

TRANSFER OF PROPERTY

Duration: 3 Hours

Total Marks: 75

Instructions:

1. Answer any **Eight** questions from **Q.No.1 to 12** (8x8=64)
 2. Q. No. **13** and Q. No. **14** are **compulsory**.
 3. Students are advised to incorporate the **exact question number** in the answer scripts.
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1. What is Notice? Discuss in detail the provisions relating to Notice under the Transfer of Property Act, 1882?
 2. Elaborate the concept of Part performance under Section 53A of the Transfer of Property Act, 1882.
 3. Explain the Doctrine of Ostensible Ownership. How far is a transfer by an Ostensible Owner binding on the persons interested in immovable property?
 4. Briefly state and explain the Doctrine of Election under the Transfer of Property Act, 1882.
 5. What do you understand by Vested Interest? Distinguish between Vested Interest and Contingent Interest?
 6. How can Unborn person be benefited under the Transfer of Property Act, 1882? When is the benefit conferred upon an Unborn person legally effective?
 7. Define a Mortgage? Discuss various types of Mortgages under the Transfer of Property Act, 1882?
 8. Elaborate on the Rights and Liabilities of Mortgagor.
 9. Discuss the essentials of a valid Sale. Which are the modes of Transfer in cases of Sale? Distinguish Sale with Contract for Sale.
 10. Define a Gift and explain its essential elements. How a Gift becomes revocable?
 11. What is a Lease? State the rights and liabilities of a Lessor in a Lease.
 12. What is an Easement? What are the modes by which Easement is extinguished under the Easement Act, 1882?
 13. Write short notes on **any two** of the following: (2x3=6)
 - a. Doctrine of Cypres
 - b. Onerous Gift
 - c. Charge
 14. Render Legal Advice on **any Two** of the following situations by giving reasons and citing relevant provisions of law. (2x2.5=5)
 - a) A sells a piece of land and with a condition that B will not build upon it. B takes the land, and attempts to build a villa on it. State whether the condition imposed on B is valid? Whether the act of B will affect the validity of transfer?
 - b) A transfers the property in 1950 to B for life and then to B's first (unborn) child when he would attain the age of 25 years. B's child is born in 1951, and B dies in 1977. State whether the transfer would be valid.
 - c) A, who has separated from his father B, sells to C three fields, X, Y and Z, representing that A is authorized to transfer the same. Of these fields Z does not belong to A, it having been retained by B on the partition; but on B's dying A as heir obtains Z. If C, has not rescinded the contract of sale with A, state about the status of transfer of three fields between them.