

Roll No.

Time allowed : 3 hours

Maximum marks : 100

Total number of questions : 6

Total number of printed pages : 4

NOTE : Answer **ALL** Questions.

1. (a) Illuminate the consequence of a civil suit in the following independent situations :
 - (i) Defendant has not appeared on the day fixed and the case not been adjourned.
 - (ii) It was found that summons was not served to defendant for the day so fixed for appearance.
 - (iii) Neither the plaintiff nor the defendant appears before the court on the day so fixed.
 - (iv) The defendant appears and does not admit claim partly or wholly, but the plaintiff does not appear.
 - (v) The defendant appears and admits claim partly or wholly, but the plaintiff does not appear.
- (b) Discuss the guidelines for use of particular words and phrases in the conveyancing.
- (c) “No revision where right to appeal exists”. Comment and state when revision may be treated as an appeal ?
- (d) Illustrate the exceptions to the general rule of pleadings that pleading must state material facts only.

(5 marks each)

Attempt all parts of either Q. No. 2 or Q. No. 2A

2. Write notes on the following :

- (a) Conditions to be kept in mind while drafting a Sale Deed.
- (b) Underwriting and Brokerage Agreement.
- (c) Latent Deed and Special Warranty Deed.
- (d) Engrossment and Stamping of a Deed.

(4 marks each)

OR (Alternate question to Q. No. 2)

- 2A. (i) Illustrate, whether stamp duty and registration of a gift deed is compulsory ?
- (ii) Illustrate the provisions of appeal from orders of a tribunal under the Companies Act, 2013.
- (iii) “Tribunals are a part of the executive branch of the government which are assigned with the powers and duties to act in judicial capacity for settlement of disputes.” Comment and name any *four* of such tribunals along with the aim of formation.
- (iv) Draft a specimen plaint of a suit for the arrears of rent. Assume facts.

(4 marks each)

Attempt all parts of either Q. No. 3 or Q. No. 3A

3. (a) A Power of Attorney (POA) is executed in West Bengal and stamped amount of ₹ 100/- as per stamp duty of the State, now the POA is to be sent to Bihar, where stamp duty is ₹ 150/-. Comment on the validity of POA.

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- (b) Draft a specimen notice of a board meeting. Assume facts.
- (c) Draft a Special Leave Petition to the Supreme Court of India against NCLT decision of liquidation of your company. If required, assume other facts.
- (d) Illustrate rule of adverse inference.

(4 marks each)

OR (Alternate question to Q. No. 3)

- 3A.** (i) Explain Indenture and Cyrographum in relation of a deed.
(4 marks)
- (ii) Mention the practical aspects while drafting resolutions both for board and general meeting.
(4 marks)
- (iii) Draft a specimen notice in newspaper for postponement of AGM.
(4 marks)
- (iv) Comment on applicability of Secretarial Standard (SS) under the following circumstances :
- (a) One Person Company (OPC) default in filing financial statements u/s 137 and annual return u/s 92 of the Companies Act, 2013.
- (b) Private Company having two directors, default in submitting financial statements u/s 137 and annual return u/s 92 of the said Act.
- (c) Entity u/s 8 of the Companies Act, 2013, default in filing financial statement u/s 137 of the said Act.
- (d) Entity u/s 8 of the Companies Act, 2013, default in filing annual return u/s 92 of the said Act.

(1 mark each)

4. (a) A trust is created for two purposes, of which one is lawful and another unlawful, two purposes cannot be separated, what will be the consequences ? What would be your answer, if two purposes can be separated ?
- (b) Mention usual important conditions of debenture trust deed. Is debenture trust deed resisterable ?
- (c) “An arbitrator is not bound by the strict rules of evidence of court of law”. Comment and state the methods of arbitration in the light of this statement.
- (d) Draft a deed of Dissolution of partnership.
- (4 marks each)
5. (a) What is Promissory Note and parties thereto ? What are essentials of a Promissory Note ? Draft a specimen promissory note.
- (6 marks)
- (b) “Family arrangements are governed by a special equitable principles peculiar to themselves”. Comment in light of *Kale v. Dy. Director of Consolidation, AIR 1976 SC 807* and elucidate the essentials for a family settlement ? When a family settlement can be enforced ?
- (6 marks)
- (c) Mention the points which will cover a legal opinion.
- (4 marks)
6. (a) Draft a deed of redemption or re-conveyance of mortgage property by the mortgagee in favour of the mortgagor.
- (6 marks)
- (b) Draft a speciman deed of assignment of business debts.
- (6 marks)
- (c) Explain the right to legal representation of a Company Secretary under the Competition Act, 2002 and Real Estate (*Regulation and Development*) Act, 2016.
- (4 marks)