



BRAINWARE UNIVERSITY
ODD Semester Examinations 2021- 22

Programme – Bachelor of Law - 2019 [LL.B.]

Course Name – Property Law

Course Code – LLB304

(Semester III)

Time allotted : 1 Hour 15 Minutes

Full Marks : 60

(Multiple choice type question)

60 x 1 = 60

Choose the correct alternative from the following

- (I) The scope of the Transfer of Property Act, 1882 is _____ because it does not apply to all the transfers of property which take place in India.
- A) unlimited
 B) limited
 C) Both unlimited and limited
 D) None of these
- (II) A tenant remaining possession after the determination of the lease is called:
- A) Tenant on sufferance
 B) Tenant at will
 C) Either Tenant on sufferance or Tenant at will, depending whether he retains possession with or without landlord's permission
 D) Both Tenant on sufferance and Tenant at will
- (III) "Lis" means _____.
- A) litigation
 B) pending
 C) preparation
 D) lease
- (IV) "Rule of lis pendens is applicable to suits for specific performance of contracts to transfer only movable property". This statement is:
- A) TRUE
 B) FALSE
 C) The statement is false because the rule of lis pendens is applicable to suits for space circumstances only.
 D) The statement is false because the rule of lis pendens is applicable to suits for specific performance of contracts to transfer immovable property
- (V) _____ is a very old doctrine and has been operating in the English Common Law.
- A) Landslide deal
 B) Lis pendens
 C) Centurary centenary
 D) centuria centuri
- (VI) A right annexed to B's house to receive light by the windows without obstruction by his neighbor A. This is _____ easement.
- A) Continuous
 B) apparent
 C) discontinuous
 D) non- apparent
- (VII) _____ (Act 4 of 1882) is not exhaustive.
- A) Transfer of Intellectual Property Act, 1882
 B) Transfer of Patent Act, 1882
 C) Payment of Property Act, 1882
 D) Transfer of Property Act, 1882
- (VIII) The doctrine of "lis pendens" is explained in famous case of -
- A) Bellamy v Sabine
 B) Musahur Sahu v Hakim Lal
 C) Muhammad Shafi v Muhammad Sayed
 D) Tulk v Moxhay
- (IX) The doctrine of a clog on the equity of redemption is a rule of justice, equity and good conscience. This was reaffirmed by the Supreme Court in:
- A) Kandula Kenkiah v. Donga Pallaya, (1920) 43 Mad 589
 B) Apte v. Price, AIR 1962 AP 274
 C) Murarilal v. Dev Karan, AIR 1965 SC 225
 D) None of these
- (X) Before the commencement of the Transfer of Property Act, 1882, the transfer of immovable properties in India were governed by the:
- A) Principles of English law and equity
 B) Indian Registration Act, 1908

C) British State of Goods Act, 1880

D) Indian Contract Act, 1872.

(XI) The following are some postulates as sine qua non for basing a claim on section 53A of the Transfer of Property Act, 1882: (1) The contract should have been in writing signed by transferor. (2) Transferee should have got possession of the immovable property covered by contract. (3) Transferee should have done some act in furtherance of contract. Choose the correct option.

A) only (2) and (3) are relevant

B) only (1) and (2) are relevant

C) only (1) and (3) are relevant

D) all (1), (2) and (3) are relevant

(XII) The Indian Easements Act, 1882 is an Act to define and amend the law relating to _____.

A) easements

B) licences

C) charge

D) Both easements and licences

(XIII) Immovable property does not include

A) Standing timber

B) Growing crops

C) grass

D) All of these

(XIV) _____ of the Indian Easements Act, 1882, deals with the provision of servient owners.

A) Section 9

B) Section 19

C) Section 29

D) Section 9A

(XV) Essential conditions for the application of Section 43 includes: I. Transferor is unauthorized person. II. Transferor is an authorized person. III. Transfer by authorized person need to be made to a judicial person only. IV. Transfer the property on a Sunday only.

A) Only I

B) Both II and III

C) Only IV

D) Both III and IV

(XVI) Within the meaning of section 54 of the Transfer of Property Act, 1882, the sale does not include:

A) higher purchase transaction

B) auction sale

C) instalment payment system

D) None of these

(XVII) An ostensible owner is one who has all the indicia of ownership without being the _____ owner.

A) real

B) equal

C) Both real and equal

D) Either real or equal

(XVIII) A discontinuous easement is one that needs the _____ of man for its enjoyment.

A) easement

B) charge

C) act

D) consent

(XIX) Expendente lite nihil innovator means

A) Damage without injury

B) Pending litigation no new thing be introduced

C) Where there is a right there will be some remedy

D) Violation of rule

(XX) A, as the owner of a certain house, has a right of way thither over his neighbor B's land for purposes connected with the beneficial enjoyment of the house. This is

A) An easement

B) Not an easement

C) A charge

D) A gross negligence

(XXI) These are some requisites of an equitable mortgage: (1) a debt (2) a deposit of title deeds (3) an intention that the deeds shall be security for the debt Choose the correct option

A) only (2) is relevant requisite

B) only (1) is relevant requisite

C) only (3) is relevant requisite

D) all are relevant requisites

(XXII) The Transfer of Property Act, 1882 commenced from _____.

