

Subject : Company Law

Day : Saturday
Date : 05/10/2013



Time : 10.00 AM TO 01.00 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) Lien on shares
 - b) Soloman Vs Soloman
 - c) Share certificate
 - d) Transmission of shares
 - e) Statutory Report
 - f) Irregular allotment
- Q.2** Explain the advantages of incorporation of a company under the Companies Act, 1956.
- Q.3** Explain the doctrine of Indoor management. Are there any exceptions to this doctrine?
- Q.4** Define Prospectus. Explain the essentials and contents of Prospectus.
- Q.5** Explain the provisions related to the appointment and removal of a director under the Companies Act, 1956.
- Q.6** What is a meeting? Explain the provision related to Annual General Meeting under the Companies Act, 1956.
- Q.7** Define Member. Explain the various modes of acquiring membership in a company.
- Q.8** What is a debenture? What are different kinds of debentures? Distinguish between a 'Shareholder' and 'Debentureholder'.
- Q.9** "The will of majority must prevail" is the principle of company management. Are there any exceptions to this rule?
- Q.10** Under what circumstances will the Court order a compulsory winding up of a company. What is the effect of a winding up order.

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

Day : Thursday

Date : 10/10/2013



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 **ANY 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 a husband under Section-9 of Hindu Marriage Act, 1955.
- Q.2 Draft a legal notice for specific performance on behalf of a person who is not getting possession of his flat from builder.
- Q.3 Draft a private criminal complaint against husband and in laws under section 498-A of Indian Penal code.
- Q.4 Draft a Writ Petition on behalf of a NGO working for environmental issues.
- Q.5 a) Draft a Caveat application under section 148 A of Civil Procedure Code.
b) Draft an application for Interim Injunction restraining the defendant from interfering with the possession of land of the plaintiff.

SECTION - II

- Q.6 Draft a Special Power of Attorney for Mr. Anil in favour of his brother for registration of Sale-Deed of Agricultural Land.
- Q.7 Draft a will for Mrs. Neelima who wants to dispose of her house property in Bombay cash in bank account and jewellery to her daughter and son equally.
- Q.8 Draft a Lease-Deed of a shop for 5 years choosing your own facts.
- Q.9 Mr. X is an agriculturist requires money for his son's educational expenses who is studying aboard and who wants to mortgage his property to Bank of India. Prepare of draft of simple Mortgage in favour of Bank.
- Q.10 a) Draft an Affidavit for Mr. Sudhir who has lost his original school leaving certificate and wants to obtain a Duplicate school-leaving certificate from the school.
b) Draft a Promissory Note.

Subject : Optional: 1) Taxation Laws

Day : Saturday
Date : 12/10/2013



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

N. B. :

- 1) Attempt **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) Assessment Year
 - b) Filing of Return
 - c) Agricultural Income
 - d) Section 80 L of Income Tax Act, 1961
 - e) Settlement Commission
 - f) Person
- Q. 2** Explain the provisions regarding residential status of different assesses under Income Tax Act, 1961.
- Q. 3** Enumerate deduction under section 16 of Income Tax Act, 1961 under the head 'Income from Salary'.
- Q. 4** Explain the provisions regarding 'Setoff', 'Carry forward' and 'Setoff of losses' under Income Tax Act, 1961
- Q. 5** State the powers of Income Tax Commissioner under Income Tax Act, 1961.
- Q. 6** Explain the provisions regarding penalties under the Income Tax Act, 1961.

SECTION - II

- Q. 7** State 'when a sale or purchase of goods is said to take place in course of Import or Export' under Central Sales Tax Act, 1956.
- Q. 8** Explain those assets which belong to others but are included in the net wealth of an individual under Wealth Tax Act, 1957.
- Q. 9** Discuss the provisions regarding levy and incidence of tax u/s 3 of Bombay Sales Tax Act, 1959.
- Q.10** Discuss the following:
- a) Manufacture (Bombay Sales Tax Act, 1959)
 - b) Valuation Date (Wealth Tax Act, 1957)

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Subject : Optional: 3) Air & Space Law

Day : Saturday
Date : 12/10/2013



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.

