LIST OF CLARIFICATIONS

1. In paragraph 2 of the moot proposition , it is mentioned that the marriage between Mr. Ashutosh Verma and Ms. Sanya Kapoor was solemnised in May 2011 , whereas their son Ishaan is stated to have been born on 2 January 2006 . Since the proposition consistently refers to Ishaan as the son of Mr. Ashutosh Verma , we respectfully seek clarification on whether this discrepancy is inadvertent or whether participants are required to proceed strictly as per the facts stated without drawing any legal interference.	There has been a typing error. The marriage was solemnized in May, 2004.
2. The 2nd paragraph of the moot proposition states Ashutosh married Sanya Kapoor, in May 2011, who is a school teacher. They had a son named Ishaan, born on January 2, 2006. Please clarify if the marriage between Ashutosh and Sanya Kapoor happened before 2006, i.e., before Ishaan was born. Please provide the exact year of their marriage.	Refer to the answer of Query No. 1
3. If the marriage date (2011) and the child's birth date (2006) are intentional or a typographical error?	Refer to the answer of Query No. 1
4. It is stated that Ishaan was born on 2 January 2006, whereas the marriage between Ashutosh Verma and Sanya Kapoor took place in May 2011. Kindly clarify whether Ishaan is to be considered a legitimate child for the purposes of the present moot proposition.	No clarification needed.
5. Whether the term "service benefits", as used in the moot proposition, is intended to be a broader term encompassing multiple post-retiral/death-related entitlements (such as gratuity, provident fund, insurance, etc.), and whether family pension is to be treated as a distinct and separate statutory benefit from other service benefits.	Open to interpretation.
6. Post the divorce decree of 2019, while Sanya Kapoor received a lump sum amount towards maintenance and upbringing of Ishaan, the facts indicate that Ishaan subsequently lived with his grandmother and later with a distant relative at his father's native town. Kindly clarify whether	Open to interpretation.

the legal custody and guardianship of Ishaan, after the divorce, remained with the mother or the father.	
7. Whether Ishaan is to be considered a minor or a major at the time of the death of Ashutosh Verma on 28 June 2024, for the purposes of determining entitlement to service-related benefits.	No clarification required.
8. Whether the name of Ishaan appearing in the service record book is by way of nomination, acknowledgment of relationship, or statutory dependency, and whether such entry has any bearing on entitlement independent of nomination.	Open to interpretation.
9. Whether Ishaan was financially dependent upon Ashutosh Verma at the time of his death, or whether the issue of dependency is intentionally left open for arguments by the parties.	Open to interpretation.
10. Whether the settlement clause stating that Sanya Kapoor "would not claim any benefit in the future" is intended to operate only against the spouse, or whether it is to be interpreted as extending to claims on behalf of Ishaan as well.	Open to interpretation.
11. Ishaan was born on 2nd Jan 2006 but Aashutosh and Sanya got married in 2011. Is this point correct or mistakenly written or the date of marriage has some mistake?	Refer to the answer of Query No. 1
12. Was the appeal filed before the Hon'ble High Court or Supreme Court after the decision of Armed Forces Tribunal ?	No clarification required.
13. What was the year in which the child, Ishaan was born?	Refer to moot proposition.
14. The grandmother referred to in the proposition - was she the paternal grandmother or the maternal grandmother?	Paternal grandmother.
15. Who had the custody of the child at the relevant stages of the dispute?	Open to interpretation.
16. Is the amount awarded by the tribunal i.e., ₹32,50,000 a death gratuity or ex-gratia lump sum compensation or special family pension or combination of both service benefits or family pension ?	Open to interpretation.

17. Clarification regarding the year of marriage and birth year of Ishaan? Is the child legitimate or illegitimate, kindly confirm with the exact dates	Refer to the answer of Query No. 1
18. Whether the matter is being heard as: A Writ Petition before a High Court (under Article 226) ; or an Original Application before the Armed Forces Tribunal (AFT).	No clarification required.
19. There is a difference between the dates mentioned, as Ashutosh Verma married Sanya Kapoor in May 2011, while Ishaan is stated to have been born on 2 January 2006. Kindly clarify the correct factual position regarding these dates.	Refer to the answer of Query No. 1
20. Whether the service benefits amounting to ₹32,50,000 include family pension.	Open to interpretation.
21. Whether Ishaan's name was recorded in the service record book of Ashutosh Verma at the time of his death.	Refer to the Moot Proposition.
22. What did Ashutosh update in his service records?	No clarification required.
23. Which high court does the matter fall under ?	No clarification required.
24. Was Ashutosh involved with Kavya Mehta during the subsistence of his first marriage as they divorced due to some allegations also along with personal issues.	Open to interpretation.
25. Did Sanya Kapoor give the maintenance money for upbringing of Ishaan / How was the lump sum amount of 14 lakh utilised.	Open to interpretation.
26. Were Ashutosh and Sanya Kapoor cohabiting before marriage when Ishaan was born?	Refer to the answer of Query No. 1
27. The marriage solemnised between Ashutosh and Sanya in May, 2011 so how did they have a son in January 2, 2006?	Refer to the answer of Query No. 1
28. In pointer 8 of the Moot Proposition it's written Ishaan started living with his grandmother. Whether the grandmother is paternal or maternal?	Paternal grandmother.
29. Whether the settlement entered into Ashutosh and Sanya during the time of divorce had the specific clause that any future claims won't be there from part of Ishaan as well?	Open to interpretation.

