

LL.B. (3 Year Degree Course) Sem-VI (CBCS - 2015 COURSE) :
WINTER - 2018
SUBJECT: LAW OF TRUSTS, EQUITY & FIDUCIARY RELATIONSHIP

Day : Thursday
Date : 25/10/2018

W-2018-1537

Time: 02.30 PM TO 05.30 PM
Max. Marks: 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 Define the concept of Trust. Elaborate the essential requirements for creation of valid trust according to the provisions of Indian Trust Act, 1882.

OR

Q.1 "Duties of trustee imply an absolute obligation to do or to abstain from doing a certain act." Explain the statement and explain the duties of trustee under Indian Trust Act, 1882.

Q.2 Mention briefly the procedure of registration of public trust with the help of relevant provisions of the Bombay Public Trust Act, 1950.

OR

Q.2 Elaborate the term 'order of surcharge' and investment of trust Money with reference to the Bombay Public Trust Act, 1950.

Q.3 Who can be a beneficiary? Critically examine the rights and liabilities of the beneficiary in the light of relevant provisions of the Indian Trust Act, 1882.

OR

Q.3 What is Fiduciary relationship? State the principles and exceptions of the fiduciary relationship with the help of different examples.

Q.4 It is said in the nature of the office of a trustee, whether expressed in the instruments of trust or not, that the trust property shall reimburse the charges and expenses incurred in the execution of trust'. Comment.

OR

Q.4 Discuss the powers of Charity Commissioners to suspend, remove, discharge of trustee under Bombay Public Trust Act, 1950.

Q.5 Write note on the following:
a) Jurisdiction of Equity
b) Equity follows the law

OR

Q.5 Write note on the following:
a) Equity will not suffer a wrong to be without a remedy
b) Ashby v. White

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