



PEOPLE'S EDUCATION SOCIETY'S

DR. AMBEDKAR COLLEGE OF LAW

Founder Chairman : Bharat Ratna Dr. B. R. Ambedkar M.A., Ph.D., D.Sc. (London), LL. D. (Columbia), D. Lit. (Osmania), Bar-at-Law

• **Chairman** •

Anandraj Yashwant Ambedkar

[B.E., M.M.S.]

NAAC 'B' Grade

• **I/c. Principal** •

Dr. D. A. Gawai

[M.Com., B.Ed., NET (UGC), Ph. D.]

Opp. Wadala B.E.S.T. Depot, Tilak Road Extension, Wadala, Mumbai - 400 031. Tel.: 2418 2958.

Ref. ACL. ___ 20 26 / 20 27 / ___

Date : 29/10/2026

NOTICE

**Subject: Moot Court, Trial Observation, Live Telecast, Internship Records
and Viva Voce Examination (75 Marks)**

All students are hereby informed that the assessment of Moot Court, Observation of Civil and Criminal Trial Proceedings, Live Telecast of Civil and Criminal Trials, Internship Records, Daily Diary, Activity and Court/Institutional Visits Reports will be conducted with a Viva Voce Examination carrying 75 marks.

The examination will be conducted according to the following schedule:

Date	Roll Numbers
23.11.2026	1 to 30
25.11.2026	31 to 60
26.11.2026	61 to 90
27.11.2026	91 to 120
28.11.2026	121 to 150
30.11.2026	151 to 180
01.12.2026	181 to 210 along with Ex Students



Reporting Time: 2:00 PM

All students are instructed to report on their respective dates and bring the following documents and records for verification and assessment:

1. Moot Court memorials for both sides, along with the synopsis, as per the prescribed instructions.
2. Observation reports of civil trial proceedings.
3. Observation reports of criminal trial proceedings.
4. Reports on live telecasts of civil trials.
5. Reports on live telecasts of criminal trials.
6. Internship completion certificate.
7. Daily diary, duly completed and signed.
8. All three internship reports.
9. Reports and records of court visits and other prescribed Inter and Intra Institutional activities.

Students must ensure that all records are complete, properly arranged and ready for submission and verification during the viva voce examination.

Attendance is compulsory. Students are advised to prepare thoroughly for the viva voce examination and strictly adhere to their allotted dates and reporting time.

All concerned students are directed to take note of the schedule and comply with the above instructions.

Date:



Principal

Dr. Ambedkar College of Law
Wadala, Mumbai.

MOOT COURT PROPOSITION

Validity of Caste Claim, Reservation Benefits, Termination from Public Employment and Exercise of Constitutional Equity.

Statement of Facts

1. The State of Scindia issued a notification identifying certain communities as Scheduled Castes for the purposes of reservation in public employment and education. The Constitution (Scheduled Castes) Order applicable to Scindia included the notified community "Kol".
2. Aakash Mahadev Koli, claiming to belong to the Kol Scheduled Caste, obtained a caste certificate from the competent authority in 1998. His school and family records described his caste as Kol. The competent authority, after examining the documents available to it, issued the certificate.
3. In 1999, Aakash applied for a post of Assistant Depot Officer in the Scindia State Food and Civil Supplies Corporation, a government controlled undertaking. The post was reserved for Scheduled Castes. On the basis of his caste certificate, he was selected and appointed.
4. His appointment was initially provisional and subject to verification of his caste claim. However, no verification was completed for several years. During his service, Aakash received promotions in 2004, 2009 and 2014 and continued to discharge his duties. His appointment was subsequently treated by the employer as regular.
5. In 2018, pursuant to a complaint made by another candidate, the competent Scrutiny Committee commenced an inquiry into Aakash's caste claim under the Scindia Scheduled Castes, Scheduled Tribes, De-notified Tribes, Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Act.



6. During the inquiry, the Vigilance Cell discovered that some old documents described Aakash's ancestors by a different community name. Aakash contended that the documentary record was historically inconsistent and that he had genuinely believed himself to belong to the notified Scheduled Caste.
7. The Scrutiny Committee, after granting Aakash an opportunity of hearing, concluded that he had failed to establish that he belonged to the notified Scheduled Caste. His caste certificate was consequently cancelled and confiscated.
8. The employer thereafter terminated Aakash's services under the statutory consequences flowing from the cancellation of his caste certificate.
9. Aakash challenged the Scrutiny Committee's order and his termination before the Scindia. He argued that:
 - his caste certificate had been issued by a competent authority;
 - his appointment had become final long before the Scrutiny Committee's decision;
 - he had served the Government undertaking for nearly two decades;
 - there was no finding that he had deliberately fabricated documents or knowingly made a false claim;
 - termination at this stage would cause disproportionate hardship; and
 - the constitutional courts could protect his past service while preventing him from claiming any future reservation benefit.
10. The State and the employer opposed the petition, contending that once the caste claim was invalidated, the foundation of the reserved appointment disappeared. They argued that equity, sympathy, length of service or absence of an express finding of dishonest intention cannot permit an ineligible person to retain a post reserved for a genuine Scheduled Caste candidate.
11. The High Court, relying upon earlier decisions concerning protection of long standing appointments and the principle of bona fide belief, directed that Aakash's service should not be disturbed, subject to the condition that he would thereafter be



treated as belonging to the open category and would not claim any further benefit of reservation.

12. The State and the employer have now approached the Supreme Court of Scindia under Article 136 of the Constitution, challenging the judgment of the High Court.
13. The Supreme Court has admitted the matter to determine the questions arising from the interaction between the constitutional scheme of reservation, the Scindia Caste Certificate Act, judicial review, equitable relief and Article 142 of the Constitution.

The Supreme Court in this case specifically considered whether benefits obtained on the basis of an invalid caste claim could be protected merely because of the passage of time and emphasized that the statutory scheme provides consequences following cancellation of a false caste certificate.

ISSUES FOR DETERMINATION

ISSUE 1

Whether the cancellation of Aakash's caste certificate by the Scrutiny Committee, upon his failure to establish his claim to the Scheduled Caste, legally nullifies the basis of his appointment to the reserved post, notwithstanding that the appointment had become final and he had rendered long years of service?

ISSUE 2

Whether, for withdrawal of the benefits of appointment under Section 10 of the Scindia Act, it is necessary for the employer or the State to establish that Aakash obtained or used the caste certificate with fraud, dishonest intention or mens rea?

ISSUE 3

Whether the High Court, in exercise of its jurisdiction under Article 226 of the Constitution, can protect the petitioner's employment on the grounds of bona fide belief, long service, hardship, proportionality or equity after his caste claim has been invalidated?



ISSUE 4

Whether, and to what extent, the Supreme Court may exercise its power under Article 142 of the Constitution to mould or protect the relief in favour of Aakash despite the statutory consequences of cancellation of his caste certificate?

Disclaimer:

This is proposition for the purpose of Moot Court this academic year only.




(Dr. D. A. Gawai)
I/C. Principal
Dr. Ambedkar College of Law,
Tilak Road, Wadala, Mumbai - 400 031