

SHRUTALGAD - VIII (2015 COURSE) - WINTER - 2015

**Subject : Labour Laws**

Day : Saturday  
Date : 03/10/2015



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:-

- a) International Labour Organization
- b) Collective Bargaining
- c) Retrenchment
- d) Political Fund of Registered Trade Union
- e) Powers of Commissioner for Workmen's Compensation
- f) Notional extension of employee's premises under Workmen's Compensation Act 1923

**Q.2** Define trade union. Discuss powers and functions of trade union in the light of its significance in modern industrial economy.

**Q.3** Explain the provisions relating to prohibitions of strikes & lock outs under the Industrial Disputes Act, 1947.

**Q.4** What are various authorities under the Industrial Disputes Act, 1947 which help to settle Industrial Disputes?

**Q.5** "Accident arising out of and in the course of employment is the basis for compensation". Comment with the help of important judicial pronouncement.

**Q.6** Write notes on the following with reference to Payment of Wages Act, 1936.

- a) Powers of Inspector
- b) Deduction for Absence from Duty

**Q.7** Explain the powers of inspectors under the Minimum Wages Act, 1948

**Q.8** What are the benefits available under Maternity Benefits Act and how are these paid?

**Q.9** What is meant by unfair labour practices? Enumerate them.

**Q.10** Discuss the mode of registration of a trade union. What are the main provisions contained in the rules of a trade union?

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Subject : Practical Paper - II

Day : Tuesday  
Date : 06/10/2015



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 - A

- Q.1 Discuss fundamental rules of pleadings.
- Q.2 Draft a petition before Family Court on behalf of a wife for getting divorce on the grounds of cruelty and dissertation.
- Q.3 A landlord has filed plaint for eviction of a tenant on the grounds of non payment of rent and making alterations in property. Prepare a written statement for this plaint.
- Q.4 Draft an application for anticipatory Bail u/s. 438 of Cr.P.C. before proper forum as police are investigating a criminal care against you.
- Q.5 Present a Writ Petition under Article 226 of the Constitution as your brother has been called for inquiry in police station and he is not turned back.

SECTION - B

- Q.6 Draft a Special Power and Attorney to execute a sale deed of a house by choosing your own facts.
- Q.7 Draft a Lease-Deed to let a house.
- Q.8 Prepare a Gift-Deed of movable property cash in bank account and a flat in a co-operative housing society in favour of Mr.Anand.
- Q.9 Draft a will on behalf of your client who is having fixed deposit in Bank, gold ornaments in his possession, Share Certificates of 2 companies in favour of Mr. Rajesh Chavan.
- Q.10 Draft an Affidavit for a student who has lost his original certificate.

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

Day : Thursday

Date : 08/10/2015



Time : 10.00 AM TO 01.00 PM

Max Marks : 80 Total Pages : 1

**N. B. ;**

- 1) Attempt any SIX questions in all. Q. No. 1 and 10 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) Concept of property
- b) Conditional transfer
- c) Doctrine of subrogation
- d) Doctrine of lis pendens
- e) Donatio mortis causa
- f) Actionable claim

**Q. 2** "The law always favour alienation of property rather than its accumulation. The transferability of property is therefore the general rule, its non transferability, an exception". Discuss.

**Q. 3** "There can be no direct transfer in favour of a person not in existence he can be benefited only by indirect method". Explain how transfer can be made for the benefit of an unborn person.

**Q. 4** "Notice means a knowledge or information given by one person to the another about subject matter of the contract". Evaluate the doctrine of Notice.

**Q. 5** "He who accepts a benefit under a deed or will, must adopt the whole contents of the instrument, conforming to all its provisions and renouncing every right inconsistent with it". Comment on Doctrine of election with appropriate examples.

**Q. 6** "Doctrine of part performance protects an ignorant transferee who takes possession or spends money on improvements relying on documents which are ineffective as transfers or on contracts which cannot be provided for want of registration". Explain the applicability of section 53 A in India.

**Q. 7** "Sale is transfer on ownership for a price in which all the rights of the transferor in the property transferred absolutely to the transferee". Elaborate the Seller's liabilities before and after completion of sale.

**Q. 8** "The essential feature of a mortgage is that it is a conveyance of legal interest in property, with a provision for redemption". Explain the Doctrine of Redemption with relevant case laws.

**Q. 9** Write note on the following:

- a) Lease and Licence
- b) Hiba
- c) Exchange

**Q.10** What is easement? State how extinction of an easement takes place.

**Subject : Optional - IV a) Human Rights**

Day : Tuesday  
Date : 13/10/2015



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

**N.B.:**

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

- Q.1** Write a short note on any **FOUR** of the following:
- a) Slavery and slave trade
  - b) Rights of migrant worker
  - c) Rights of older people
  - d) Universe Declaration of Human Rights
  - e) Apartheid
  - f) Tehran Conference
- Q.2** Discuss in detail rights of disabled persons.
- Q.3** Explain different kinds of Human Rights.
- Q.4** Discuss the constitution, powers and functions of National Human Rights Commission.
- Q.5** Discuss various efforts taken at international level for protection and promotion of rights of children.
- Q.6** What is mean by 'Genocide'? Discuss provisions to curtail genocide under international law.
- Q.7** Explain provisions under Constitution of India which guarantee economic, social and cultural rights as enumerated in the International Covenant on economic, social and cultural Rights.
- Q.8** Discuss evolution of human rights in ancient, medieval and modern period in western countries.
- Q.9** Discuss various legal provisions for protection of rights of women.
- Q.10** Explain in detail features of American Convention on Human Rights, 1969.

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

Day : Tuesday  
Date : 13/10/2015



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) Express Trust
  - b) Ubi Jus ibi Remedium
  - c) Constructive Trust
  - d) He who seeks equity must do equity
  - e) Fiduciary Relationship
  - f) Equity Acts in Personam
- Q.2** 'A trust is created when the author of the trust indicates with reasonable certainty by any words or acts or intention on his part to create there by a trust'. Comment.
- Q.3** Define the concept of Trust. Discuss the classification of trust under Indian Trust Act, 1882.
- Q.4** Elaborate the rights, duties and powers of Trustees under Indian Trust Act, 1882
- Q.5** What are the right and liabilities of beneficiary under The Indian Trust Act, 1882?
- Q.6** Define the term 'Change Report'. Elaborate its procedure under The Bombay Public Trust Act, 1950.
- Q.7** Explain the provision relating to power and function of Charity Commissioner under The Bombay Public Trust Act, 1950.
- Q.8** "The term cypress means as nearly as possible to that which has failed". Explain the statement in the light of relevant case law with reference to The Bombay Public Trust Act, 1950.
- Q.9** "Registration of Public Trust is Mandatory". Explain the statement with help of procedure of Registration under The Bombay Public Trust Act, 1950.
- Q.10** Write a detail note on:
- a) Public Trust Administration Fund
  - b) Charitable Purpose