

**Shri Rawatpura Sarkar University,
Raipur**



Examination Scheme & Syllabus

for

B.A.-L.L.B.

Semester-VII

(Effective from the session: 2019-20)



Faculty of Law, Shri Rawatpura Sarkar University, Raipur

B.A.-L.L.B.

Semester-VII

Examination Scheme

(Effective from the session: 2019-20)

| S. N | Name of Subject | Paper Code | Th/Pr | Type of Paper | Teaching hours per week | | | | Examination Scheme | | | | Total Marks | |
|------------------------------------|--|------------|-------|---------------|-------------------------|---|---|----|--------------------|----|---------------|----|--------------------|--|
| | | | | | L | T | P | TC | Theory | | Practical | | | |
| | | | | | | | | | EX | IN | EX | IN | | |
| 1 | Family law -I | BALLB 701 | Th | Core | 3 | 1 | | 4 | 70 | 30 | | | 100 | |
| 2 | Family Law-II | BALLB 702 | Th | Core | 3 | 1 | | 4 | 70 | 30 | | | 100 | |
| 3 | Administrative Law ,Right to Information Act | BALLB 703 | Th | Core | 3 | 1 | | 4 | 70 | 30 | | | 100 | |
| 4 | Professional ethics and accountancy | BALLB 704 | Th | Core | 3 | 1 | | 4 | 70 | 30 | | | 100 | |
| 5 | Law of Equity and Indian Trust act | BALLB 705 | Th | Core | 3 | 1 | | 4 | 70 | 30 | | | 100 | |
| Total contact hrs. per week | | | | | 20 | | | | Total | | Credit | | Grand Total | |
| | | | | | 20 | | | | 500 | | | | | |



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| Course Title | Family law -I | | | | |
| Course Code | BALLB701 | | | | |
| Course Credits | L | T | P | TC | |
| | 3 | 1 | | 4 | |
| Prerequisites | Introduction about Family Law - i.e. Hindu Law | | | | |
| Course objectives | The objective of the paper is to apprise the students with the law relating to family matters applicable to different communities in India. The syllabus concerns itself with the sources, schools, institutions, succession, maintenance, menance of dowry etc. | | | | |
| Course Contents | <p style="text-align: center;">UNIT-I</p> <p>Nature, Origin, Sources, Applicability and General Principles of Inheritance Nature and origin of Hindu Law, applicability of Hindu Law sources of Hindu Law - Smritis and their commentaries, custom, legislation, judicial decision, equity, justice and good conscience as a source, general principle of inheritance (prior to Hindu Succession Act 1956) in Mitakshara Law and Dayabhaga, School and difference between Mitakshara and Dayabhaga succession and the Hindu Marriage Act 1955. (doctrine of representation & spessuccession is).</p> <p style="text-align: center;">UNIT-II</p> <p>Schools, Joint Hindu Family, Coparcenary adoption and provisions of Hindu Adoption and Maintenance Act 1956.</p> <p>School of Hindu Law - Mitakshara and Dayabhaga and their sub-schools, difference between the Mitakshara and Dayabhaga school, comparison between them, Migration and the school of law.</p> <p>Joint Hindu Family - Origin, Growth, Nature and Constitution, members of J.H.F and property of J.H.F.</p> <p>Coparcenary - its nature, distinction between J.H.F. and coparcenary, rights of coparcener, Karta, his powers and duties, alienation of property comparison between Mitakshara and Dayabhaga Law, Debts-</p> | | | | |



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its liability to pay, nature and duration of liability, doctrine of pious obligation and antecedent debt, Bengal rule of Dayabhaga law, rule of Damdupat

UNIT-III

Adoption–

Object, form and requirement of valid adoption. Persons whom may lawfully take in adoption, adoption by widow under authority from his husband, nature and form of authority, general rules as to adoption by widows, and termination of widow's power to adopt, persons lawfully capable of giving in adoption & persons whom may be lawfully taken in adoption only son, orphan, stranger, adoption by two persons, simultaneous result and effect of adoption, right of adoption in property, maintenance under Hindu Law and provisions of Hindu Adoption and Maintenance, Act 1956, and changes made by this Act.

