

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

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

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

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

- a) Fiduciary relations
- b) Equity acts in personam
- c) Ashby V. White
- d) Resulting Trust
- e) Equity follows the Law

Q.2 Define Trust and distinguish between Public Trust and Private Trust.

Q.3 Explain the following :

- a) Public Trust Administration fund
- b) Extinction of Trusts

Q.4 Explain the following :

- a) Doctrine of Cypress
- b) Dharmada

Q.5 The beneficiary has, no interest in the subject matter under Indian Trust Act, but has certain rights, comments.

Q.6 Discuss the duties of Trustees under Indian Trusts Act, 1882.

Q.7 A Trust shall not be defeated for wants of Trustees. Discuss.

Q.8 Define Trust. Explain three certainties for creation of Trust.

Q.9 Examine the powers of Charity Commissioner for protection of charities.

Q.10 Explain the procedure comes under registration of Public Trust under Bombay Public Trust Act, 1950.

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

Day: *Saturday*
Date: *04.05.2013*

Time: *10:00 A.M. To 1:00 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.
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- Q.1** Write short notes on any **FOUR** of the following:
- a) Doctrine of Redemption
 - b) Death bed gift
 - c) Nemo potest esse tenens et deminus
 - d) Rule against perpetuity
 - e) Actionable claim
 - f) Vested interest
- Q.2** "Transferability of Property is general rule, its non-transferability is exception." Explain the statement with examples.
- Q.3** What is Conditional transfer? Explain condition precedent and condition subsequent.
- Q.4** Define mortgage what are its essentials ,how it differs from charge
- Q.5** Explain the essentials for a transfer by sale. And distinguish it from exchange
- Q.6** Define lease and distinguish it from license
- Q.7** Elaborate the different types of gift
- Q.8** "Exchange includes change of a movable property with another movable property or change of movable with immovable property." Comment
- Q.9** "Actionable claim means unsecured money debt and beneficial interest in movable property not in possession of the claimant". Discuss the concept of actionable claim under Transfer of property Act 1882.
- Q.10** Write a note on the concept of easement

BHUPALGAD - VIII (2009 COURSE): APRIL / MAY 2013
SUBJECT : LABOUR LAWS

Day : Monday
Date : 29-04-2013

Time : 10.00 A.M. To 1.00 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.

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

- a) Object and functions of ILO
- b) Types of strike
- c) Powers of Inspector under Maternity Benefit Act
- d) Workman under Workmen Companies Act
- e) Continuous service Industrial Dispute Act, 1947
- f) Amalgamation of Trade Union

Q.2 Define Retrenchment and state the conditions precedent to retrenchment of workman under industrial Dispute Act, 1947

Q.3 Explain in brief adjudication machinery under Industrial Dispute Act, 1947.

Q.4 Write down the authorized deductions from the Wages of employed person under The Payment of Wages Act, 1948.

Q.5 Discuss the various aspects of employers liability for compensation for personal injury caused to a workman by accident arising out of and in the course of employment under Workmen Compensation Act.

Q.6 State the provision laid down under Minimum Wages Act, 1948 for fixing and revising Minimum Wages.

Q.7 What are the rights and liabilities of registered Trade Union under Trade Unions Act, 1926?

Q.8 Collective Bargaining is modern measure to solve industrial dispute. Explain.

Q.9 Define Factory. What are the welfare measures guaranteed under Factories Act, 1948?

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

Day : *Thursday*
Date : *2-5-2013*

Time : *10:00 A.M. To 1:00 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** Explain:
- a) Fundamental rules of pleading
 - b) Alternative and Inconsistent pleadings
- Q.2** Draft a written statement of behalf of husband whose wife has filed a petition for divorce.
- Q.3** Draft a civil suit for specific performance on behalf of a purchaser of a flat from the builder.
- Q.4** Draft a criminal complaint for Bigamy.
- Q.5** Draft a legal notice for dishonour of cheque.

SECTION - II

- Q.6** Draft a General Power of Attorney on behalf of a person who is staying aboard in connection with his house property in Pune.
- Q.7** Draft an agreement of sale for agricultural land.
- Q.8** Draft a privileged will by captain serving in Army.
- Q.9** Draft a leave and Licence Agreement for 11 months for a flat in a Cooperative Housing Society.
- Q.10** Mrs. Sunita wants to gift his house to her daughter. Draft a Gift deed.

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

Day: Tuesday
Date: 7-5-2013

Time: 10:00 A.M. TO 1:00 P.M.
Max. Marks: 80

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) Recognition of foreign Judgment
 - b) Classification of Rule of law
 - c) Minor's Domicile
 - d) Incorporation of foreign law & Application of foreign law as proper law.
 - e) The *lex loci delicit*
 - f) Denmark / EC agreement.
- Q.2** Discuss in detail the concept of Renvoi. Elaborate the problem of Renvoi & the possible solutions suggested for the same.
- Q.3** Define what private International law is. Explain the nature and scope of private International law.
- Q.4** How foreign law is proved in India? Who can be competent witnesses to prove foreign law?
- Q.5** 'Domicile of a person is symbol of system of law attached to person' in the light of this comment elaborate the concept of Domicile & distinguish between Domicile of dependent persons & independent persons
- Q.6** The characterization of law under private International law has got prime significance. Explain the process of characterization under private International law & the stages involved in the characterization.
- Q.7** Explain the theories related to transfer of tangible movables and assignment of intangible movables with the help of illustrations
- Q.8** "Foreign Immovable property is excluded from the preview of Jurisdiction of English court" Explain this Exclusionary rule in the light of this comment & write in detail the rules governing Jurisdiction of English court.
- Q.9** Write a detailed note on the rules of private International law, governing marriage and legitimation of children & adoption of children.
- Q.10** 'The proper law theory has got great significance in the field of law of obligations' Explain this statement with reference to tort & contract under private international law.