

Subject : Labour Laws

Day : Monday

Date : 18/04/2016



Time : 10.00 AM TO 01.00 PM

Max Marks : 80 Total Pages : 1

N.B:

- 1) Attempt **ANY SIX** questions including Q. No. 1 which is **COMPULSORY**
- 2) Q. No. 1 carries **20** marks and all other questions carry **12** marks each.

Q.1 Write short notes on:- (**ANY FOUR**) of the following:

- a) International Labour Organization
- b) Concept of Wages Under Payment Wages Act, 1936
- c) Collective Bargaining
- d) Retrenchment
- e) Trade Dispute
- f) Lock Out

Q.2 "Trade union movement is labour movement which contains strikes, lock outs, labour conferences, labour legislation, labour policies, formation of labour associations and trade union". Define Trade Union" Discuss the provisions relating to Registration of Trade Union Under Trade Unions Act, 1926.

Q.3 Enumerate the term 'Arising out of and in the course of employment as used in the Workmen Compensation Act, 1923 with relevant case laws.

Q.4 "Industry means Any systematic activity carried on by Co- operation between an employer and his workmen". State the provisions of Industrial Dispute Act, 1947.

Q.5 "Industrial Dispute" means any dispute or difference between the parties must relate to wages, bonus, dearness allowance termination of employment or to any matter connected with the terms and conditions of the employment or such general questions affecting the parties". Comment.

Q.6 "Closure" means the permanent closing down of a place of employment or a part thereof" State the procedure for closing down an undertaking.

Q.7 Enumerate the powers and Functions of Advisory Board and Central Advisory Constituted Under Minimum Wages Act, 1948.

Q.8 "The benefits under maternity benefit Act, 1961 are required to be given irrespective of number of children, which a woman is having. Such provision appear to be in direct contradiction with the national policy for population control". Comment.

Q.9 Elucidate the provisions of Factories Act, 1948 with regard to health of workers.

Q.10 Describe the permissible deduction given under Payment of Wages Act, 1936.

Subject : Practical Paper - II

Day : Thursday
Date : 21/04/2016



Time : 10.00 AM TO 01.00 PM
Max Marks : 90 Total Pages : 1

N. B. :

- 1) Attempt **ANY SIX** questions by choosing at least three questions from each section.
- 2) All questions carry **EQUAL** marks.

SECTION - A

- Q.1 Draft a petition for restitution of conjugal rights in the Family Court, Pune by choosing your own facts.
- Q.2 Draft a suit for Specific Performance of Constraint.
- Q.3 Draft a suit on behalf of a tenant 'A', for declaration and injunction against his land lord 'B' who wants to evict 'A' on the ground that her is a trespasser.
- Q.4 Draft a written statement for the landlord in the above suit.
- Q.5 'A' has been convicted under S:376 of IPC and sentenced to rigorous imprisonment for 7 years and five of Rs.1,000/-. Draft a Memorandum of Appeal against the order of conviction before proper forum.

SECTION - B

- Q.6 Draft a General Power of Attorney on behalf of a son going abroad in favour of his father enabling him to take care of all his affairs in India.
- Q.7 Draft a Sale-Deed with respect to a Bunglow situated in Pune city.
- Q.8 Draft a General Power of Attorney with respect to a immovable property in favour of Mr. Ashok by Mr. Prakash who has gone to foreign country.
- Q.9 Draft a Lease and Licence agreement for a period of 11 months on behalf of land lord who want to lease the flat to a student.
- Q.10 a) Write a Bail Application in case of Non Bailable offence.
b) Prepare an affidavit for Mr.Gautam who has lost his original certificates.

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Subject : Property Law including Transfer of Property Act & Easement Act

Day : Saturday

Date : 23/04/2016



Time : 10.00 AM TO 01.00 PM

Max Marks : 80 Total Pages : 1

N. B. ;

- 1) Attempt any **SIX** questions in all. **Q. No. 1 and 10 are COMPULSORY.**
- 2) **Q. No. 1** carries **20** marks and all other questions carry **12** marks each.

Q. 1 Write short notes on **ANY FOUR** of the following:

- a) Immovable property
- b) Fraudulent transfer
- c) Donation Mortis Causa
- d) Doctrine of Redemption
- e) Notice
- f) Doctrine of apportionment

Q. 2 "A property shall be deemed to have been transferred when it is conveyed or handed over by one person to another". Define Transfer of Property along with its essentials.

Q. 3 "The rule against perpetuity has been founded on the general policy that liberty of alienation shall not be exercised to its own destruction and all contrivances which tend to create perpetuity or place property for ever out of the reach of the exercise of the power of alienation shall be void". Comment.

Q. 4 "When property is transferred subject to a condition, the interest of the transferee in it depends upon two factors legality of condition, and fulfillment of the condition it may either be a condition precedent or a condition subsequent". Discuss.

Q. 5 Section 52 of Transfer of Property Act is based on a maxim '*pendente lite nihil innoveture*'. It has its origin in expediency and not in the notice of a pending litigation. Comment.

