



BRAINWARE UNIVERSITY

Term End Examination 2022
Programme – LL.B.-2020/LL.B.-2021

Course Name – Property Law

Course Code - LLB304

(Semester III)

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) The Transfer of Property Act, 1882 is an Act to _____ the law relating to the Transfer of Property by act of parties. (Select appropriate word from the following options)

a) amend	b) change
c) alter	d) connect
 - (ii) Underline that the Transfer of Property Act, 1882, came into force on the _____ day of July, 1882.

a) first	b) second
c) fifth	d) seventh
 - (iii) Analyse that The mortgagor in Indian law is the owner who had parted with some rights of ownership and the rights of redemption is a right which he exercises by virtue of his:

a) pecuniary ownership	b) residuary ownership
c) conditional ownership	d) None of these
 - (iv) Consider that a lease of immovable property determines under the provisions of the Transfer of Property Act, 1882 when

a) By implied surrender	b) By efflux of time, in case time is not limited thereby
c) When time is limited unconditionally on the happening of some event, till such event happens	d) None of these
 - (v) Correlate that When the mortgagor's right to redeem accrues, the mortgagee has a right to enforce:

a) his security	b) his interest
c) only his interest is correct	d) None of these
 - (vi) Express your opinion that A discontinuous easement is one that needs the _____ of man for its enjoyment.

- a) easement
c) act
- b) charge
d) consent
- (vii) Decide the position of a tenant remaining possession after the determination of the lease :
- a) Tenant on sufferance
c) Either Tenant on sufferance or Tenant at will, depending whether he retains possession with or without landlord's permission
- b) Tenant at will
d) Both Tenant on sufferance and Tenant at will
- (viii) According to section 5 of the Transfer of Property Act, 1882, living person includes and extend to
- a) company or association or body of individuals
c) only important company or associations
- b) individual human being only
d) None of these
- (ix) The section 41 of the Transfer of Property Act, 1882 is the statutory application of the law of estoppels. The statement is:(Choose the correct option)
- a) TRUE
c) partly false
- b) FALSE
d) partly true
- (x) Interpret the meaning of the term 'attested' Under the Transfer of Property Act, 1882
- a) attested by two or more witnesses
c) attested by two witnesses only
- b) attested by one witness only
d) no condition prevails
- (xi) Determine the meaning of the term lis pendens
- a) pending litigation
c) ex parte litigation
- b) unattended litigation
d) part-performance litigation
- (xii) Determine the meaning of the term 'lis pendens'
- a) pending litigation
c) ex parte litigation
- b) unattended litigation
d) part-performance litigation
- (xiii) Instrument under section 3 of the Transfer of Property Act, 1882 does not include_____.(Identify the correct word)
- a) Mortgage
c) Lease deed
- b) Exchange deed
d) Will
- (xiv) A right annexed to A's house to prevent B from building on his own land. This is _____ easement. Solve it.
- a) Continuous
c) discontinuous
- b) apparent
d) non- apparent
- (xv) Express with order the meaning of 'attached to earth' under the Transfer of Property Act, 1882, (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
c) only (I) and (III) are correct
- b) only (II) and (III) are correct
d) all (I), (II) and (III) are correct

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Explain and interpret the term 'Immovable Property' with illustration . (3)
3. Define Gift? Analyse the essential ingredients of a valid Gift ? (3)
4. Explain illustrate the term "spes-successionis". Can it be transferred? (3)
5. State the object of the rule against Perpetuity? Examine that a child in the mother's womb be a competent transferee or not. (3)
6. Validate the different modes of acquisition of easement. (3)

OR

Speculate how an easementary right could be extinguished? Give suitable illustrations (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Define the term 'Immovable property'. State the properties which are judicially recognized as immovable properties. (5)
8. "All kinds of properties are transferable'. Illustrate (5)
9. Modify and develop the term ostensible owner and state the principles governing the transfer by such ostensible owner. (5)
10. Analyse the doctrine of fraudulent transfer under transfer of Property Act and state the exception to thus doctrine. (5)
11. Explain and evaluate the applicability of the term doctrine of lis pendens. Discuss whether the doctrine applies to court sales. (5)
12. Compare and summarise the terms consideration, Premium, Rent, Usufruct and mesne profit (5)

OR

Evaluate the proposition ' Feeding the grant by Estoppel' (5)
