

**Subject : Company Law**

Day : Saturday  
Date : 19/04/2014



Time : 02.30 PM TO 05.30 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.

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

- a) Share Certificate
- b) Company limited by Guarantee
- c) Debenture Trust Deed
- d) Public and Private Company
- e) Liquidator
- f) Proxy

**Q. 2** "A company is a legal person distinct from its members". Comment.

**Q. 3** "Memorandum of Association is the charter of a company". Set out its various clauses and also explain how Name Clause can be altered.

**Q. 4** "Acts done by the company beyond the object clause are ultravires and hence void". Explain doctrine of ultravires

**Q. 5** Explain transfer of shares and transmission of shares. Distinguish between them.

**Q. 6** What is Statutory Meeting? Explain the procedure for holding a statutory meeting.

**Q. 7** What is Charge? Explain in detail fixed charge and floating charge.

**Q. 8** Who is the shareholder of a company? What are his rights and liabilities?

**Q. 9** "The rule is that the will of majority shall prevail". Explain the rule in Foss v/s Harbottle .Are there any exceptions to it?

**Q.10** What is Winding-up? What are different modes of winding up of a company?

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**Subject : Civil Procedure Code & Limitation Act**

Day : Tuesday

Date : 22/04/2014



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

**N.B.:**

- 1) Attempt **ANY SIX** questions 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) Pecuniary jurisdiction
- b) Review
- c) Set off
- d) Affidavit
- e) Attachment of properties
- f) Caveat

**Q.2** Jurisdiction is the power to hear and determine a cause and adjudicate and exercise a judicial power in relation to it. Comment.

**Q.3** Define Decree. Discuss the types of decree.

**Q.4** Write a critical essay on suits by or against Government.

**Q.5** Define Appeal. Evaluate the provisions relating to appeal.

**Q.6** Injunction should not be lightly granted as it adversely affects the other side. Discuss the rules relating to injunction.

**Q.7** What are Pleadings? Discuss the general rules regarding pleadings.

**Q.8** Res-judicata is a fundamental doctrine based on the principle of conclusiveness of judgments and finality of litigation. Elaborate with the help of case laws.

**Q.9** Examine the provisions for appearance and non appearance of parties under Civil Procedure Code.

**Q.10** Discuss the nature and scope of Limitation Act, 1963.

**OR**

Write short notes on the following:

- a) Acknowledgement in writing
- b) Computation of period of limitation

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**Subject : Environmental Law**

Day : Wednesday

Date : 16/04/2014



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

**N.B.:**

- 1) Attempt **ANY SIX** questions in 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) Global Warming
- b) Eco-Mark Scheme
- c) Noise Pollution
- d) Kinds of Pollution
- e) Ozone depletion
- f) Endangered species

**Q.2** Discuss the Constitutional provisions in India for the protection of environment.

**Q.3** Explain the concept of sustainable development evolved by the Supreme Court of India with the help of decided cases.

**Q.4** What are the common law remedies available against pollution?

**Q.5** Discuss the contribution of Public Interest Litigation in protecting the environment.

**Q.6** What are the salient features of the Air (Prevention and Control of Pollution) Act, 1981?

**Q.7** How the Central Water Pollution Board is constituted? What are the powers and functions of the Central Water Pollution Board?

**Q.8** Define environment. Discuss the power of Central Government under the Environment Protection Act, 1986.

**Q.9** Explain the importance of Bhopal Gas leakage case in the environment protection.

**Q.10** Elucidate the salient feature of Stockholm declaration.

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Subject : Elective : 2) Trusts, Equity & Fiduciary Relationship

Day : Tuesday

Date : 29/04/2014



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

**N.B.**

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

**Q.1** Write short notes on any **FOUR** :

- a) Equity and Common Law
- b) Jurisdiction of Equity
- c) Ubi jus ibi remedium
- d) Equity Acts in personam
- e) Equality in equity
- f) Equity follows the law

**Q.2** Define Trust and explain express and implied trust and distinguish between them.

**Q.3** "Valid trust once created is irrevocable by any subsequent act of the author of trust". Discuss with reference to the provisions of Indian Trusts Act, 1882.

