

B.B.A. LL.B. (5 Year Degree Course) SEM-VIII (2009 Course) :
SUMMER - 2019

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

Day : Sunday
Date : 05/05/2019

S-2019-1606

Time : 02.00 PM TO 05.00 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 note on **ANY FOUR** of the following:
- a) Advantages gained by fiduciary
 - b) Equity will not suffer a wrong to be without a remedy
 - c) Delay defeats equity
 - d) He who comes into equity must come with clean hand
 - e) Equity and common law
 - f) Ubi jus ibi remedium
- Q.2** "It is a simple convergence of property to one upon trust for another without further specification or direction" Explain trust in the light of this statement. Distinguish private trust from public trust.
- Q.3** Elaborate the relevant provisions of the Indian Trust Act, 1882; under what circumstances a trustee can be discharge from his duties under the Indian Trust Act, 1882.
- Q.4** Elucidate the rights of the beneficiary under the Indian Trust Act, 1882 with the help of relevant provision of the Act.
- Q.5** Write a note on the following with reference to the Indian Trust Act,1882:
- a) Disability of trustees
 - b) Extinction of trust
- Q.6** Enumerate the provisions and procedure of Bombay Public Trust Act, 1950 regarding alienation of immovable property of a public trust.
- Q.7** Write down in detail the procedure for relating to the registration of public trust under the Bombay Public Trust Act, 1950. Is registration compulsory?
- Q.8** What is the Doctrine of Cypres? How has it been embodied in The Bombay Public Trust Act, 1950.
- Q.9** Discuss the needs of public trust and elaborate the term 'Charitable Purpose for which such trust is created. State in details the provision for creation of such trust under the Bombay Public Trust Act, 1950.
- Q.10** Write a note on the following with reference to the Bombay Public Trust Act,1950
- a) Public Trust Administration Fund
 - b) Wakf

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