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

- a) Sovereignty over Air
- b) Right to transit
- c) Aerial intrusion
- d) Sabotage
- e) Air carrier
- f) Commercial rights of air communication

Q. 2 Write a note on Demarcation of boundaries between Air and Space.

Q. 3 Discuss the standardization of rules of Air Transport.

Q. 4 Mention the problem of jurisdictions in hijacking.

Q. 5 State the contractual and non-contractual liability of Air carriers in case of loss of life or loss of property.

Q. 6 Write a note on freedom regarding outer space.

Q. 7 Mention the salient feature of Moon treaty and outer space treaty with reference to International regime of outer space.

Q. 8 Explain the effects Exploration and exploitation of outer space.

Q. 9 State the problem of militarization of outer space and also mention how it is resulted.

Q.10 Write a note on exploration and exploitation of outer space.

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

Day : Saturday

Date : 12/10/2013



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) Equity and Common Law
 - b) Advantages gained by Fiduciary
 - c) Ubi jus ibi remedium
 - d) Jurisdiction of Equity
 - e) Delay defeats Equity
 - f) Equity looks to the intent rather than to the form
- Q.2** Define 'Trust'. How a valid trust can be created?
- Q.3** How is a trustee appointed? 'A trust shall not be defeated for want of a trustee'. Discuss.
- Q.4** Define 'Breach of Trust'. What are the liabilities of the trustee for breach of trust under the Indian Trusts Act, 1882?
- Q.5** Explain the rights and liabilities of the beneficiary under the Indian 'Trust Act, 1882.
- Q.6** Explain the 'Charitable Purposes' under the Bombay Public Trusts Act, 1950.
- Q.7** What is doctrine of cy-pres? How it has been embodied in the Bombay Public Trust Act, 1950.
- Q.8** Critically examine the powers of Charity Commissioner relating to 'appointment, suspend, remove, trustees' under the Bombay Public Trusts Act, 1950.
- Q.9** Examine the provisions of Bombay Public Trusts Act, 1950 relating to Public Trusts Administration fund.
- Q.10** Explain the following:
- i) Math
 - ii) Dharmada

Subject : Environmental Law

Day : Thursday
Date : 03/10/2013



Time : 10.00 AM TO 01.00 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) Protected Forests
 - b) Sources of Noise Pollution
 - c) Eco-Mark Scheme
 - d) Air Pollution
 - e) Right to clean environment
 - f) Ganga Water Pollution Case
- Q.2** Evaluate the contribution of public interest litigation to the growth of environmental jurisprudence in India.
- Q.3** Discuss the object and salient features of Environment (Protection) Act, 1986.
- Q.4** What are the steps taken by the legislature for the prevention and control of air pollution under the Air (Prevention and Control of Pollution) Act, 1981?
- Q.5** Explain the law relating to Preservation, Conservation and Protection of Forest in India.
- Q.6** Discuss the salient features of Wild Life Protection Act, 1972.
- Q.7** Explain the significance of the principle of absolute liability in the Protection of Environment.
- Q.8** Discuss the important features of the Stockholm declaration.
- Q.9** What are the common law remedies against pollution caused by trespass, negligence and public nuisance?
- Q.10** Write note on:
- a) Bhopal gas leakage case
 - b) Provisions of IPC, CPC and Cr.P.C for abatement of public nuisance in pollution case

Subject : Civil Procedure Code & Limitation Act

Day : Tuesday
Date : 08/10/2013



Time : 10.00 AM TO 01.00 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) Caveat
- b) Order
- c) Set off
- d) Suits by or against minor
- e) Written statement
- f) Affidavit

Q.2 The rule of res judicata is based on principle of public policy, that is, there should be an end to litigation and the principle of avoiding hardship to the individual. Elaborate the doctrine of res judicata.

Q.3 What is Jurisdiction? Discuss kinds of jurisdiction.

Q.4 Pleading are statements written drawn up and filed by each party to a case, stating what his contentions will be at the trial and giving all such details as his opponent needs to know in order to prepare his case in answer. Elaborate the object and nature of pleading.

Q.5 What is Summons? Elaborate the provisions relating to summons.

