

**Third Semester LL.B. Three Years Course (C.B.S.) Examination**

**TRANSFER OF PROPERTY**

**Compulsory Paper-4**

Time : Three Hours]

[Maximum Marks : 80

**N.B. :-** (1) All Sections are compulsory.

(2) Section A carries **10** marks. Section B carries **30** marks and Section C carries **40** marks.

(3) Follow the instructions given in each Section.

**SECTION-A**

**(Multiple Choice Questions)**

**Note :-** This Section consists of **ONE** question having sub-questions carrying **1** mark each.

1. Attempt any **TEN** of the following :

- (i) When transfer is made to an unborn person, he should be given \_\_\_\_\_.
  - (a) Absolute estate
  - (b) Life estate
  - (c) Limited estate
  - (d) All of the above
- (ii) According to Section 3 of Transfer of Property Act, 1882, standing timber is \_\_\_\_\_.
  - (a) Immovable property
  - (b) Movable property
  - (c) Intangible property
  - (d) None of the above
- (iii) Actionable claim is basically a claim to \_\_\_\_\_.
  - (a) Interest
  - (b) Secured debt
  - (c) Unsecured debt
  - (d) Vested interest
- (iv) Transfer by ostensible owner is \_\_\_\_\_.
  - (a) Void
  - (b) Null
  - (c) Void ab initio
  - (d) Voidable
- (v) Conditional transfer may be made under \_\_\_\_\_.
  - (a) Section 25
  - (b) Section 26
  - (c) Section 27
  - (d) Section 24 of the Act

- (vi) Transfer lis pendens \_\_\_\_\_.
- (a) annuls the transfer
  - (b) does not annul it, but makes it subservient to result of the suit
  - (c) is voidable
  - (d) is void
- (vii) A simple mortgage is that \_\_\_\_\_.
- (a) Which is made by a notarised deed
  - (b) Which is made by a registered deed without transferring possession
  - (c) Which is made for an unspecified time
  - (d) Which is made for a specified time
- (viii) A mortgagor may exercise his right of redemption \_\_\_\_\_.
- (a) by filing a suit therefor
  - (b) by satisfying the debt outside the Court
  - (c) by depositing the amount in the Court
  - (d) by tendering the amount through notice to the mortgagee
- (ix) In the absence of a contract, a lease of immovable property for agricultural or manufacturing purposes shall be deemed \_\_\_\_\_.
- (a) to be a lease from year to year
  - (b) to be a lease from month to month
  - (c) to be a lease for five years
  - (d) to be a lease in perpetuity
- (x) Section 114–A of the Transfer of Property Act \_\_\_\_\_.
- (a) applies to condition against assignment
  - (b) does not apply to condition against sub-letting
  - (c) applies to condition against parting with possession
  - (d) also applies to condition against disposing of property

- (xi) A right to future maintenance \_\_\_\_\_.
- (a) Can be transferred with conditions
  - (b) Can not be transferred
  - (c) Can be transferred under certain circumstances
  - (d) All the above
- (xii) A charge is the security for the payment of \_\_\_\_\_.
- (a) Debt
  - (b) Money
  - (c) Any liability
  - (d) Performance of obligations
- (xiii) An easement is \_\_\_\_\_.
- (a) A right in re-aliena
  - (b) A right in re-propria
  - (c) A right in rem
  - (d) (a) & (c) only
- (xiv) Onerous Gift is dealt in Sec. \_\_\_\_\_ of T.P. Act.
- (a) 125
  - (b) 126
  - (c) 127
  - (d) 128
- (xv) Customary Easement may be acquired by virtue of \_\_\_\_\_.
- (a) A local custom
  - (b) By prescription
  - (c) By religion
  - (d) All the above

1×10=10

**SECTION-B**  
**(Short Answer Questions)**

**Note :-** Both the questions in this Section are compulsory.

2. Write short notes on (any **THREE**) :

- (a) Right of Redemption
- (b) Universal Donee
- (c) Fraudulent Transfer
- (d) Doctrine of Election

5×3=15

3. Attempt any **THREE** questions out of the following :

(a) What are the essentials of valid Gift ?

(b) What is Subrogation ?

(c) Write notes on :

(i) Part performance

(ii) Onerous Gift.

(d) What are the effects of alteration of easement ?

5×3=15

### SECTION–C

#### (Long Answer Questions)

**Note** :– Attempt any **FIVE** questions out of the following. Each question carries **8** marks.

4. Define the term ‘sale’. Discuss the rights and liabilities of seller of an immovable property.

5. Explain the term ‘mortgage’ in detail along with the different types of mortgages under T.P. Act, 1882.

6. Define the term ‘exchange’ in detail.

7. Explain, how a transfer of property can be made for the benefit of an unborn person.

8. Write a detailed note on ‘Gift’.

9. What is meant by conditional transfer ? Discuss various types of conditional transfer in the T.P. Act.

10. State the different modes of acquiring easement.

11. Define lease and state procedure for making lease of immovable property.

8×5=40