**Q.4** Examine the various duties of trustee under Indian Trusts Act, 1882.

**Q.5** Who is beneficiary? Examine the right of beneficiary to follow trust property in the hands of third person.

**Q.6** "A public trust does not fail even its purpose cannot be carried out or the beneficiaries cannot be ascertained". Discuss.

**Q.7** Discuss the provisions relating to Public Trust under the Bombay Public Trusts Act, 1950.

**Q.8** Discuss how Charity Commissioner exercises power for the protection of Charities.

**Q.9** State the provisions of Bombay Public Trust Act, 1950 regarding alienation of immovable property of Public Trust.

**Q.10** Explain the following:

- a) Change Report
- b) Charitable purpose



**MAHIPATGAD-VIII (2008 COURSE): APRIL/MAY-2014**  
**SUBJECT: ELECTIVE: TAXATION LAWS**

Day: Tuesday  
Date: 29-04-2014

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

N.B:

- 1) Attempts **ANY FOUR** questions from Section-I including **Q. No. 1** which is **COMPULSORY**.
- 2) Attempt **ANY TWO** questions from Section-II.
- 3) **Q. No. 1** carries **20** marks and all other questions carry **12** marks.

**SECTION-I**

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Capital Expenditure
  - b) Agricultural Income
  - c) Appeal
  - d) Assessment Year
  - e) Person
  - f) Bad Debts
- Q.2** Define "Assessment". What are different types of Assessment? Discuss in details 'Income Escaping Assessment'.
- Q.3** Explain the provisions regarding clubbing of income under Income Tax Act, 1961.
- Q.4** Explain the concept of income under Income Tax, Act 1961.
- Q.5** Discuss the provisions regarding Advance payment of Tax.
- Q.6** Enumerate the deductions allowable in computing Income from House Property.

**SECTION-II**

- Q.7** Discuss the following for the purpose of Wealth Tax Act 1957.
- i) Valuation date
  - b) Net Wealth
- Q.8** Explain in brief following:
- a) Intra state sales (Bombay Sales Tax Act, 1959).
  - b) Appropriate State (C. S. T. Act 1956).
  - c) Set-off (Bombay Sales Tax Act, 1959).
- Q.9** Explain in details when is sale or purchase of goods is said to take place outside a state as per the provisions of Central Sales Tax Act, 1956.

**Subject : Elective : 3) Air & Space Law**

Day : Tuesday

Date : 29/04/2014



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

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**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.
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- Q. 1** Write short notes on **ANY FOUR** of the following:
- a) Basic principles of International law
  - b) Sabotage
  - c) Remote sensing
  - d) Right to transit
  - e) Demarcation of boundary between air and space
  - f) International Air Transportation
- Q. 2** Discuss Hijacking as a crime against civil aviation and also state how it is dealt with.
- Q. 3** Write a note on International Civil Aviation Organisation (ICAO).
- Q. 4** Explain the necessity of standardization of the rates of Air transport and the contribution of IATA.
- Q. 5** State the liabilities of Air carrier in case of loss of life and property.
- Q. 6** State the problem which rise due to militarization in outer space and also state how it is regulated
- Q. 7** Explain the concept of Arial intrusion and also state the laid down to regulate the same.
- Q. 8** Discuss the necessity and steps taken for co-operation in international space law in age of Telecommunication and Satellites.
- Q. 9** Right a note on commercial rights of air communication.
- Q.10** Discuss the freedom of a nation regarding outer space.

**Subject : Practical Paper (II)- Drafting Pleading & Conveyancing**

Day : Thursday  
Date : 24/04/2014



Time : 02.30 PM TO 05.30 PM  
Max Marks : 90 Total Pages : 1

**N.B.:**

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

**SECTION - I**

- Q.1** Explain:
- a) Fundamental rules of Pleading
  - b) Alternative and Inconsistent Pleadings
- Q.2** Draft a Written Statement in a suit for partition of Joint Hindu Family Property.
- Q.3** Draft an application for Anticipatory Bail under Section 438 of Criminal Procedure Code.
- Q.4** Draft a legal notice demanding money for dishonoured cheque.
- Q.5** Draft an application for maintenance under section 125 of Criminal Procedure Code on behalf of wife and two children.

