

International Islamic University Chittagong

Department of Law

Mid Term Examination, Spring 2024

Program: LL.B. (Hons), Semester: 6th

Course Code: Law-3204

Course Title: Law of Specific Relief, Limitation, Registration, Public Demand Recovery

Time: 1 Hour 30 Minutes

Total Marks: 30

Answer the following questions. Start answering each question from a fresh sheet.

1. (a) "Different types of Specific Relief can be provided in different ways."-- Is it correct? Justify your answer. (4)
 - (b) *Jalil* owned and possessed a piece of land by way of inheritance since the death of his father. Kamal, a local notorious land grabber dispossessed *Jalil* from the land on the plea that he had just purchased it from Uncle of *Jalil*. *Jalil*'s uncle disagrees with the statement of Kamal. Now *Jalil* wants to file a suit and seeks some legal advices from you. You are an Advocate, give him some legal advices. (6)
 2. (a) "Not everyone can obtain the decree of Specific Performance of a contract."- Do you think so? Justify your answer. (6)
 - (b) Shameem contracts to sell to Munir an estate with a house and garden for a 10 Lakh Taka. The garden is important for the enjoyment of the house. It turns out that Shameem is unable to convey the garden. Munir wants to perform the contract without refusing it. But Shameem now refuses to perform it. Munir comes to you for legal advice. As a legal practitioner, give Munir some legal advices. (4)
 3. (a) Illiterate Shahed had three Pieces of land at plots no. 5533, 5534 and 5535. Shahed sold the plot of 5534 to Halim. Halim, with the help of deed writer, fraudulently included the land of 5533, 5535 plots along with plot of 5534 while executing the Title deed. The deed is registered after that. Halim later gifted land of 5533 plots to his elder brother Haffez and sold land of 5535 plot to Zahoor Ali. Neither Haffez nor Zahoor Ali knew about Halim's deception. When Haffez and Zahoor Ali went to take possession of the land, the fraud was revealed. In this situation, Shahed filed a suit under section 31 of The Specific Relief Act, 1877 to rectify the title deed and to remove plot number 5533 and 5535 from the title deed. Explain the Legal consequences of this suit. (6)
 - (b) Compare between the concepts of Rescission and Cancellation. (4)
- OR,**
- (a) Compare between the concepts of Temporary and Perpetual Injunction. (3)
 - (b) The City Corporation has taken initiative to make footpath beside the public road. The public road is in front of the house of Arman. This initiative may cause narrowing the yard of His house. Now, Arman wants to file a suit for injunction to stop that work. Discuss the legal consequence of such suit. (4)
 - (c) Explain the provision regarding Injunction to perform negative agreement. (3)