

MAHIPATGAD - VIII (2009 COURSE): APRIL / MAY 2013
SUBJECT : PRACTICAL PAPER - II
(DRAFTING, PLEADING & CONVEYANCING)

Day : Thursday
Date : 2.5-2013

Time : 2.30 P.M. To 5.30 P.M.
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** Draft a Petition for restitution of conjugal rights on behalf of wife against her husband under Hindu Marriage Act, 1955.
- Q.2** Draft a Private Criminal Complaint against husband and in-laws under section 498 A of IPC.
- Q.3** Draft a Public Notice in the newspaper on behalf of an intending purchaser of immovable property for investigation of title and calling for objections to the propose sale.
- Q.4** Draft a Caveat Application under section 148 A of Civil Procedure Code.
- Q.5** Mr. X has been convicted for an offence under section 302 of IPC by sessions Court Pune. Draft an Appeal Memo against this order in High Court

SECTION - II

- Q.6** Draft a Gift Deed for Smt. Neelima who wants to gift a flat to her daughter.
- Q.7** Draft a General Power Attorney in favour of a builder for constructing a building on a opening plot belonging to the landowner.
- Q.8** Draft a Privileged Will choosing your own facts.
- Q.9** Draft an Agreement to Sale for agricultural land situated in Pune.
- Q.10 a)** Draft an affidavit by a lady for change of name after marriage for obtaining Passport.

Day : Monday
Date : 29-04-2013

Time : 2:30 P.M. To 5:30 P.M.,
Max. Marks : 80

N.B.:

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

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- Q.1** Write short notes on ANY FOUR of the following:
- a) Types of strike
 - b) Power of factory inspector
 - c) Object of Minimum Wages Act, 1948
 - d) Liability of employer to pay compensation under Workman Compensation Act
 - e) Objectives of ILO
 - f) Trade Dispute
- Q.2** Define Award under Industrial Dispute Act, 1947. When does Award become enforceable?
- Q.3** Discuss the jurisdiction function and structure of Labour Court, Industrial Tribunal and National Industrial Tribunal under Industrial Dispute Act, 1947.
- Q.4** Explain the rights and liabilities of Registered Trade Unions in Accordance with Trade Unions Act, 1926.
- Q.5** What are the powers and functions of Commissioner formed under Workman Compensation Act, 1923?
- Q.6** What are the deductions given under Payment of Wages Act, 1936? Explain in brief.
- Q.7** Discuss the concept of Collective Bargaining and point of its merits and demerits.
- Q.8** "One of the object of Factories Act, 1948 is to provide safety of workers". Explain the relevant provisions.
- Q.9** Explain with reference to Maharashtra Recognition of Trade Union and Unfair Labour Practice Act, 1971.
- a) Powers of Industrial Court
 - b) Rights of Recognized Union
- Q.10** What are the powers and duties of inspector appointed under Maternity Benefit Act, 1961?

MAHIPATGAD - VIII (2009 COURSE): APRIL / MAY 2013
SUBJECT: PRIVATE INTERNATIONAL LAW

Day : Tuesday
Date: 7-5-2013

Time: 2:30 P.M. To 5:30 P.M.
Max. Marks: 80

N.B.:

- 1) Attempt **ANY SIX** questions including **Q.No.1** which is **COMPULSORY**.
 - 2) **Q.No.1** carry **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) Lex fori
 - b) Lex loci celebrationis
 - c) Classification of rule of law
 - d) Foreign Immovable Property
 - e) Doctrine of single Renvoi
 - f) Acquisition of Domicile of choice
- Q.2** Discuss in detail, nature, scope and limitations of Private International Law.
- Q.3** Define Renvoi and explain the doctrines of single Renvoi and double Renvoi.
- Q.4** What is characterisation under Private International Law? What is the process of characterisation?
- Q.5** Write a detailed note on the rules governing Matrimonial causes under Private International Law.
- Q.6** In the light of distinction between movable and immovable property, discuss the processes of Transfer of tangible movables and assignment of intangible movables.
- Q.7** What are the rules governing jurisdiction of English courts? What are the limitations on the jurisdiction of English Courts?
- Q.8** Explain in detail the concept of Domicile under Private International Law and discuss the types of Domicile.
- Q.9** 'Proper law theory has been widely accepted throughout the world'. Discuss the theory with special reference to contracts and torts under Private International Law.
- Q.10** How Foreign Law is proved in Indian Courts? Who are the competent witness to prove foreign law?

