# PARUL INSTITUTE OF LAW, PARUL UNIVERSITY’S

**1st National Moot Court Competition, 27-28 September, 2019**

**MOOT PROBLEM**

*Kisan Seva Manch*, is an NGO based in the *Suryadesh* city of *Gurjarrashtra* state of the *Union of Asgarda*. The objective of the NGO is to protect the rights and the welfare of the farmers. The NGO has been actively carrying out various campaigns to highlight the rights of the farmers.

The Central Government of the *Union of Asgarda*, has entered into a Memorandum of Understanding (MoU) with the *Union of Jazaniya*, wherein both the countries will jointly build a High Speed Rail Network (Bullet Train) connecting the major financial centers of *Aishbad* in *Gurjarrashtra* state and *Momzai* in *Maharat* state.

For the construction of the High Speed Rail Network (Bullet Train), the *Union of Asgarda* is required to acquire the land of a large number of farmers of *Gurjarrashtra* and *Maharat*. For this purpose, the Central Government of the *Union of Asgarda* has earmarked a number of villages from where the land acquisition needs to be done.

The farmers of *Gurjarrashtra* apprehend that their farmlands will be unduly acquired by the *Union of Asgarda* for the construction of the High Speed Rail Network (Bullet Train). They also are against the acquisition as it will affect their right to livelihood. They are also skeptical of the fact that under the existing legislations, they will not be adequately compensated. Also, the *Union of Asgarda* has not come up with a concrete plan regarding how it will combat the enormous loss to the environment as thousands of trees will be cut off for the project, which will again affect the right to life of the people of the concerned areas. With these apprehensions of the violation of the fundamental rights of the farmers, the *Kisan Seva Manch* (petitioners), on behalf of the farmers as well as the people of the concerned areas of the state of *Gurjarrashtra*, has filed a writ petition in the Supreme Court of *Asgarda* to stop the acquisition of the land of the farmers.

On the other hand the *Union of Asgarda* (respondents) contends that the state exercises ‘Eminent Domain’ over the territory of the state and hence they are authorized to acquire land as and when required for “public purpose” under the various provisions of land acquisition laws. Hence their action is valid.

Argue on behalf of the petitioner and respondent in the Supreme Court of *Asgarda*.

**Note:**

1)The Laws of *Asgarda* are *Pari Materia* to the Laws of *Union of* *India*.

2)The Laws of *Gurjarrashtra* are *Pari Materia* to the *Laws State of Gujarat*.

**Disclaimer:**

This problem is a product of fiction. All the names, characters, parties, places and events and incidents depicted in the problem are used in fictional manner. Any resemblance to the moot problem is deemed to be purely coincidental.