

### **MOOT PROPOSITION 2022**

- 1) Dhruv and Tara got married in January 2015. Both of them were working in Multi-National Companies at the time of their marriage. Dhruv was the CEO of his company at Delhi and lived in the posh locality. Tara was working as a manager in Mohali. She however had to leave her job as she had to shift to Delhi with Dhruv and his family. Marriage was performed as per Hindu rites in the presence of their families.
- 2) In August 2016, Tara got a lucrative job offer which she had to refuse because Dhruv was not in favour of her going out to work during her pregnancy. She was quite unhappy with this decision of Dhruv and felt frustrated. In March 2017, the couple was blessed with a daughter. Dhruv and his family were not very happy with the birth of a girl child named Chandni.
- 3) Dhruv was very busy in his work and was unable to give time to his family. He would stay out of the house for long hours and would also travel out of the city for work. Tara found him talking secretly no. of times with his secretary on the phone. Kavita is Dhruv's secretary and was working in Dhruvs Company for a decade and she was committed to her work. Tara tried to read Kavita and Dhruv's what's app chat regarding the meetings organised in the evening. Often when Tara would call on Dhruvs mobile phone, Kavita would answer. Dhruv and Tara had regular fights because of this.
- 4) Tara started looking for a job as their daughter grew few months old but Dhruv insisted that she should stay at home and look after her daughter. Tara was not happy because of Dhruvs behaviour and she shared it with her parents on several occasions. But her parents would ask her to adjust. She lost interest in all the daily activities. She was constantly looking for Dhruvs attention but he was very busy with his work as he was appointed as the Vice President of the National Board of Industries.

- 5) One evening in June 2021 Dhruv had a meeting with his client. Tara had apprehension that Dhruv was going with Kavita and that it was not an official meeting. She kept waiting for him to come back home and called him several times, he did not answer. Dhruv came back home around 2:00 AM. On his coming back Dhruv and Tara had an ugly fight.
- 6) Tara got fed up and left the house and took their daughter with her. Her parents were upset in seeing her condition and tried to console her. After seeing her condition for a couple of days her parents approached Mr. Navin, a Counsellor whom they consulted earlier for Tara.
- 7) Tara was initially reluctant to share things with Navin who made her comfortable and made her understand that whatever conversation they have, that would be confidential. She opened up to Navin about her matrimonial life and her relationship with Dhruv. She told Navin that she was an ambitious and bubbly girl before she got married. Tara visited Navin's clinic regularly. With the passage of time, Tara started showing improvement in her behaviour. There were a lot of instances where Navin would visit Tara at her home just to check whether she was doing fine. He too started liking spending time with her.
- 8) Tara's parents being of a conservative mindset convinced Tara to give another chance to her marriage and insisted that she should go back to her husband. After much persuasion from her parents, she decided to go back. Navin went silent on hearing about Tara's decision of going back to Dhruv's place.
- 9) Once she got back, initially things between them were fine. With time Dhruv again started coming back home late. He was very busy. Tara was really upset and shared everything with Navin. She would talk to Navin quiet often during the day. In the presence of Dhruv, Tara would disconnect the call. On many occasions Dhruv secretly snooped through her phone. He found majority of the calls received and dialled were from and to Navin. Dhruv confronted Tara and she clarified that Navin was just a friend and on the other hand she blamed Dhruv that he was involved with Kavita.

11) In November 2021 Navin was in Delhi to attend a Conference so he visited Tara's house. Tara felt happy and enjoyed spending time with him. Tara also started going out of the house for long hours. Navin took good care of her and helped her in overcoming the problems she was facing in her present life. One day Dhruv came home and found Navin at his house. Tara introduced Navin as her friend to Dhruv. Dhruv found out from the talk that Navin visited his house earlier also. His daughter Chandni told her father "That tell uncle to go back."

12) Both Dhruv and Tara had a big fight and in a fit of anger Dhruv asked Tara to choose between him and Navin. On keeping quiet, he forcibly threw her out of the house and said never come back ever. Tara left the house with her daughter.

Taras parents called Dhruv to amicably settle the matter but he refused point blank. When Navin got to know that Tara is back at her parents' house, he offered her to join his hospital as Floor Manager knowing Tara always wanted to be a financially independent woman.

13) After coming back to her parent's house, she got to know about her pregnancy. She immediately called Dhruv to share the good news with him. Dhruv denied being the father of the child. Whereas Tara insisted that Dhruv was the father of the child.

Dhruv files for Divorce at Family Court Delhi in January 2022 on the ground of Adultery and also asks for the custody of his daughter.

Tara denies this and files of Restitution of Conjugal Rights and Interim Maintenance.

Argue from both sides.