DATE: 12th-13th & 27th Sept, 2026

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Fair Competition for Greater Good

PHOENIX LEGAL

MAHARASHTRA NATIONAL LAW UNIVERSITY, CHHATRAPATI SAMBHAJINAGAR

in collaboration with

COMPETITION COMMISSION OF INDIA & PHOENIX LEGAL

Presents

2nd CCI-MNLUCS

NATIONAL ANTITRUST MOOT COURT COMPETITION, 2026

MOOT PROPOSITION

COLLABORATING PARTNERS

SCC ONLINE

SCC ONLINE TIMES

COMPETITIVE SKIES

IN THE SUPREME COURT OF CORUSCANT

CIVIL APPELLATE JURISDICTION

ANAKINIA SKYRUNNER LIMITED & ORS.

...APPELLANTS

v.

COMPETITION COMMISSION OF CORUSCANT & ANR.

...RESPONDENTS

(Civil Appeal Nos. ____ of 2026, with connected appeals)

STATEMENT OF FACTS

1. The civil aviation market in Coruscant is one of the fastest-growing in the world. The financial year 2024–2025 was excellent for new carriers and established ones. One of the key factors contributing to this healthy rise has been the "Ude Desh ka Aam Nagrik" (UDAN) Schemes of the Ministry of Civil Aviation. This has subsidised air travel to under-served and unserved airports, while leading to a huge upscale in adjacent infrastructure. The domestic civil aviation market is, however, quite concentrated among a few major players.

2. The current domestic scheduled carriers who divide the market amongst themselves are, namely, Anakinia Skyrunner, SoloJet, JabbaJabba Airways, Amidala Pacific, Kenobi Airlines, and a small number of other regional and fringe operators. As per the Directorate General of Civil Aviation's ("DGCA") report for the quarter ending December 2024, the approximate share of the market held by each carrier was: Anakinia Skyrunner (38%), SoloJet (27%), JabbaJabba Airways(17%), Amidala Pacific (11%), Kenobi Airlines (4%), and other fringe operators (3%) [***Annexure A***].

3. Anakinia Skyrunner is Coruscant's largest airline and has held the largest share of domestic seat capacity since 2019. It runs a variety of small and large aircraft, offering low-cost and luxury travel options. Due to its size, it can operate at lower prices on high-density trunk routes, but also connect less prevalent destinations without filling its aircraft to capacity. SoloJet is the corporate successor to Coruscant's national airline, which was privatised in April 2022. JabbaJabba Airways is a privately held low-cost carrier ("LCC") headquartered in Bambai that has recently seen financial restructuring due to rising aviation turbine fuel ("ATF") costs, which forced it to ground a part of its fleet. Amidala Pacific is the most recent entrant into the domestic trunk-route market, beginning operations in August 2022.

4. Kenobi Airlines is a regional LCC that commenced operations in 2021 under the UDAN scheme. Between 2021 and 2024, Kenobi Airlines progressively inducted narrow-body jet aircraft and expanded onto select high-density trunk routes, including Dilli-Bambai, Dilli-Btown, and Dilli-HYD, where it competes directly with

Anakinia Skyrunner, SoloJet, JabbaJabba Airways, and Amidala Pacific (together, the "Major Carriers"). While it serves a few non-trunk routes, its aircraft do not offer any luxury seating options.

5. Civil aviation in Coruscant is regulated by the Ministry of Civil Aviation ("MoCA") and the DGCA, under the Aircraft Act, 1934 and the Aircraft Rules, 1937. The National Civil Aviation Policy, 2016, records the Government's position that airfares shall be self-regulated by market forces and competitive dynamics. This market freedom is subject to the DGCA's residual power to intervene to protect the interests of consumers. The Aircraft Rules, 1937, require every air transport undertaking to publish the tariff established, which is set keeping in mind the relevant circumstances.

