

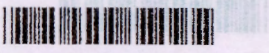
GOA UNIVERSITY

G.R.KARE COLLEGE OF LAW, MARGAO, GOA

LL.B.(HONS) SEM VI

PROPERTY LAW

APRIL 2013,
OCT 2012,
APRIL 2012,
OCT 2011,
APRIL 2011,
OCT 2010,
APRIL 2010,
OCT 2009,
APRIL 2009,
OCT 2008,
APRIL 2008,
OCT 2007,
APRIL 2007,
APRIL 2006,
Oct 2005,
APRIL 2005,
APRIL 2004,
OCT 2003,
APRIL 2003,
APRIL 2002,



TNY - 79

LL.B. (Hons.) (Semester – VI) Examination, October 2013
PROPERTY LAW

Duration : 3 Hours

Total Marks : 75

- Instructions :** i) *Section I and Section II are compulsory.*
ii) *Answer any four from question 1 to 6 and questions 8 to 13.*
iii) *Question No. 7 and 14 are compulsory.*

SECTION – I (4×8=32)

1. Right to possess and enjoy the property is inseparable from the incidents of ownership. Discuss.
2. Explain operation of transfer as laid down in Section 8 of Transfer of Property Act.
3. Explain Rule against Perpetuity.
4. Covenant means written agreement or contract with respect to a property. Discuss.
5. Equity states that if a person promises to perform more than he can, he must fulfill his promise when he acquires the capacity to do so. Explain the law incorporated in Section 43 of the Act.
6. Nothing new can be introduced during a pending litigation. Explain.
7. Write short note on **any two** of the following : (2×3=6)
 - a) Vested Interest
 - b) Condition Subsequent
 - c) Persons competent to transfer.

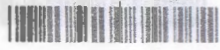
SECTION – II (4×8=32)

8. Answer the following :
 - a) Define Gift and bring out its essentials.
 - b) Universal Donee and Donatio Mortis Causa.

P.T.O.



9. "Exchange is transfer of ownership in a property for consideration of ownership of another property". Discuss.
10. Define Mortgage and discuss in detail the right to redemption.
11. Answer the following :
- Right of subrogation
 - Accession to mortgaged
12. What is a Licence ? Distinguish it from easement.
13. Define sale and bring out the essentials of a valid sale.
14. Answer **any two** giving reasons. (2×2.5=5)
- A family consists of father F and son S. Father is the owner of certain properties. During the lifetime of the father S sells property X to A without his consent. Is the transfer valid ?
 - A creates a life estate in favor of his friend B and a life estate for the benefit of B's unborn first child and then absolutely to B's second child. Is transfer valid ?
 - A, is the owner of a land. He borrows Rs. 20,000/- from B on the strength of a promissory note, the money was to be paid in two years when A fails to repay B proceeds against him in a court of law. Apprehending that the money decree obtained by B will be enforced against the landed property. Transfers the property to C and knowing this C and A hurriedly get the land mutated in the name of C. What is the effect of such a transfer ? Does B the creditor have any remedy ?
Advice B.



TNY – 79

LL.B. (Hons.) (Semester – VI) Examination, April 2013
PROPERTY LAW

Duration : 3 Hours

Total Marks : 75

Instructions : i) Section I and Section II are **compulsory**.

ii) Answer **any four** from question 1 to 6 and questions 8 to 13.

iii) Question No. 7 and 14 are **compulsory**.

SECTION – I

(4×8=32)

1. A condition absolutely restraining alienation is void. Explain.
2. 'For a valid transfer of property, the property must be transferable property' state the exceptions to this.
3. There cannot be a direct transfer to a person who is not in existence or is unborn. Explain transfer for the benefit of unborn person.
4. Section 41 of the Transfer of Property Act provides an equitable remedy to a bonafide purchaser for value without notice. Discuss.
5. He who seeks equity must do equity. Explain.
6. Explain the doctrine of part-performance as laid down in section 53-A of transfer of Property Act.
7. Write short note on **any two** of the following : **(2×3=6)**
 - a) Oral transfer
 - b) Joint transfer for consideration
 - c) Covenants.

SECTION – II

(4×8=32)

8. Define sale. What are the duties of buyer before and after sale ?
9. Define Lease and its essentials. Distinguish it from licence.
10. Discuss marshalling and contribution.