Partitions, Stridhan, Women's Estate, Gift & Hindu Succession Act 1956.-

Partition person entitled to partition, property liable to partition. Allotment of shares, final shares, reopening of partition and reunion, points of similarity and distinction Mitakshara and Dayabhaga, partial partition, its effect.

Stridhan: its meaning, kinds, special feature and characteristics, enumeration of stridhan, rights of a woman over her stridhan, general rule of succession common to all schools, succession to stridhan under Mitakshara and Dayabhaga schools, maiden's property.

UNIT-IV

Women's Estate-its meaning, nature and sources. Incidents of widow's estate, power of alienation, reversion, compromise, surrender and setting aside.

Unauthorized alienation and effect of Hindu Succession Act 1956.

Gift-

its definition under T.P. and Hindu law, its subject matter, essential of valid gift, restriction and revocation, 'donatio mortis causa' and gift to trust and Provision of Hindu Succession Act 1956.

Wills in impartible estate, religious and charitable endowments and H.M. Act 1955 & H.M. & G. Act 1956:



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| | <p>Wills- Its definition, person capable of wills, property as a subject matter of wills under mitakshara and Dayabhaga law, revocation and alteration of wills, . Bequest to unborn person when it is void? Rules against perpetuity, latter of administration and probate.</p> <p>Impartible estate- its definition, origin and nature, rules of succession and separation of impartible estate.</p> <p>Religious and charitable endowment- Essential of endowment, kinds- idol, math, devasthanam, and Dharmashala, Mahant, Hindu Marriage Act 1955 & Hindu and Minority & Guardianship Act 1956.</p> <p>Some codified laws relating to Hindu</p> <p>Special Marriage Act 1954 (Whole Act)</p> <p>Dowry Prohibition Act 1981 (Whole Act)</p> <p>Family Courts Act 1984 (Whole Act)</p> <p style="text-align: center;">UNIT-V</p> <p>LEADING CASES:</p> <p>1-Kisan Lal V. State (2000) ISCC 310.</p> <p>2. Rameshwari Devi V. State of Bihar AIR 2000 SC 735 (739).</p> <p>3. Balwant Kaur V. Chaman Singh AIR 2000 SC 1908-12.</p> <p>4. Digamber Adhar Patel V. Dev Rani Girdhari Patel AIR (1995) SC, 1728.</p> |
| Course outcomes | <p>Demonstrate knowledge of the legal and procedural structure of Family Law-I</p> <ul style="list-style-type: none">• To make them understand the terminology relating to Family Law-I• To analyze concept and sources of family law-I |
| Text Books | <p>1:- R.K. Agrawal-Hindu Law, C.L.A., Allahabad</p> <p>2:- Paras Diwan-Modern Hindu Law (Universal)</p> |
| Reference Books | <p>1-Paras Diwan-Law of intestate and testamentary succession (1998), Universal</p> |



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| Course Title | Family Law -II | | | | |
| Course Code | BALLB702 | | | | |
| Course Credits | L | T | P | TC | |
| | 3 | 1 | | 4 | |
| Prerequisites | Introduction of Family Law II, i.e Muslim Law. | | | | |
| Course objectives | <ul style="list-style-type: none"> The knowledge of family laws is important for lawyers. This course is designed to endow the students with the knowledge of both the codified and uncodified portions of Mohammedan law. | | | | |
| Course Contents | <p style="text-align: center;">UNIT-I</p> <p>History, Origin Development Sources:</p> <p>Historical background of Islamic law - its origin and comparison with other personal laws. Who is Muslim? Prophet and his companion, his tradition, development of Muslim law.</p> <p>Sources of Muslim law - Primary sources - Quran, Hadis, Ijma, Kyas, secondary sources - custom, judicial decision, legislation, comparison with sources of Hindu law.</p> <p>School of Muslim Law:</p> <p>Schools (section and sub-section) of Muslim law - Sunni School - Hanafi, Maliki, Shafi and Hanbali, Shia School and their sub-sections, difference between both Shia and Sunni on important matters. Effect of conversion to Islam and Apostasy.</p> <p style="text-align: center;">UNIT-II</p> <p>Marriage & Dower (Mehr):</p> <p>Marriage (Nikah) - Its object and nature, requisite and condition for valid marriage. Effect of incapacity absolute, relative and declaratory, kind of marriage, option of puberty. Restitution of conjugal rights in marriage, diff</p> | | | | |



