



BRAINWARE UNIVERSITY

Term End Examination 2021 - 22

Programme – Bachelor of Business Administration & Bachelor of Law

Course Name – Property Law

Course Code - BBALLB604

(Semester VI)

Time allotted : 1 Hrs.15 Min.

Full Marks : 60

[The figure in the margin indicates full marks.]

Group-A

(Multiple Choice Type Question)

1 x 60=60

Choose the correct alternative from the following :

- (1) The Transfer of Property Act, 1882, came into force on the _____ day of July, 1882.
 - a) first
 - b) second
 - c) fifth
 - d) seventh
- (2) The Transfer of Property Act, 1882 is an Act to _____ the law relating to the Transfer of Property by act of parties.
 - a) amend
 - b) change
 - c) alter
 - d) connect
- (3) 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
- (4) The preamble of the Transfer of Property Act, 1882 states that, “Whereas it is expedient to define and amend certain parts of the law relating to the _____ by act of parties; it is hereby enacted as follows”. Fill in the blanks.
 - a) Transfer of Property
 - b) Property
 - c) sale of property
 - d) alteration of the property
- (5) _____ (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
- (6) Immovable property does not include
- a) Standing timber b) Growing crops
c) grass d) All of these
- (7) The 'immovable property' has been defined in the General Clauses Act, 1897 to include
- a) Land b) Benefits arising out of land
c) Things attached to the earth or permanently fastened to the things attached to earth d) All of these
- (8) 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
- (9) 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.
- (10) The Transfer of Property Act was enacted in the year:
- a) 1880 b) 1881
c) 1882 d) 1883
- (11) Within the meaning of provisions of the Transfer of Property Act, 1882, the immovable property does not include:
- a) only grass b) only jewellery
c) standing timber, growing crops or grass d) Both only grass and only jewellery
- (12) 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
- (13) 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
- (14) 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 abstaining a legacy on the death of a kinsman, or any other mere possibility of like nature:
- a) cannot be transferred b) can be transferred
c) can be transferred subject to certain conditions d) None of these
- (15) 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
- (16) Under the provisions of section 6 of the Transfer of Property Act, 1882:
- a) a right to future maintenance can be b) a right to future maintenance cannot be

- transferred
- c) no such provision is made in the Act
- (17) Which of the following properties can be transferred under the Transfer of Property Act, 1882?
- a) Salary of a public officer
- c) Both Salary of a public officer and Right to sue
- (18) “Living Person” also includes
- a) only companies
- c) land
- (19) The part performance in the transfer of property is provided in:
- a) section 53A of the Transfer of Property Act, 1882
- c) section 53 of the Indian Registration Act, 1908
- (20) 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
- c) not a particular immovable property
- (21) The principle of lis pendens embodied in section 52 of the Transfer of Property Act, 1882 pertains to:
- a) bona fide purchase
- c) auction sale
- (22) “Rule of lis pendens is applicable to suits for specific performance of contracts to transfer only movable property”. This statement is:
- a) TRUE
- c) The statement is false because the rule of lis pendens is applicable to suits for space circumstances only.
- (23) The provision of fraudulent transfer is dealt in:
- a) section 49 of the Transfer of Property Act, 1882
- c) section 51 of the Transfer of Property Act, 1882
- (24) Section 53 of the Transfer of Property Act, 1882, does not affect to:
- a) movable property
- c) only immovable property is correct
- (25) The section 41 of the Transfer of Property Act, 1882 is the statutory application of the law of estoppels. The statement is:
- a) TRUE
- c) partly false
- (26) The doctrine of lis pendens means
- a) pending litigation
- transferred
- d) None of these
- b) Right to sue
- d) Neither Salary of a public officer nor Right to sue
- b) a company or association or body of individuals, whether incorporated or not
- d) companies and land
- b) section 53 of the Indian Partnership Act, 1930
- d) section 53 of the Specific Relief Act, 1963
- b) not all of immovable property
- d) None of these
- b) public policy
- d) None of these
- b) FALSE
- d) The statement is false because the rule of lis pendens is applicable to suits for specific performance of contracts to transfer immovable property
- b) section 50 of the Transfer of Property Act, 1882
- d) section 53 of the Transfer of Property Act, 1882
- b) immovable property
- d) None of these
- b) FALSE
- d) partly true
- b) unattended litigation

