

PAPER – IV
LAW OF TRUST, EQUITY AND FIDUCIARY RELATION
(Optional Paper)
(Paper Code : K-405)

The course shall comprise of the following :

History, nature and principles of Equity—Emergence of law of trust from Equity—
The making of Indian Law of Trust and provisions of law of Trust—Religious Trusts—
Principles of Equity and Equitable Remedies, Equitable Relief in different branches of
law with special reference to property law.

(1) Equity

- (a) Nature of Equity, (b) History of Courts of Equity, (c) Relations of law of Equity,
(d) The maxims of equity, (e) Different Equitable remedies.

(2) Trust & Fiduciary Relations :

- (a) Essentials of Trust
- (b) Fiduciary Relationship— Concept, kinds *vis-a-vis* Trusteeship
- (c) Trust and contract, Power, condition, charge and personal obligations—
distinguished
- (d) Classification of Trust and its importance
- (e) Private Trusts
- (f) Public Trusts
- (g) Appointments, Retirement and removal of Trustee
- (h) Rights, Power, Discretion and control of Trustees
- (i) Duties of trustee in relation to :
 - (i) Trust property; and (ii) Beneficiary
- (j) The Administration of Trust
- (k) Liability for Breach of Trust
- (l) Rights and Remedies of the Beneficiary
- (m) Constructive Trusts.

BOOKS RECOMMENDED

- Ahmad Aquil, *Equity, Trusts and Specific Relief.*
- Desai S.T., *Equity, Trusts and Specific Relief.*
- Hansbury & Mousley, *Modern Equity.*
- Jhabwala N.H, *Elements of Equity, Trusts and Specific Relief.*
- Rao GCV Subha, *Equity, Trust and Fiduciary Relation.*
- Singh G.P., *Principles of Equity.*
- Snell, *Principles of Equity.*
- Tondon M.P., *Principles of Equity and Trusts.*