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| | <p>erencebetweenShia&Sunnilawandmarriage.</p> <p>Dower(Mehr)- Definition,nature&classificationofdowerlawofshiasectondowe r,confirmationofdower,remissionofdower,non- paymentofdowereffectofapostacyonmehriabilitiesofheirfordowe er,dowerasadebt.widowsrightsincaseofnon- paymentofdower,Kharchi-i-pandan,&Mehr-i-misl</p> <p>Divorce:</p> <p>Divorce(Talaq)- Quranicprovisionsregardingtalaqkind,nature,classificationand effectofdivorceontheparties,apostacyandconversionasgroundof divorce,Iddatutilityitsratianaleandutilitydivorcethroughagre mentorbymutualconsentKhula,Mubarat,Ila&Zihar,Lian;Effectoffa lsechargesofadulatory.Tolaq-i- Tafwid,Fask(Anulmentofmarriagebycourt)provisionofdissoluti onofMuslimmarriageAct.1939.LegalEffectofDivorce,Differenc ebetweenshia&SunniLawonDivorce.</p> <p>Parentage,Legitimacy&Acknowledgement</p> <p>Parantage- Maternityandpaternity.Howitisestablished?Legitimacyandackn owledgement,acknowledgementasaproofOflegitimacyprescripti onoflegitimacyconditionofvalidacknowledgementanditseffects .PositionofadoptioninMuslimLaw?Acomparisionbetweenackno wledgementandadoption.</p> <p style="text-align: center;">UNIT-III</p> <p>GuardianshipandMaintenance:</p> <p>Guardianship(Vilaya)-ConceptofguardianshipinIslam. Appointmentofguardian.Theirkindsageofmajority,disqualificationofg uardian,guardianshipofproperty.Powerofguardiantodesposeoftopu rchaseandtoalienatetheimmovablepropertyoftheminer.</p> <p>Maintenance(Nafaqa)-</p> |
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| | <p>Introduction, definition and quantum regarding maintenance, Person entitled to maintenance. Relevant provision of Muslim women (Protection of Right to Divorce) Act 1986.</p> <p>Succession, Administration & Inheritance:</p> <p>Succession-General rule of succession and exclusion from succession.</p> <p>Administration-</p> <p>Administration of the estate of a deceased. Provision of Indian Succession Act 1925.</p> <p>Inheritance-</p> <p>General rule of Inheritance (Sunni & Shia) Position of birthright and heritable property. Principle of renunciation and transfer of chance of succession (specific succession) vested inheritance classification of heirs- sharer, residuary and distant kindred. Their share and distribution of property. Doctrine of increase (Aul) Return (Radd) and position of rules relating to (Shia & Sunni) illegitimate child, missing person, acknowledged kinsman, universal legatee & successor by contact of testator and childless widow.</p> <p style="text-align: center;">UNIT-IV</p> <p>Wills- Person capable of making wills, its forms, position of heir on wills, limit of testamentary power, abatement and lapse of legacy, subject of legacy, position of unborn person in wills, various kinds of bequest i.e. bequest in future, contingent and conditional alienation, revocation of bequest, its types, position of probate and letter of administration in case of Muslim wills.</p> <p>Marzul Maut, Hiba, Waqf and Pre-emption:</p> <p>Marzul maut-</p> <p>Deathbed gift, its condition for validity acknowledgement of debt at death-bed. Hiba (gift)-</p> <p>Definition, capacity of making gift extent of donor's powers. Gift to unborn person, gift with intent to defraud creditor, position of gifts i.e. -</p> |
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| | <p>gift of actionable claim and incorporeal property, gift of equity of redemption, gift of property held adversely to donor, requisite for gift and essential of gift (declaration, acceptance & delivery of possession), Gift of movable and immovable and corporeal & property and incorporeal property and actionable claim, gift in family and out of family, gift to ailee to two are more donee: Mushaa, conditional & contingent gift, gift in future, revocation of gift, Gift with exchange (Hiba-bil-iwaz) Hibh-bashart uli waz, sadaqah areeat.</p> <p>Waqf-</p> <p>Definition, object and subject of waqf, condition for valid waqf, doctrine of fcy-press. Form and kind of waqf, waqf how completed? Revocation of waqf, contingent waqf, waqf al daulat, alienation of waqf property, muttawalli-</p> <p>his appointment power and function & renewal and provision of waqf act 1995, Khanqah, imambara, sajjadan ashirkazi, takiya.</p> <p>Pre-emption- its nature and kind, whom may claim it, its requisite and condition.</p> <p style="text-align: center;">UNIT-V</p> <p>.1. Kapoor Chand v. Kedarunnisa (AIR 1953 S.C. 413)</p> <p>2. Janjira Khatoon v. Mohd. Fakrulla (AIR 1922 Cal 429)</p> <p>3. Habibur Rahman v. Atafali (AIR 1922 PC 159)</p> <p>4. Maina Bibi v. Chawdhari Vakil Ahme... 673 (PC) (AIR 1925 PC 63)</p> <p>5. Ms. Jordan Diegdeh v. S.S. Chopra (AIR 1985 SC 935).</p> |
| <p>Course outcomes</p> | <ul style="list-style-type: none"> • After completion of this course students will be able;- • To understand Muslim Law in Depth • To apply various provisions under Muslim Law and other Laws. • To demonstrate provisions of divorce, maintenance, custody under family law -II |
| <p>Text Books</p> | <ul style="list-style-type: none"> • Syed Khalid Rashid- Muslim law- EBCLucknow (Hindi English) • Mulla's- Principles of Mohammedan law, Tripathi |