6. In the aftermath of widely reported instances of steep fare increases on short notice during the period 2020 to 2023, along with heightened public discussion and scrutiny on how domestic carriers use artificial intelligence to determine ticket prices, the DGCA, in January 2024, issued a Civil Aviation Requirement, Section 3 ("CAR 3-PO").[1] This requires every scheduled domestic carrier holding ten per cent or more of the market share to file with the DGCA's new Fare Equitable Tracking Team ("FETT") a "Fare-Setting Methodology Statement". This statement is to delineate the data inputs of any algorithmic tool used by a carrier to determine fares and any other related information, like the frequency of fare changes. CAR 3-PO also empowers the FETT to issue advisories and call on the carriers for their data where it considers fare-setting practices to be inconsistent with "fair and transparent pricing", but does not confer any power to impose penalties or to restrict the use of the pricing mechanism or tool.

7. Each of Anakinia Skyrunner, SoloJet, JabbaJabba Airways, and Amidala Pacific filed their Fare-Setting Methodology Statements with the FETT between February and September 2024.

[1] The Series and the Issue No. are not relevant for the moot problem.

8. DieStar Technologies is a private company incorporated in Naboo in 2019. DieStar Technologies has no office, employees, registered place of business, servers, or other physical assets in Coruscant. Its servers are located in Naboo and Yavin-IV. DieStar Technologies develops and licenses "DynamicKyber", a SaaS revenue management platform for the aviation, transport, and hospitality industries. It is tailored to recommend fares/prices that are aimed at maximising a client's revenue.

9. DynamicKyber uses each specific carrier's historical booking data, seat inventory, booking pace, load factor, cancellation history, ATF price indices, and prevailing weather data for the relevant geographic area (this depends on the carrier's specific routes). According to their publicly available marketing information, even if DynamicKyber has multiple subscribers from the same geographic and product market, it keeps its data processing independent and ensures that the data of one client is not directly processed in the algorithmic calculations of the other. In addition, DynamicKyber pools and aggregates anonymised and route-level (but not carrier-specific) booking-pace and load factor data from all of DieStar Technologies' clients operating on a given route to calculate and publish an indicative ideal price band for that route.

10. DynamicKyber "recommends" a fare to each carrier once every fifteen minutes for each flight on each route, which the carrier may accept or modify. DieStar Technologies' promotional materials, examined during the investigation described below, stated that subscribing carriers accepted DynamicKyber's "recommended" fare for about seventy-five per cent of their flights.

11. Anakinia Skyrunner, SoloJet, and JabbaJabba Airways each executed a Master Subscription Agreement ("MSA") with DieStar Technologies for DynamicKyber in March 2024; Amidala Pacific executed its MSA in July 2024. Each MSA is governed by the laws of Naboo, with all disputes subject to arbitration under the Naboo International Arbitration Centre Rules, and provides for the fees to be paid in United States Dollars. By September 2024, DynamicKyber was fully operational across all geographic locations operated by the Major Carriers, including the trunk routes referred to in ¶4 above.

12. In August 2024, the Federation of Coruscant Carriers ("FCC"), a registered trade association of which Anakinia Skyrunner, SoloJet, JabbaJabba Airways, and Amidala Pacific are members (Kenobi Airlines is not a member), constituted a "Fare Stability Working Group" ("FSWG"). Its objective was to "monitor trends in cost and engage with technology and other partners for matters of common interest". The internal articles of the FSWG include:

> "...
>
> ***Article 5.1:*** *Members may, on a voluntary basis, authorise FCC's empanelled technology partner(s) to share with FCC aggregated and route-level (non-carrier-attributed) booking pace and capacity utilisation data for the purpose of industry capacity planning and engagement with the Ministry of Civil Aviation and DGCA.*
>
> ***Article 5.4:*** *FCC shall convene quarterly briefings, to which empanelled technology partners may be invited, to apprise Members of (i) trends in ATF prices and airport charges, (ii) updates to fare-optimisation tools used in the industry, and (iii) any other relevant updates.*
>
> ***Article 6.2:*** *Members are encouraged to have regard to FCC's quarterly route-level data advisory in calibrating their independent fare-setting strategies, it being clarified that no Member is required to adopt any particular fare or fare band.*
>
> ..."

13. DieStar Technologies was empanelled as FCC's technology partner in line with Clause 5.1 in September 2024. Representatives of DieStar Technologies attended the FSWG briefings referred to earlier in October 2024, January 2025, and April 2025.

