

MOOT PROPOSITION

Swenska is a developing state and one of the largest democracies in the world. A new government headed by Mr. Shinto decided to curb corruption and to take out black money from the economy. Hence the government has brought notification on 10th September, 2016 and demonetized the currency notes of 500 and 1000. Mr. Shinto in his emotional speech to the nation promised that the hardships which may be caused due to demonetization will be for only fifty days. However, demonetization has caused havoc in Swenska. Farmers and small scale entrepreneurs are badly hit. Almost 100 people have lost their lives due to long wait in the bank queues. Most of the ATMs in rural area of Swenska are not recalibrated and hence closed. The banks do not have new currency notes in adequate manner. Aggrieved by the situation Progressive Farmers Association has filed public interest litigation under Article 32 of the Constitution of Swenska in Supreme Court of Swenska on following grounds:

- (i) Demonetization notification is ultra vires the Federal Bank of Swenska Act. (Same as RBI Act in India)
- (ii) Restriction on withdrawal of legitimate funds is violative Article 14 and 19 of the Constitution of Swenska.
- (iv) Implementation of the said notification suffers from both procedural and substantive ultra vires.
- (v) September, 10 Notification is violative of Article 300 A of the Swenska Constitution
- (vi) Exclusion of District Central Co-operative banks from exchange, deposit and withdrawal of money amounts to discrimination and
- (vii) Demonetization must be backed by a parliamentary statute and not notification.

(***Note**: The provisions of Swenska Constitution are same as that of Indian Constitution)

(Moot Problem set by Dr. Vijay Oak Asst. Professor. In case of any query relating to moot problem, please send email to voak_2000@yahoo.com/ call on 9850199340 after 5.00 p.m.)