Q.6 The date for appearance given in the summons served on the defendants is the date fixed for the beginning of the hearing of the case, but the hearing may be adjourned from time to time. Comment.

Q.7 Write a critical essay on:
a) Suits by Aliens
b) Suits by or against Government

Q.8 Define Injunction. Discuss the various types of injunction.

Q.9 Define Decree. Discuss various modes in which a decree can be executed.

Q.10 The intention in accepting the concept of limitation is that 'controversies are restricted to a fixed period of time, lest they should become immortal while men or mortal. Comment.

OR

Write notes on the following:

- a) Legal disability
- b) Bar on limitation

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Subject : Labour Laws

Day : Thursday
Date : 03/10/2013



Time : 10.00 AM TO 01.00 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) Define factory under Factories Act, 1948
- b) Lock outs
- c) Wages under payment of Wages Act, 1936
- d) Concept of collective bargaining
- e) Unfair labour practices under Maharashtra Recognition of Trade Union and Unfair Labour Practice Act, 1971
- f) Industrial Dispute

Q.2 What are the provisions relating to health under Factories Act, 1948?

Q.3 Discuss the provisions relating to lay off under Industrial Dispute Act, 1947.

Q.4 What are the various authorities formed under Industrial Dispute Act, 1947 to settle the dispute?

Q.5 Define Trade Union. What are the privileges and immunities available to registered Trade Union under Trade Unions Act, 1926?

Q.6 Discuss the provisions relating Maternity Benefit Act, 1961.

Q.7 Discuss the unfair labour practices on the part of Trade Unions under Maharashtra Recognition of Trade Union and Unfair Labour Practice Act, 1971.

Q.8 What are the circumstances in which employer is and is not liable to pay compensation under Workman Compensation Act, 1923?

Q.9 What is object of payment of Wages Act, 1936? Enumerate various deductions.

Q.10 Critically examine provisions relating to claim under Minimum Wages Act, 1948.

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

Day : Saturday

Date : 05/10/2013



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 - I

- Q.1 What is Pleading? Explain the fundamental rules and forms of pleadings.
- Q.2 Draft a legal notice on behalf of your client who is seeking Specific Performance. Choose your own facts.
- Q.3 Draft a criminal complaint under section 138 of Negotiable Instruments Act, 1881.
- Q.4 Draft a petition for Divorce by Mutual Consent.
- Q.5 Draft an application for temporary injunction in a suit for partition.

SECTION - II

- Q.6 a) Draft an Affidavit by a lady for change in name after marriage.
b) Draft a Promissory Note.
- Q.7 Draft a Special Power of Attorney by a son who is residing abroad in favour of his father to registered a sale deed for a property situated in Delhi.
- Q.8 Draft a lease deed for 10 years in favour of a Bank for commercial purpose.
- Q.9 Draft a will in respect of movable and immovable properties by a father who has a daughter and a son.
- Q.10 Draft a Mortgage Deed in favour of bank relating to immovable property selecting your own facts..

Subject : Private International Law

Day : Thursday

Date : 10/10/2013



Time : 10.00 AM TO 01.00 PM

Max Marks : 80 Total Pages : 1

N.B.;

- 1) Attempt **ANY SIX** questions from section-A and **ANY THREE** questions from section -B including Q.NO.1 and Q.NO.6 which are **COMPALSORY**.
- 2) **Q.No.1** and **Q. No .6** carries **20 marks** each and all other questions carry **10 marks** each.

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

- a) *Lex Fori & Lex Causae*
- b) Theory of *lex loci actus or lex actus*.
- c) Foreign Immovable Property
- d) Proper law theory of contract
- e) *Lex situs*
- f) The Exclusionary rule of jurisdiction of English courts

Q.2 Discuss in detail the rules regarding proof of foreign law under private international law. Analyze the provision related to India context of proof of foreign law.

Q.3 Explain the concept of Renvoi & Analyze Doctrine of single Renvoi & Doctrine of double Renvoi.

Q.4 Distinguish between Domicile of Dependent persons & Domicile of Independent persons. Explain the grounds related to Acquisition of Domicile of choice.

Q.5 "The proper law theory has been branded as the appropriate theory related to the law of obligations" Comment in the light of rules regarding contracts & Torts under private International law.