A) July 01, 1882

B) August 01, 1882

C) September 01, 1882

D) November 01, 1882

(XXIII) Under the provisions of section 60A of the Transfer of Property Act, 1882, where a mortgagor is entitled to redemption, he may require the mortgagee, instead of re-transferring the property, to assign the mortgage debt and transfer the mortgaged property to such third person as the mortgagor may direct then the mortgagor:

A) is not bound to assign and transfer accordingly

B) is bound to assign and transfer accordingly

C) is bound if the mortgagor assents

D) None of these

(XXIV) Section 6 of the Indian Easements Act, 1882, deals with the provision of _____.

A) Easement for limited time or on condition

B) Easement for unlimited time or on condition

- C) Easement for unlimited time
D) Either Easement for unlimited time or on condition or Easement for unlimited time
- (XXV) The Transfer of Property Act, 1882 is the primary legislation that regulates transfer of properties between
A) Two or more 'living persons' including companies, association of persons or bodies of individuals
B) Two or more 'living persons and non- living' including companies, association of persons or bodies of individuals
C) Two or more 'living persons and non- living' excluding companies, association of persons or bodies of individuals
D) None of these
- (XXVI) Which section of the Indian Easements Act, 1882 deal with acquisition by prescription?
A) Section 19
B) Section 15
C) Section 17
D) Section 12
- (XXVII) As per the provision of Section 5 of the Indian Easements Act, 1882, easements are either _____.
A) Continuous or discontinuous
B) apparent or non- apparent
C) either Continuous or discontinuous or apparent or non- apparent
D) None of these.
- (XXVIII) A, the owner of a field, grants a licence to B, to use a path across it. A, with intent to revoke the licence, locks a gate across the path. The licence is _____.
A) granted
B) revoked
C) both granted and revoked
D) Either granted or revoked
- (XXIX) Under the Transfer of Property Act, 1882, "attached to earth" means: (I) rooted in the earth, as in the case of trees and shrubs; (II) imbedded in the earth as in the case of walls and buildings; or (III) attached to what is so imbedded for the permanent beneficial enjoyment of that to which it is attached. Choose the correct option.
A) only (I) and (II) are correct
B) only (II) and (III) are correct
C) only (I) and (III) are correct
D) all (I), (II) and (III) are correct
- (XXX) Which of the following is not stated as the responsibility of the buyer, under the provisions of the Transfer of Property Act, 1882?
A) To pay or tender, at the time and place of completing the sale, the purchase money to the seller or such person as he directs
B) To give right of inspection to seller or to any person authorized by seller after the ownership is transferred till such time as whole payment or tendering of the purchase money is made
C) Both To pay or tender, at the time and place of completing the sale, the purchase money to the seller or such person as he directs and To give right of inspection to seller or to any person authorized by seller after the ownership is transferred till such time as whole payment or tendering of the purchase money is made
D) Neither To pay or tender, at the time and place of completing the sale, the purchase money to the seller or such person as he directs nor To give right of inspection to seller or to any person authorized by seller after the ownership is transferred till such time as whole payment or tendering of the purchase money is made
- (XXXI) A is bound to cleanse a water course running through his land and keep it free from obstruction for the benefit of B, a lower riparian owner. This is _____.
A) An easement
B) Not an easement
C) A charge
D) A gross negligence
- (XXXII) Section 53 of the Transfer of Property Act, 1882, does not affect to:
A) movable property
B) immovable property
C) only immovable property is correct
D) None of these
- (XXXIII) When a mortgagee acquires a portion of equity of redemption, the mortgage is not extinguished completely. There can be only a pro tanto extinguishment of the mortgage right to the extent of the mortgagee acquiring the mortgagor's interest and so far as the other sharer of the equity of redemption is concerned, the mortgage will subsist. This was held in case of:
A) Tamboli Ramanlal Motilal v. Gharchi Chimanlal Keshavlal, AIR 1992 SC 1236
B) Madhavan v. Madhavan, AIR 1994 Ker 75
C) Hathika v. Puthiyapurayil Padmanathan, AIR 1994 Ker 141
D) Satyapal v. Rakayyabai, AIR 1993 Bom 203
- (XXXIV) The words "any immovable property" in section 53A of the Transfer of Property Act, 1882 refers to:
A) this section cannot apply to movable property
B) not all of immovable property
C) not a particular immovable property
D) None of these
- (XXXV) In case of usufructuary mortgage the mortgagee is placed in possession and has a right to enjoy the rents and profits:
A) until the debt is paid
B) till the contract is rescinded
C) only till the contract is rescinded is correct
D) None of these

