



12<sup>th</sup>

# UFYLC - RANKA

NATIONAL MOOT COURT  
COMPETITION - 2024

5<sup>th</sup> - 7<sup>th</sup> October 2024

University of Rajasthan, Jaipur

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# UNIVERSITY OF RAJASTHAN

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The University of Rajasthan holds the prestigious distinction of being the first institution of higher learning in the region. Incepted as Rajputana University on the propitious date of January 8<sup>th</sup>, 1947, this venerable institution has perpetually operated under the aegis of sections 2(f) and 12B of the UGC Act of 1956. The university is anchored in the profound motto of "DharmoVishwasyaJagatah Prathishtha" which calls upon the faculty and the students to spread the Dharma throughout the world, to make the planet earth a better place to live.

Renowned for its academic excellence, the university has been honored with the distinguished status of a University with Potential for Excellence (UPE). In the year 2018, the University achieved a notable ranking, falling within the range of 101 to 150 in the university category as per the esteemed National Institutional Ranking Framework (NIRF), overseen by the Ministry of Human Resource Development, Government of India. Additionally, it has the honor of being bestowed with an "A Grade" accreditation by the esteemed National Assessment and Accreditation Council (NAAC).





# UNIVERSITY FIVE YEAR LAW COLLEGE

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University Five Year Law College, ensconced within the venerable halls of the University of Rajasthan in Jaipur, stands as a paragon of legal scholarship and excellence. Devoted to the profound pursuit of jurisprudential knowledge, it boasts a distinguished faculty and a vibrant academic culture. At its core, the institution is dedicated to cultivating a profound understanding of the legal domain. The college's illustrious faculty, comprising erudite legal scholars and seasoned practitioners, inculcate critical thinking and legal acumen in their students.

What distinguishes this college is its unwavering commitment to academic excellence and innovation. It organizes annual moot court competitions, offering students a premier platform to refine their advocacy skills and acquire invaluable courtroom experience. Furthermore, the college convenes an array of seminars, symposia, and workshops, where esteemed national and international legal experts elucidate contemporary legal complexities. The institution also prioritizes holistic development, providing extensive legal resources and a tranquil campus that fosters an ideal environment for learning.



# ABOUT THE RANKA CHARITABLE PUBLIC TRUST

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The Trust was established by the late Dr. N. M. Ranka, a Senior Advocate from Jaipur, in 1980 with the noble aim of promoting public welfare and serving humanity. For over 35 years, this public charitable trust of the Ranka Family has been dedicated to various philanthropic activities.

Key initiatives undertaken by the Trust include the promotion of Gandhian philosophy. To inspire citizens, students, teachers, judicial officers, lawyers, and litigants, the Trust has installed 51 statues of Mahatma Gandhi across India, including at the High Courts of Rajasthan, Orissa, Kerala, Karnataka, and Gauhati, as well as at district courts, central jails, universities, and colleges including MNIT, Arunachal Pradesh.

The Trust has adopted two government school including Government Upper Primary School in Ramnagariya, Jaipur, where approximately 375 students from the lowest strata of society receive free education along with boarding facilities. To promote tax education and awareness, the Trust awards the RANKA BEST TAX CONFERENCE AWARD under the banner of the All India Federation of Tax Practitioners, Mumbai, to deserving Tax Bar Associations.

The Trust also publishes books, distributing more than 25,000 copies freely across India to date. It has pioneered moot court competitions and trial advocacy competitions in Jaipur and Gurugram, organizing over 30 competitions in collaboration with the University Five Year Law College, University Law College, and other recognized institutions. The trust also organises Rajasthan Law Festival which fosters a vibrant legal community

Furthermore, the Trust provides scholarships to needy students, and offers free medicines and food to impoverished patients. It also grants donations to like-minded trusts engaged in philanthropic work, education, old age homes, and more.

**Smt. Urmila N. Ranka**

{Chairperson}

Ranka Public Charitable Trust

**Mr. Justice J.K. Ranka**

{Vice Chairman}

Ranka Public Charitable Trust

**Mr. Siddharth Ranka**

{Secretary}

Ranka Public Charitable Trust



# INVITATION

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It is with great anticipation and a profound sense of honor that we announce the commencement of the 12<sup>th</sup> UFYLC-Ranka National Moot Court Competition, hosted by the University Five Year Law College at the esteemed University of Rajasthan. Set to transpire from October 5<sup>th</sup> to 7<sup>th</sup>, 2024, this event stands as a beacon of excellence in the realm of legal education and advocacy.