**SECTION - II**

- Q.6** Draft a Special Power of Attorney by a daughter who is residing aboard in favour of her father to register a sale - deed of a property situated in Bombay.
- Q.7** Draft a will in respect of immovable and movable properties by father who has son and a daughter choosing your own facts.
- Q.8** Draft a Sale-Deed of a Agricultural Land situated at Paud Taluka Haveli, District Pune for consideration of Rs. Nine Lakhs.
- Q.9** Draft a Gift-Deed for Mr. X who wants to gift his flat in a Co-operative Housing Society Delhi to his grand-daughter.
- Q.10** a) Draft an Affidavit by a lady for change in the name after marriage.  
b) Draft a Promissory Note.

**Subject : Labour Laws**

Day : Wednesday

Date : 16/04/2014



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

**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.

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

- a) Retrenchment
- b) Living wages
- c) ILO
- d) Collective Bargaining
- e) Political Fund of Registered Trade Union
- f) Unfair Labour Practices

**Q.2** What are the various Authorities under Industrial Dispute Act, 1947, formed to settle industrial dispute?

**Q.3** Discuss the provisions relating to strike and lock out in public utility services.

**Q.4** What is the procedure for fixing and revising minimum wages under Minimum Wage Act, 1948?

**Q.5** State the provisions of Factories Act, 1948 with regard to health of worker.

**Q.6** What are the circumstances in which an employer is and is not liable to pay compensation under Workman Compensation Act, 1923?

**Q.7** Describe "The Wages of an employed person shall be paid to him without deduction of any kind except those authorized by or under Payment of Wages Act, 1936".

**Q.8** What are the conditions for payment of maternity benefits under the Maternity Benefit Act, 1961? When is the benefit forfeited?

**Q.9** Define Trade Union. Discuss the provisions relating to Registration of Trade Unions under Trade Unions Act, 1926.

**Q.10** Discuss Unfair Labour Practices on the part of Trade Unions under Maharashtra Recognition of Trade Union and Unfair Labour Practice Act, 1971.



Subject : Optional - IV : a) Human Rights

Day : Tuesday

Date : 29/04/2014



Time : 02.30 PM TO 05.30 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 carry 20 marks and all other questions carry 12 marks each.

- Q.1 Write a short notes on any **FOUR** of the following:
- a) Rights of Older persons
  - b) Rights of Disabled persons
  - c) Concept of Genocide
  - d) Slavery and Slave trade
  - e) Classification of Human Rights
  - f) Death penalty.
- Q.2 Discuss the concept of Inhuman acts with special reference to Racial Discrimination.
- Q.3 Explain the concept of Human Rights.
- Q.4 Discuss various rights recognized and protection in India with respect to Refugee.
- Q.5 Discuss the evolution of Human Rights in Western Countries and at International level.
- Q.6 What are the different legislations in India, which deals with rights of Children?
- Q.7 Explain in detail African Convention of Human Rights, 1981.
- Q.8 Discuss the role of judiciary in India regarding protection of rights of women.
- Q.9 Discuss different provisions under the protection of the Human Rights Act, 1993.
- Q.10 Discuss different rights under covenant on Economic, Social and Cultural Rights, 1966.

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

Day : Tuesday

Date : 22/04/2014



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

**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.

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

- a) Immovable Property
- b) Fraudulent transfer
- c) Doctrine of election
- d) Donatio mortis causa
- e) Notice
- f) Tenant at sufferance

**Q.2** Define transfer of property state the requisites of a valid transfer.

**Q.3** What is conditional transfer? Explain condition precedent and condition subsequent.

**Q.4** Define mortgage, what are its different types.

**Q.5** Define sale and state the seller's liabilities before and after completion of sale.

**Q.6** What is lease? How does it differ from license?

**Q.7** Write a detailed note on 'Gift'.

**Q.8** Explain exchange state the difference between sale & exchange.

**Q.9** Define actionable claim what are its instances and exceptions.

**Q.10** Explain any **TWO** of the following:

- a) Revival of easement
- b) Transfer of easement
- c) Apparent and non apparent easement
- d) Revocation of easement

