

SHRI HARI EDUCATIONAL TRUST

ST. ROCK'S DEGREE COLLEGE OF LAW

(Affiliated to Mumbai University)

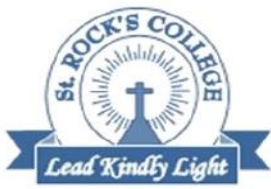
Borivali (W), Mumbai- 400 092. E mail ID: strockscollegeoflaw@gmail.com

Criteria – 1

Curricular Aspects

1.2. Academic Flexibility

1.2.1. Number of elective/options courses offered by the institution during followed during last five years




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1.2.1. (2) Syllabus of Bankruptcy with the approval of BOS and Academic Council as elective paper

University of Mumbai



No. UG/13 of 2019-20

CIRCULAR-

Attention of the Principals of the affiliated Colleges in Humanities Faculty is invited to this office Circulars Nos. (1) UG/107 of 2018-19, dated 24th August, 2018 relating to the Manual with the rules and regulations and schemes and procedures of LL.B. (3 years) and (B.L.S., LL.B.) (5 Years) (CBCS) (2) **वै. ३३४/१९** of २०१८-१९ dated 21st September, 2018 relating to the LL.B. (3 Years) and (B.L.S., LL.B.) (5 Years) (CBCS) (60:40) programmes.

They are hereby informed that the after issued above mentioned circular subsequently was stayed by the Hon'ble High Court for the Academic Year 2018-19 **वै. ३३४/१९** Order dated 29th October, 2018, which was communicated **वै. ३३४/१९** Circular No. UG/124/2018-19 dated 12th November, 2018.

They are informed that the resolution passed by the Board of Deans at its meeting held on 5th September, 2018 **वै. ३३४/१९** item No. 51 have been accepted by the Academic Council at its meeting held on 08th September, 2018 **वै. ३३४/१९** item No. 4.20 for the same.

Thereafter, resolution was passed by the Board of Studies in Law at its meeting held on 11th February, 2019 regarding implementation of CBCS system for the Three years LL.B. and Five Years B.L.S., LL.B. programmes from the academic year 2019-20, subsequently taken note by the Academic Council at its meeting held on 15th April, 2019 **वै. ३३४/१९** item No. 8.2 accordingly. (The same is available on the University's website www.mu.ac.in).

All the concerned are requested to kindly note the same.

MUMBAI - 400 032
20th May, 2019

To


The Principals of the affiliated Colleges and Directors of the recognized Institutions in Humanities Faculty, (Circular No.UG/334 of 2017-18 dated 9th January, 2018.)


