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MOOT COURT PROPOSITION

Fresh Mart Retail Pvt. Ltd., a large grocery store situated in Sudhama Nagar and is frequently visited by customers. On 18 August 2026, the city experienced exceptionally heavy rainfall at approximately 4:15 p.m., as a result of heavy rainfall, rainwater had accumulated on the floor and immediately entered inside the main entrance, making the surface wet and slippery.

The store manager, Mr. Mehta, being aware of the wet condition, instructed an employee to place a “CAUTION: WET FLOOR” sign inside the store. The sign was placed approximately 10 to 12 metres from the main entrance near one of the grocery aisles but not at or immediately adjacent to the entrance where customers first encountered the wet floor. Ms. Aaradhana, aged 29 years, entered the store to purchase groceries approximately 4:19 p.m., looking at her mobile phone to check her grocery list. She took approximately two steps after crossing the entrance threshold and slipped on the accumulated rainwater. She fell and sustained a fracture of her left wrist, resulting in medical expenses and temporary inability to carry out her professional and domestic activities.

Ms. Aaradhana subsequently initiated proceedings against Fresh Mart, alleging that the store had failed to take reasonable precautions against a foreseeable risk and that the warning sign placed several metres inside the store did not adequately warn customers before they encountered the hazardous condition.

Fresh Mart denied liability and contended that the wet floor was an obvious and temporary consequence of exceptional rainfall and warning sign had also been displayed, in which Ms. Aaradhana herself failed to exercise reasonable care by looking at her mobile phone while entering the premises. The store manager also contended that the warning was clearly visible to customers entering the store and heavy rainfall made it difficult to keep the entrance completely dry.

During the proceedings, it was revealed that Fresh Mart had a “Rainy Weather Floor Safety Protocol” requiring employees to inspect entrance areas, place warning signs at points where water accumulated, and remove accumulated water whenever reasonably practicable. The manager admitted that the entrance had not been mopped approximately at 4:00 p.m. and also the time of the accident. Fresh Mart, however, produced evidence that no previous customer had reported slipping at the entrance that afternoon.

Ms. Aaradhana contended that the store was aware of the hazardous condition and ought reasonably to have anticipated that customers entering from outside would encounter the wet floor before reaching the warning sign. Fresh Mart maintained that the accident was substantially attributable to Ms. Aaradhana's own conduct and that the precautions taken by the store were reasonable in the circumstances.

The matter is now before the Hon'ble High Court of India for determination of the following issues:

- I. Whether Fresh Mart Retail Pvt. Ltd. owed Ms. Aaradhana a duty of care to take reasonable measures to prevent or adequately warn customers against the foreseeable risk?
- II. Whether placing the "CAUTION: WET FLOOR" sign 10 to 12 metres inside the store, rather than at or near the entrance, constituted an adequate discharge of Fresh Mart's duty of care?
- III. Whether Ms. Aaradhana act of looking at her mobile phone while entering the store amounts to contributory negligence?
- IV. Whether Ms. Aaradhana is entitled to recover damages from Fresh Mart Retail Pvt. Ltd. for the injuries, medical expenses, loss of income and other consequential losses arising from the accident?

Note: All laws relating to, are *in pari materia* with the corresponding laws applicable in India.