

MOOT PROPOSITION

1. The Republic of Aryan is a Sovereign, Socialist, Secular, Democratic, and republic nation with a Constitution that reflects the spirit of the welfare state that strives to protect the human rights and civil liberties of individuals residing within the territorial limits of the nation. The nation has been a diversified hub for different religious groups representing different cultures, traditions, religious and customary practices. From its very inception, the Constitution of Aryan lacked the term secularism within its ambit; however, it remained ubiquitous throughout the fabric of the Constitution. A subsequent amendment of the Constitution included the term Secular in the preamble to reflect the religious neutrality of the nation. The Constitution encapsulates justiciable and non-justiciable rights within its framework for protecting individuals' fundamental rights and civil liberties.
2. The cultural and religious plurality of the Republic of Aryan is scattered throughout its territorial limit and remains visible throughout its states. One of the states of the Republic of Aryan is Uttarkosh, a state located in the Northern part of the nation. Despite the state being dominated by members of the Hindu religion, it has been known for its inclusive approach toward embracing all religions. The state has been a torch bearer of secular thoughts and practices, representing the vivid culture, traditions, rituals, and customary practices. It has always strived to keep all religions on equal footing by consolidating and unifying different personal laws governing the individuals of different religious groups. In furtherance to the openness towards all religions and progressive thoughts of unifying personal laws, the state enacted the Uniform Civil Code, Uttarkosh that received presidential assent on 11th March 2024.
3. The implementation of the Uniform Civil Code, Uttarkosh garnered immense dissatisfaction amongst members of different religious groups, especially the minorities. The dissatisfaction amongst the public led to a huge public uproar, thereby leading to agitations. Different religious groups averred that adequate representations had not been provided to the public to share their views and

opinions concerning the unification of personal laws. Furthermore, lawmakers hastily passed the law to suppress the rights and religious freedoms of certain religious groups, premising upon their minority status.

4. Ankshita Rathi, an 18-year-old girl belonging to the Hindu religion, is a resident of Doon, the capital city of Uttarkosh. Ankshita is a well-known actress in the Uttarkosh television industry. She has been very focused and dedicated towards grooming her acting skills to be a well-known actress. Her extraordinary acting skills and passion for acting brought her to Bumba on 7th January 2023, where she has been auditioning for different production houses to chase her dream. In one of such auditions, she met Zeeshan Khan, a well-known actor in the industry. Ankshita, being a huge fan of Zeeshan, meeting with him was a dream coming true. The acting skills, passion, and dedication of Ankshita towards acting impressed Zeeshan and opened the gates for Ankshita to be part of Zeeshan's movie projects. Zeeshan's support, care, and affection towards Ankshita made her fall in love with Zeeshan, thereby allowing their relationship to bloom. Zeeshan's adherence to Islam has never diminished Ankshita's love and affection for him. The growing compatibility and efforts between Zeeshan and Ankshita resulted in their decision to be in a live-in relationship. The never-ending support and care from the end of Zeeshan and the commitment of Ankshita encouraged them to stay together in a live-in relationship.
5. On 13th July 2024, Zeeshan and Ankshita started living together as live-in partners by taking a flat in Bumba. Ankshita's extraordinary acting skills garnered massive popularity amongst the public. The actress, once known as Uttarkorsh, has become a famous Aryan celebrity. It would not have been possible without the support of Zeeshan, who has been constantly working for the success of Ankshita, and she has always acknowledged her support. Although the popularity has been peak for Ankshita, it has not been the same for Zeeshan; he has started losing several projects, thereby diminishing his career. Furthermore, with the emergence of new actors in the industry, Zeeshan's acting career was significantly affected. The actor for whom the audiences are craving

has now been struggling to get any project. Being unsuccessful in securing projects, Zeeshan lost his financial stability and entered into a debt trap.

6. Zeeshan, being in a financially dilapidated position, requested the assistance of Ankshita, to which she agreed. However, Zeeshan's continuous claims for money from Ankshita led to her denial of help. Disputes started brooding in the relationship between them, and in certain circumstances, Zeeshan abused Ankshita. The abusive behavior of Zeeshan constrained her to separate herself from Zeeshan. On 27th January 2025, disturbed by Zeeshan's actions, Ankshita left for her hometown, leaving behind her blooming career in the city of Bumba. Zeeshan tried to persuade Ankshita to return to Bumba and resume her career, but everything failed. Losing his hope of reviving the relationship with Ankshita, Zeeshan married Nushrat on 14th February 2025.
7. Ankshita, returning to Uttarkosh, continued her acting career from scratch. With the changing dynamics of the television industry at Uttarkosh, it was a tedious task for her to secure projects. While struggling in her acting career, Ankshita found herself unwell and weak. Upon subsequent medical examination, the doctor revealed to her that she had conceived. She has always dreamt of having a child, and the pregnancy news garnered overwhelming joy and happiness. She contacted Zeeshan and shared the news of her Pregnancy with him, upon which Zeeshan shared information about his marriage with Nushrat's dumbstruck Ankshita. However, Ankshita pursued him to enter into a matrimonial tie with him to secure their unborn child's paternity.
8. Upon discussion and deliberation with Ankshita, Zeeshan mentioned that marriage won't be possible between them. However, they can register for a relationship under Uttarkosh UCC. On 20th March 2025, Zeeshan and Ankshita approached the Registrar General to register their live-in relationship. However, the Registrar General refused to register the marriage because Ankshita's age was below 21 years, and the consent of their parents needed to be present. Furthermore, Zeeshan's previous marriage renders the live-in relationship null and void.

9. In order to secure the paternity of the unborn child, Zeeshan and Ankshita decided to register their marriage. Zeeshan, a follower of Islam and not a resident of Uttarkosh, decided to marry Ankshita as per Islamic traditions and practices. Upon the filing of the application before the Registrar General, the registering authority denied the registration of their marriage on the ground that UCC forbids polygamous relationships. Ankshita, in her application, averred the recognition of her and her unborn child's rights, which the authority denied. Aggrieved by the actions of the Registrar General, Ankshita filed a writ petition before the Hon'ble Supreme Court of Aryan under Article 32 of the Constitution, challenging the action of the Registrar General as well as constitutional vires of the Uttarkosh UCC.

The following issues are being framed to hear before the Supreme Court of Aryan:

- a) *Whether the enactment and provisions of the Uniform Civil Code, Uttarkosh, particularly those prohibiting polygamy and registration of live-in relationships involving already married individuals, violate the fundamental right to life and personal liberty under Article 21, and are inconsistent with the constitutional principles of secularism, federalism, and the requirement of public consultation?*
- b) *Whether the requirement of parental consent for live-in relationship registration, in the case of individuals under 21 years, is constitutionally valid under Articles 14 and 21?*
- c) *Does the denial of registration of the marriage and/or live-in relationship of Ankshita and Zeeshan impact the right to paternity, legitimacy, and welfare of the unborn child, and can such rights be read within Article 21?*
- d) *Whether the Uniform Civil Code, as applied in this case, unconstitutionally interferes with personal laws and religious freedoms guaranteed under Article 25 and the freedom to cohabit under personal choice.*

Note:

1. The laws of Aryan are pari materia to the laws of India.
2. All of the people, places, and things that are mentioned in this hypothetical scenario are fictitious, and any resemblances to actual people, places, or things in real life are purely coincidental.
3. The counsels from both sides have the liberty to frame other issues on their own. However, the issues must be relevant to the facts that have been given in the moot proposition.
4. Teams are forbidden from making any attempt to contact the author for the purpose of this Competition.

The moot proposition has been drafted by

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