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21 (6) PRLW 6.3

2019

**PROPERTY LAW**

Paper : 6.3

Full Marks : 80

Time : Three hours

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

1. Fill in the blanks with the appropriate answers : 1×10=10
  - (a) Immovable property does not include \_\_\_\_\_ . (Land/Standing timber)
  - (b) Number of witness required for attestation \_\_\_\_\_ . (one/two or more)
  - (c) \_\_\_\_\_ is an actionable claim. (A share in partnership/A copyright)
  - (d) Transfer made to secure the payment of a loan is \_\_\_\_\_ . (mortgage/lease)

Contd.

- (e) The ownership of property is transferred in \_\_\_\_\_. (gift/exchange)
- (f) Section 105 defines \_\_\_\_\_. (Mortgage/Lease)
- (g) Persons competent to transfer is under \_\_\_\_\_. (section 6/section 7)
- (h) Section 14 defines \_\_\_\_\_. (Rules against perpetuity/Fraudulent transfer)
- (i) There is no transfer of property in \_\_\_\_\_. (change/exchange)
- (j) Instrument means \_\_\_\_\_. (a non-testamentary instrument/a will)

2. Write short notes on : 2×5=10

- (a) What is a constructive notice?
- (b) What do you mean by vested interest?
- (c) What is *Spes Successionis*?
- (d) Who is known as Universal donee?
- (e) What is Hire purchase agreement? Give example.

Answer the following questions.

3. Write short notes on :

- (i) Define Actionable claim with examples. 6
- (ii) Define Notice with examples. 6

**OR**

What do you mean by Rule Against Perpetuity? What are the various exceptions to the rule? 12

4. Discuss the various conditions of transfer of property laid down under sec 26 to sec 29 of the Transfer of Property Act. 12

**OR**

Explain Doctrine of *Lis Pendens* under Article 52 with examples. 12

5. What is Sale? How sale is made? Write about the Rights and Liabilities of buyer. 2+3+7=12

**OR**

Define Gift. Describe the essentials of a valid gift. When can a gift be suspended or revoked? 3+4+5=12

6. What is a mortgage? What are the essential elements of mortgage? What do you mean by Right of redemption and how is this right exercised? 3+4+5=12

**OR**

Discuss the Rights and Liabilities of a mortgage with examples. 12

7. Write *any three* of the following :

3×4=12

- (a) Difference between Vested interest and Contingent interest.
- (b) Distinguish between Sale and Gift.
- (c) Distinguish between Charge and Mortgage.
- (d) Distinguish between Sale and Exchange.

**OR**

What is a lease, lessor, lessee, premium and rent under section 105? Discuss the Rights and Liabilities of Lessor and Lessee with examples. 4+8=12