West Bengal Judicial Service (Mains) 2020

Principles of Equity including Law of Trust and Specific Relief · optional paper

Time: 3 hours · Full marks: 100

Group A: answer all questions

1. (a) What do you understand by equity?
(b) Explain principle of equity in context to improvements made by bonafide holders under defective titles. (8+12=20)

2. Write a note on rights and powers of trustees under the Indian Trusts Act, 1882. (15)

3. Write a note on the rights and liabilities of the beneficiary under the Indian Trusts Act, 1882. (15)

Group B: answer all questions

4. (a) Explain "qui prior est tempore potior est jure".
(b) Explain "aequitas est correctio legis generaliter latae, qua parte deficit". (10+10=20)

5. Explain doctrine of part-performance as an equitable doctrine. (15)

6. (a) What is specific relief?
(b) What do you understand by temporary, perpetual and mandatory injunctions? (3+12=15)