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| Reference Books | <ul style="list-style-type: none">• PARS DIWAN -PRINCIPLES OF MOHAMMADAN LAW, EDITION 4(HINDI, ENGLISH) |
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| Course Title | Administrative Law and Right to Information | | | |
| Course Code | BALLB703 | | | |
| Course Credits | L | T | P | TC |
| | 3 | 1 | | 4 |
| Prerequisites | Introduction of Administrative Law, and Right to Information | | | |
| Course objectives | The objective of this paper is to focus on laws regarding Administrative principles of both the codified and uncodified laws of administrative | | | |
| Course Contents | <p>UNIT-I</p> <p style="text-align: center;">Introduction of administrative law, administrative process, discretion and direction:</p> <p>Meaning, nature, history and function of administrative law, sources of administrative law, its origin and scope, reasons for its growth, its historical development in England, America and India, administrative law and constitutional law, droit administratif... and council, D. Etate, constitutional foundation of administrative law, the rule of law, its meaning, supremacy of regular laws and equality before the laws, doctrine of separation of powers, its meaning and its position in U.K., U.S.A. & India.</p> <p>Administrative Process- Nature of administrative process, and its classification, legislative, judicial, quasi-judicial and pure executive action, their characteristics and difference among them.</p> <p>Administrative Discretion- Meaning, nature and criteria, its use or principle applicable for its use, need for administrative discretion, limit on exercise of discretion, mala fide exercise of discretion acting under dictation, constitutional imperative... and use of discretionary authority, non-application of mind, unreasonableness and standard of reasonableness, taking irrelevant consideration or not taking into consideration among relevant matter, non-exercise of discretionary powers, administrative arbitrariness and bias. Procedural safeguards for use of discretion.</p> <p>Administrative Direction- its use and classification, its unenforceability.</p> <p>UNIT-II Delegated legislation, Administrative adjudication & Tribunal</p> <p>Delegated legislation, its historical background and function, reasons for its growth, need for delegation of administrative power, kinds of delegated legislation, sub-delegated legislation and conditional legislation, constitutionality of delegated legislation in Britain and India, Re Delhi Laws Act, Power of exclusion and inclusion and power to modify statutes, essential</p> | | | |