We extend a cordial and resounding invitation to your esteemed institution, recognizing your eminent position in the legal fraternity. Your participation is not merely sought, but eagerly anticipated, as it promises to enrich the competition with diverse perspectives and unparalleled expertise. Your esteemed team's presence will undoubtedly contribute to the vibrancy and prestige of this esteemed gathering.

At the heart of this competition lies our unwavering commitment to foster intellectual rigor and excellence in advocacy. Through lifelike courtroom simulations and thought-provoking legal discourse, we endeavor to cultivate the next generation of legal luminaries, equipped with the skills and acumen to navigate the complexities of the legal landscape.

As guardians of legal scholarship and champions of justice, we invite you to join us in this noble endeavor, as we collectively strive to push the boundaries of legal education and redefine the standards of excellence.

With anticipation and reverence for the shared pursuit of legal enlightenment,

Best Regards,

**University Five Year Law College**

University of Rajasthan, Jaipur

**Ranka Charitable Public Trust**



# ABOUT THE COMPETITION

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The Ranka National Moot Court Competition, hosted by the esteemed University Five Year Law College, serves as an unparalleled platform for aspiring legal minds to hone their advocacy skills and immerse themselves in the intricacies of courtroom proceedings. With immense pleasure and pride, we announce the forthcoming 12<sup>th</sup> UFYLC-Ranka National Moot Court Competition scheduled to be held on 5<sup>th</sup> - 7<sup>th</sup> October 2024. We are looking for the participation of law students enrolled in the 5-Year (integrated programme) and 3 years LL.B. programme with the aim to inspire, promote, and inculcate drafting & writing techniques, oratory skills, and research skills.

Participants will have the opportunity to engage in simulated legal arguments, presenting their cases before esteemed judges and legal practitioners. Through this immersive experience, students can cultivate vital skills such as legal research, oral advocacy, critical thinking, and teamwork. Moreover, the competition offers a unique opportunity to network with peers and legal professionals, fostering invaluable connections within the legal community. Join us in this exhilarating journey towards legal excellence, where participants can expand their horizons and embark on the path to becoming adept legal professionals.



# CHIEF GUESTS ON THE DAIS FOR THE RECENT MOOT COURT COMPETITION

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Hon'ble Mr. Justice  
Rajesh Bindal  
Supreme Court of India



Hon'ble Mr. Justice  
Anoop Kumar Dhand  
Rajasthan High Court



Hon'ble Mr. Justice  
Avneesh Jhingan  
Rajasthan High Court

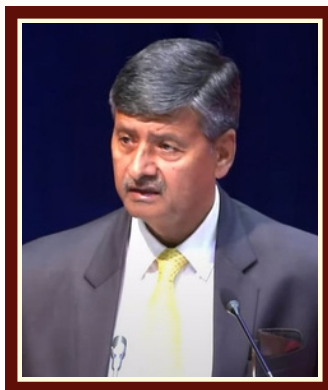
# DIGNITARIES IN PREVIOUS RANKA MOOT COURT COMPETITIONS

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Hon'ble Mr. Justice  
Dipak Misra  
Former Chief Justice of India



Hon'ble Mr. Justice  
Ajay Rastogi  
Former Judge, Supreme Court of India



Hon'ble Mr. Justice  
Vineet Saran  
Former Judge, Supreme Court of India



# GLIMPSES FROM PREVIOUS EVENTS AT UFYLC



**11<sup>th</sup> UFYLC RANKA  
NMCC INAUGURATION**



**11<sup>th</sup> UFYLC RANKA  
NMCC INAUGURATION**



**UFYLC ISMCC  
2024**



**INTERNATIONAL CONFERENCE ON  
"SYMBOLS OF NATIONALISM"**



**UFYLC ISMCC  
2022**



**"YOUTH PARLIAMENT  
SAMVAAD-2023"**

# REGISTRATIONS

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In this edition of the competition, registration will be open to one team per institute to participate in the competition. Interested teams are required to register for the Competition by filling out the registration form.

Registration link : <https://forms.gle/KvX4QbnHFDAuVroa6>

While filling out the Registration Form, the teams have to choose a primary contact person. All communications concerning the Competition will be sent by e-mail to the nominated contact person and he shall be responsible to convey all the information to the team.

All the teams are required to make a payment of INR 5500/- before 05<sup>th</sup> September, 2024 (11:59 P.M. IST) in order to register.

