B.A. LL.B. Semester IV Examination October 2018.

TRANSFER OF PROPERTY

Duration: 3 Hours

Total Marks: 75

Instructions:

1. Answer any **Eight** questions from Q.No.1 to 12
2. Q. No. **13** and Q. No. **14** are **compulsory**.
3. Students are advised to incorporate the **exact question number** in the answer scripts.

(8x8=64)

1. Define 'Transfer of Property' explain its ingredients and discuss whether Partition, Charge and Surrender of lease are transfer of property?
2. "A right of alienation is incidental to and inseparable from the beneficial ownership of property". Discuss Conditions restraining Alienation.
3. Discuss the law relating to Direction for accumulation.
4. Explain the Doctrine of Ostensible ownership. Discuss whether transfer by an ostensible owner is binding on the persons interested in immovable property?
5. 'During litigation nothing new should be introduced'. Elaborate on the underlying principle.
6. Define Sale and distinguish between Sale and Contract for Sale.
7. What is a Mortgage? Explain requisites of mortgage and what simple mortgage is.
8. "Once mortgage is always a mortgage and nothing but a mortgage". Explain the principle with respect to redemption of mortgage.
9. Define Lease; explain the essentials of valid Lease and the liabilities of lessor.
10. Define a Gift. Can a Gift be revoked?
11. Define Charge and explain kinds of charge under transfer of property Act.
12. What is an Easement? What are the modes by which Easement is acquired under the Easement Act, 1882?

(2x3=6)

13. Answer any **Two** of the following:
    a. Attestation
    b. Actionable Claim
    c. Vested Interest.

14. Render Legal Advice on **any Two** of the following situations by giving reasons and citing relevant provisions of law. (2x2.5=5)

    i) Mother who is an absolute owner donated her property to Son reserving its possession and enjoyment to herself during her lifetime. Later she cancelled the gift and prepared a will in favour of her daughter. Can son challenge the will?

    ii) A transfers Rs.5000 to B on the condition that he shall marry with the consent of C, D and E. At the time of performance of marriage (condition) E dies, and therefore B marries with the consent of C and D. Can B claim the amount?

    iii) State bank of India returns the title deeds to the mortgagor, and the mortgagor mortgages the same title deeds with Bank of Baroda to secure a loan. Mortgagor fails to pay to both banks. Which bank has a priority right to recover the money? Why?

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