

Total number of printed pages-4

19 (SEM-VI) ET 6.5 (O)

2025

EQUITY AND TRUST

Paper : 6.5 (OP₆)

(Old Course)

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Choose the correct answer : $1 \times 10 = 10$
- (a) The term equity means equalization or levelling. (True/False)
- (b) Equity follows the principles/rules of _____
(Natural Justice/ Common Law Courts)
- (c) Prior to 1877 there were two systems of courts namely Chancery Courts and Common Law Courts. (True/False)

(d) Delay defeats equity demands _____.
(vigilance/ command)

(e) _____ (Aristotle/ Blackstone/ Lord Notingham) is known as the father of modern system of equity in England.

(f) Equity is the soul and spirit of law.
(True/ False)

(g) There are _____ maxims of equity.
(12/ 13)

(h) The Author needs to be competent.
(True/ False)

(i) The Trustee can use his discretion in _____ (simple/ special) form of Trust.

(j) Co-trustee have joint and several liability.
(True/ False)

2. Write notes on : 2×5=10

(a) *Ubi jus ibi remedium*

(b) Delay defeats equity

(c) Equity follows the law

(d) Executed and Executory Trust

(e) Liability of Co-trustees

3. Give an account of the historical evolution of Equity Jurisdiction in India. 12

OR

Discuss how equity has been adopted in the Indian Legal System.

4. "Equity will not suffer a wrong to be without a remedy" — Explain. 12

OR

What do you mean by *ubi jus ibi remedium*? Explain how this maxim is adopted for violation of equitable right.

5. "Equity looks at the intent rather to the form" — Explain how this maxim is adopted under various laws. 12

OR

Write short notes on : 6+6=12

(i) Equity looks at that as done which ought to have been done

(ii) Where equities are equal the first in time shall prevail

6. What is Trust? What are the essentials of creating a trust? Discuss in the light of rules of certainties. 12

OR

Discuss the various classifications of Trust.

7. Who are co-trustees? What is the extent of liabilities of co-trustees? Discuss the non-liabilities of trustees. 12

OR

Write notes on : 6+6=12

- (i) Duties of Trustee
 - (ii) Rights of Trustee
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