

**BY**

**Dr. Amit Gopinathan**

Guest Faculty  
(Institute of Law)  
Jiwaji University Gwalior (M.P.)

# B.Com LL.B. VI SEM. Unit-1

## Subject: Moot Court Date:26/03/2020

### Topic : Moot-court versus Ordinary court

#### The difference between Moot Court and Ordinary Court-

1. Ordinary Court is a real court while Moot Courts are artificial courts.
2. Decisions of Ordinary Courts are binding on the parties while the decision of Moot Courts are of no legal importance.
3. Moot Court is an artificial court organized by the student of law in the campus while Ordinary Court means a real court. It is established under the statute for the advancement of public justice .
4. Moot Court does not exercise any judicial or quasi judicial power. Ordinary or real courts have judicial power to adjudicate the rights of parties to provide them justice.
5. Ordinary court is a place where justice is administered but in Moot Courts no justice is administered.
6. In Ordinary Courts cases are decided in judicial manner it decides disputes between parties but Moot courts have no such powers.

# Topic :Equipments for success of an advocate

1. An Advocate should be fair to his opponent. He should give full and fair chance to his opponent council in respect of the hearing of the case.
2. An Advocate should not do any work against fundamental principle of morality.
3. An Advocate should perform his duty with honesty.
4. An Advocate should give advice to his clients in accordance with law.
5. An Advocate should not give illegal suggestion.
6. An Advocate should not advice their clients to breach the fundamental principles of law.
7. An Advocate should not advice their clients to contempt the court.
8. Duty of every advocate to heed his self respect. He should not do such work that would be harmful for his self respect. He should work for the enforcement of Law and for the administration of justice.
9. An Advocate should advise and action to Professional Ethics of lawyers.

# Other essential points which every advocate should follow :-

1. To Keep appropriate knowledge of law and principle of law.
2. Profound study relating to the matter of his case.
3. Knowledge of amendments of Law.
4. Work with honesty and awareness.
5. Good behavior to clients.
6. Expert in presentation of pleadings.
7. Good communication skill is very much important.
8. To put up his matter with reasonableness.
9. To put the legal matters before the Court with caution.
10. To respect the Court.
11. To maintain the dignity of self respect.

7. Ordinary courts provide remedy to the affected person/party while Moot Court is an imaginary court therefore it has no such powers.
8. In courts parties are entitled to be heard as a matter of right while Moot courts have no power to entertain the case of actual parties.
9. Ordinary courts are conducted according to procedure established by law. Its proceedings are binding on the parties while the decisions of Moot Courts does not bind either party.
10. Court is well defined term. According to Section 20 of Indian Penal Code- The words ' Court of justice' denote a judge who is empowered by law to act judicially alone, or a body of judges who is empowered by law to act judicially as a body, when such judges is acting judicially. But the term Moot Court is not defined in any statute.
11. Judges of Supreme Court and High Courts are appointed by the President of India and the Judges of subordinate Courts are appointed by the Governor of States. But in Moot Courts judges are not appointed by either the President of India or Governor of States.

Thank You