



**The School of Law, MIT ADT University is thrilled to announce its
2nd Intra Moot Court Competition,
scheduled to take place from 17th – 19th September, 2025**

Important Dates:

- **Memorial Submission Date:** 11th September, 2025
- **Competition Dates:** 17th – 19th September, 2025

Moot Proposition

Facts

1. The State of Wellesley has been facing a severe shortage of healthcare infrastructure, especially after the COVID-19 pandemic. To address this, the State Cabinet approved the establishment of a 1,000 bed Multi-Specialty Government Hospital in the capital city under the Public Private Partnership (PPP) model.
2. The estimated project cost was ₹850 crores, with the following structure:
 - 2.1. Government Grant: ₹300 crores (40 year lease of land + upfront subsidy).
 - 2.2. Private Investment: ₹550 crores, recoverable via service charges capped by the State Health Authority.
 - 2.3. Concession Period: 30 years.
3. The project was expected to be completed in 5 years and employ over 2,500 people.
4. In January 2023, the State of Wellesley issued an e-tender under the “*Build-Operate-Transfer*” (BOT) model. The tender contained a discretionary clause (Clause 12.4):
“The State Government reserves the absolute right to accept or reject any bid, without assigning reasons, even if it is the lowest, in the interest of public policy and administrative discretion.”



5. Bids were received from:

Bidder	Bid Value (₹ crores)	Prior Experience	Proposed Completion	Local Employment Commitment	Remarks
Medi Health Pvt. Ltd. (Appellant)	790 (L1)	8 hospital projects (incl. AIIMS extension)	4.5 years	45%	Lowest bidder, strong hospital experience
Care Well Constructions Ltd. (Awardee)	815 (L2)	12 infra projects (only 1 small healthcare facility)	6 years	80%	More local hiring, less hospital expertise
Life Line Infra Ltd.	875 (L3)	6 hospital projects	5 years	60%	Highest cost, mid-level experience

6. On May 10, 2023, the Tender Evaluation Committee ranked Medi Health as L1 (lowest bidder) and Care Well as L2. However, on June 20, 2023, the State Cabinet awarded the contract to Care Well Constructions Ltd., citing “*policy preference towards companies with higher local employment generation.*”
7. On July 15, 2023, Medi Health filed a writ petition under Article 226 before the High Court of State Wellesley, challenging the award on three primary grounds:
- 7.1. That the rejection of the lowest valid bid without assigning reasons was arbitrary and violated Article 14 of the Constitution.
 - 7.2. That Clause 12.4 of the tender, giving unrestrained discretion to the State, was void



under Section 23 of the Wellesley Contract Act as being against public policy.

- 7.3. That exclusion of Medi Health violated its Article 19(1)(g) right to carry on trade/business, and also caused unjustified burden of ₹25 crores extra cost on public funds.
8. On September 12, 2023, the High Court dismissed the petition, holding that contractual disputes ordinarily fall outside writ jurisdiction, and that the State's preference for local employment was a matter of policy discretion which courts should not interfere with unless mala fides were clearly proven.
9. On October 20, 2023, Medi Health filed a Special Leave Petition (SLP) under Article 136 before the Supreme Court of Wellesley, reasserting its earlier grounds and additionally raising the argument of "*legitimate expectation*", claiming that as the lowest eligible bidder it was entitled to a fair, reasoned, and non-arbitrary decision by the State.
10. The matter is now placed before the Supreme Court of Wellesley. The Supreme Court of Wellesley has framed the following broad issues for the determination before itself:
- 10.1. Whether the government's decision to award the contract to L2, despite L1 fulfilling all conditions, violates Article 14 and Article 19(1)(g) of the Constitution.
- 10.2. Whether Clause 12.4 of the tender, granting "*absolute discretion*" to the State, is void under Section 23 of the Wellesley Contract Act, 1872.
- 10.3. Whether writ jurisdiction under Articles 32 and 226 extends to government contracts involving claims of arbitrariness.
- 10.4. Whether promoting local employment justifies deviation from the "*lowest bidder*" principle in public contracts.

