

#### **Moot Problem no. 4**

Ankita and Amit were students of St. Michael College of Fine Arts. Love sprang between two in the second year of the college. Ankita being talented she progressed in studies well but Amit had difficulty but managed to keep up the pace with Ankita with great difficulty.

During their affair, Amit realized his hidden talent of his PR skills. He used his skills and marketed Ankita's work and earned well during college days.

After college days they married in the year 2013. After college, the life of Ankita and Amit didn't change much, she continued her hobby of art work and Amit did what he does best, marketing fine arts. He started a company called A2 Marketers and later were blessed with a son Arav. Out of love and affection he renamed his business venture as A3 marketers.

Ankita suffered a lot during pregnancy due to her hobby. The art work demanded long hours of standing that led to complications in pregnancy. She had to undergo corrective surgery.

After birth of Arav initially they lived in Bangalore and later in search of quality life they shifted to Goa. Amit was on business tour and Ankita took up responsibility of household chores along with her hobby.

Ankita decided that Arav should join a school. She filled an application form for Sharvani International School. The filled application was submitted to school and school office informed her that, she will be informed about the final result on 11<sup>th</sup> of May 2018.

When Ankita enquired about the fate of her application, school office informed that her application has been rejected. When Ankita inquired for the reason, she was informed that, only father should sign the application as application requires to

be signed by natural guardian. Mother can sign only if she been declared natural guardian by a competent court.

Ankita immediately rushed to the Principal's chamber and enquired, the Principal informed her that, they are strictly following the rules framed by the Goa Board of Education that in case of Hindu only a natural guardian can sign the form. Father being the natural guardian they would accept only father's signature.

Ankita argued with the Principal that she being a mother who gave the birth she is also a natural guardian and said it is not only giving birth but she had to sacrifice her hobby, personal life and physical appearance and she is being refused to be called as natural guardian. She claimed that, she should have first right over the child and not her husband. However, Principal refused her request.

Ankita and Amit have filed a petition before the High Court of Bombay, Goa Bench. The petition is kept for final hearing. Frame your own issues and argue on the allotted side.