

1. Metro View housing colony was managed by its Resident's Welfare Association ("RWA"). At the time of purchasing a house in the colony, a resident would become a member of the RWA. They agreed to abide by the rules, regulations, bylaws, and directions of the RWA. House owners agreed to include a condition in any rent agreement requiring tenants to follow the rules, regulations, by laws, and directions issued by the RWA.

The colony had a ground in the middle of the colony. This ground was earmarked as a general-purpose ground in the rules of the RWA. Residents used the grounds for recreation, exercise, entertainment, and gatherings.

The RWA issued a direction that in light of sentiments expressed by many residents, non-vegetarian food would not be cooked or consumed within the housing colony. To enforce this rule, food deliveries would be checked to ensure that no non-vegetarian food was being ordered. House owners were directed to not rent out their houses to those who consume non-vegetarian food.

Many residents took objection to this direction and wrote a petition to the RWA opposing this move. However, the RWA refused to reconsider its decision. It advised residents who wanted to consume non-vegetarian food to do so outside the colony. Angered by this response, a group of residents comprising about 25% of the residents of the colony, decided to go on an indefinite *dharna* in the grounds till the direction was withdrawn. They occupied the centre of the ground, set up a tent and gathered there, raising slogans and participating in a sit-in protest. Periodically, some residents used a microphone to make speeches on why the direction should be withdrawn.

While the protestors did not occupy the entire ground, other activities that were normally carried out in the ground were disrupted because of the protest. Some residents objected to this protest because (1) all residents were obligated by the terms of the RWA membership/their rent agreement to follow the directions of the RWA and (2) the ground was a general-purpose ground meant for use by everyone, and the protest interfered with the ability of other users to use the ground. They were also concerned that the indefinite protest would mean that use of the grounds by other residents would also be restricted indefinitely. The protestors stated that their membership in the RWA did not prevent them from protesting against the RWA, and that the ground was a general-purpose ground, which meant that it can also be used by residents for purposes of protest.

Given the deadlock, all sides agreed to present their views to an impartial third party and to abide by the decision of such a party. You, a retired judge, who earlier used to reside in this colony, are approached to settle this issue.

Decide whether the protestors can use the grounds for their protest, and if so, whether they can do so indefinitely.

1. Sunita had to travel from Mangalore to Mumbai for a job interview. She decided to fly to Mumbai on a High Airways (the "Airline") flight to reach well in time for her interview. On the day of the flight, there was a huge traffic jam on the road leading up to Mangalore Airport, and Sunita reached the airport too late to catch her flight. She spoke with some Airline officials and told them how important the interview was for her, and that it was critical she reach Mumbai as soon as possible. The Airline officials told her that they could not refund her the money she had paid for the previous flight since it was not their fault that she had missed the flight. Still, they offered her a seat on another flight which was scheduled to leave an hour after Sunita's original flight. They offered that instead of paying the full fare for this later flight, she would only have to pay a rescheduling fee (which was 20% of the full ticket cost). Taking this flight would mean that Sunita would be a few minutes late for her interview. However, she decided to accept the Airline's offer and made the payment. However, this flight was delayed by an hour since the pilot for this flight also got caught in the traffic jam and could not make it to the airport on time. Sunita felt that she would be too late for her interview and decided not to travel to Mumbai. She felt that the Airline was responsible for her missing the interview and wanted them to compensate her for the loss she suffered as a result. Does the Airline have to compensate Sunita for all her losses?

1. Arco Pvt. Ltd., a company producing automobile parts, had an Employee Welfare Policy (EWP) which stated that the company will not discriminate against employees on grounds of religion, race, caste, sex, sexual orientation, gender identity, place of birth, or cultural or ethnic background. The EWP also provided that to address the specific needs of women employees, the company could make special provisions for them, and that such provisions will not amount to discrimination.

Arco Pvt. Ltd. ran a factory where it employed technicians in three shifts. Those working in the night shift were provided an extra “hardship” pay amounting to 20% of the monthly salary.

The company decided that it would not employ women in the night shift since travel for women was unsafe at night. The company was also concerned that women might face harassment on the factory floor at night, when not too many employees would be around. One such incident of harassment had already been reported to the company. The company felt that the factory floor, with its poor lighting, dark corners, deserted nature (at night), and lack of safe and adequate rest facilities for women, was not suited for women employees at night. Further, the company believed that women employees often have family care responsibilities, and the night shift would put an extra burden on them. Therefore, in the interest of women technicians, it decided not to deploy them for the night shift.