P.T.O.



TNY - 79

11. Explain the right of foreclosure and modes of foreclosure upon the various forms of mortgages.
12. What is an easement and modes of acquisition of easement ?
13. Actionable claims are incorporeal moveable properties. Elucidate.
14. Answer any two giving reasons : (2x2.5=5)
 - a) A sells his house to B with the condition that B would not demolish it. B demolishes the house and starts constructing. A sues B for violation of the condition. Advice B.
 - b) A transfer's immovable property to B that was in occupation of tenants with a condition that one fourth of the rent must be accumulated for a period of 100 years, so that the property be maintained and kept in good shape to preserve its market value. Is such a direction valid.
 - c) A, transfers Rs. 500 to B on a condition that he shall marry A's daughter C, at the date of the transfer C was dead.

SECTION - II

8. Define sale. What are the duties of buyer before and after sale ?
9. Define Lease and its essentials. Distinguish it from licence.
10. Discuss mortgaging and contribution.



TNY – 76

LL.B. (Hons) (Semester – VI) Examination, October 2012

PROPERTY LAW

Duration : 3 Hours

Max. Marks : 75

Instructions : 1) Section – I and Section – II are **compulsory**.

2) Answer **any four** questions from Q. No. 1 to 6 and Q. No. 8 to 13.

3) Question No. 7 and 14 are **compulsory**.

SECTION – I

(4×8=32)

1. 'Property and interests in property as a general rule are transferable'. Explain the exceptions to the said rule.
2. Right of alienation is incidental to and inseparable from beneficial ownership of property. Explain.
3. Rule against perpetuity is an extended provision of transfer to unborn person. Explain.
4. Explain the doctrine of 'Holding out' what are the conditions under which the same is applied.
5. Explain the principle of 'Part Performance'.
6. "No one can approbate and reprobate at the same time". Explain the statement with case laws.
7. Answer **any two** of the following : **(2×3=6)**
 - a) Attestation
 - b) Condition precedent and condition subsequent
 - c) Persons competent to transfer.

P.T.O.



SECTION - II

(4×8=32)

8. What are the obligations of the seller before completion of sale and after completion of sale ?
9. Critically examine the principle of 'clog on redemption'.
10. What is an English mortgage distinguish it from mortgage by conditional sale ?
11. Enumerate the rights and liabilities of a lessor and lessee.
12. Define Easement and what are the various modes of acquisition of Easement.
13. What are the essentials in a gift and how it can be revoked ?
14. Render legal advice on **any two** of the following by giving reasons. (2×2.5=5)
 - a) A made a gift of her property to B for life, then to B's male descendants (if any) absolutely. In case she had no male descendants then to B's daughter without the power of alienation and if there were no descendants of B, male or female then to her nephew. B dies without issues. Decide the validity of transfer.
 - b) X owned a vacant site and an adjoining house. He sold the site to A with a condition that it should be kept as an open site uncovered with buildings. This was for securing view of the house for the beneficial enjoyment of X. The site changed hands several times and ultimately came to Y who had notice of the covenant. Y wants to construct a building. X has approached you for advice.
 - c) A is the owner of the house and permits B to stay in it. B treats the house as his own and refused to allow A to enter into it. A files a suit against B for possession and declaration of title. Soon after institution B sells the house to C. Suit is decided in favour of A. Decide the fate of C.



TNY – 76

LL.B. (Hons.) (Semester – VI) Examination, April 2012

PROPERTY LAW 25/04/12 Fij

Duration : 3 Hours

Total Marks : 75

- Instructions :** 1) Section – I and Section – II are compulsory.
2) Answer **any four** questions from Q. No. 1 to 6 and Q. No. 8 to 13.
3) Question No. 7 and 14 are compulsory.

SECTION – I

(4×8=32)

1. 'Property of any kind may be transferred' Explain what kind of properties cannot be transferred.
2. A condition restraining alienation is void. Explain.
3. Explain vested interest and distinguish it from contingent interest.
4. General rule of transfer states that transfer can be effected only between living persons. Discuss transfer for benefit of unborn person.
5. Benefit and burden must co-exist. Explain the doctrine of election.
6. Discuss the principle of 'Lis pendens' with exceptions.
7. Answer **any two** of the following : (2×3=6)
 - a) Oral transfer
 - b) Direction for accumulation
 - c) Notice.