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| | <p>gislative functions, requirement for the validity of delegated legislation.</p> <p>Judicial control of delegated legislation- Doctrines of ultra vires, its kinds, substantive and procedural grounds for its applicability, consultation, subdelegation, publication, administrative directions, circular legislative or parliamentary control on delegated legislation, laying procedure, policy statement, committee on delegated legislation and hearing before it, subdelegation & powers, guidelines for it, and control of subdelegation, administrative adjudication and tribunals, reasons for proliferation of administrative tribunals, functional approach characteristics and features of administrative tribunals, Basic difference between a court and tribunals, position of tribunals in India, CAT's purpose, establishment and composition, jurisdiction, power and authorities, aspects of tribunal practice and administrative procedure, procedure before the enquiry or hearing, procedure at the tribunal hearing and procedure after tribunal hearing, Frank Committee report, Administrative Tribunal Act 1985, administrative tribunals and appeal, judicial review and finality of the tribunal decision, reopening of tribunal proceedings, rule of res judicata, Administrative tribunals in India.</p> <p>UNIT-III Judicial Control of Administrative Action and Natural Justice</p> <p>Power of the High Court, writ jurisdiction of High Court under article 226, limitation of jurisdiction, territorial limit, general limitations, Locus standi, non-existence of alternative remedies, acquiescence, doctrine of legitimate expectation, doctrine of public accountability, doctrine of proportionality, grounds and condition for writs and orders, mandamus, certiorari prohibition, Quo warrants, Habeous corpus, nature of relief practice and procedure, power of supreme court under Art 32, role of natural justice on administrative law- principles of natural justice, (1) No man shall be a judge in his own cause or if he has any bias (Pecuniary personal & official) against a party or any interest in subject matter of the enquiry (2) Audi Alteram Partem - "Hear the other side and limit of judicial review (3) The party must be known the reasons for the decisions, the use of principle of natural justice in disciplinary process and exclusion & violation of principles of natural justice and its effect.</p> <p>UNIT-IV</p> <p>State Liability for Wrongs Act & Commission of Inquiry & Corporate:</p> <p>Liabilities for torts, distinction between sovereign and commercial functions, constitutional provisions in this regard, act of state and statutory immunities, contractual liability of Govt., Government privilege in legal proceedings, state secrets, public interest, transparency and right to information, estoppel and waiver.</p> <p>Remedies against administrative acts, constitutional remedies writs</p> |
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| | <p>tinjunctions,itsnatureandtypes,distinctionbetweeninjunctionand mandamus,suitfordeclaration,itsconditionandnature,suitsforda mages.</p> <p>Publicenquiryandcommissionofenquiry,generalenquiryunderser vicerules,procedureindisciplinaryactionandProvisionsofcommis sionofenquiryact1952,and</p> <p>Corporation:Corporations,itskindsandcharacteristics,itsclassif ication,legalandconstitutionalprovisions&theirresponsibilitiesi ncontractandintort,positionoftheiremployeewhethertheyarecivil servants?controloncorporation,legislativecontrol,judicialcontro l,governmentalcontrolandpubliccontrols.</p> <p>UNIT-V-</p> <p>Ombudsman,Vigilancecommission&RighttoInformationAct Ombudsman,itsdevelopmentinNewzealand,BritainandAustralia, PositionofOmbudsmaninIndia,LokpalandLokayuktandtheirposit ion,PublicInterestlitigationsitsnatureandimportanceinDemocrac y.Centralvigilancecommissionsitspowersandfunctions</p> <p>RighttoInformationAct,2005- Introduction,RighttoInformationandVoluntaryOrganization,Rig httoInformationintheForeignCountries,RequestforRighttoInfor mation,Constitution,RightsandObligationsoftheInformationAge ncies,ProcedureofDisposalofApplicationsandComplaintsbyState CommissionswithspecialreferencetoSection18,19and20ofRightt oInformationAct2005.</p> <p>:leadingcases</p> <ol style="list-style-type: none"> 1. A.K.Karipakv.UnionofIndia(AIR1970SC150) 2. BharatBankLtd.v.EmployeesofBharatBank(AIR 1970,SC188) 3. RegistrarCo- operativesocietiesv.Kunjabamuandother(AIR1980,SC350) 4. HiraNathMishrav.Principal,RajendraMedicalCo llege,Rachi(AIR1973SC1260) 5. BhagatRaja,UnionofIndia(AIR1967SC1606) 6. KasturilalRaliaRamv.StateofU.P.(AIR1965SC1039) |
| <p>Course outcomes</p> | <ul style="list-style-type: none"> • After completion of this course student will be able to learn and understand means ofAdministrative Law and laws relating to Right to Information |
| <p>Text Book</p> | <ol style="list-style-type: none"> 1. JainandJain-PrinciplesofAdministrativelaw,Tripathi(1986). 2. Wade-Administrativelaw(IndianRep.)UniversalDelhi. 3. J.C.Garner-Administrativelaw,Butherworth(1990) 4. D.D.Basu-ComparativeAdministrativelaw(PrenticeHall). |