MAHIPATGAD - VIII (2009 COURSE): APRIL / MAY 2013
SUBJECT : TRUSTS, EQUITY & FIDUCIARY RELATIONSHIP

Day : *Thursday*
Date : *9-5-2013*

Time : *2:30 P.M. TO 5:30 P.M.*
Max. Marks : 80

N.B.:

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

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- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Definition of 'Equity'
 - b) Common law and its defects
 - c) Fiduciary Relationship
 - d) Equality is equity
 - e) Equity acts in personam
 - f) Equity follows the law
- Q.2** Define 'Trust' and distinguish between Public Trust and Private Trust.
- Q.3** State and explain the Rights and Powers of trustees under Indian Trusts Act, 1882.
- Q.4** What is breach of trust? What is liability of trustee for breach of trust?
- Q.5** 'A beneficiary has, as such, no estate or interest in the subject matter under the Indian Trusts Act, but has certain rights'. Examine those rights.
- Q.6** Discuss the provisions relating to the Registration of Public Trusts under the Bombay Public Trusts Act, 1950. Is registration compulsory?
- Q.7** Write the provisions and procedure of Bombay Public Trusts Act, 1950 regarding Alienation of Immovable Property of a Public Trust.
- Q.8** Discuss the powers and functions of Charity Commissioner under Bombay Public Trust Act, 1950.
- Q.9** What is the doctrine of Cypres? How has it been embodied in 'The Bombay Public Trusts Act, 1950'?
- Q.10** Explain with reference to the Bombay Public Trusts Act, 1950:
- a) Math

MAHIPATGAD-VIII (2009 COURSE) : APRIL/ MAY 2013
SUBJECT : OPTIONAL-VI : HUMAN RIGHTS

Day : Thursday
Date : 09-05-2013

Time : 2.30 P.M. To 5.30 P.M.
Max. Marks : 80.

N.B.:

- 1) Attempt any **SIX** questions including Q. No. 1 which is **COMPULSORY**.
 - 2) Q. No. 1 carry 20 marks and all other questions carry 12 marks each.
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Q.1 Write a short notes on any **FOUR** of the following:

- a) Significance of U. D. H. R.
- b) State Human Right Commission
- c) Rights of Indigenous people
- d) Concept of Human Rights
- e) Racial Discrimination
- f) Genocide.

Q.2 Discuss the evolution of Human Rights in India in ancient, medieval and modern period.

Q.3 Evaluate the role United Nations in "Women empowerment".

Q.4 Discuss different provisions under Convention on Rights Child 1989.

Q.5 Discuss rights of disabled person protected and promoted under international law.

Q.6 Explain the classification of Human Rights.

Q.7 Define International Humanitarian law. Discuss its origin and development.

Q.8 Discuss different provisions of Vienna Conference regarding protection and promotion of Human Rights.

Q.9 Discuss in detail American Convention on Human Rights, 1969.

Q.10 Explain the concept of Slave and Slave Trade. Discuss the role United Nations in prevention of Slavery.

MAHIPATGAD- VIII (2009 COURSE): APRIL/ MAY-2013
SUBJECT: PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT &
EASEMENT ACT

Day: *Saturday*
Date: *4-5-2013*

Time: *2:30 P.M. To 5:30 P.M.*
Max marks: 80

N.B:

- 1) Attempt any **SIX** questions in all including Q.No.1 &10 which is **COMPULSORY**.
 - 2) Q.No. 1 carries **20** marks and all others carry **12** marks each.
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- Q.1** Write short notes on any **FOUR** of the following:
- a) Marshalling security
 - b) Doctrine of part performance
 - c) Tenant by holding over
 - d) Clog on Redemption
 - e) Fraudulent Transfer
 - f) Doctrine of election
- Q.2** Explain transfer intervivos and state the properties which can not be transferred?
- Q.3** "Property can not be transferred directly to an unborn person but it can be transfer for the benefit of an unborn person". Comment.
- Q.4** Write a note on doctrine of lispendens.
- Q.5** Briefly discuss various types of mortgages.
- Q.6** Define lease and explain how and when a lease determines.
- Q.7** Define 'Gift' How it can be revoked. Explain.
- Q.8** 'Sale is transfer of ownership for a price paid or promise to be paid' Explain the statement and write down the essentials of a valid sale.
- Q.9** "Actionable claims are incorporeal movable properties. They are beneficial interest in the moveable". Explain this statement with relevant examples.
- Q.10** What is easement? State different modes of extinction of easement.