

BHARATI VIDYAPPETH (DEEMED TO BE UNIVERSITY)PUNE,INDIA

NEW LAW COLLEGE INTRA MOOT COURT COMPETITION 2019

MOOT PROBLEM

Ms. Priya and Ms. Payal were the students of B.Tech second year at Hind Institute of Technology situated at Nagpur. Both were close friends and roommates as well. Payal had a laptop and both Priya and Payal used the same laptop for their course work. As their course became extensive Priya decided to buy a new laptop and started looking for good deals.

Technozip.com was a reputed e-commerce website which sells laptop, cell phones, charger, battery etc. Payal suggested Priya to buy laptop from technozip.com as she herself bought her laptop from technozip. Priya started looking for good deals on laptop on technozip. After sometime technozip offered a deal of free additional laptop battery with a new laptop. Payal needed a new battery for her laptop and so Priya ordered the laptop.

The laptop along with the battery was delivered to Priya on 06-01-2019. Both laptop and battery were separately packaged. Priya handed over the battery to payal as she urgently needed to replace her laptop battery. She opened the packaging and attached the battery to her laptop. She left the laptop on her table and both Priya and Payal went outside for their evening walk. As they were stepping out of their hostel they heard a blast sound coming from their room. They rushed towards their room and found that the laptop has blasted due to overheating of the battery. They immediately took it to a repair shop who said that the battery was the reason of the blast.

Meanwhile Priya opened her laptop packaging and found that some of the additional equipments which were supposed to be delivered along with the laptop were missing and the screen of the laptop was also damaged. They raised complaint on the complaint portal of technozip.com. The website emailed back that they are not responsible for the fault in the laptop as they are not the manufacturer but are only the distributor. In addition to this they denied the responsibility for the damages which occurred due to fault in the battery as it was given for free and payal was not a party to the contract. The case was filed against technozip.com by Priya and Payal for recovery of damages.

Prepare arguments on the following issues:

- 1) Validity of Contract between Priya and technozip.com.**
- 2) Liability of technozip.com for the damaged laptop and other missing products**
- 3) Liability of technozip.com towards Payal for the faultious battery and the damage it caused to her laptop.**