SECTION – II

(4×8=32)

8. What are the essential elements of sale ? Differentiate between sale and contract of sale.
9. 'Once a mortgage always a mortgage'. Explain.

P.T.O.



10. What is a charge ? Distinguish between charge and mortgage.
11. Explain the modes by which easement can be acquired ?
12. Answer the following :
- Essential elements of lease
 - When gift can be revoked.
13. Easement is a right in re aliena over property owned by another classify various kinds of easements.
14. Render legal advice on **any two** of the following by giving reasons. **(2×2.5=5)**
- A who had life interest in immovable property sells this property to B for consideration. B believes that he is the owner of the property and in good faith thinking himself to be the owner makes substantial improvements on the property. The sale is challenged by C who has vested interest. The sale is set aside. What remedy does B have ?
 - Husband was the owner of the land. He effected mutation in favour of his wife and shortly thereafter went on a pilgrimage. Mean while the wife sold the property to C. C made due inquiries and paid the consideration. He also paid the loan and redeemed the said property. After return from the pilgrimage the husband tries to claim the property. Is he entitled to claim it.
 - A transfers property to B, C, D and E all alive, on the date of transfer successively, and then to the eldest son of E on his attaining the age of 21 years. Decide the validity of the transfer.

SECTION - II

(4×8=32)

8. What are the essential elements of sale ? Differentiate between sale and contract of sale.

9. 'Once a mortgage always a mortgage'. Explain.

P.T.O.

B - 25

[Total No. of Questions : 14]



10/10/11
(Monday)

TNY - 76

LL.B. (Hons.) (Semester - VI) Examination October - 2011
PROPERTY LAW

Duration : 3 Hours

Total Marks : 75

- Instructions :*
- 1) Section - I and Section - II are compulsory.
 - 2) Answer any four questions from Q.No. 1 to 6 and Q.No. 8 to 13.
 - 3) Question No. 7 and 14 are compulsory.

SECTION - I

[4 × 8 = 32]

- Q1) Elaborate on the Doctrine of election under T.P. Act.
- Q2) Discuss the law relating to condition restraining alienation.
- Q3) "Nothing new should be introduced during litigation". Discuss.
- Q4) What are the effects of transfer by unauthorised person who subsequently acquires interest in property transferred.
- Q5) Explain in detail rule against perpetuity.
- Q6) Discuss the concept of fraudulent transfer under S.53 of T.P.Act.
- Q7) Answer any two of the following: [2 × 3 = 6]
- a) Vested interest.
 - b) Actionable claim.
 - c) Attestation.

SECTION - II

[4 × 8 = 32]

- Q8) What are the essentials of valid sale. Distinguish sale with contract of sale.
- Q9) Define Mortgage and explain the different kinds of mortgages.
- Q10) Explain the law relating to exchange under T.P. Act.

P.T.O.

Q11) What is subrogation and explain its kinds.

Q12) Define Gift. What are the essentials of gift. Can a gift be revoked.

Q13) Define Easement and explain the different kinds of easements.

Q14) Render legal advice on any two of the following by giving reasons. [2 × 2.5 = 5]

- a) A, B and C are co-owners of a house to which an easement is attached. A without consent of B and C releases the easement. Is the easement extinguished?
- b) A devised a tea garden absolutely to B. But with the condition that in case B sells it further, he will have to pay Rs. 50,000 to A's brother out of sale proceed. Advice B.
- c) A transfers Rs. 5000 to B on condition that he shall marry with consent of C, D & E. B marries without the consent of C, D and E but obtains their consent after the marriage. Whether B fulfilled the condition.

[Total No. of Questions : 14]

LL.B. (Hons.) (Semester - VI) Examination, April/May 2011**PROPERTY LAW**

Duration : 3 Hours

Total Marks : 75

- Instructions :** 1) Section - I and Section - II are compulsory.
2) Answer any four questions from Q.No. 1 to 6 and Q.No. 8 to 13.
3) Question No.7 and 14 are compulsory.

