

Total No. of Questions : 7]

SEAT No. :

P1300

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LL.B (Semester - I)

First Year of Three Years Law Course

TRUST, EQUITY & FIDUCIARY RELATIONSHIPS

(2003 Pattern)

Time : 3 Hours]

[Max. Marks : 100

Instructions to the candidates:

- 1) *All questions are compulsory.*
- 2) *Figures to the right indicate full marks.*

Q1) Give definition of the Trust under the Indian Trust Act, 1882. Mention the necessary constituents in the formation of Trust and explain them. **[15]**

OR

Explain the liability of a Trustee for breach of Trust under the Indian Trust Act, 1882.

Q2) Give the instances where obligations in the nature of the trust are created and explain them by giving suitable examples. **[15]**

OR

Discuss the provisions relating to revocation of trust. Support the answer with suitable illustrations regarding such revocation under the I.T. Act, 1882.

Q3) Discuss the 'doctrine of Advancement'. **[10]**

OR

In brief explain the mode of discharging the Trustee, under the I.T. Act, 1882.

Q4) Discuss the importance of 'Change' under the Bombay Public Trust Act, 1950. What are the necessary steps which the Trust shall take in reporting such Change to the office of the Charity Commissioner? **[15]**

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OR

State the powers, duties and functions to be performed by the Charity Commissioner under the B.P.T.Act.1950.

Q5) Write notes on (any four): **[20]**

- a) Order of surcharge.
- b) Public Trust created by will.
- c) Offences and penalties
- d) Cy-Pres.
- e) Alienation of Trust property.
- f) Math.

Q6) Discuss the importance of equity in your own words. How it has its impact and apparently visible under the Indian legal system? **[15]**

OR

Write notes on--

- a) Equity acts in personam.
- b) Seeking equity demands equity.
- c) Equality is equity.

Q7) Discuss the term "fiduciary Relationship". Also discuss the principles governing such fiduciary relations. **[10]**

OR

"Fiduciary relation is the leading factor in every profession and legal profession is not an exception to this". Comment and support with relevant illustrations.

