

Total number of printed pages-4

19 (IV) PRLW

2019

PROPERTY LAW

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 : 1×10=10

(a) A right to sue for damages is _____
(an actionable claim/not an actionable claim)

(b) _____ is included in immovable property. (Grass/Growing crops/Right of easement)

(c) *Lis Pendens* is given under section _____ of TPA. (49/50/51/52)

(d) Section 91 of TPA 1882 provides _____ (cessation of interest/subrogation/person who may sue for redemption)

Contd.

- (e) _____ is not a type of mortgage.
(Simple/Mortgage by conditional sale/
Mortgage by absolute sale)
- (f) Kinds of subrogation are _____.
(Legal subrogation and conventional
subrogation/Moral and Immoral
subrogation)
- (g) _____ is included in attached to
earth. (Doors/Shutters/Windows/All of
these)
- (h) A sells his house to B with a condition
that B cannot transfer his house to
any one except C, the condition is
_____. (Voidable/Valid/Void/Illegal)
- (i) _____ is not competent to transfer
the property? (A minor/Pardanashin
lady/Unsound mind person/All of
these)
- (j) In case of gift, the donee dies before
acceptance then _____. (Gift is valid/
Gift is void/Court has to decide)

2. Write short notes on : _____ $2 \times 5 = 10$

(a) Partial Restraint on alienation

(b) Champerty

- (c) Instrument
- (d) Constructive notice
- (e) Attached to earth.

3. Discuss the doctrine of election with its
scope. When election is necessary?

$8+4=12$

Or

Write notes on :

$6+6=12$

- (a) Fraudulent transfer
- (b) Doctrine of part performance.

4. How sale is defined under TP Act, 1882?
Discuss the modes of transfer by way of
sale. Narrate to right and liabilities of parties
before completion of sale. $4+4+4=12$

Or

What are the essentials of a valid sale under
TP Act, 1882? Write the difference between
Nominal and Real sale. $8+4=12$

5. Distinguish between : _____ $6+6=12$

(a) English Mortgage and Simple Mortgage

(b) Mortgage and Charge.

Or

Write notes on :

6+6=12

(a) Clog on redemption

(b) Right of foreclosure.

6. Distinguish between :

6+6=12

(a) Lease and License

(b) Joint Tenant and Tenants-in-common.

Or

Discuss the rights and duties of Lessor and Lessee. How a Lease can be determined ?

8+4=12

7. Define Exchange. Distinguish between sale and exchange. What are the essentials of a valid exchange ?

4+4+4=12

Or

How a gift can be suspended ? Describe the types and essentials of gift.

4+8=12