SECTION - I

[4 × 8 = 32]

- Q1) Who are the persons competent to transfer under 5.7 of T.P. Act.
- Q2) Explain in detail the doctrine of holding out.
- Q3) Discuss restriction repugnant to interest created.
- Q4) Define Transfer of property. Whether the following are transfers under T.P. Act :
- a) Partition. b) Surrender.
c) Compromise. d) Family settlement.
e) Relinquishment. f) Easement.
- Q5) "Property of any kind may be transferred except as otherwise provided in the act by any other law for time being in force". Elucidate.
- Q6) Explain the doctrine of feeding of grant by estoppel.
- Q7) Answer any two of the following : [2 × 3 = 6]
- a) Marshalling.
b) Actionable claim.
c) Redemption.



SECTION - II**[4 × 8 = 32]**

- Q8)** Define Lease. What is meant by tenancy by holding over and tenant at sufferance.
- Q9)** Define sale and distinguish it with contract for sale.
- Q10)** What is gift? Explain its essentials and revocation of gift.
- Q11)** Define subrogation explain its kinds in detail.
- Q12)** What is easement. Explain modes of acquisition of easement.
- Q13)** "Exchange is transfer of ownership in a property for consideration of ownership of another property": Discuss.
- Q14)** Render legal advice on any two of the following by giving reasons: **[2 × 2.5 = 5]**
- A transfers property to B in trust for C and directs B to give possession of property to C when he attains the age of 25. What is C's right?
 - A transfers Rs. 5000 to B on condition that he shall marry with the consent of C, D and E. E dies. B marries with the consent of C and D. Whether B has fulfilled the condition.
 - A makes a transfer of his property to B with condition that if B wants to alienate the property during the lifetime of A's wife, he must offer it to her for purchase at a fourth of its value. Is the above condition valid.





11/10/2010
(Monday)

TNY - 76



LL.B. (Hons.) (Semester – VI) Examination, October 2010
PROPERTY LAW

Duration : 3 Hours

Max. Marks : 75

Instruction : Section I and Section II are compulsory.

SECTION – I

Instructions : 1) Answer any four questions from Q. No. 1 to 6. (4×8=32)
2) Q. No. 7 is compulsory. (2×3=6)

1. What is Notice ? Discuss in detail the provisions relating to notice under the transfer of Property Act 1882.
2. "A right of alienation is incidental to and inseparable from the beneficial ownership of property". Discuss conditions restraining alienation.
3. Discuss in detail the Doctrine of Election under the T. P. Act.
4. Elaborate the concept of fraudulent transfer under Sec. 53 of Transfer of Property Act.
5. Discuss in detail the Doctrine of rule against perpetuity.
6. Explain the provisions relating to condition precedent and condition subsequent.
7. Answer any two of the following :
 - a) Spes successionis
 - b) Persons competent to transfer
 - c) Contingent interest.

SECTION – II

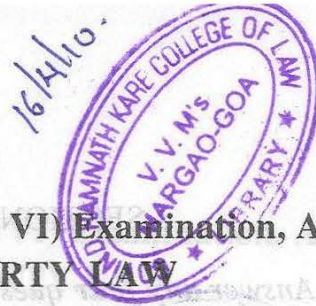
Instructions : 1) Answer any four questions from Q. No. 8 to 13. (4×8=32)
2) Q. No. 14 is compulsory. (2×2.5=5)

8. Discuss the essentials of a valid sale. How is a sale effected ? Distinguish sale with contract for sale.
9. What is Mortgage ? Explain simple Mortgage and Usufructuary Mortgage.

P.T.O.



10. Discuss in detail the concept of Redemption of Mortgage.
11. Answer the following :
- Define the term lease
 - Express and implied surrender.
12. Answer the following :
- What is a gift ? What are the essential elements of a gift ?
 - What is an actionable claim ?
13. What is an easement ? Explain mode of Acquisition of easement.
14. Render legal advice on **any two** of the following by giving reasons and citing relevant provisions of law :
- A, a Hindu, who has separated from his father B, sells to C, three fields, X, Y, Z representing that A is authorised to transfer the same. Of these fields Z doesn't belong to A, it having been retained by B on partition, but on B's death, as heir obtains field Z. Discuss the right of C.
 - A sells a field to B with the condition that B must grow vegetables/crops on it. Explain validity of the condition and transfer.
 - Husband was the owner of the land. He effected a mutation in the revenue records of the same in favour of his wife, and shortly there after went on a pilgrimage. Mean while, the wife sole the land to C. C made inquires and paid the consideration. Explain the validity of the transfer.



