

LL.B. (Hons.) (Semester – VI) Examination, April 2014
PROPERTY LAW

Duration : 3 Hours

Total Marks : 75

Instruction : Section – I and Section – II are compulsory.

SECTION – I

Instructions : 1) Answer **any four** questions from Q. No. 1 to 6 (4×8=32).
 2) Q. No. 7 is **compulsory** (2×3=6).

1. What are the legal incidents of transfer with regard to “operation of Transfer” under Transfer of Property Act ?
2. How can an unborn person be benefitted under the Transfer of Property Act ? When is the benefit conferred upon an unborn person legally effective ?
3. Elaborate the concept of Doctrine of Part Performance.
4. “A direction for accumulation of income is a method of restraining enjoyment of property”. Explain provisions relating to rule against accumulation with exceptions if any.
5. “Transferability of Property is the general rule and non-transferability is an exception.” Explain what are the exceptions to the rule “Property of any kind may be transferred”.
6. Explain the principle of doctrine of Ostensible ownership. How far is a transfer by an Ostensible owner binding on the persons interested in immovable property ?
7. Answer **any two** of the following :
 - a) Attestation
 - b) Doctrine of Cy pres
 - c) Persons competent to transfer.



SECTION – II

Instructions : 1) Answer **any four** questions from Q. No. 8 to 13 (4×8=32).

2) Q. No. 14 is **compulsory** (2×2.5=5).

8. What do you understand by the term Mortgage ? Discuss in detail essential elements of Usufructuary Mortgage and Mortgage by deposit of title deeds.
9. What is Subrogation ? Explain kinds of Subrogation.
10. Define sale and explain the rights and liabilities of Buyer.
11. Answer the following :
 - a) Tenancy by holding over
 - b) Forfeiture of lease.
12. Answer the following :
 - a) Universal Donee
 - b) Onerous gift.
13. What is License ? Distinguish it with easement.
14. Render legal advice on **any two** of the following by giving reasons and citing relevant provisions of law :
 - a) A orally grants to B for Rs. 1,000/- the rights to catch and carry away fish from his lake for two years. Is the grant valid ?
 - b) Husband was the owner of the land. He effected a mutation in the revenue records of the same in favour of his wife, and shortly thereafter went on a pilgrimage. Meanwhile, the wife sold the land to C. C made inquiries and paid the consideration. Explain the validity of the transfer.
 - c) A contract to buy goods from B. On due date A fails to take delivery and B sells the goods in the Market at a loss of Rs. 10,000. B transfers the right to recover the damages to C. Is the transfer valid ?