Additional Considerations:

The laws of Wellesley are *Pari Materia* with that of India i.e., The Constitution of India & The Indian Contract Act, 1872.



Rules for Intra Moot Court Competition

1. **Team Composition:** Each team shall consist of **3 members**: Two speakers and one researcher only. Students are free to formulate their own team.
2. Participating in the Competition is **compulsory** for the Students of LLB and BBA LLB. It is a component of their CIA and carries 10 Marks. **Non-compliance or absence** may result in detention of the Student from Mid Semester and End Semester Exams.
3. **Competition Format**
 - 3.1. The competition will consist of **preliminary rounds, semi-finals**, and a **final round**.
 - 3.2. Each team will argue as both petitioner and respondent during the preliminary rounds.
 - 3.3. Time limits for oral arguments:
 - 3.3.1. **Speaker 1**: 10 minutes
 - 3.3.2. **Speaker 2**: 10 minutes
 - 3.3.3. **Rebuttal/Sur-rebuttal**: 5 minutes (optional).
4. **Scoring Criteria**

Teams will be evaluated on:

 - 4.1. **Knowledge of Law**: 30 points
 - 4.2. **Application of Law to Facts**: 20 points
 - 4.3. **Articulation and Advocacy Skills**: 20 points
 - 4.4. **Courtroom Etiquette**: 10 points
 - 4.5. **Clarity and Structure**: 20 points
5. **Dress Code**: Participants must wear **formal attire**:
 - 5.1. **Male participants**: White shirt, black trousers, black tie, and black blazer.
 - 5.2. **Female participants**: White shirt, black trousers, or Indian formal wear with a black blazer.
6. **Bench Etiquette**
 - 6.1. Teams must address the judges as “Your Lordships” or “Your Ladyships”.



6.2. Disrespect or misconduct during proceedings will result in penalties or disqualification.

7. **Use of Materials**

7.1. Teams are allowed to refer to case laws, statutes, and books.

7.2. Use of **electronic devices** during oral rounds is **prohibited**.





Rules for Memorial Submission

1. The memorial must be typed and comply with the following:
 - 1.1. Font: Times New Roman
 - 1.2. Font Size: 12 (for main text), 10 (for footnotes)
 - 1.3. Line Spacing: 1.5 (main text), single spacing (footnotes)
 - 1.4. Margins: 1 inch on all sides
2. Each memorial must contain the following sections:
 - 2.1. Cover Page (Blue for Petitioner, Red for Respondent)
 - 2.2. Table of Contents
 - 2.3. List of Abbreviations
 - 2.4. Index of Authorities
 - 2.5. Statement of Jurisdiction
 - 2.6. Statement of Facts
 - 2.7. Issues Raised
 - 2.8. Summary of Arguments
 - 2.9. Arguments Advanced
 - 2.10. Prayer for Relief
3. **Word Limit**
 - 3.1. Arguments Advanced section should not exceed **7,500 words**.
 - 3.2. The entire memorial should not exceed **10,000 words**.
4. Citations must follow the **Bluebook 21st Edition**
 - 4.1. **Submission Guidelines**
 - 4.2. Each team must submit **2 hard copy** and **1 soft copy (PDF format)** of the memorial for each side.
 - 4.3. **Late submissions** will attract penalties as follows:
 - 4.3.1. 1-3 days late: 5 marks deducted per day
 - 4.3.2. 4+ days late: Disqualification
 - 4.4. Submit the soft copy at mootcourt.mitsol@mituniversity.edu.in.



6. **Marking Criteria**

6.1. Clarity of Facts and Issues: 10 Marks

6.2. Application of Law: 25 Marks

6.3. Quality of Research: 25 Marks

6.4. Presentation: 15 Marks

6.5. Formatting and Citations: 15 Marks

6.6. Overall Structure and Creativity: 10 Marks

7. **Anonymity**

7.1. Team names or any identifying marks must not appear on the memorial.

7.2. Each team will be assigned a **team code** which must be indicated on all memorials.

8. **Plagiarism:** Memorials must be original. Plagiarism exceeding **10%** may result in penalties or disqualification.