The fee for the competition shall be paid to the bank account/UPI/QR Code mentioned below. After payment of the fee, the candidate/team must ensure that the screenshot is taken and the same shall be used for verification purposes. All the participating institutions have to confirm participation by attaching the screenshot of the payment receipt in the google form. **For any queries related to the competition feel free to reach us at mootufylc@gmail.com**

## PAYMENT DETAILS

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Account Holder Name: **Director, University Five Year Law College, UOR, Jaipur**

Account no.: **20270110000281**

IFSC Code: **UCBA0002027**

Bank Address: **UCO Bank, Rajasthan University Campus, Jaipur.**

The teams after registration will receive a confirmation mail from the Organising Committee for confirmation of the slot for the competition. The teams shall be provided a unique team code which shall be used in the preparation of the memorial as stated above. Teams shall only be addressed by this code in the oral rounds. No change in the names of the participants shall be permitted after the receipt of the Registration Form, except at the sole discretion of the Organizers. Teams should clearly mention the participants name, contact number, Including year/semester of study.

# IMPORTANT DATES

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- 1** Release of brochure **29<sup>th</sup> May, 2024**
- 2** Closing date of Registration **05<sup>th</sup> September, 2024**
- 3** Start and End of clarification **21<sup>st</sup> Aug. - 10<sup>th</sup> Sep., 2024**
- 4** Release of Clarification **15<sup>th</sup> September, 2024**
- 5** Last date of Memorial Submission in Soft copy **20<sup>th</sup> September, 2024**
- 6** Last date of Memorial Submission (Hard copy) **25<sup>th</sup> September, 2024**
- 7** Inauguration ceremony **5<sup>th</sup> October, 2024**
- 8** Oral Rounds **6<sup>th</sup>-7<sup>th</sup> October, 2024**
- 9** Valedictory ceremony **7<sup>th</sup> October, 2024**





# AWARDS

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## WINNING TEAM AWARD

The winning team will receive a trophy, certificate of excellence and a cash prize of

**21,000/-.**

## RUNNERS-UP AWARD

The 1st runners up will get a trophy, certificate of excellence and a cash prize of

**11,000/-.**

## BEST STUDENT ADVOCATE

Best student Advocate (Appellant) will get a trophy and cash prize of

**5100/-**

Best Student Advocate (Respondent) will get a trophy and cash prize of

**5100/-**

This prize will be awarded on the basis of marks acquired in the preliminary round.

## BEST STUDENT RESEARCHER

Best Student Researcher will get trophy and cash prize of **5100/-**  
This award will be on the basic of Researcher test marks.

## BEST MEMORIAL AWARD

Best Memorial award will get a trophy and cash prize of **6000/-.**  
Certificate for participation will be given to all the participants.



# MOOT PROPOSITION

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- 1.** That in the year 2015, under the provisions of the Corporation Establishment, 2013; Flankingo & Flamingo Pharmaceutical Pvt. Ltd. Co. (hereinafter referred to as the Company), a pharmaceutical manufacturing Company, was incorporated. Its registered office is located at 15, Bagishi Park, Near Complex Circle, Prime Park, Jojaba (Indices). It was incorporated by Mr. Mustafizur Bond and Mr. Shane Rehman with the vision and objective of manufacturing and selling pharmaceuticals out of their Registered Office. Mr. Bond and Mr. Rehman are the Promoter Directors of the Company. The Company manufactures and markets pharmaceutical formulations and active pharmaceutical ingredients (APIs) for various therapeutic segments in Indices. It offers APIs in therapeutic areas of anti-hypertensive, anti-malarial, diuretic, DMARD, and anthelmintic.
- 2.** The Company provides generic and branded formulations in the therapeutic segments, including allergy, anti-neoplastic/cancer drugs, anti-arthritic, anti-epileptic, anti-hypertensive, cardiology, diabetology, dermatology, neurology, ophthalmology and rheumatology as well as psychiatry, probiotics, respiratory, oral anti diabetes drug, nutraceuticals, neuropathic pain, malaria, infectious diseases, immunosuppressant,
- 3.** That it was also decided that the stock including the pharmaceuticals, medicines etc. could only be produced and distributed with the approval and signature of all the three shareholders, including Mr. Quinten D'souza, an investor who is only involved in the Company for security reasons and to have a say on the board. After serving as an Additional Director on the Company's Board for a while, Mr. D'souza was named as the Director of the Company.
- 4.** That the Company has been operating efficiently from 2015 to 2019, and this is also demonstrated by the Company's constantly increasing turnover. But after 2019, the internal strife and disagreements among the Company's Directors have put the Company's turnover and statutory filings in jeopardy.
- 5.** That the internal conflict pertained to the approach and process by which the company intends to produce pharmaceuticals. The Company changed the vendor to

whom the raw materials/pharmaceuticals would be sold. The change was brought about by a resolution passed in the Board Meeting dated 30.04.2019 in the presence of Mr. Shane Rehman and Mr. Quinten D'souza. The aforesaid change impacted the sales of the Company, further widening the rift between the current Directors.

