

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

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

Day : Wednesday  
Date : 31/10/2018

**W-2018-1390**

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

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**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 note on **ANY FOUR** of the following:
- a) Defect in common law
  - b) Constructive Trust
  - c) He who seeks equity must do equity
  - d) Equity will not suffer a wrong to be without a remedy
  - e) Fiduciary Relationship
  - f) Delay defeats equity
- Q.2** Enumerate the statutory provisions regarding exercise of rights and powers of trustees under the Indian Trust Act, 1882 and explain whether the trustee can be held disabled under this Act.
- Q.3** Mention in brief the provisions relating to the extinction of trust in the light of relevant provisions of 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) Three certainties of trust
  - b) Author of the trust
- Q.6** Elaborate the powers and duties of Assistant Charity Commissioner under the Bombay Public Trust Act, 1950.
- Q.7** 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.8** Explain the duties of trustees under Bombay Public Trust Act, 1950.
- Q.9** Critically examine the provisions relating to registration of public 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) Doctrine of Cypres
  - b) Change report