

9645

B.A. LL.B. (Hons.) 5 Year Course 8th Semester/

LL.B. (Hons) 3 Year Course 4th Semester

Examination, May-2018

EQUITY & TRUST

Paper-805

Time allowed : 3 hours]

[Maximum marks : 80

Note: Attempt Four questions from Unit I to IV each question carries 14 marks. Unit V is compulsory and each part of it carries 3 marks.

Unit-I

1. Briefly define "Equity" in view of its origin and growth in England. Also discuss the relation of English common law courts with equity courts till the enactment of the Judicature Act, 1873-75.

or

2. Discuss Remedies and procedure of equity courts.
3. "He who comes to equity must come with clean hands." Discuss.

or

4. "Where equities are equal, the first in time shall prevail." Discuss.

Unit-III

5. Define trust and how it can be created, what are the disabilities of trustees under the Indian Trusts Act.

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or

6. Define trust and discuss the different kinds of trust under the Indian trust Act 1882.

Unit-IV

7. What are the rights of the beneficiary under the Indian Trust Act? What can he do where the trustee has mixed the trust property and trust funds with his own.

or

8. Under what circumstances a trustee can be discharged from his duties under the Indian Trust Act? Elaborate in detail.

Unit-V

9. Write Short Notes on:
- (a) Executed and Executory trust.
 - (b) Simple and Special trust
 - (c) Author of the trust
 - (d) Equitable rights
 - (e) Fiduciary relation
 - (f) Extinction of trust
 - (g) Delay defeats Equity
 - (h) Equality is equity