14. Between October 2024 and March 2025, on the trunk routes identified in ¶4 above, the following pattern was observed: average fare difference during peak hours among Anakinia Skyrunner, SoloJet, JabbaJabba Airways, and Amidala Pacific, which was between fourteen percent and twenty-four percent in the eight months preceding the onboarding of DynamicKyber, narrowed to less than three percent

[***Annexure B***]. Kenobi Airlines, which is not a DynamicKyber subscriber, continued to set fares through its in-house revenue management team and did not exhibit any similar effects of consolidation of fares during the same periods.

15. The Civil Aviation Committee of the Lok Sabha, in a report tabled in February 2025, took note of "growing public concern regarding the convergence of airfares on certain routes following the adoption of algorithmic pricing tools by major domestic carriers" and recommended that the DGCA examine the matter. Pursuant to this recommendation, the FETT undertook a review of the Fare-Setting Methodology Statements filed under CAR 3-PO. It also called for supplementary data from the Major Carriers for review. By an advisory released on 30 April 2025, the FETT stated that it had "not identified any material irregularity in the fare-setting methodology disclosed by the carriers" and that "fare volatility had reduced following the Major Carriers' adoption of algorithmic pricing tools". It was clarified that the FETT's review did not extend to "an assessment of whether such practices raise concerns under the Competition Act, 2002".

16. Industry and consumer surveys conducted independently by the Travel Agents Federation of Coruscant and produced before the Director General ("DG"), recorded that the on-time performance across the Major Carriers improved by approximately two percentage points, and "fare shopping" behaviour of consumers who take advantage of differing prices for the same flights on different booking platforms fell from approximately eleven percent to approximately six percent.

17. Kenobi Airlines's market share on the trunk routes fell from nine percent in the quarter ending September 2024 to four percent in the quarter ending March 2025. Kenobi Airlines urges that this fall is primarily due to Anakinia Skyrunner's behaviour, as explained below.

18. In December 2024, Anakinia Skyrunner introduced a new programme to add to the existing incentive arrangement it had with travel agents. It launched the "Millennium Falcon Programme" ("MFP"). Under the MFP, a registered travel agent becomes eligible for a retrospective, quarterly cash rebate based on the percentage of the agent's Gross Booking Value ("GBV") which flowed to Anakinia Skyrunner in that quarter. The details of the MFP are set out below [***Annexure C***].

19. The rebate is not calculated as an incremental increase or decrease but on the entire GBV. For example, if a travel agent's GBV routed to Anakinia Skyrunner reduces from 91% to 88%, the rebate reduces from 7% to 4.5% for the entire value of the GBV.

20. On 7 May 2025, Kenobi Airlines filed information with the Competition Commission of Coruscant ("CCC" or "Commission") under §19(1)(a) of the Competition Act, 2002 ("Act") against Anakinia Skyrunner, SoloJet, JabbaJabba Airways, Amidala Pacific, and DieStar Technologies, registered as Case No. 12 of 2025. Kenobi Airlines alleged:

> **(a)** That the Major Carriers, through their common subscription to DynamicKyber, had entered into an anti-competitive agreement to fix prices in contravention of §3 of the Act, with DieStar Technologies being a facilitator participating "in the furtherance of such agreement"; and
>
> **(b)** That Anakinia Skyrunner, a dominant entity in the relevant market, had, by actualising the MFP, denied market access to Kenobi Airlines, in contravention of §4 of the Act.

21. By order dated 12 May 2025, the Commission formed a *prima facie* opinion in favour of an investigation and directed the DG to carry it out. Notice of the investigation was also issued to DieStar Technologies at its registered office in Naboo.[2]

22. The DG's investigation recorded that, of 220 registered travel agents surveyed across Naboo's metropolitan cities, 164 reported having reduced the proportion of bookings allocated to Kenobi Airlines on routes where Kenobi Airlines competed with Anakinia Skyrunner. Kenobi Airlines' average bookings on such routes went down from 17% in 2023 to less than 5% in the quarter ending March 2025. Out of the

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[2] The fitness of this notice is not an issue for the purposes of the moot.

220 agents surveyed, 13 of them submitted statements identifying a possible reduction in rebate on the entire GBV under the MFP as the primary reason for routing bookings to Anakinia Skyrunner over Kenobi Airlines.