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| Reference Book | <ol style="list-style-type: none">1. D.R.Saxena-Ombudsman,Deep&DeepDelhi.2. TusharkantiSaha-Adminstrativelaw-KanishkPublication,NewDelhi.3. V.G.Ramchandran-Administrativelaw,EasternBookCo.,Lucknow.4. Foulkes-IntroductiontoAdministrativelaw,Butterworth. |
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| Course Title | Professional Ethics and Accountancy | | | | |
| Course Code | BALLB704 | | | | |
| Course Credits | L | T | P | TC | |
| | 3 | 1 | | 4 | |
| Prerequisites | Introduction of Professional ethics and Accountancy | | | | |
| Course objectives | <ul style="list-style-type: none"> The objective of this paper is to focus on basic orientation of students to legal studies from the point of view of basic concepts of Law and Legal system, and to gain the practical knowledge from professional ethics and Accountancy | | | | |
| Course Contents | <p>UNIT-I GENESIS NATURE AND EVOLUTION OF INDIAN BAR</p> <p>a) Evolution of Indian Bar- Regulating Act 1773. Bengal Regulation of 1793. and The Legal Practitioners Act 1846.</p> <p>b) The Legal Practitioners Act 1853 and the legal practitioners Act 1879.</p> <p>c) The Bar Councils Act 1926 and The Report of the All India Bar Committee 1953.</p> <p>d) History and circumstances before the passing of the Advocate Act 1961.</p> <p>UNIT-II SOURCES & SANCTIONS OF PROFESSIONAL ETHICS & MISCONDUCTS</p> <p>a) Sources of Rules of Professional Ethics- Judicial and extra Judicial sanctions and advantages of study of professional ethics.</p> <p>b) Lawyers misconduct- Professional and others.</p> <p>c) Equipment of Advocate Reverence for the law learning public service, brotherhood organization. Love for professional ideals.</p> <p>d) Independence and integrity of The Bench and the Bar.</p> <p>UNIT-III PRIVILEGES, RIGHTS, POWERS AND DISABILITIES OF LEGAL PRACTITIONERS</p> <p>a) Right and duties of Advocates</p> <p>b) Privileges of Advocate</p> | | | | |



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| | <p>c) Powers of Legal practitioners d) Disabilities of legal practitioners</p> <p>UNIT-IV</p> <p style="text-align: center;">ADVOCATES AND THEIR RELATION WITH OTHERS IN THE LIGHT OF B.C.I. RULES 1976</p> <p>a) Advocate and the Court. b) Advocates relation with his opponent and with his client. c) Advocates relation with his colleagues and witnesses d) Advocates and the public and other employment and Advocates</p> <p>UNIT-V</p> <p style="text-align: center;">ADVOCATE ACT, CODE OF ETHICS AND CONTEMPT OF COURT</p> <p>a) Indian Advocates Act, 1961. b) The contempt law & practice- Indian contempt of court Act 1976. c) Other statutory provisions relating to contempt in IP C, Cr.P. C and CPC. d) Supreme Court on professional misconduct- Important cases.</p> |
| Course outcomes | <ul style="list-style-type: none"> • After completion of this course student will be able to learn and develop a comparative understanding of the different legal system, to develop students critical interest in reform of the law. |
| Text Book | <ol style="list-style-type: none"> 1. C.L. Anand- Professional Ethics of the Bar (Law Book Co., S.P. Marg Allahabad). 2. V.G. Ramchandran's- Contempt of Court EBC, Lucknow. 3. The Bar Council Code of Ethics and Indian Advocate Act 1961. |
| Reference Book | <ol style="list-style-type: none"> 1. Indian Contempt of Court Act 1996. 2. M. Krishnamurthy- Advocacy 3. AVROM Sherr- Advocacy, Universal Book Traders, 80, Gokhale Market, Delhi. |



