

ALSD INTRA ADR NEGOTIATION PROBLEM

(Qualifiers) - 2017

Amity Law School, Delhi organizes Amity National Law Competition (ANLC) every year. This year also they organized the competition and it was held on 3rd, 4th, 5th of March, 2017. It included several legal competitions such as moot court, negotiation, client counselling, bail petition etc. The college invited several teams and participation was restricted to only those on invite and 1 team per college per competition. Further, the rules clearly specified that the organizing committee had the discretion to change the rules whenever, and the participants were bound by the same. The registration fees for every competition was Rs 2000 per competition.

There was a rule that the teams securing the highest marks irrespective of courtroom ranks will qualify to the quarterfinals (8 teams) and (4 teams) to the semifinals and (2 teams) in the final. Now, this rule was followed for progress into the quarters as well as the semi finals, but the rule was changed at the last minute for progress into the finals i.e. a knockout rule (1 team from every courtroom shall qualify).

The team for Karnataka Law School (KLS) qualified for the semi finals of the moot court competition, and even had the 2nd highest score out of the 4 teams but failed to qualify for the finals owing to the knockout rule, as they lost to the team in their courtroom but had higher marks than the other two teams in the other courtroom. They indulged in a heated conversation with the organizers and even insulted and abused them since the organizers weren't willing to listen and adhere to their demands.

The team from KLS approached the district court of Delhi and sued Amity Law School for a breach of contract and claimed damages to the tune of Rs 50,000. Amity Law School, argued that there was no privity of contract, as the contract was entered between the Amity Law School and Karnataka Law School and the members of their team were merely participants and were third party to the contract.

The court wanted to avoid litigation in such a sensitive matter and thus, referred both the parties to solve their dispute in an out of the court settlement i.e. Negotiation, under Section 89 of the Code of Civil Procedure, 1908.

Varee Parmar
16/10/17
(Faculty Convener)