Some women employees welcomed this move, while others objected to it on the ground that it violates the company’s EWP. You are the grievance redressal officer in the company and are asked to recommend to the company whether this decision is consistent with the EWP. How would you decide and why?

1. Yellow, a large multinational company, was engaged in selling mobile phones and accessories for mobile phones such as chargers, power banks, headphones and mobile cases. Praveen ran a small business as a retailer and distributor for mobile phones in the South India region. Yellow engaged Praveen as an agent to sell its mobile phones. Praveen would get 5% of the revenue generated through any sales made by him and Yellow would retain the rest of the amount. Yellow provided clear instructions to Praveen on the features and qualities of the phones that should be marketed. One such attractive feature was that when used with Yellow's mobile cases, the phones could be used for underwater photography (upto 3 feet). Yellow's conditions included a statement that mobile phones made by it should only be used with accessories made by Yellow. Yellow also provided a warranty of 6 months on the phone. The warranty document clearly stated that the warranty would not be valid if customers used the phones with accessories of other brands, and faced problems as a result.

Praveen advertised the phones to customers, and the phones became a hit in the market because of their water resistant and waterproof features. One customer approached Praveen to buy 10 phones for his employees who were engaged in research on marine life. Praveen assured the customer that as long as the phones were used with a case and in shallow waters, they would serve the customer's purposes. The customer placed an order for 10 mobile phones from Yellow's brand, and 10 mobile cases from a third party manufacturer. Praveen did not specify to the customer that the mobile cases must be from Yellow. The customer found that the phones stopped working immediately after they were first used in the water. The customer tried to call Praveen, who was however not reachable. After a few days it turned out that Praveen was absconding. The customer then approached Yellow to either replace the phones or refund the amounts paid for them. Yellow denied responsibility since the cases used were not bought from the company. You are called upon to decide the case. How would you decide the case and why?

1. Azeem had signed up for a 6-month course with a popular online education provider, a private company called Zoomer. Azeem had carefully read the agreement and terms of service and agreed to the terms set out by Zoomer. The agreement and terms of service were available on Zoomer's website. The course was also to be delivered from this website. The terms of service provided that where required, the company may choose to communicate with students via email. The fees for the course were to be paid on a monthly basis and would be automatically transferred from Azeem's bank account to the account of Zoomer at the end of every month. The terms also provided that students would have the option of dropping out of the course at any time. If the student made such a choice, the fees from the next month onwards need not be paid by the student, and the student would receive a certificate for part completion of the course.

The first two months of the course went well. However, after 2 months Zoomer sent Azeem an email notification announcing that the course fees for the next 4 months would be doubled. The email automatically went into the spam folder of Azeem's email account, and Azeem did not see it. After the third month, Azeem noticed that the amount transferred to Zoomer for the monthly fee was substantially higher and contacted the company. After several conversations, Zoomer refused to refund the additional money charged for the third month. Azeem has now filed a case against Zoomer. You must decide the case. Which party will you decide in favour of, Azeem or Zoomer, and why?

1. Ramon, an employee of a prominent company, was found guilty of committing the offence of domestic violence, which is punishable under the Indian Penal Code. The company's employment contract clearly stated that if an employee was found guilty of a criminal offence, their employment would be terminated with immediate effect. As a result, Ramon's employment was immediately terminated. After convicting Ramon, the court adjourned the case for a week to decide the appropriate punishment to be imposed on him. The law provided for a minimum prison sentence of six months, and a maximum prison sentence of seven years for the offence. The prosecution argued that the maximum punishment possible should be imposed on Ramon since domestic violence is a heinous crime. On his part, Ramon argued that he should be shown leniency since he had already lost his job because of the conviction. As the judge in the matter, would you show leniency to Ramon and impose a sentence lower than seven years? Why?

1. To curb the spread of Covid 19, the Government of India directed all individuals to wear a face mask in public places. Failure to wear a mask in a public place was punishable with a fine of Rs. 2000. Recognizing that enforcement of this rule would be difficult, the Government also directed that any person who saw another person not wearing a mask in a public place would be required to immediately upload a photograph of the person, preferably with the person's name, onto an app specially designed for this purpose. Failure to do so was also punishable with a fine of Rs. 2000.

