

B.A LL.B. Sem. VIII (5 Year Degree Course) (2009) Winter 2017
SUBJECT: PRIVATE INTERNATIONAL LAW

Day : Monday
Date : 9.10.2017

Time : 10.00 A.M. To 1.00 P.M.
Max. Marks : 80

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.
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- Q.1** Write Short Notes on **ANY FOUR** of the following:
- a) Restitution
 - b) Lex Fori
 - c) Adoption
 - d) Distinction between moveable and immoveable
 - e) Domicile by Choice
 - f) Testamentary Succession
- Q.2** Discuss the various attempts made for the unification of private international law.
- Q.3** Enumerate the theory of two-fold characterization.
- Q.4** What is Renvoi? Explain the Mutual Disclaimer theory.
- Q.5** Explain the application of private international law to the problems pertaining to matrimonial causes.
- Q.6** Explain the general rules relating to nationality.
- Q.7** What are the limitations on the jurisdiction of English Courts over foreign property and over the parties?
- Q.8** Explain the concept of proof of foreign law and role of the court.
- Q.9** Elucidate the law of obligation with specific reference to Contracts.
- Q.10** Elucidate the meaning and significance of incidental question.

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B.A. LL.B. Sem - VIII (5 Year) 2009 Course: Winter-2017
SUBJECT: PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT AND
EASEMENT ACT

Day : Friday
Date : 06/10/2017

W-2017-1213

Time : 10.00 AM TO 01.00 PM
Max. Marks : 80.

N.B.:

- 1) Attempt any **SIX** questions in all including Q. No. 1 and Q. No. 10 which 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) Actionable claim
- b) Marshaling security
- c) Tenancy at Will
- d) Clog on redemption
- e) Fraudulent transfer
- f) Doctrine of priority

Q.2 Explain the essentials of a valid transfer of property. What types of property cannot be transferred?

Q.3 "The foundation of the Doctrine of Election is that a person taking the benefit of an instrument must also bear the burden." Discuss.

Q.4 Explain the 'Doctrine of Lis Pendens' as laid down in sec. 52 of the Transfer of Property Act.

Q.5 Define sale. What are its essentials and what is the difference between sale and an agreement to sell.

Q.6 State and explain the various types of mortgage.

Q.7 Define "Lease." Explain the rights and liabilities of the lessor and lessee.

Q.8 What is gift? Explain the essential conditions and different kinds of gifts.

Q.9 Define and explain about "Actionable claim" with its exceptions.

Q.10 Define 'Easement.' Explain the different ways of acquisition of easement.

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**B. A. LL. B. (5 YEAR DEGREE COURSE) SEM-VIII (2009
COURSE) : WINTER - 2017
SUBJECT : PRACTICAL PAPER – II**

Day : Wednesday
Date : 04/10/2017

W-2017-1212

Time : 10.00 AM TO 01.00 PM
Max. Marks : 90

N. B. :

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

SECTION - I

- Q. 1** Explain the following:
- a) General principles and substantive rules of drafting
 - b) Plaint
- Q. 2** Draft a legal notice u/s 138 of Negotiable Instrument Act demanding money for dishonor of cheque.
- Q. 3** Draft a written Statement for a husband whose wife has filed a Petition for divorce in the Family Court Pune on the ground of cruelty and desertion.
- Q. 4** Draft an application for maintenance u/s 125 of Criminal Procedure Code on behalf of old parents against their only daughter who is not maintaining them.
- Q. 5** Draft a private criminal Complaint against husband and in-laws under sec. 498 A of I.P.C. for demand of dowry and harassment.

SECTION - II

- Q. 6** Draft a Gift-Deed for Smt. Neelima who wants to gift her Bunglow in a Co-operative Housing Society to her daughter.
- Q. 7** Draft a Sale-Deed of a flat in a Co-operative Housing Society.
- Q. 8** Draft a will for Ms. Tanuja who wants to bequeath her flat, gold and silver ornaments and fixed deposit amount in bank equally to her daughter and grandson.
- Q. 9** Draft General Power of Attorney.
- Q. 10** a) Draft on Affidavit on behalf of a lady to change her name after marriage.
b) Draft a Promissory Note.

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SUBJECT: LABOUR LAWS

Day : Friday
Date : 29/09/2017

W-2017-1211

Time : 10.00 AM TO 01.00 PM
Max. Marks : 80.

N.B.:

- 1) Attempt **ANY SIX** in all 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) Disqualifications of office bearer under Trade Union Act 1926
- b) Powers of Inspector under Factories Act, 1948
- c) Collective bargaining
- d) ILO
- e) Medical bonus under the Maternity Benefit Act, 1961
- f) Wages in kind and overtime wages under the Minimum Wages Act, 1948

Q.2 Evaluate the concept of "Trade Union" and discuss the provisions relating to Registration of Trade Union under the Trade Union Act, 1926.

Q.3 State and explain the machinery established for settlement of industrial dispute under the Industrial Dispute Act, 1947.

Q.4 Define the term 'Retrenchment' and state the conditions precedent as well as the procedure for retrenchment of the workman under Industrial Dispute Act, 1947.

Q.5 "Welfare of the workers has been made a statutory duty of the employer under the Factories Act, 1948." Explain the above statement with the help of relevant provisions of the Act.

Q.6 Discuss the object and purpose of the Payment of Wages Act, 1936. Enumerate the various deductions under this Act.

Q.7 Explain the procedure for fixing and revising the minimum rates of wages in schedule employment under Minimum Wages Act, 1948.

Q.8 Discuss the nature and extent of the liability of the employer to pay compensation to his workmen in the case of accidental injury in the light of the provisions of Section 3 of the Workmen's Compensation Act, 1923.

Q.9 "The Maternity Benefit Act is intended to achieve the object of doing social justice to women workers." Comment with the help of landmark case laws.

Q.10 Explain with reference to Maharashtra Recognition of Trade Union and prevention of Unfair Labour Practice Act 1971.

- a) Illegal strike
- b) Powers of investigative officer