MAHIPATGAD - VIII (2009 COURSE): APRIL / MAY 2014  
SUBJECT : PRACTICAL PAPER - II  
(DRAFTING, PLEADING & CONVEYANCING)

Day : Saturday  
Date : 19-04-2014

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 legal notice for dishonour of cheque under section 138 of Negotiable Instrument Act 1881.
- Q.2 Mr. Sudhir's wife has filed a petition for divorce on the ground of cruelty and desertion. Draft the written statement in the matter.
- Q.3 Draft an application for an accused person releasing him on bail who has been arrested under section 498 A and section 306 of IPC.
- Q.4 Draft a Writ Petition on behalf of a NGO regarding nuisance of Noise causing by playing dandiya in the Navratri Festival.
- Q.5 Draft a Plaint on behalf of a landlord for the eviction of a tenant on the ground of bonafide requirement.

SECTION - II

- Q.6 Draft a Mortgage Deed for Mr. X owner of a shop who intends to mortgage his shop to state bank of India.
- Q.7 Draft a Sale Deed of a flat in a Cooperative Housing Society.
- Q.8 Draft a General Power of Attorney by father to a son in respect of his business on account of his ill health.
- Q.9 Draft a Will by a mother in favour of his son and daughter of his movable and immovable properties situated in Pune.

Q.10 a) Draft a Promissory Note.

**Subject : Private International Law**

Day : Thursday

Date : 24/04/2014



Time : 02.30 PM TO 05.30 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** carry **20** marks and all other questions carry **12** marks each.

- Q.1** Write short notes on **ANY FOUR** of the following:
- a) Lex domicili
  - b) Lex situs
  - c) Tangible movables
  - d) Jurisdiction of English Courts under Brussels Convention
  - e) Incidental Question
  - f) Classification of cause of action
- Q.2** Discuss in detail the problem of Renvoi and the solutions to solve the problem of Renvoi.
- Q.3** How foreign law is proved in India and England? Who are the competent witnesses?
- Q.4** What is Private International Law? What is the object of the Private International Law?
- Q.5** Discuss in detail 'Domicile' under Private International Law and explain the general rules governing domicile.
- Q.6** Distinguish between characterization on the basis of lex causae and lex fori and explain the process of characterization.
- Q.7** Explain the rules governing Transfer of Tangible Movables and Assignment of Intangible Movables under Private International Law.
- Q.8** Write in detail the rules of Private International Law which work as the basis to decide Matrimonial causes and adaptation of children.
- Q.9** Write a critical note on the jurisdiction of English Courts.
- Q.10** Explain the rules governing conflicts arising out of Contract and Torts under Private International Law.



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

Day : Tuesday

Date : 29/04/2014



Time : 02.30 PM TO 05.30 PM

Max Marks : 80 Total Pages : 1

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.

- Q.1 Write short notes on ANY FOUR of the following:
- a) Equity and common law
  - b) Constructive trusts
  - c) Jurisdiction of Equity
  - d) Equality is equity
  - e) Equity will not suffer a wrong to be without remedy
  - f) Equity imputes an intention to fulfill an obligation
- Q.2 "Valid trust once created is irrevocable by any subsequent act of the author of the trust". Discuss with reference to the Indian Trusts Act, 1882.
- Q.3 'The duties of a trustee imply an absolute obligation to do or to abstain from doing a certain act'. Examine the duties of trustees in the light of above statement under the Indian Trust Act, 1882.
- Q.4 When can the office of a trustee be vacated? What are the ways in which a trustee may be discharged?
- Q.5 Discuss the rights of beneficiary when a trustee purchases trust property wrongfully.
- Q.6 Is every Public Trust compulsory registrable under the Bombay Public Trusts Act, 1950? Give the procedure of registration.
- Q.7 'A Public Trust does not fail even it's purpose cannot be carried out or the beneficiaries cannot be ascertained'. Comment.
- Q.8 Discuss the powers of the Charity Commissioner to act for the Protection of Charities.
- Q.9 Explain the provisions relating to Alienation immovable property of a Public Trust.
- Q.10 Explain the following with reference to the Bombay Public Trusts Act, 1950:
- a) Order of Surcharge
  - b) Investment of Trust Money