltd. is valid and lawful in view of the alleged delay in supply and the counter-alleged payment defaults by Nova Equipment Ltd.?
2. Whether the delay in the supply of four machines by Nova Equipment Ltd., attributed to overseas supply chain disruptions and logistical constraints, constitutes a valid defence under the force majeure clause of the Agreement?
3. Whether the determination of the proper law of the contract, the law governing the arbitration agreement, and the law of the seat in an international commercial arbitration seated in Singapore gives rise to a conflict of laws, thereby affecting the jurisdiction and powers of the Supreme Court of India under Section 11 of the Arbitration and Conciliation Act, 1996?
4. Whether the invocation and proposed encashment of bank guarantees by Vertex Infrastructure Pvt. Ltd. during the pendency of arbitral proceedings is legally sustainable and equitable under the facts and circumstances of the case?

### **NOTE:**

The laws are pari materia to the laws of Republic of India.

### **DISCLAIMER:**

This is a fictional work. Names, characters, settings, and situations are either made up by the authors or utilised fictitiously. Any resemblance to actual events, locations, or living or deceased people is completely coincidental. Any resemblance to genuine corporations, institutions, organisations, or other entities is totally coincidental and used to enhance academic study by the authors. Nothing in the proposition is meant to malign anyone, alive or dead.





# WHERE, PREPARATION MEETS PERSUASION

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