वै. ३३४/१९/२०१९


No. UG/ 13 -A of 2019-20 MUMBAI-400 032 20th May, 2019


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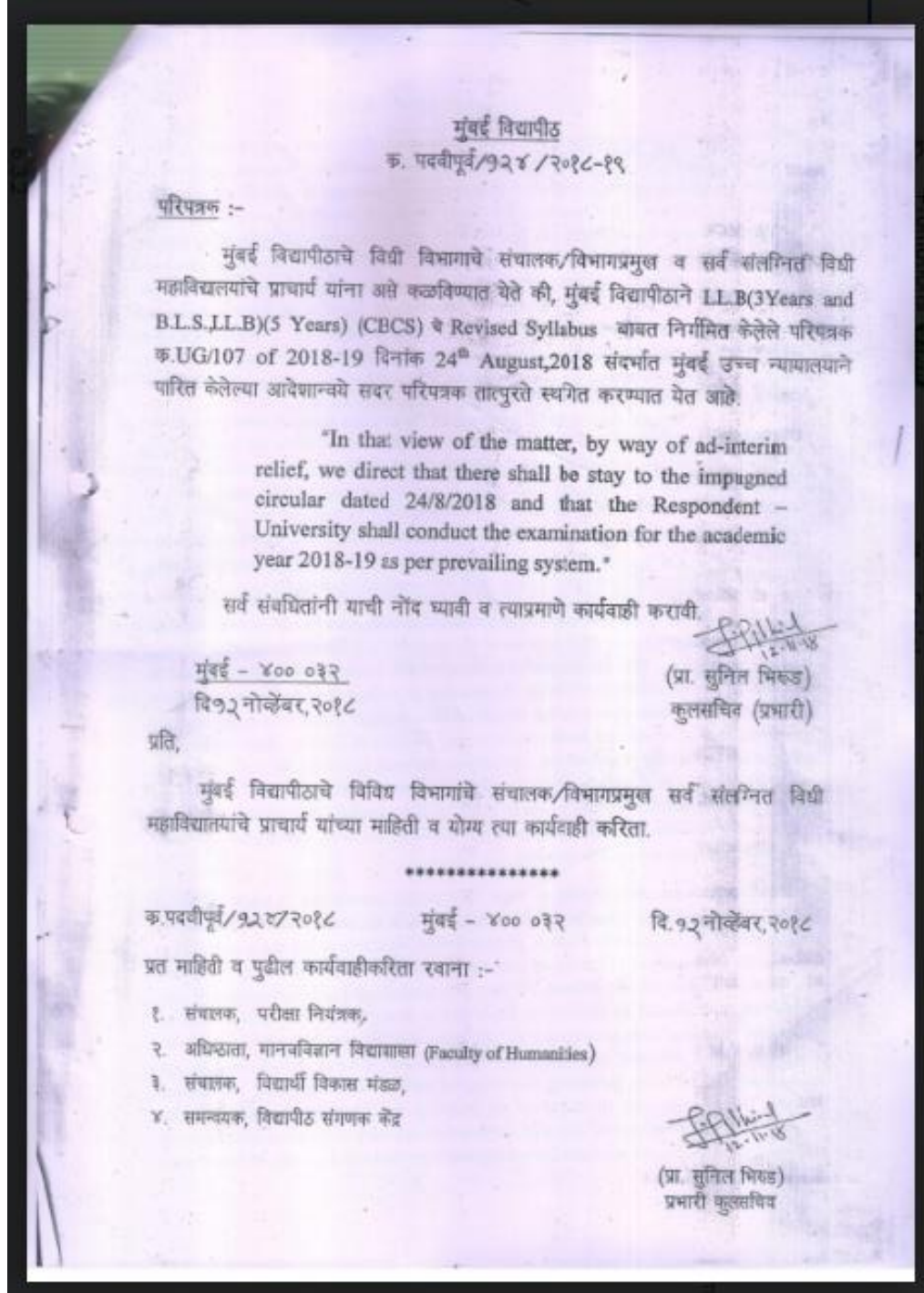
- 1) The Ic Dean, Faculty of Humanities,
- 2) The Chairman, Board of Studies in Law,
- 3) The Director, Board of Examinations and Evaluation,
- 4) The Co-ordinator, University Computerization Centre,


(Dr. Ajay Deshmukh)
REGISTRAR


(Dr. Ajay Deshmukh)
REGISTRAR


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MUMBAI- 400 092





Revised

मुंबई विद्यापीठ
क पदवीपूर्व/११७/२०१८-१९

परिपत्रक :-

प्रशासनिक अधिकाऱ्यांच्या आदेशानुसार मुंबई विद्यापीठाचे विधी विभागाचे संचालक/ विभागप्रमुख सर्व संलग्नित विधी महाविद्यालयांचे प्राचार्य यांना असे सुचित करण्यात येते की, मुंबई विद्यापीठाने निर्गमित केलेले परिपत्रक क्रमांक No.UG/107 of 2018-19 दिनांक 24th August, 2018 नुसार राजविषयात येणारा LL.B. (3 Years) and (B.L.S., LL.B.) (5 Years) (CBCS) (60:40) अभ्यासक्रमाच्या शिक्षायांना सन २०१८-१९ (Odd Sem.) मध्ये होणाऱ्या अंतर्गत परिक्षांचे Project and other Activities ४० गुणांची Internal Assessment महाविद्यालयांस सादर करण्याची मुदत पुढील आदेश मिळेपर्यंत वाढविण्यात येत आहे. याची कृपया नोंव घ्यावी. तसेच सदर बाब या अध्यासक्रमाच्या परिश्लेष प्रकिष्ठ सर्व विद्यालयांच्या निदर्शनांस आणावी, ही विनंती.

सदर परिपत्रक मुंबई विद्यापीठाच्या (www.mu.ac.in) वा संकेत स्थळावर उपलब्ध करण्यात आलेले आहे.

मुंबई - ४०० ०३२
दि २१ सप्टेंबर, २०१८

Shilpa
21.9.18
कुलसचिव (प्रभारी)
मुंबई विद्यापीठ

प्रति,
मुंबई विद्यापीठाचे विविध विभागांचे संचालक/ विभागप्रमुख सर्व संलग्नित विधी महाविद्यालयांचे प्राचार्य यांच्या माहिती व योग्य त्या कार्यवाही करिता.