- c) ex parte litigation
d) part-performance litigation
- (27) In the Transfer of Property Act, 1882, section 38 to 53 apply to
- a) Movable property only
b) Immovable property only
c) Both movable and immovable property
d) None of these
- (28) The principle of the doctrine of lis pendens is embodied in Section 52 of the Transfer of Property Act, 1882 is expressed by the maxim _____.
- a) Expendente lite nihil innovatur
b) Ubi jus ibi remedim
c) Res judicata
d) Injuria sine damnum
- (29) The doctrine of _____ is based on the principle that the person purchasing property from the judgment debtor during the pendency of the suit has no independent right to property to resist, obstruct or object execution of a decree.
- a) lis pendens
b) last pendent
c) pendent lite
d) None of these
- (30) Section 43 of the Transfer of Property Act, 1882 deals with the provision of _____.
- a) Transfer by unauthorized person who subsequently acquires interest in property transferred
b) Transfer by authorized person who subsequently acquires interest in property transferred
c) Transfer by authorized person who fraudulently acquires interest in property transferred
d) Transfer by unauthorized person who erroneously acquires ownership in property not transferred
- (31) “A person, who has no title or interest in an immovable property, cannot transfer that property. If he does so, the transfer is by an unauthorized person.”
- a) The statements are true.
b) The statements are false.
c) Both The statements are true and The statements are false
d) Either The statements are true or The statements are false
- (32) _____ is a rule of evidence which precludes or debars a person from denying his statement when it goes against him.
- a) Estoppel
b) Justice
c) Good faith
d) Equality
- (33) “Pendens” means _____.
- a) litigation
b) pending
c) preparation
d) lease
- (34) The doctrine of _____ is expressed in the well-known maxim “pendent lite nihil innovature”.
- a) Locus standi
b) Lis pendens
c) certurari
d) centuria centri
- (35) “The doctrine of lis pendens prohibits the transfer of property pending litigation.”
- a) The statements are true.
b) The statements are false.
c) Both The statements are true and The statements are false
d) Either The statements are true or The statements are false
- (36) The basis of lis pendens is _____ rather than actual or constructive notice.
- a) necessary
b) actual
c) real
d) permanent
- (37) _____ is also known as ‘equity of part-performance’.

- a) Doctrine of part preparation
c) Doctrine of preferred performance
- b) Doctrine of partial performance in lease
d) Doctrine of part performance
- (38) When the mortgagor's right to redeem accrues, the mortgagee has a right to enforce:
a) his security
c) only his interest is correct
- b) his interest
d) None of these
- (39) A condition converting a mortgage into a sale is invalid as a clog on the equity of redemption. This was affirmed in case of:
a) Gangadhar v. Shankarlal, AIR 1958 SC 77
c) Banarsilal v. Purnachand, AIR 1985 P&H 189
- b) Ramlochan Singh v. Pradip Singh, AIR 1959 Pat 230
d) None of these
- (40) Section 60 of the Transfer of Property Act, 1882, does not refer to the extinction of the equity of redemption by operation of law. The statement is:
a) FALSE
c) TRUE
- b) partly false
d) None of these
- (41) Provisions of section 60A, i.e., obligation to transfer to third party instead of transference to mortgagor, do not apply in case of a mortgagee who:
a) is not in possession
c) is previously possession holder
- b) is or has been in possession
d) None of these
- (42) Section 58 enumerates some classes mortgages: (1) Simple mortgage (2) Mortgage by conditional sale (3) Usufructuary mortgage (4) English mortgage (5) Equitable mortgage (6) Anomalous mortgage Choose the correct option.
a) only (1), (2) and (3) are relevant
c) only (4), (5) and (6) are relevant
- b) only (4), 3 and 2 are relevant
d) all are relevant
- (43) These are some characteristics of a usufructuary mortgage under section 58 of the Transfer of Property Act, 1882: (1) There is no personal liability on the mortgagor. (2) No time limit is fixed. (3) Mortgagee takes the whole or part of the rent and profits. Choose the correct option from the following:
a) only (1) is relevant
c) only (3) is relevant
- b) only (2) is relevant
d) all are relevant
- (44) Section 60 of the Transfer of Property Act, 1882 affirms a right of redemption:
a) in some particular mortgages
c) not in a single mortgages also
- b) in all mortgages
d) None of these
- (45) A gift of immovable property effected by a deed of gift but brought about by undue influence of the donee, though the donor acted voluntarily in making it:
a) Is valid and binding
c) Is voidable at the donee's option
- b) Is void
d) Is voidable at the donor's option
- (46) A tenant remaining possession after the determination of the lease is called:
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
- (47) The term 'sale' in the Transfer of Property Act, 1882 is defined in section:
a) 54
c) 56
- b) 57
d) 53

- (48) 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
- (49) 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
 - b) is entitled to rents and profits of the property till the ownership thereof passes to buyer
 - c) is entitled to rents or other profits
 - d) None of these
- (50) A lessee is not entitled to the right of marshalling under the section:
- a) 55 of the Transfer of Property Act, 1882
 - b) 56 of the Transfer of Property Act, 1882
 - c) 57 of the Transfer of Property Act, 1882
 - d) None of these
- (51) 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
- (52) _____ is a transfer of ownership in exchange for a price paid or promised or part-paid and part-promised.
- a) sale
 - b) gift
 - c) exchange
 - d) All of these
- (53) The Indian Easements Act, 1882 got the assent on _____.
- a) 17. 02. 1882
 - b) 12. 09. 1882
 - c) 16. 08. 1880
 - d) 19. 07. 1881
- (54) The Indian Easements Act, 1882 is an Act to _____ the law relating to Easements and Licences.
- a) define
 - b) amend
 - c) consolidate
 - d) Both define and amend
- (55) 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
- (56) 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
- (57) A dedicates to the public the right to occupy the surface of certain land for the purpose of passing and re-passing. This right is _____.

a) An easement

b) Not an easement

c) A charge

d) A gross negligence

(58) 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

(59) 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.

(60) A _____ easement is one whose enjoyment is, or may be, continual without the act of man.

a) continuous

b) discontinuous

c) either continuous and discontinuous

d) None of these.