

**BA LLB
SIXTH SEMESTER
PROPERTY LAW
BLB - 603**

(USE SEPARATE ANSWER SCRIPTS FOR OBJECTIVE & DESCRIPTIVE)

Duration: 3 hrs.

Full Marks: 80

Time: 30 min.

[PART-A: Objective]

Marks: 30

Choose the correct answer from the following:

1×10=10

1. Under the Transfer of property Act, 1882, the term attested means
 - a. Attested by one witness only
 - b. Attested by two or more witnesses
 - c. Attested by two witnesses only
 - d. None of the above
2. Under the Act the condition restraining alienation is provided in -
 - a. Section 9
 - b. Sec 8
 - c. Section 10
 - d. Sec 7
3. The provision of contingent interest is provided in -
 - a. Section 20
 - b. Section 22
 - c. Section 23
 - d. Section 21
4. In the Act, sections 33 to 37 apply to both immovable and moveable property whereas section 38 to 53 apply to
 - a. Movable
 - b. Immovable
 - c. Both immovable and movable property
 - d. None of the above
5. Marshalling means -
 - a. Arranging things
 - b. Throwing things
 - c. Distribution of things
 - d. None
6. Section 118 define -
 - a. Gift
 - b. Lessor
 - c. Exchange
 - d. Will
7. According to sec 5 of the Act, living person includes -
 - a. Company or association or body of individuals.
 - b. Human being
 - c. Only important company or association
 - d. None of the above
8. The doctrine of Lis pendens embodied under the Transfer of Property Act, 1882 relates to:
 - a. Bonafide purchase
 - b. Public policy (litigation)
 - c. Auction Sale
 - d. None of the above.
9. Within the meaning of Section 55 of the Transfer of Property Act, 1882 the seller is
 - a. Bound to disclose to the buyer any material defect in the property
 - b. Not bound to disclose anything
 - c. Bound to conceal important details with regard to the property.
 - d. None of the above.

- 10 The rules against perpetuity are provided in section _____ of the Act.
- | | |
|---------------|---------------|
| a. Section 14 | b. Section 18 |
| c. Section 16 | d. Section 17 |

Answer the following:

2×10=20

11. Mention two objective of Transfer of Property Act.
12. What is 'part performance'?
13. Mention one difference between absolute and constructive notice.
14. What is exchange?
15. What is actual notice?
16. What is oral transfer?
17. What are the two types of conditional transfer?
18. Distinguish sale and agreement to sale.
19. What is rule against perpetuity?
20. Define lessor and lessee.

(PART-B: Descriptive)

Time : 2 hrs. 30 min.

Marks: 50

[Answer the following Questions]

1. Property of every kind may be transferred." State the exception to this rule if any". 10
OR
Define Immovable property. Explain in brief the concept of attestation in transfer of immovable property. 5+5=10
2. Explain the rule of "Lis pendens". When it is applicable? 10
OR
Discuss the transfer of property to unborn person.
3. Define mortgage? Explain the various kinds of mortgage. 10
OR
Explain the right of redemption and foreclosure in mortgage.
4. Explain the rights and liabilities of buyer and seller. 10
OR
Write short note on Marshalling and fraudulent transfer.
5. Explain the meaning and essentials of a gift as given in section 122 of transfer of property act. Briefly state the concept of 'Onerous gift'. 6+4=10
OR
Give the meaning and essentials of lease. Explain the types of lease, How lease is made? 4+4+2=10

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