

**LL.B. (3 Year Degree Course) SEM-IV (2009 Course) : WINTER
- 2017**

SUBJECT: OPTIONAL-IV – (b) TRUST, EQUITY AND FIDUCIARY RELATIONSHIP

Day : Wednesday
Date : 11/10/2017

W-2017-1287

Time: 10.00 AM TO 01.00 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 notes on any **FOUR** of the following:
- a) Equity and Common Law
 - b) Nature of Equity
 - c) Equity follows the law
 - d) Fiduciary relations
 - e) Ashby v. White
 - f) Exclusive jurisdiction of equity
- Q.2** Elaborate the essential requirements for creation of the valid trust according to the provision of the Public Trust Act, 1882 in the light of above statement.
- Q.3** Enumerate the statutory provisions regarding exercise of rights and powers of trustees with reference to the Indian Trust Act, 1882.
- Q.4** “Trustee may be discharged with or without intervention of the court with the procedure of the office of trustees is vacated” Explain the ways with reference to the Indian Trust Act, 1882.
- Q.5** “The beneficiary has as such no estate or interest in the subject matter under the Indian Trust Act, 1882 but has certain rights.” Discuss the above statement with the appropriate provisions of the Indian Trust Act, 1882.
- Q.6** “The term Cypres means as nearly as possible to that which has failed.” State the relevant provisions in the light of case laws under the Bombay Public Trust Act, 1950.
- Q.7** Elaborate the provisions of the Bombay Public Trust Act, 1950 regarding alienation of immovable property of a public trust.
- Q.8** “The Bombay Public Trust Act, 1950 contains provisions for the appointment of an officer called Charity Commissioner.” Discuss the powers of Charity Commissioner under the Bombay Public Trust Act, 1950.
- Q.9** Discuss the procedure available for the registration of Public Trust with the help of relevant provisions given under the Bombay Public Trust Act, 1950 in relation to registration of public trust.
- Q.10** Write a detail note on:
- a) Dharmada
 - b) Investment of Trust Property

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