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| Course Title | Law of Trust and Equity | | | |
| Course Code | BALLB705 | | | |
| Course Credits | L | T | P | TC |
| | 3 | 1 | | 4 |
| Prerequisites | Introduction of Law of Trust and Equity | | | |
| Course Objectives | The objective of this paper is to focus on basic orientation of students to legal studies from the point of view of basic concepts of Act related to trust and Equity | | | |



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| Course Contents | <p style="text-align: right;">Concept of</p> <p>Equity, Principles of Equity, Nature and Scope of Equity, Equity under the Roman, English and Indian Legal System. Origin and Growth of Equity in England- Origin of Equitable Jurisdiction, Procedure in Equity.</p> <p>Unit-II Division of Equity Jurisdiction- Exclusive Concurrent and Auxiliary Jurisdiction Equity and the Common Law- Distinctive Features of Equity and Common Law, Relation of Equity with Common Law, Fusion of the Administration of Equity and Common Law, The Judicature Act, 1873-1875, Object and Effect of the Judicature Act</p> <p>Unit-III Maxims of Equity. Nature of Equitable Rights and Interest, Classification of Equitable Rights, Penalties and Forfeitures, Mortgages, Liens and Charges, Married Women, Guardians, Infants, Idiots and Lunatics, Conversion and Re-conversion, Election, Performance Satisfaction and Ademption, Administration of Assets, Mistake, Misrepresentation, Fraud and Undue Influence, Accident, Set-off, Equitable Assignments and Equitable Estoppels.</p> <p style="text-align: center;">PART-B</p> <p>Unit-IV INDIAN TRUST ACT, 1882 Historical Background- Importance of Trust, Origin and Development of Trust under Roman Law, English Law and Indian Law. Definition of Trust and Comparison with other Analogous Relations, Kinds of Trusts, Public or Charitable Trust, Doctrine of Cypres, Creation of Trust, The Appointment and Discharge of Trustees, The Duties and Liabilities of Trustees, The Rights and Powers of Trustees, Disabilities of Trustees, Rights and Liabilities of Beneficiaries, Vacating the Office of Trustee, Extinction of Trust, Certain Obligations in the Nature of Trust.</p> <p>Unit-V:-<u>LEADING CASES:</u></p> <ul style="list-style-type: none"> • Deoki Nandan Vs. Murlidhar and Others AIR 1957 S.C. 133. • Jankiram Ayyar Vs. Neelkanth Ayyar, AIR 1962 S.C. 536. • Shyamlal Yadu Rao Bhau Vs. Yesha Ram Lodku Pavan AIR 1954 Nag. 334 • Satyanarayan Vs. G. Velloji Rao AIR 1965 S.C. 1465 |
| Course outcomes | After completion of this course student will be able to learn and develop a comparative understanding of the different legal systems, to develop student's critical interest in reform of the law. |
| Text Book | 1-Snell Principles of Equity 2-S. T. Desai Indian Trust Act 3-G.P. Singh Equity, Trust and Specific Relief |



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| Reference Book | 1-AqilAhmed- Equity,TrustwithFiduciaryRelationsandSpecificRelief Act 2- BasantiLalBabel - Equity,TrustandSpecificReliefAct(InHindi) 3- SuryanarayanIyer -IndianTrustAct |
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