

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

SUMMER - 2019

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

Day : Sunday

Date : 05/05/2019

S-2019-1710

Time : 10.00 AM TO 01.00 PM

Max. Marks : 80

N.B.:

- 1) Answer **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) Nature of equity
 - b) Equity and common law
 - c) Delay defeats equity
 - d) Equity looks to the interim rather than to the form
 - e) He who comes into equity must come with clean hand
 - f) Constructive trust
- Q.2** “A trust is created when the author of the trust indicates with reasonable certainty by any word or acts or intention of his parts to create thereby a trust.” Explain the provisions relating to the procedure for creation of trust under the Indian Trust Act, 1882.
- Q.3** “A beneficiary has as such no estate or interest in the subject matter under the Indian Trust Act but has certain rights.” Elaborate the rights and liabilities of the beneficiary with the help of relevant provisions of the Act.
- Q.4** “The duties of a trustee imply an absolute obligations to do or abstain from doing a certain act.” State the duties and liabilities of the trustee under the Indian Trust Act, 1882 in the light of appropriate illustrations.
- Q.5** State the powers and duties of trustee under the Bombay Public Trust Act, 1950 with reference to the appropriate illustrations.
- Q.6** What is fiduciary relationship? Give different example to discuss the fiduciary relationship.
- Q.7** Explain the powers and functions of Charity Commissioner with reference to the relevant provisions relating to the power of appointment, suspension and removal of trustee under the Bombay Public Trust Act, 1950.
- Q.8** “A registration of public trust is compulsory under the Bombay Public Trust Act, 1950.” Explain the provisions relating to the procedure for the registration of public trust under the Bombay Public Trust Act, 1950.
- Q.9** Critically examine the process of alienation of trust property under the Bombay Public Trust Act, 1950 with the help of appropriate provisions of the Act.
- Q.10** Write a note on **ANY TWO** of the following:
- a) Public Trust and Private Trust
 - b) Investment of trust money
 - c) Change report

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