23. Anakinia Skyrunner's position, recorded before the DG, is that the MFP is a common and commercially justified model of loyalty rebates that are linked to volume-based incentives. They state that the travel agents are not bound to route all bookings to them and can choose to route their bookings to Kenobi Airlines as and when they feel. They contend that if Kenobi Airlines is failing to attract such bookings on routes where they directly compete, then it must be attributable to their higher costs, incorrect business decisions, or faulty strategies.

24. DieStar Technologies, appearing before the DG through its Coruscant counsel "without prejudice" to its rights, filed a preliminary objection dated 18 June 2025 contending that the Commission had no jurisdiction over DieStar Technologies. It submitted that: (i) it is not incorporated in Coruscant; (ii) it has no office, employees, assets, bank account, or place of business in Coruscant; (iii) all the MSAs had been executed pursuant to inbound inquiries, not by solicitation; and (iv) it does not interfere with the commercial judgement of its clients, who are free to utilise the software as they wish.

25. Additionally, during the investigation, the DG examined representatives of each of the Major Carriers, who uniformly stated that: (a) DynamicKyber's recommended fares were generated algorithmically without human intervention (in 90% of the instances); (b) no Major Carrier had access to any other Major Carrier's personal data; and (c) attendance at FSWG briefings did not involve any discussion, agreement, or allusions regarding the fares to be charged on any route by any Major Carrier.

26. In September 2025, JabbaJabba Airways filed an application under §46 of the Act (read with the relevant lesser penalty rules), divulging minutes of the FSWG briefing held in January 2025. This disclosed a presentation by DieStar Technologies' regional account executives in which they stated that "according to the data collected from DieStar Technologies' global client base, airlines who calibrate their independent fares closer to the route-based band provided by DynamicKyber, receive, in all probability, more stable fares and can avoid disadvantageous algorithmic price wars". JabbaJabba Airways also stated that it had not altered its DynamicKyber configuration after this meeting. However, their application stated that it was filed "out of abundant caution".

27. The DG submitted its investigation report on 20 November 2025. The DG's findings, in material part, were:

(a) On the question of agreement under §3, the DG noted that a "parallel movement of fares solely" was not sufficient to demonstrate the existence of an agreement under the Act. The DG, however, was unable to conclusively determine the relevance of the January 2025 FSWG meeting to this finding and left the question open for the Commission's determination.

(b) On the question of abuse of dominance, the DG found that Anakinia Skyrunner held a dominant position in the market for "scheduled domestic air transport services" (due to its market share, the absence of countervailing buying power, and other factors). And that the MFP had the effect of denying Kenobi Airlines market access within the meaning of the Act.

28. Anakinia Skyrunner, before the Commission, urged that it operated in a wholly different market from Kenobi Airlines, which only offered low-cost options on trunk routes, as compared to Anakinia Skyrunner's luxury options and regular service of non-trunk routes. It also relied upon a report prepared by a firm of economists, applying what it described as the "as-efficient-competitor" or "AEC" test. The firm was employed independently and publishes such reports regularly without any influence from its clients. An application of the AEC test, according to this report, demonstrated that there was no market foreclosure for a competitor competing in the defined market as efficiently as Anakinia Skyrunner.[3] Kenobi Airlines disputed the methodology and inputs of the report and additionally contended that, irrespective of the AEC analysis, the direct evidence demonstrated actual foreclosure and should not be displaced by a hypothetical economic model. It, naturally, rejected Anakinia Skyrunner's definition of the relevant market and supported the DG's findings.

29. By order dated 18 February 2026 ("Commission's Order"), the Commission, after considering the DG's report and the parties' objections, held that:

> **(a)** The DGCA's regulatory framework or the FETT's advisory dated 30 April 2025 did not oust or defer the Commission's jurisdiction as the subject matter of the FETT's review was distinct from the subject matter before the Commission;
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> **(b)** It had jurisdiction over DieStar Technologies under §32 of the Act, whose actions had an appreciable adverse effect on competition in a market in Coruscant. It further held that it was a facilitator participating "in the furtherance of such agreement";
>
> **(c)** The conduct of Anakinia Skyrunner, SoloJet, JabbaJabba Airways, and Amidala Pacific did not satisfy the definition of "agreement" under the Act and subsequently had no appreciable adverse effect on competition.
>
> **(d)** Anakinia Skyrunner and Kenobi Airlines did not operate in the same market. It disagreed with the DG and found that LCCs and luxury aircraft operated in substantially different product markets. Thus, it did not enter into an analysis of whether an abuse of dominance had taken place, in fact.

