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BRAINWARE UNIVERSITY

Term End Examination 2025-2026

Programme – BBA LL.B.-2022/BBA LL.B.-2023

Course Name – Property Law

Course Code - BBALLB604

(Semester VI)

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

- (i) Which one of the following sections of Transfer of property Act, 1882 is concerned with the transfer of benefit of unborn child?
 - a) Section 13
 - b) Section 14
 - c) Section 15
 - d) Section 16
- (ii) Choose the topic which is related to the case of Raj Kumar Kundu v McQueen:
 - a) Lis pendens
 - b) Part performance
 - c) Mortgage
 - d) Ostensible owner
- (iii) Which property cannot be transferred?
 - a) A public office
 - b) A mere chance to succeed
 - c) A mere right of re-entry
 - d) All of these
- (iv) Which one of the following sections of Transfer or Property Act, 1882 deals with "rule against perpetuity"?
 - a) Section 13
 - b) Section 14
 - c) Section 15
 - d) Section 17
- (v) What is a mortgage by deposit of title deeds called?
 - a) Anonamlous mortgage
 - b) English mortgage
 - c) Equitable mortgage
 - d) Usufructuary mortgage
- (vi) Choose: Every transfer of immovable property made with intent to defeat or delay the creditors shall be:
 - a) void
 - b) void-ab-initio
 - c) voidable
 - d) none of these
- (vii) Rule of lis pendens is applicable to suits for specific performance of contracts to transfer immovable property. Choose the correct statement in this regard.
 - a) The statement is true
 - b) The statement is false
 - c) The statement is partly true
 - d) None of these

- (viii) Choose the option which is not included within the meaning of Section 3 of the Transfer of Property Act, 1872:
- a) Only standing timber and grass b) Only standing timber, house and crops
c) Only standing timber, growing crops or grass d) Only grass
- (ix) Choose: In light of provisions of the Transfer of Property Act, a minor:
- a) can transfer a property b) cannot transfer a property
c) can accept transfer of property in his favour d) both (b) and (c)
- (x) Which of the following properties cannot be transferred?
- a) Share in copyright b) Interest in mortgaged property
c) Right to future maintenance d) Immovable property
- (xi) Which one of the following statements is incorrect according to the Transfer of Property Act
- a) A transfer of property is made by the act of the parties b) A transfer of property is usually made by one living person to another living person
c) A transfer of property can be made even without writing where writing is not expressly required by law d) A transfer of property can be made where transfer will operate only after the death of the transferor
- (xii) Choose: For valid attestation of an instrument under the Transfer of Property Act, 1882, it is necessary that:
- a) Each attesting witness must see the executant sign the instrument or affix his mark b) The executant must see the attesting witness signing the instrument
c) Both (a) and (b) d) Neither (a) nor (b)
- (xiii) Recall the section of the Transfer of Property Act, 1882 in which transfer by ostensible owner is provided.
- a) Section 38 b) Section 39
c) Section 40 d) Section 41
- (xiv) Choose: Section 35 of the Transfer of Property Act, 1882 is applicable to:
- a) Movable property b) Immovable property
c) Both (a) and (b) d) Either (a) or (b)
- (xv) When does an unborn person acquires vested interest on transfer for his benefit?
- a) When the person becomes minor b) Within 60 days of the birth
c) Immediately upon the birth d) After the death of the person in whom the life interest is created

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Define the term 'immovable property'. State the properties which are judicially recognised as immovable properties. (3)
3. What are the essentials of valid attestation under the Transfer of Property Act, 1882? (3)
4. Define the phrase "transfer of property" under the Transfer of Property Act, 1882. (3)
5. Summarise the procedure for termination of easement. (3)
6. Distinguish between lease and license with the help of case laws. (3)

OR

Explain the essentials of a valid gift under the Transfer of Property Act, 1882.

(3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Who is an ostensible owner? What are the requirements of transfer by an ostensible owner? (5)
8. What is an 'easement'? What are the different types of easements under the Indian Easement Act, 1882? (5)

9. Outline the essentials of a lease and the mode of execution of lease. (5)
10. Explain the rights and liabilities of the parties to an exchange. (5)
11. a. "There is no comprehensive definition of the expression 'immovable property' in the T.P. Act, 1882. Each case has to be decided on its own merit." Explain with the help of decided cases. (5)
12. Examine the differences between the mortgage with conditional sale and sale with an option of re-purchase. (5)

OR

Examine the liabilities or duties of the lessee. (5)

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