**6.** That in a subsequent Board Meeting, Mr. Quinten D'souza tendered his resignation, citing his need for time to oversee the operations of his Company, MOLGA Real Estate Pvt. Ltd., which was going through the Corporate Insolvency Resolution Process ("CIRP"). Additionally, it was decided by the Company's directors that Mr. Quinten D'souza would oversee the administration of the ships and vessels bearing the name "COSTA" and "MONACO" and would receive profit sharing. These ships and vessels accounted for 40% of the Company's revenue. These function as Special Purpose Vehicles (SPV) ships, bringing the Company's manufactured goods and raw materials from Indices to other international markets. It was decided that Mr. D'souza would oversee these SPVs' operations and be eligible to receive profit-sharing payments from the aforementioned SPVs.

**7.** That the resignation tendered by Mr D'souza was accepted, however DIR-12 form was yet to be submitted in relation to the same.

**8.** That on 10.01.2023, both the SPV ships transporting a cargo consisting of 500 gms of Methyl Ester of Benzoyl-ecgonine and its salts, 1 Kg N-Ethyl-1-phenylcyclohexylamine and 1 Kg of 5,5-Diethylbarbituric acid was seized by the Inspector of the Department of Central Excise. Both the SPV ships carrying the cargo were registered in Indices and at the time of the seizure were located at a distance of 18.5 km and 35.5 km from the Indices Coast. On being charged by the, Mr. D'souza pleaded ignorance stating that he was unaware of the contents of the cargo being transported by the aforementioned SPV ships.

**9.** That Mr. D'souza and other Directors were charged under the applicable and relevant provisions of the Corporation Establishment, 2013 and the Anaesthetic and Opiate Drugs Act, 1985 (AOD Act, 1985). Mr. D'souza pleads innocence stating that he has resigned from the Directorship of the Company much before the SPV ships were seized. The other two Directors pleaded that Mr. D'souza was solely over-seeing the affairs of the SPV ship and hence there arises no liability on their part.



**10.** That the trial for the offences under the relevant provisions of the AOD Act, 1985 was conducted by the Special Judge, Additional Special Court, under the AOD Act, Chennapuram. The Special Judge convicted all the three Directors to undergo rigorous imprisonment of 8 years and to pay a fine of Rs 35,000/- (paid jointly).

**11.** That the convictions were challenged before the High Court of Judicature of Madarasisvasia and the same was upheld. The same was challenged before the Supreme Court by way of a Special Leave Petition filed under Article 136 of the Constitution of Indices.

**The issues before the Supreme Court were-**

**A)** Whether the Courts of Indices have the jurisdiction to try the offences committed on both the SPV ships since they were seized when they were located outside the Indices Coast.

**B)** Whether Mr. D'souza is liable for the offences made out under the relevant and applicable provisions of the AOD Act, 1985. If so, under what capacity. Also, specify the relevant provisions.

**C)** Whether the other two Directors are liable for under the relevant and applicable provisions of the AOD Act, 1985.

**D)** Whether the Company is liable under the relevant provisions of AOD Act, 1985. If yes, to what extent. Also, specify the relevant and applicable provisions.

**GOVERNING LAW**

**The instant issue shall be governed by, and shall be construed with, in accordance with the Laws of the Republic of India. Constitution of Indices, the Corporation Establishment, 2013 and the AOD Act, 1985 are Pari Materia to the Constitution of India, Companies Act, 2013 and the Narcotic Drugs and Psychotropic Substances Act, 1985.**

## **CHIEF PATRON**

**PROF. ALPANA KATEJA**

Hon'ble Vice Chancellor,  
University of Rajasthan, Jaipur

## **PATRON (UFYLC-RANKA NATIONAL MOOT COURT COMPETITION)**

**MS. URMILLA RANKA**

Chairperson, Ranka Public Charitable Trust

**MR. JUSTICE J.K. RANKA**

Former Judge Rajasthan High Court

## **DIRECTOR, UFYLC**

**DR. AKHIL KUMAR**

## **CONVENOR**

**DR. SANDEEP SINGH**

**DR. AARTI RATHI**

## **ORGANISING SECRETARY**

**DR. GHANSHYAM BERA**

## **CO-ORGANISING SECRETARY**

**MS. ARTI SHARMA**

## **FACULTY CO-ORDINATORS**

**DR. PRIYANKA KHETAN**

**MS. RAKHI SHARMA**



## **MEMBERS ORGANISING COMMITTEE**

**DR. VENOO RAJPUROHIT**

**MS. SHELLY BOHRA**

**DR. PRIYANKA JOSHI**

**DR. JUHI PAWA**

**MS. POOJA SAXENA**

**MR. BALKESH YADAV**

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