TNY - 76

LL.B. (Hons.) (Semester - VI) Examination, April 2010

PROPERTY LAW

Duration : 3 Hours

Total Marks : 75

Instruction : Section I and II are compulsory.

SECTION - I

Instructions : 1) Answer **any four** questions from Q. No. 1 to 6. (4×8=32)

2) Q. No. 7 is **compulsory**. (2×3=6)

1. What do you understand by the term Immovable Property ? Describe those properties which cannot be transferred.
2. How can an unborn person be benefitted under the Transfer of Property Act ? When is the benefit conferred upon an unborn person legally effective ?
3. Explain the Principle of Doctrine of Ostensible ownership. How far is a transfer by an ostensible owner binding on the persons interested in immovable property.
4. "During litigation nothing new should be introduced". Discuss the doctrine of lis pendens.
5. Discuss the law relating to "Restriction repugnant to interest created".
6. What is Covenant ? Explain covenants running with land and contractual ownership annexed to ownership under Transfer of Property Act.
7. Answer **any two** of the following :
 - a) Actionable claim
 - b) Doctrine of Acceleration
 - c) Vested interest.

P.T.O.



SECTION - II

Instructions : 1) Answer **any four** questions from Q. No. 8 to 13. (4×8=32)
2) Q. No. 14 is compulsory. (2×2.5=5)

8. Discuss the essentials of a valid sale. Explain what Marshalling is by subsequent purchaser.
9. Define and distinguish between Mortgage and Charge.
10. What is Foreclosure ? Distinguish it from a Sale.
11. Discuss the rights and liabilities of both Lessor and Lessee.
12. Answer the following :
 - a) Define the term Exchange in detail.
 - b) Onerous gift.
13. What is an easement and explain classification of easement ?
14. Render legal advice on **any two** of the following by giving reasons and citing relevant provisions of law :
 - a) X transferred his property to Y in 1960 with a direction for accumulation till 1985. A died in 1980. Explain how long Y has to follow the direction.
 - b) A transfers a field to B, and incorporates a condition in the transfer deed, that B can sell it to anyone, but will have to pay 90% of consideration of A's son. Explain the validity of condition and transfer.
 - c) A transfers to B an estate to which C is entitled, and as part of the same transaction gives C a coalmine. C takes possession of mine and exhausts it. Explain B's claim over C's property.



LL.B. (Hons.) (Semester - VI) Examination, October 2009

PROPERTY LAW

Duration : 3 Hours

Max. Marks : 75

Instruction : Section I and Section II are compulsory.

SECTION - I

Instructions : 1) Answer any four questions from Q. No. 1 to 6. (4x8=32)

2) Q. No. 7 is compulsory. (2x3=6)

1. "Transfer passes all the interest of the transferor to the transferee under Transfer of Property Act". Explain. 8
2. How can an unborn person be benefitted under the Transfer of Property Act ? When the benefit conferred upon an unborn person can be legally effective ? 8
3. What do you understand by Vested Interest ? Distinguish it from Contingent interest. 8
4. Explain the principle of doctrine of ostensible ownership. How far is a transfer by an ostensible owner binding on the persons interested in immovable property ? 8
5. What are the remedies available under Sec. 51 of Transfer of Property Act 1882 for the improvements made by bonafide holder under defective title ? 8
6. "During litigation nothing new should be introduced". Discuss the doctrine of *lis pendens*. 8
7. Answer any two of the following : (2x3=6)
 - a) Attestation
 - b) Doctrine of Acceleration
 - c) Oral transfer.



