

Total number of printed pages—4

19 (3-IV) PRLW

2015

PROPERTY LAW

(New Course)

Paper : 4·3

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks with appropriate words :—

1×10=10

(a) Instrument means a _____ instrument. (testamentary instrument / non-testamentary instrument)

(b) Transfer of Property Act, 1882 is not applicable to transfer by _____ (operation of law / act of parties)

(c) Benefits to arise out of land is _____ (an immovable / a movable) property.

○ Contd.

(d) _____ debt is an actionable claim. (Unsecured / Secured)

(e) Actual notice is a _____. (matter of law / matter of fact)

(f) "Living person" under Section 5 of the T.P. Act. 1882 includes _____ (only living human beings / human beings and juristic persons too).

(g) Family settlement and partition of property is _____ (a transfer of property / not a transfer of property)

(h) Doctrine of Election is incorporated in Section _____ of T.P. Act. 1882 (Section 35 / Section 45)

(i) In case of Mortgage, the right of redemption is available under Section _____ (Section 60 / Section 62)

(j) Sale is a transfer of ownership _____ (without money consideration / with money consideration)

2. Write short note on : 5×2=10

(a) Actionable claim

(b) Contract for sale

(c) Simple Mortgage

(d) Vested Interest

(e) Immovable property.

3. What do you mean by "Transfer of Property" under the Transfer of Property Act, 1882 ? "Transfer of any non-transferable property is void". Explain the statement mentioning the non-transferable properties. 5+7=12

4. "The legal effect of transfer may vary according to the nature of condition attached to it"—

What is conditional transfer ? Under what circumstances a conditional transfer become void ? 4+8=12

OR

(a) Rule Against Perpetuity

(b) Rule Against Accumulation.

5. What is Mortgage ? What are the rights and liabilities of mortgagor ? 4+8=12

OR

(a) "Once a mortgage, always a mortgage". 6+6=12

(b) Usufructuary mortgage.

6. (a) Doctrine of Lis-Pendens.
(b) Doctrine of Part Performance. 6+6=12

OR

Define 'Sale' as mentioned in Transfer of Property Act, 1882.

Describe the seller's duties (liabilities) before the sale and after the sale. 12

7. Write on :—

- (a) Essentials of Gift
(b) Onerous Gift
(c) Universal donee 4×3=12

OR

What are the essentials of Lease under the T.P. Act, 1882 ? Describe the rights and liabilities of lessor and lessee. 12