

B. A. LL. B. (5 Year Degree Course) Sem-VIII (2009 Course) :

WINTER - 2018

SUBJECT: LABOUR LAWS

Day : Monday
Date : 22/10/2018

W-2018-1482

Time: 10.00 AM TO 01.00 PM
Max. Marks: 80

N.B.:

- 1) Attempt **ANY SIX** 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) Public utility services
 - b) Lay-off
 - c) ILO
 - d) Collective Bargaining
 - e) Living Wages
 - f) Medical bonus under Maternity Benefit Act,1961
- Q.2** Critically examine the objects for which the general fund of the trade union can be spent under the Trade Union Act, 1926.
- Q.3** Explain the term strike and elaborate the provisions relating to prohibition of strike and lock-outs under the Industrial Disputes Act, 1947.
- Q.4** Enumerate the various authorities constituted under the Industrial Dispute Act, 1947 to investigate and settle the Industrial Dispute with the help of appropriate provisions of the said Act.
- Q.5** "One of the object of the Factories Act, 1948 is to provide safety of workers" ELabourate the above statement in the light of relevant provisions of the Factories Act, 1948.
- Q.6** Explain the procedure prescribed under the Payment of Wages Act, 1936 relating to the adjudication of claims and appeals.
- Q.7** What are the checks against evasion of payment of minimum wages in the employee in scheduled employment in which minimum rates have been fixed by the employer?
- Q.8** "The employer is liable to pay compensation under the Workman Compensation Act, 1923, if personal injury caused to workman by accident arising out of and in the course of employment." ELabourated the above statement in the light of relevant case Laws.
- Q.9** "The Maternity Benefit Act.1961 has been enacted to regulate the employment of woman certain establishment for a certain periods before and after Child birth and to provide for maternity benefits and certain other benefits." Comment.
- Q.10** Discuss the duties and power of authorities constituted under the Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practices Act, 1971.

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B. A. LL. B. (5 Year Degree Course) Sem-VIII (2009 Course) :
WINTER - 2018

SUBJECT : OPTIONAL – IV: HUMAN RIGHTS

Day : Wednesday
Date : 31/10/2018

W-2018-1486

Time : 10.00 AM TO 01.00 PM
Max. Marks : 80

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) Apartheid
- b) Rights of indigeneious people
- c) First generation of Human Rights
- d) Rights of disabled in India
- e) Slavery and slave trade
- f) Rights of older people

Q.2 Discuss different provisions under European Convention on Human Rights.

Q.3 Explain how international humanitarian law plays important role in protection and promotion of human rights.

Q.4 Discuss powers and functions of NHRC.

Q.5 Explain the role of judiciary in protection of rights of child with the help of landmarks decisions.

Q.6 Discuss in detail different stages of evolution of Human Rights in India.

Q.7 What is Racial Discrimination? Discuss different provisions regarding elimination of Racial Discrimination under international law.

Q.8 Whether death penalty should be abolished? Explain legal provisions regarding abolition of death penalty.

Q.9 Critically discuss different provisions under Vienna Conference 1993.

Q.10 "Protection of Human Rights Act, 1993 is necessary though fundamental rights and its enforcement given under Constitution of India". Critically discuss.

B. A. LL. B. (5 Year Degree Course) Sem-VIII (2009 Course) :
WINTER - 2018

SUBJECT : TRUSTS, EQUITY & FIDUCIARY RELATIONSHIP

Day : Wednesday
Date : 31/10/2018

W-2018-1487

Time : 10.00 AM TO 01.00 PM
Max. Marks : 80

N.B.:

- 1) Attempt **ANY SIX** questions in all **Q.No.1** is **COMPULSORY**.
 - 2) **Q.No.1** carries **20** marks and all other questions carry **12** marks each.
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Q1 Write short notes on **ANY FOUR** of the following:

- a) Fiduciary relations
- b) Jurisdiction of Equity
- c) Construction trusts
- d) Equity acts in personam
- e) Equity looks to the intent rather than form
- f) He who comes to equity must do equity

Q.2 Define Trust. Evaluate the relevant provision of Indian Trust Act, 1882 in relation to the creation of valid trust of immovable property.

Q.3 Define 'Breach of Trust'. What are the liabilities of the trustee for breach of trust under the Indian Trust Act, 1882?

Q.4 Discuss the rights and liabilities of beneficiary under the Indian Trust Act, 1882 with the help of appropriate illustration.

Q.5 Discuss the provisions relating to disabilities of trustees under the Indian Trust Act, 1882.

Q.6 Write the provisions of relating to alienation of immovable property of a public trust under the Bombay Public Trust Act, 1950.

