

B.B.A. LL.B. (5 Year Degree Course) SEM-VIII (2009 Course) :
WINTER - 2017

SUBJECT : OPTIONAL – IV: b) TRUSTS, EQUITY AND
FIDUCIARY RELATIONSHIP

Day : Wednesday
Date : 11/10/2017

W-2017-1132

Time : 02.30 PM TO 05.30 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 note on **ANY FOUR** of the following:
- a) Equity and Common Law
 - b) Equity Acts in Personam
 - c) Delay defeats equity
 - d) Exclusive jurisdiction of equity
 - e) Ubi jus ibi remedium
 - f) Equity will not suffer a wrong to be without remedy
- Q.2 “The duties of Trustee imply & absolute obligation to do or to abstain from doing a certain act”. Discuss the above statement under the Indian Trust Act, 1882 in the light of duties of trustees.
- Q.3 “It is said in the nature of the office of a trustee, whether express in the instruments of trust or not, that the trust property shall reimburse the charges & expenses incurred in the execution of trust”. Elaborate the statement with appropriate provisions of the Indian Trust Act, 1882.
- Q.4 “A beneficiary has as such no estate or interest in the subject matter under the Indian Trust Act, but has certain rights”. Discuss the rights of beneficiary under the Indian Trust Act, 1882.
- Q.5 “Valid trust once created is irrevocable by any subsequent act of the author of the trust”. Elaborate the above statement with the help of relevant provisions of the Indian Trust Act, 1882.
- Q.6 Is every public trust compulsory registerable under the Bombay Public Trust Act, 1950? Explain the procedure of registration of public trust under the said Act.
- Q.7 Define Public Trust. Discuss the provisions relating to suspension, removal and dismissal of trustee under the Bombay Public Trust Act, 1950.
- Q.8 Discuss the powers of the Charity Commissioner to act for the protection of charities in the light of relevant provisions of the Bombay Public Trust Act, 1950.
- Q.9 Explain the provisions relating to alienation of immovable property of public trust under the Bombay Public Trust Act, 1950.
- Q.10 Explain the following with respect to Bombay Public Trust Act, 1950
- a) Doctrine of cypress
 - b) Change report

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**B.B.A. LL.B. (5 YEAR DEGREE COURSE) SEM-VIII (2009
COURSE) : WINTER - 2017
SUBJECT : PRIVATE INTERNATIONAL LAW**

Day : Monday
Date : 09/10/2017

Time 02.30 PM TO 05.30 PM
Max. Marks : 80

W-2017-1130

N.B.

- 1) Attempt any **SIX** questions in all including Q.1 which is **COMPULSORY**.
- 2) **Q.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) Lex Loci Celebrationis
 - b) The role of expert witness in proving foreign law
 - c) Domicile theory of transfer of tangible movable
 - d) Formation of a contract governed by proper law
 - e) Classification of cause of action
 - f) Incidental question
- Q.2** Critically evaluate the doctrine of Total Renvoi with suitable case laws.
- Q.3** Explain the jurisdiction of courts regarding cases of guardianship of minor.
- Q.4** What is Private International Law? Evaluate its nature, scope and object?
- Q.5** How foreign law is proved in India and England? Who are the competent witness?
- Q.6** Write in detail the rules of Private International Law which work as the basis to decide matrimonial causes and adoption of children.
- Q.7** How are the causes of action and rules of private international law classified? Illustrate with case laws.
- Q.8** What is the basis of jurisdiction under the Brussels 1 Regulation of 2000?
- Q.9** Explain in detail the concept of domicile under Private International Law and explain the general rules governing domicile.
- Q.10** Distinguish between characterization on the basis of *lex causae* and *lex fori* with process of characterization.

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**B.B.A. LL.B. (5 YEAR DEGREE COURSE) SEM-VIII (2009
COURSE) : WINTER - 2017**

**SUBJECT: PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT AND
EASEMENT ACT**

Day : Friday
Date : 06/10/2017

Time : 02.30 PM TO 05.30 PM
Max. Marks : 80.

W-2017-1129

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.

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

- a) Rule against perpetuity
- b) Vested interest
- c) Doctrine of foreclosure
- d) Condition precedent
- e) Tenant at sufferance
- f) Actionable claim.

Q.2 State and explain the judicially recognized movable and immovable property with suitable examples.

Q.3 "Transferability is rule and non-transferability is an exception." Explain with suitable examples.

Q.4 What may constitute notice of a fact as per the provisions of the Transfer of Property Act? Discuss the different kinds of Notice.

Q.5 What are the rules to be followed in case of transfer to an unborn person?

Q.6 State and explain the concept of Doctrine of Part Performance.

Q.7 "The foundation of the Doctrine of Election is that a person taking the benefit of an instrument must also bear the burden." Discuss.

Q.8 What are the liabilities of a mortgagee in possession and what are his remedies when he fails to get possession?

Q.9 Write a note on 'Determination of lease.'

Q.10 Define 'Easement' and explain the grounds of extinction of easements.

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