क मुंबई/११७/१९/२०१८ मुंबई - ४०० ०३२ दि २१ सप्टेंबर, २०१८

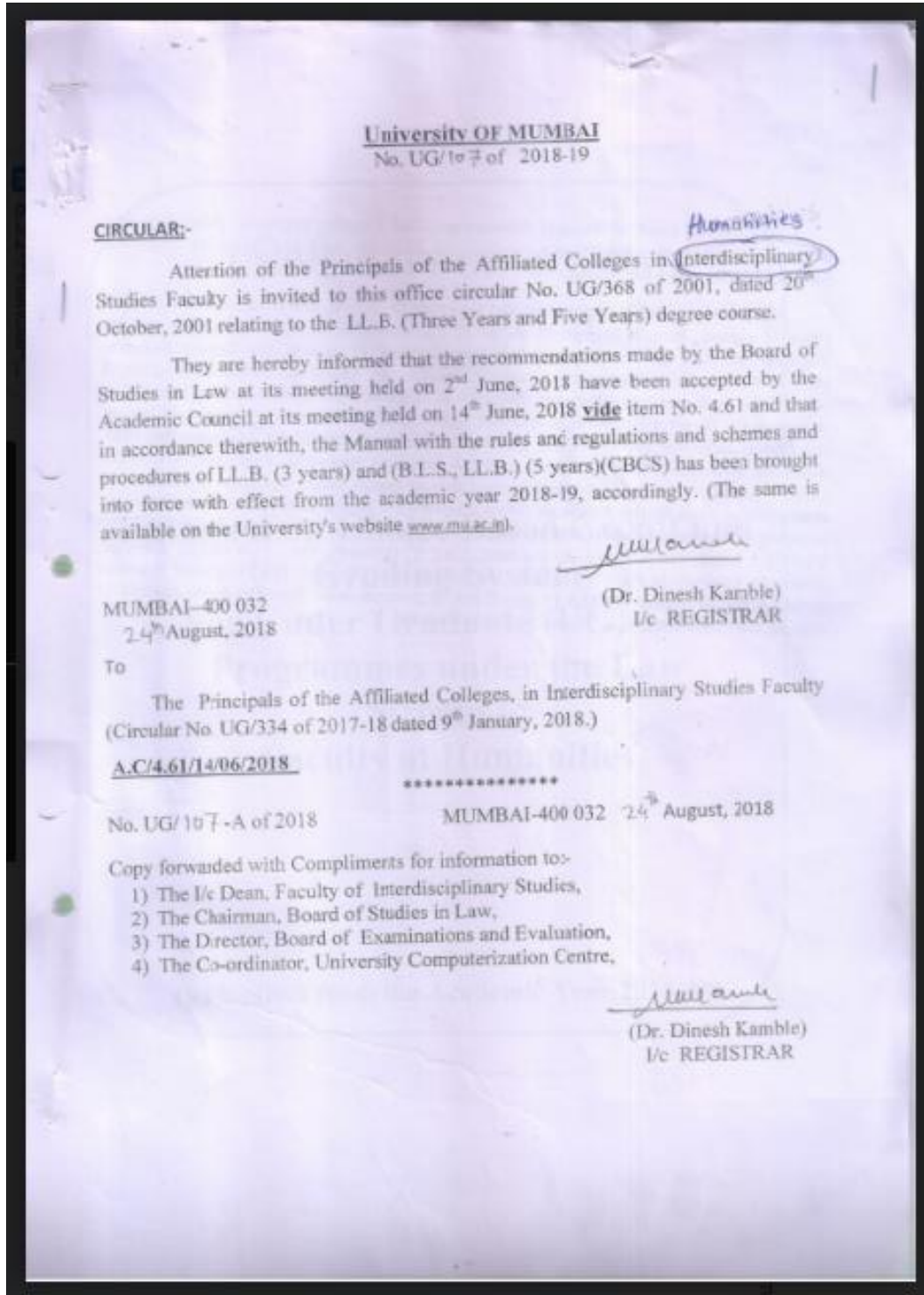
प्रत माहिती व पुढील कार्यवाहीकरिता रवाना :-

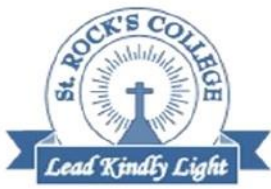
१. संचालक, परिसरा व मुक्त्यमान मंडळ, महात्मा ज्योतिबा फुले भवन, मुंबई विद्यापीठ, क्वालिना परिसर, सांताक्रुझ, मुंबई - ४०० ०९८.
२. अधिष्ठाता, मानवविज्ञान विद्याशाखा (Faculty of Humanities) मुंबई विद्यापीठ फोर्ट, मुंबई - ४०० ०३२

Shilpa
21.9.18
कुलसचिव (प्रभारी)
मुंबई विद्यापीठ
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Shilpa







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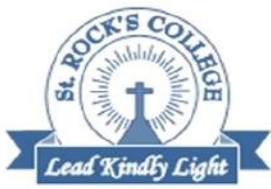
University of Mumbai

**Manual on Choice Based Credit and Grading System
For Under Graduate (UG) Law Programmes under the Law
Stream in Faculty of Humanities with effect from the Academic
Year 2018-19**