30. It is mentioned that the parties were married in the year 2011. It is further stated that they have a son who was born in the year 2006. We wish to clarify whether the son mentioned in the proposition was born prior to the marriage of the parties, or whether the years stated are to be read differently.	Refer to the answer of Query No. 1
31. Since the proposition later refers to the son being in graduation in the year 2024, we wanted to ensure that our understanding of his age and status is consistent with the intended factual matrix Under which specific Army Regulation, Pension Regulation, or service rule did the AFT give the service benefit?	Open to interpretation.
32. Under which specific Army Regulation, Pension Regulation, or service rule did the AFT give the service benefit?	Open to interpretation.
33. Whether all parties in the present casedata, including the second wife Kavya, are Hindu and are governed by Hindu law, and whether there was any conversion of religion by any party at any stage prior to or after the second marriage?	No clarification required.
34. Are there any other legal heirs or dependents of Ashutosh (parents, siblings, children from second marriage) who might have claims?	No clarification required.
35. Do Service Benefit and Pension both mean the same in the present case data and are they governed by the same rules?	Open to interpretation.
36. Ashutosh is stated to have died in a road accident “while on duty.” Does this imply that the accident occurred during the discharge of official military duties, or did it occur during personal movement unrelated to service? What does “on duty” specifically mean?	Open to interpretation.
37. Ashutosh had “updated his service records,” and what does such an update legally signify: change of nomination, update of family details, or declaration of successors? Who all were added in the service record?	Open to interpretation.
38. Whether the second marriage between Ashutosh and Kavya was solemnised after a valid decree of divorce from the first marriage in accordance with Section 5(i) of the Hindu Marriage Act, 1955?	No clarification required.

39. Whether the service benefits and pensionary dues of Ashutosh are governed by the Indian Succession Act, 1925, or exclusively by the applicable Army Pension Regulations and statutory service rules?	Open to interpretation.
40. Whether the grandmother referred to in the facts is the paternal grandmother or the maternal grandmother of Ishaan?	Paternal grandmother.
41. Whether the divorce or settlement deed contained any specific clause providing for the maintenance, custody, financial security, or future claims and welfare of minor Ishaan? If yes, what were the exact terms of settlement related to Ishaan? Any other details about the provisions made for Ishaan specifically in the settlement agreement.	No clarification required.
42. What were the formal custody arrangements specified in the December 2019 divorce decree?	Open to interpretation.
43. How much amount out of the settlement amount of ₹14,00,000 was reserved for him?	Open to interpretation.
44. Did the settlement agreement explicitly address service benefits, pensions and other inheritance provisions, or only maintenance related claims during Ashutosh's lifetime? If yes, what were the provisions? Did they say that nothing could be claimed by Ishaan in the future including service related benefits, pensions and any other benefit/ inheritance from the father?	Open to interpretation.
45. Whether the grandmother was financially maintaining or supporting minor Ishaan after the death of Ashutosh, and if so, whether such support was formal or informal in nature	Open to interpretation.
46. How was the amount of ₹14,00,000 utilised whether it was deposited for the benefit of minor Ishaan, spent towards his education or medical needs, or retained by any guardian?	Open to interpretation.
47. Whether the amount of ₹14,00,000 was paid as a lump sum amount or over a span of time, as is the case for maintenance. Further, was any part of this amount categorised as alimony to Sanya?	Open to interpretation.
48. Did AFT consider the settlement agreement, and if so, why did it reject its applicability?	No clarification required.

49. Did Ashutosh provide any financial support to Ishaan beyond the ₹14,00,000 settlement between 2019-now?	No clarification required.
50. Does the divorce settlement specifically mention only Sanya is barred from claims, OR both Sanya and Ishaan are barred from claims?	Open to interpretation.
51. Why did Ishaan move to live with his grandmother in Baghera after his mother remarried in April 2021?	No clarification required.
52. What is the exact nature of "responsibility" taken by Ishaan's grandmother?	Open to interpretation.
53. Who supported Ishaan financially when he was living with his grandmother and distant relative?	No clarification required.
54. Is Sanya Kapoor in contact with Ishaan post her remarriage?	Not relevant.
55. What exactly did Ashutosh update in his service records after remarrying Kavya?	Open to interpretation.
56. Did Ashutosh file formal nomination forms under Army Rules for distribution of death benefits? If yes, who was nominated and in what percentage? When were these forms last updated?	Open to interpretation.
57. If Ishaan's name was mentioned in the Service Record Book, on what basis did the unit first release the service benefit amount to Kavya?	Open to interpretation.
58. What is the breakdown of the ₹32,50,000 in service benefits?	Open to interpretation.
59. Who has been funding Ishaan's education and living expenses since May 2023 (after grandmother's death)?	Refer to the Moot Proposition.
60. Is Ishaan currently earning any income or is completely dependent?	No clarification required.
61. Is Kavya currently employed, and what is her financial status?	Not relevant.
62. How did Sanya use the 14,00,000 received as final settlement?	Open to interpretation.
63. Did Ishaan receive any communication from the unit about his father's death in June 2024? If no, when was Ishaan informed of the same?	No clarification required.

64. Why did Ishaan wait 6 months (from June 2024 to December 2024) before approaching the unit?	**Open to interpretation.**
65. What statutes and regulations are Kavya and Ishaan relying on while making their arguments before the High Court? Was it found that either parent (Ashutosh and Sanya) were unfit to look after Ishaan and staying with them is not in his best interest/ welfare?	**Open to interpretation.**
66. Were there any prior conflicts between Kavya and Ishaan, or is this the first time they are having a dispute?	**Open to interpretation.**
67. After the settlement, did Ashutosh and Sanya have any conflicts or was the settlement respected by both of them?	**No clarification required.**