Anagha, a college student, was rushing out of her apartment building to appear for an examination. She saw a group of her neighbours standing in a common area of the apartment complex talking to each other. They were not wearing masks. She wished them and continued towards the main gate of the complex. Unfortunately for Anagha, an officer in charge of enforcing the law spotted her unmasked neighbours and imposed a fine on them. He also imposed a fine of Rs. 2000 on Anagha. Anagha found the rule regarding reporting non-compliance with the mask rule absurd and unfair and challenged it. What arguments would you make on Anagha's behalf?

1. Late one evening, Raez heard a knock on his door. He opened the door to find Bahubali, the local strongman standing outside and carrying a *lathi*. Raez owed Bahubali money, and just the previous week, Bahubali had threatened to beat up Raez if he failed to pay back the money. Raez had failed to pay back the money owed to Bahubali. When he saw Bahubali at his door, Raez panicked and ran into the house, trying unsuccessfully to shut the door behind him. Bahubali ran behind him into the house. Raez ran up the staircase and reached the terrace which was two storeys high. Bahubali followed him there. Raez was caught in a predicament since he did not have any avenue for escape. As Bahubali approached him, Raez jumped from the roof and landed on the road below. He incurred serious injuries due to the fall. Raez wants to prosecute Bahubali for the injuries that he sustained. Bahubali argues that he did not cause the injury - he had not even touched Raez. It was Raez who voluntarily jumped off the roof and he alone is responsible for the injuries that he caused himself. How would you decide this case?



1. Mayank, a 16-year-old boy, was admitted to Blisswood High School after a rigorous admissions process. The school was famous for providing a good mix of academic rigour and extracurricular activities. Students were trained in activities such as horse riding, mountaineering, and other adventure sports. Graduates from the school had achieved great success in their careers. The school attributed this success to its insistence on instilling discipline in its students. Once admitted, students and their parents had to sign a declaration stating that they would maintain the highest standards of discipline, and that failure to do so would result in appropriate punishments.

A few months after being admitted to the school, Mayank began to engage in acts of rebellion and defiance, for which the school imposed sanctions such as fines and detention. In March 2022, he lost his temper and hit a classmate in the mess hall with a plate, injuring him. This went into Mayank's record.

In April 2022, Mayank was in the middle of a mountaineering session, when the instructor hit him with a cane on his palm. Mayank was in pain. He could not understand why the instructor hit him. The instructor told him that he was talking to his fellow student during an important and physically risky session, and by hitting him, the instructor was teaching him to focus on the activity instead. Mayank and his parents complained to the Parent Teachers Association (PTA) of the school and sought action against the instructor for hitting Mayank. The PTA is a body comprising representatives of the parents and teachers at the school. It is tasked with resolving disputes and grievances in the school involving students/parents and teachers. The instructor defended his act of hitting Mayank by saying that this was done for Mayank's benefit, especially given his record of inattentiveness and indiscipline. You are on the PTA. Will you decide for Mayank or for the instructor? Why?

1. Anwesh Bisht, a school teacher, applied for a teaching position at High Minded Academy, a leading public school in his city. He was invited for an interview as part of the selection process. While waiting for his interview, he chatted with some of the other candidates. One of them introduced herself as Ms. Preeti Sarin. She seemed confident and articulate, and made a strong impression on Anwesh.

When Anwesh entered the interview room, he found a three-member panel headed by Mr. Suresh Chaddha, who told him that he was the Principal of High Minded Academy. For the next 30 minutes, Anwesh had a pleasant but rigorous conversation with the panel about his qualifications, his previous experiences as a teacher, and his subject knowledge. At the end of the interview, one of the other panellists told Anwesh that he had impressive credentials, was very effective in his overall presentation, and that High Minded Academy would be lucky to have him. He added that he hoped to see Anwesh as a colleague soon. The other members nodded their heads in seeming agreement and wished Anwesh well. Although Anwesh knew that such things are sometimes said by way of a ritualistic farewell, he walked away with the distinct impression that he had done very well. On his way out, he saw Ms. Sarin walk in as the candidate after him.

A month later, Anwesh received a letter informing him that his application was unsuccessful. Anwesh checked the website of the school and found that only two appointments were made. One of the successful candidates was Ms. Preeti Sarin. After doing some internet research, Anwesh realised that Ms. Sarin was the only child of a famous industrialist, Mr. Daulat Sarin. Digging deeper, he found that Mr. Sarin had recently invested large sums of money into a firm run by Ms. Ruksana Chaddha, the wife of the Principal of High Minded Academy. This troubled Anwesh greatly, and he wondered if he had been treated fairly in the process adopted by the school. He appealed the decision before the school's higher authorities. You are required to decide the dispute. Who would you decide in favour of and why?