- (XXXVI) The part performance in the transfer of property is provided in:
- A) section 53A of the Transfer of Property Act, 1882 B) section 53 of the Indian Partnership Act, 1930
C) section 53 of the Indian Registration Act, 1908 D) section 53 of the Specific Relief Act, 1963
- (XXXVII) In how many ways the change in ownership of a property may occur?
- A) Voluntary transfer by a person (regulated under the Transfer of Property Act, 1882) B) Transfer by way of succession or inheritance (regulated by the personal laws of succession)
C) Transfer of Property by operation of law (such as the Land Acquisition Act, 1894) D) All of these
- (XXXVIII) Provision related to “extent of easements” is mentioned under _____ of the Indian Easements Act, 1882.
- A) Section 19 B) Section 21
C) Section 28 D) Section 34
- (XXXIX) The Transfer of Property Act, 1882 is not exhaustive because
- A) It does not cover the entire dimension of transfer of property B) It does not have transfer by sale included in it
C) It does not have transfer by way of gift mentioned in it D) None of these
- (XL) The term ‘sale’ in the Transfer of Property Act, 1882 is defined in section:
- A) 54 B) 57
C) 56 D) 53
- (XLI) A right annexed to A’s house to prevent B from building on his own land. This is _____ easement.
- A) Continuous B) apparent
C) discontinuous D) non- apparent
- (XLII) The term creditor used in section 53 of the Transfer of Property Act, 1882 includes:
- A) subsequent creditors only B) creditors at the time of assignment only
C) both creditors at the assignment and subsequent creditors D) None of these
- (XLIII) A right which cannot be acquired by prescription is mentioned under _____ of the Indian Easements Act, 1882.
- A) Section 19 B) Section 17
C) Section 15 D) Section 14
- (XLIV) From the following choose the correct option. Who is an ostensible owner?
- A) Mahant B) Guardian of a minor
C) Benamidar D) Manager of a Hindu family
- (XLV) Under the provisions of the Transfer of Property Act, 1882, “an easement cannot be transferred apart from the dominant heritage.”
- A) the statement is true B) the statement is false
C) the statement is partly true D) None of these
- (XLVI) Under the Transfer of Property Act, 1882, the term “attested” means:
- A) attested by two or more witnesses B) attested by one witness only
C) attested by two witnesses only D) no condition prevails
- (XLVII) The word ‘property’ means-
- A) The word ‘property’ has not been defined in any statute in India B) In the most generic sense to include all legal rights and benefits, which have an economic value
C) To include all legal rights and benefits, which have a social value D) Both The word ‘property’ has not been defined in any statute in India and In the most generic sense to include all legal rights and benefits, which have an economic value
- (XLVIII) Which of the following section of the Transfer of Property Act, 1882 defines “Transfer of Property”?
- A) Section 41 of the Transfer of Property Act, 1882 B) Section 1 of the Transfer of Property Act, 1882
C) Section 21 of the Transfer of Property Act, 1882 D) Section 5 of the Transfer of Property Act, 1882
- (XLIX) Under the Transfer of Property Act, 1882, registered pertains to:
- A) registration of property B) registration of documents
C) registration of parties D) None of these
- (L) Section 52 of the Indian Easements Act, 1882 defines _____.

- A) licence
C) lessee
- B) lessor
D) lease

(LI) Where there is duty to speak, there _____ amounts to fraud.

- A) silence
C) speaking softly
- B) speaking loud
D) none of these

(LII) Under the provisions of section 6 of the Transfer of Property Act, 1882:

- A) a right to future maintenance can be transferred
C) no such provision is made in the Act
- B) a right to future maintenance cannot be transferred
D) None of these

(LIII) Under the provisions of section 6 of the Transfer of Property Act, 1882, the chance of an heir-apparent succeeding to an estate, the chance of a relation abtaining a legacy on the death of a kinsman, or any other mere possibility of like nature:

- A) cannot be transferred
C) can be transferred subject to certain conditions
- B) can be transferred
D) None of these

(LIV) The Indian Easements Act, 1882 is an Act to _____ the law relating to Easements and Licences.

- A) define
C) consolidate
- B) amend
D) Both define and amend

(LV) In case of transfer of property the seller is:

- A) not entitled to rents and profits of the property till the ownership thereof passes to buyer
C) is entitled to rents or other profits
- B) is entitled to rents and profits of the property till the ownership thereof passes to buyer
D) None of these

(LVI) Lis pendens means _____.

- A) Pending litigation
C) Preparation of litigation
- B) Pending dues
D) Lease preparation

(LVII) The Preamble of an Act sets out the _____ which the legislation is intended to achieve.

- A) Main objectives
C) structure
- B) format
D) poster

(LVIII) Within the meaning of section 58 of the Transfer of Property Act, 1882 a mortgage is a transfer of an interest in specific immovable property as security for the repayment of a debt:

- A) such interest itself is immovable property
C) question of interest does not arise
- B) such interest is not immovable property
D) None of these

(LIX) "Pendent lite nihil innovature" means _____.

- A) During pendency of litigation, nothing new should be introduced.
C) During preparation of litigation, no rules and orders should be introduced.
- B) During pendency of litigation, new should be introduced.
D) During preparation of litigation, transfer is debarred.

(LX) _____ of the Indian Easements Act, 1882, deals with the provision of lessee.

- A) Section 19
C) Section 14
- B) Section 11
D) Section 12