



‘समानो मन्त्रः समितिः समानी’

UNIVERSITY OF NORTH BENGAL

B.A./BBA/B.Com. LL.B. Honours 9th Semester Examination, 2023

EQUITY AND TRUSTS

PAPER CODE: EC07

Time Allotted: 3 Hours

Full Marks: 100

The figures in the margin indicate full marks.

Answer Question Number 7 and any *four* questions from the rest

1. “Right to equality has an inbuilt concept of equity which leads to justice” —In this context discuss the nature, meaning and the growth of equity with the help of the Constitution of India and relevant provisions and cases. 20
2. “Equity law emerged to rectify the rigour of Common Law” — with the help of the statement explain the origin and development of Equity Law in England. Along with this also trace the concept of equity in Indian Legal System. 20
3. Elaborately discuss whether the law of equity developed as a result of the defects of Common Law or it was already ingrained in the principles of Natural law. Support your answer with the help of analysing the status of existing Legal Systems. 20
4. What do you understand by Maxims? Elaborately discuss the following Maxims with suitable cases and illustrations: 4+4+4+4+4
(a) Equity will not suffer a wrong to be without a remedy.
(b) Delay defeats Equity.
(c) He who comes to Equity must come with clean hands.
(d) Equity looks to the intent rather than to the form.
5. Trusts have been classified into many kinds from different points of view. In this light discuss the significance of Trust and the classification and kinds of Trusts with suitable case laws and illustrations. 6+14
6. Who are beneficiaries? Discuss the rights and liabilities of beneficiaries with the help of suitable cases. 20
7. Write short notes on any *four* of the following: 5×4 = 20
(a) Difference between Trust and Mortgage
(b) Difference between Common Law and Equity
(c) Extinction of Trust
(d) Concurrent Jurisdiction
(e) Charitable Trust
(f) Equity acts in personam.

—x—