Q. 6 Define sale. What are the rights and duties of the buyer and seller before and after completion of sale?

Q. 7 "Transfer of specific immovable property must be for the purpose of securing the payment of money advanced or to be advanced by way of loan, an existing or future debt, or the performance of some engagement which may give rise to a pecuniary liability". Evaluate various types of Mortgage.

Q. 8 Write a note on Determination of Lease.

Q. 9 Define Exchange. What are the right and liabilities of transferor and transferee under exchange?

Q.10 Explain:

- a) Revival of easement
- b) Apparent and non apparent easement

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Subject : Private International Law

Day : Wednesday
Date : 27/04/2016



Time : 10.00 AM TO 01.00 PM
Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt **ANY SIX** questions from all including **Q.No.1** is **COMPULSORY**.
- 2) **Q.No.1** carries **20** marks and all other questions carry **12** marks each.

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Partial Renvoi
 - b) Restitution
 - c) Legitimation
 - d) Obligations
 - e) Intangible Movables
 - f) Domicile by choice
- Q.2** What is incidental question? What are its elements?
- Q.3** Define Private International Law and explain its meaning, nature and scope in detail.
- Q.4** Write a critique on "Proof of Foreign Law".
- Q.5** Explain the concept of assumed jurisdiction of English Courts in detail.
- Q.6** Elaborate and distinguish between the concepts of domicile of origin and domicile of choice.
- Q.7** Enumerate the salient features of Lugano Convention.
- Q.8** Narrate an essay on 'The Law of Property and its interrelationship with Private International Law.
- Q.9** Elucidate and illustrate the complexities of law which arise due to law of contract and torts in its application with private international law.
- Q.10** Explain the issues of marriage and divorce under private international laws in detail.

Subject : Optional - IV a) Human Rights

Day : Friday
Date : 29/04/2016



Time : 10.00 AM TO 01.00 PM
Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt any **SIX** questions and **Q.1** is **COMPULSORY**.
- 2) Q. No. 1 carries **20** marks and all other questions carry **12** marks each.

- Q.1** Write a short note on any **FOUR** of the following:
- a) Racial discrimination
 - b) Slavery and slave trade
 - c) Rights of older people
 - d) Rights of disabled persons
 - e) Migrant workers
 - f) Protect of Human Rights Act, 1993.
- Q.2** Explain in detail the role of African Charter in Protection of Human and People's right.
- Q.3** Why the U.D.H.R. known as important global document for promotion and protection of Human Rights, though it does not have any binding force?
- Q.4** Do you consider the Human Rights Commissions in India are effectively functioning? Explain the powers, functions of the commissions with the help of recent cases.
- Q.5** Discuss in detail the Concept of Human Rights and it's different stages of evolution.
- Q.6** Discuss the salient features of Covenant on Economic, Social and Culture Rights and its provisions in the Constitution of India with restrictions on rights.
- Q.7** Why it was needed to draft two separate Convents on Human Rights? Write in detail the history of preparation of two Covenants with important provisions.
- Q.8** Discuss in detail the status of women under the Constitution of India with important provisions and landmark judgments.
- Q.9** Do you think special Human Rights Courts shall set up? Under what reasons and provisions in Law, special Human Rights Courts can be set up? Elaborate.
- Q.10** Explain the role of United Nation in prevention of torture, and other cruel, inhuman and degrading treatment.

Subject : Optional - IV b) Trusts, Equity & Fiduciary Relationship

Day : Friday

Date : 29/04/2016



Time : 10.00 AM TO 01.00 PM

Max Marks : 80 Total Pages : 1

N.B.:

- 1) Attempt any six questions including **Q.NO.1** which is **COMPULSORY**.
- 2) **Q. No. 1** carries **20** marks and all other questions carry **12** marks each.

- Q.1** Write short notes on **ANY FOUR** of the following :
- a) Exclusive Jurisdiction of Equity
 - b) Example of Fiduciary Relationship
 - c) Equality is Equity
 - d) He who seeks equity must do equity
 - e) Doctrine of Cypress
 - f) Deficinearies in Common Law
- Q.2** Define Trust and explain the various kinds of Trust under Indian Trust Act, 1882.
- Q.3** Explain the provision relating to the rights and liabilities of Trustees under Indian Trust Act, 1882.
- Q.4** Evaluate the procedure for the creation of valid trust of movable and immovable property movable and immovable property under Indian Trust Act, 1882
- Q.5** Explain the powers and liabilities of beneficiaries under the Indian Trust Act. 1882
- Q.6** Discuss the circumstances under which Trust is extinguished under Indian Trust Act, 1882
- Q.7** Explain the procedure comes under registration of public trust under Bombay Public Trust Act, 1950.
- Q.8** What is fiduciary relationship? State the principles and exception of the fiduciary relationship.
- Q.9** Explain detail note on:
- a) Change Report
 - b) Dharmada
- Q.10** Critically examine the power of Charity Commissioner relating to appointment, suspension and removal of trustees, under the Bombay Public Trust Act, 1950.