

**GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR**

**Course: Clinical- 1 (Drafting, Pleading and Conveyancing)
Semester-IX (Batch: 2016-21)**

End Semester Online Examination: December 2020

Date: 13th December, 2020

Duration: 8 hours

Max. Marks: 40

Instructions:

- The respective marks for each question are indicated in-line.
- Indicate correct question numbers in front of the answer.
- No questions or clarification can be sought during the exam period, answer as it is, giving reason, if any.

Q.1 Answer any TWO

Marks

(8x2=

16)

- a) An oil mill is being run in front of your client's house for all the 24 hours. The residents of the locality find that the din is intolerable and the noise is so great that they cannot sleep well at night. During the day also the locality is not quiet because of the mill. Your client feels the nuisance because he is nearest to the mill. He instructs you to lodge a complaint in the Court of the Magistrate praying that he should take suitable action.

Draft a complaint to that effect on behalf of your client. You are free to assume any facts necessary to make the complaint complete in all its details, including the designation of the Court in which the complaint is to be lodged.

- b) Draft a specimen agreement of sale of a house property.
c) List the broad outlines that should be followed while drafting a 'Will'. Draft a specimen 'Will'.

Q.2 Facts

(12)

- a) A license agreement was entered into between the plaintiff and defendant in respect of premises belonging to the plaintiff.

The agreement provided that the licensor (The plaintiff) could terminate the license at any time by giving a 3 months' notice in writing to the licensee [The defendant].

In spite of such a notice having been sent, the defendant has not vacated the premises and the plaintiff now seeks for possession.

Draft the Civil Suit.

- b) Draft the Written Statement for the above Plaintiff

Q.3

- a) **A** borrows Rs 5,00,000 from **B**, and it is agreed that **A** shall repay the amount with interest to **B** on the 1st of January 2019. As security for the debt, **A** transfers the house to **B** on condition that **B** will retransfer if **A** tenders the mortgage-money on 1st January 2019. **A** tenders the mortgage-money on the due date, but **B** refuses

(12)

to accept it alleging that more is due to him and also refuses to transfer the house to A.

A intends to sue B for redemption of the mortgage.

Draft the petition

- b) On the other hand, if A fails to repay the mortgage-money to B on the due date, what is the remedy available to B and what will be the impact of the said action?