30. Aggrieved by the Commission's Order, Anakinia Skyrunner, SoloJet, JabbaJabba Airways, Amidala Pacific, DieStar Technologies, and Kenobi Airlines appealed the decision to the National Company Law Appellate Tribunal ("NCLAT").

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[3] The technical economic factors and data used for the AEC Test are not required for the purposes of the moot.

31. The NCLAT: (i) affirmed the CCC's jurisdiction to investigate and penalise Anakinia Skyrunner, SoloJet, JabbaJabba Airways, and Amidala Pacific; (ii) reversed the decision of the Commission on its jurisdiction to investigate and pass orders against DieStar Technologies; (iii) determined the conduct of Anakinia Skyrunner, SoloJet, JabbaJabba Airways, and Amidala Pacific to constitute an "agreement" under §3 of the Act which (presumptively) had an appreciable adverse effect on competition; and (iv) agreed with the DG that Anakinia Skyrunner was a dominant entity in the market for "scheduled domestic air transport services", and it abused its dominance to the contravention of §4 of the Act.

32. The parties have now appealed this decision to the Supreme Court of Coruscant, where this matter is pending for hearing. The Supreme Court has framed the following issues (**only**) on which it has ordered written memorials to be submitted, first, and then proceed to oral hearing.

> ***Issue 1:*** Whether the Competition Commission of Coruscant had the jurisdiction to investigate and adjudicate upon the conduct of the Appellants in question?
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> ***Issue 2:*** Whether the Competition Commission of Coruscant had the jurisdiction under §32 of the Act to investigate and pass orders against DieStar Technologies?
>
> ***Issue 3:*** Whether the conduct of the Major Carriers, individually or through their use of DynamicKyber and participation in the FCC, constitutes an agreement or concerted practice under §3? If so, does such an agreement cause or is presumed to cause an appreciable adverse effect on competition?
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> **Issue 4:** Whether Anakia Skyrunner and Kenobi Airlines operate in the same market? And, if so, does the Millennium Falcon Programme constitute an abuse of its dominant position in the market, violating §4 of the Act?

ANNEXURES

Annexure A: Domestic Market Share

Carrier	Share of Domestic Market	DynamicKyber Subscriber	Onboarding Date
Anakinia Skyrunner	38%	Yes	March 2024
SoloJet	27%	Yes	March 2024
JabbaJabba Airways	17%	Yes	March 2024
Amidala Pacific	11%	Yes	July 2024
Kenobi Airlines	4%	No	NA
Other fringe operators	3%	No	NA

Annexure B: Average Fare Difference During Peak Hours

Route	Pre-DynamicKyber	Post-DynamicKyber
Dilli-Bambai	22%	2.0%
Delhi-Btown	18%	2.5%
Dilli-HYD	24%	1.5%
Bambai-Btown	14%	2.0%

Annexure C: Millennium Falcon Programme

Share of Agent's Domestic GBV Routed to Anakinia Skyrunner	Quarterly Retrospective Rebate
Below 60%	Nil
60% to 74%	2.0%
75% to 89%	4.5%
90% and above	7.0%

NOTES

a) The laws and regulations of Coruscant are *pari materia* to the laws of India, including the Competition (Amendment) Act, 2023.

b) For additional clarity, the Appellants in this case are Anakinia Skyrunner, SoloJet, JabbaJabba Airways, Amidala Pacific, and DieStar Technologies, while the Respondents are Kenobi Airlines and the CCC.

c) The submissions of the parties are only indicative of the possible arguments in this case. The counsels for both sides are free to add, subtract, or modify the arguments for their specific submissions as they wish.

d) The arguments of the counsels for both sides should only be restricted to the issues framed by the Supreme Court above.

e) The narrative of the moot problem is entirely a work of fiction with some inspirational influences from real-world circumstances and characters. Any resemblance of any part of the moot problem to any narrative or entity is unintended and entirely coincidental.

2nd CCI-MNLUCS NATIONAL ANTITRUST MOOT COURT COMPETITION, 2026