Q.7 "Charity Commissioner may suspend, remove or dismiss any trustee of a public trust". Elaborate the statement with reference to Bombay Public Trust Act, 1950.

Q.8 Critically evaluate the doctrine of 'Cypress'.

Q.9 Elaborate the procedure of registration of public trust explain under the Bombay Public Trust Act, 1950.

Q.10 Write a note on:

- a) Public Trust Administration Fund
- b) Charitable purpose

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B. A. LL. B. (5 Year Degree Course) Sem-VIII (2009 Course) :

WINTER - 2018

SUBJECT : PRACTICAL PAPER – II

Day : Wednesday
Date : 24/10/2018

W-2018-1483

Time : 10.00 AM TO 01.00 PM
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.
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SECTION – A

- Q.1** What is Pleading? Explain the fundamental rules of pleading and state it's form.
- Q.2** Draft a plaint in a suit for Partition of Joint Hindu Family Property.
- Q.3** Draft an Application for Maintenance under section 125 Criminal Procedure Code on behalf of wife and a minor son.
- Q.4** An NGO who is working on Environmental Problem in Pune district wants to file a PIL regarding Pollution of river water in a village due to establishment of a chemical factory. Draft a Writ Petition in the High Court of Bombay.
- Q.5** Draft a Caveat Application under section 148 A of Civil Procedure Code.

SECTION – B

- Q.6** Draft a Special Power of Attorney for Execution of sale deed.
- Q.7** Draft a Mortgage – Deed for Mr. Pranav who intends to mortgage his house property (to a Nationalised Bank) and secure loan from Bank to meet the educational expenses of his son.
- Q.8** Draft a Will for Mr. Anil in respect of his movable and immovable properties who want to give it to his two sons equally.
- Q.9** Draft a Deed of Gift for Smt. Nalini who wants to gift her bungalow and ornaments, bank balance to her grand son.
- Q.10** Prepare a draft of public notice in the news paper on behalf of an intending purchaser of a plot in a co-operative society for investigation of title and calling objections to the proposed sale.

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B. A. LL. B. (5 Year Degree Course) Sem-VIII (2009 Course) :
WINTER - 2018

SUBJECT : PRIVATE INTERNATIONAL LAW

Day : Monday
Date : 29/10/2018

W-2018-1485

Time : 10.00 AM TO 01.00 PM
Max. Marks : 80

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.
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Q.1 Write Short Notes on **ANY FOUR** of the following:

- a) Subject matter of private international law
- b) Lex Fori
- c) Exclusion of Foreign law
- d) Domicile of Married Women
- e) Validity of Marriage
- f) Matrimonial Causes

Q.2 Define Private international law. What is the nature and scope of it?

Q.3 Enumerate the various problems relating to the process of characterization.

Q.4 Explain the various theories of Renvoi and also state the problem of Double Renvoi.

Q.5 How foreign law is proved in the Court of Law? Highlight the role of Expert Witness in proving the foreign law.

Q.6 Write an essay on Domicile by origin and Domicile by Choice.

Q.7 What is the concept of assumed jurisdiction under the English Law?

Q.8 Explain the concept of marriage under the Indian and English law.

Q.9 Explain the application of private international law to the disputes relating to immoveable property.

Q.10 Elucidate the meaning and significance of incidental question.

B. A. LL. B. (5 Year Degree Course) Sem-VIII (2009 Course) : WINTER - 2018
SUBJECT: PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT AND
EASEMENT ACT

Day : Friday
Date : 26/10/2018

W-2018-1484

Time : 10.00 AM TO 01.00 PM
Max. Marks : 80.

N.B.:

- 1) Attempt any **SIX** questions in all including Q. No. **1** and Q. No. **10** which are **COMPULSORY**.
 - 2) Q. No. **1** carries **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) Hiba
- b) Death bed gift
- c) Tenancy at sufferance
- d) Doctrine of apportionment
- e) Part performance
- f) Doctrine of notice.

Q.2 Who are competent to transfer and what kind of properties may be transferred? State exceptions to it.

Q.3 Explain the rule in Cooper v. Cooper and how far it is applicable in India.

Q.4 Examine the scope of the Doctrine of Lis Pendens and its limits.

Q.5 Explain the rights and duties of seller and buyer before sale.

Q.6 Write a detailed note on 'Doctrine of Equity of redemption.'

Q.7 Mention the various rights and duties of a lessor and lessee.

Q.8 "Resumable gift are not allowed, but conditional gifts are allowed." Explain.

Q.9 Enumerate the instances and exceptions of an actionable claim with suitable examples.

Q.10 Explain incident of easements and state the remedies for disturbance of an easement right?

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