Manual on Semester Based Credit and Grading System implemented
in
University of Mumbai
....., 2018



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6.3.3 Electives Subjects Group

Unless and until further changed, modified or amended either on the recommendation of the U.G.C. or Regulatory Authority or the State Government or the University of Mumbai the Elective Group shall comprise of:

6.3.3 Part-I for Semester IV of the 3 yrs and Semester VIII of the 5 yrs programmes

- Criminology
- Taxation
- Bankruptcy

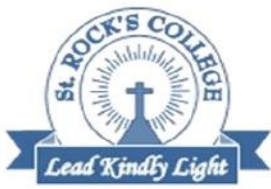
6.3.3 Part-II for Semester VI of the 3 yrs and Semester X of the 5 yrs programmes

- Banking Law and Negotiable Instruments Act
- Law of Insurance
- Intellectual Property Law
- Conflict of Law

- Law relating to Women and Children
- Law and Medicine



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3. BANKRUPTCY LAWS

1. Introductory

- 1.1. The concept : inability to pay debt
- 1.2. Comparative perspectives
 - 1.2.1. England : Insolvency Act, Bankruptcy Act
 - 1.2.2. United States of America
- 1.3 India : concurrent jurisdiction the central and state legislation.

2 Insolvency jurisdiction

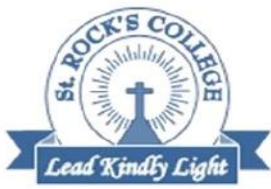
- 2.1 Courts
- 2.2 Powers of court

3 Acts of Insolvency

- 3.1 Transfer of property to a third person for benefit of creditors generally
- 3.2 Transfer with intent to defeat creditors
- 3.3 Fraudulent preferences in transfer of property
- 3.4 Absconding with intent to defeat the creditors



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- 3.5 Sale of property in execution of decree of court
- 3.6 Adjudication of insolvent
- 3.7 Notice to creditors about suspension of payment of debt.
- 3.8 Imprisonment in execution of a decree of a court
- 3.9 Notice by creditor.

4 Insolvency petition

- 4.1 By creditor
- 4.2 By debtor
- 4.3 Contents of the petition
- 4.4 Admission
- 4.5 Procedure

5 Appointment of interim receiver

6 Interim proceedings against the debtor

7 Duties of Debtors

8 Release of debtor

9 Procedure at hearing

10 Dismissal of petition filed by a creditor

11 Order of adjudication

- 11.1 Effect
- 11.2 Publication of order

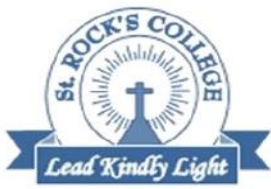
12 Proceedings, consequent on order of adjudication

- 12.1 Protection order from arrest or detension
- 12.2 Power to arrest after adjudication per attempt abscond
- 12.3 Schedule of creditors
- 12.4 Burden of creditors to prove the debt.

13. Annulment of adjudication



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11.2 Publication of order

12 Proceedings, consequent on order of adjudication

- 12.1 Protection order from arrest or detension
- 12.2 Power to arrest after adjudication per attempt abscond
- 12.3 Schedule of creditors
- 12.4 Burden of creditors to prove the debt.

13. Annulment of adjudication

- 13.1. Power annul
- 13.2. Effect
- 13.3. Failure to apply for discharge

14. Post adjudicatory scheme for satisfaction of the debt

15. Discharge of debtor

16. Effect of insolvency on antecedent transaction

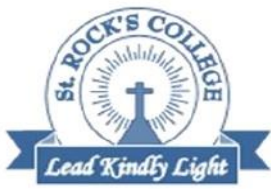
- 16.1. On rights of creditor under execution
- 16.2. Duties of court executing decree on the property taken in execution
- 16.3. Avoidance of voluntary transfer
- 16.4. Avoidance of preference

17. Realization or property

- 17.1. Appointment of receiver
 - 17.1.1. Duties and powers
 - 17.1.2. Appeal against receiver



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18. **Distribution of property**
 - 18.1. Priority of debts
 - 18.2. Dividends
19. **Offences by debtors**
20. **Disqualification of insolvent**
21. **Appeal**
22. **Indigent persons**
 - 22.1 Suit by indigent persons
23. **Chapter XI (Bankruptcy Law of USA)**

Recommended Readings:

The Provincial Insolvency Act 1920.
Insolvency Acts of various States
Halisbury's Laws of England, Vol. 3(2) on Bankruptcy and Insolvency (1989)
Henry R. Cheesman, Business Laws Ch. 28(1998), Prentice Hall, New Jersey
C.K.Thakker, Code of Civil Procedure (2000) Eastern, Lucknow
Aryar S.K. Law of Bankruptcy (1998), Universal, Delhi.



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