Q.6 Write a detailed analysis of the term 'Incidental Question' & the problems surrounding in under Private International Law.

Q.7 "Private International law is usually referred as conflict of laws" in the light of this comment elaborate the nature & scope of Private International law.

Q.8 What are the four pillars or four types of characterization of law under private International law? What are the similarities between the types of characterization & types of classification under in Indian law.

Q.9 Explain in detail the rule regarding Jurisdiction of English courts.

Q.10 Write a critical evaluation of the rules related to matrimonial law with the help of relevant case law

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

Day : Saturday

Date : 12/10/2013



Time : 10.00 AM TO 01.00 PM

Max Marks : 80 Total Pages : 1

N.B.

- 1) Attempt any six questions including **Q.1** is **COMPULSORY**.
- 2) Q. No. 1 Carries **20** marks & all other questions carries 12 marks each.

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

- a) Constructive Trust
- b) Fiduciary relations
- c) Equity is equality
- d) Equity follows the Law
- e) Equity acts in personam

Q.2 What is breach of Trust? Discuss the liabilities of a Trustee for breach of Trust.

Q.3 Define Trust and distinguish between Public Trust and Private Trust.

Q.4 Examine the functions and powers of Charity Commissioner.

Q.5 Write Notes on :

- a) Charitable purpose
- b) Doctrine of cypress

Q.6 Explain the provisions regarding Public Trust Administration fund under the Bombay Public Trust Act, 1950.

Q.7 State the liabilities of Trustee. How far is a Trustee liable for a co-trustee's default?

Q.8 Write Notes on :

- a) Classification of Trust.
- b) Change report.

Q.9 Examine the various rights and obligation of beneficiary under the Indian Trusts Act, 1882.

Q.10 Charity Commissioner may suspend, remove or dismiss any Trustee of a public trust. Discuss.

Subject : Optional- IV a) Human Rights

Day : Saturday
Date : 12/10/2013



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

N.B:

- 1) Attempt any 6 questions including Q.No 1 which is **CPOMPULSORY**.
- 2) Q.No 1 carries 20 marks. & all other questions carry 12 marks.

- Q.1** Write a short notes on any **FOUR** of the following:
- a) Rights of Migrant Workers
 - b) Concept of Slavery & Slave Trade
 - c) Racial Discrimination
 - d) Genocide
 - e) Classification of Human Rights
 - f) Apartheid
- Q.2** Discuss different rights recognized under International law with respect to older persons.
- Q.3** Explain in detail various stages of evolution of Human Rights in India.
- Q.4** Critically evaluate different provisions which are made for prevention of genocide.
- Q.5** Discuss different international & national instruments which protect the rights of minorities.
- Q.6** Explain the role of United Nations in Prevention of Torture, Cruel, Inhuman acts.
- Q.7** Explain the role of European convention on protection & promotion of Human Rights.
- Q.8** Explain the concept of child & child Rights under national & international law.
- Q.9** Discuss various international instruments which recognize & gives protection to the rights of women.
- Q.10** Discuss the salient features of Covenant on Civil and Political Rights.

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

Day : Tuesday
Date : 08/10/2013



Time : 10.00 AM TO 01.00 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.
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- Q.1** Write short notes on any **FOUR** of the following:
- a) Contribution
 - b) Conditional transfer
 - c) Doctrine of foreclosure
 - d) Doctrine of Priority
 - e) Charge
 - f) Onerous gift
- Q.2** Define the concept of transfer of property what are its exceptions.
- Q.3** Write a note on doctrine of election and apportionment
- Q.4** Define vested interest and Contingent interest, and distinguish between them.
- Q.5** Define Mortgage, what are the rights and liabilities of mortgagee in possession.
- Q.6** Discuss fully the Doctrine of Part performance
- Q.7** "Determination of lease means termination or end of the contract of lease." Explain.
- Q.8** Critically examine the circumstances in which a gift may be suspended or revoked.
- Q.9** What is actionable claim; discuss the mode of transfer of actionable claim with relevant illustrations.
- Q.10** What is easement? State how extinction of an easement takes place.