

**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.
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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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