LL.B. Sixth Semester (Five Year Degree Course) Examination (Pattern 2008-2009)

LAW OF TRUST

(Law Relating to Trust, Equity and Fiduciary Relationships)

(40060)

Paper—IV

Time : Three Hours] [Maximum Marks : 100

Note : (1) Solve in all, **SEVEN** questions including Question No. 1 which is compulsory and carries 16 marks.

(2) All other questions carry 14 marks each.

1. Write short notes on (Any **FOUR**) :

   (a) Lawful purpose

   (b) Fiduciary relations

   (c) Disabilities of trustees

   (d) Extinction of Trust

   (e) Beneficial interest

   (f) Public Trust.

2. Trace the development of Law of Trust. Distinguish 'Trust' from 'Contract'.

3. Explain the different circumstances when the Cypres doctrine is applied.

4. What are the statutory powers of Trustees ?

5. Enumerate the various rights of a beneficiary under the Indian Trust Act.

6. When can new trustees be appointed and by whom ? Discuss.

7. Discuss the powers of Charity Commissioner under the Bombay Public Trust Act, 1950, with respect to inspection and supervision of Public Trust.

8. What are the rights of a trustee to reimburse himself for any expenses incurred by him in the management of the trust property ?

9. Explain the following maxims :

   (a) Ubi jus ibi remedium

   (b) He who seeks equity must do equity.

10. What are the obligations in the nature of a trust ? Discuss their distinguishing features in relation to express trusts.

11. What are the liabilities of a beneficiary in case of a breach of trust ?

12. Explain the meaning of the maxim Delegatus non potest delegare'. How far has this rule been recognised by the Indian Trust Act ?