SECTION - II

Instructions : 1) Answer any four questions from Q. No. 8 to 13. (4×8=32)

2) Q. No. 14 is compulsory. (2×2.5=5)

8. Define the term Sale. Discuss the rights and liabilities of buyer of immovable property. 8
9. "Once a mortgage, always a mortgage". Discuss with reference to the doctrine of clog on the equity of redemption. 8
10. Define the term lease. Discuss the grounds for determination of a lease. 8
11. What is foreclosure ? Distinguish it from a sale as a remedy for mortgagee. 8
12. What is "gift" ? How a gift of immovable property is effected ? When a gift becomes revocable ? 8
13. What is an easement and explain difference between Easement and License. 8
14. Render legal advice on **any two** of the following by giving reasons and citing relevant provisions of law : (2×2.5=5)
 - a) A mortgages property X and Y to SBI. Subsequently A mortgages Y alone to Bank of India. Can Bank of India entitled to insist that SBI should realise its debts first from property X alone ?
 - b) A gives a lakh of rupees to B, reserving to himself with B's assent, the right to take back at pleasure Rs. 10,000 out of lakh. Explain the validity of gift.
 - c) A owes money to B, who transfers the debt to C. B then demands the debt from A, who, not having received notice of the transfer, as prescribed in section 131, pays B. Is the payment valid ? And can C sue A for the debt ?

(3) Attestation



18/04/09

TNY - 76

LL.B. (Hons.) (Semester - VI) Examination, April 2009

PROPERTY LAW

Duration: 3 Hours

Total Marks: 75

Instruction : Section I and Section II are compulsory.

SECTION - I

Instructions : 1) Answer any four questions from Q. No. 1 to 6. (4×8=32)

2) Q. No. 7 is compulsory. (2×3=6)

1. Define Notice and explain various legal presumptions as to constructive notice. **8**
2. Define Transfer of Property and whether the following are transfers under Transfer of Property Act :
 - a) Partition
 - b) Surrender
 - c) Compromise
 - d) Relinquishment
 - e) Easement. **8**
3. "Absolute restraint on alienation is void, but partial restraint is valid". Explain this rule with exceptions if any. **8**
4. "Perpetuity in the primary sense of the word is a disposition which makes property inalienable for an indefinite period". Explain these words with reference to rule against perpetuity. **8**
5. Explain the effect of transfer by unauthorised person who subsequently acquires interest in property transferred. **8**
6. What are the remedies available under Sec. 51 of Transfer of Property Act 1882 for the improvements made by bonafide holder under defective title ? **8**
7. Write short notes on any two : **(2×3=6)**
 - a) Spes successionis
 - b) Priority of rights
 - c) Immovable property.

P.T.O.

LL.B. (Hons.) (Semester - VI) Examination, 2008
PROPERTY LAW

Duration: 3 Hours

Total Marks: 75

Section I and Section II are compulsory.

SECTION - I

Instructions : 1) Answer *any four* questions from Q. No. 1 to 6. (4×8=32)

2) Q. No. 7 is **compulsory**. (2×3=6)

1. Elucidate the Doctrine of Election and exceptions if any. 8
2. State the rules relating to transfer of property to unborn persons. 8
3. Define and distinguish between a condition precedent and condition subsequent. 8
4. Discuss the doctrine of "Lis Pendens" as laid down in Sec. 52 of Transfer of Property Act. 8
5. "Property of any kind may be transferred, except as otherwise provided in the act by any other law for the time being in force". Elucidate. 8
6. Answer the following : 8
 - a) Attestation _____
 - b) Vested interest.
7. Render legal advice **any two** of the following by giving reasons and citing relevant provisions of law : (2×3=6)
 - a) A orally grants to B for Rs. 1,000/- the right to catch and carry away fish from his lake for two years. Is the grant valid ?
 - b) A makes a gift of his property to B with a condition that if B wants to alienate the property during the lifetime of A's wife, he must offer it to her for purchase at a fourth of its value. Is the above condition valid ?
 - c) A contract to buy goods from B. On due date A fails to take delivery and B sells the goods in the market at a loss of Rs. 10,000. B transfers the right to recover the damages to C. Is the transfer valid ?



SECTION - II
PROPERTY LAW

Instructions : 1) Answer **any four** questions from Q. No. 8 to 13. (4×8=32)
2) Q. No. 14 is **compulsory**. (2×2.5=5)

8. Define Sale. Distinguish between Sale and Contract for Sale. 8
9. Define Mortgage and explain Simple Mortgage and Mortgage by Conditional Sale. 8
10. What is Subrogation and explain kinds of Subrogation under Mortgage ? 8
11. Define Lease and distinguish it with License. Explain what is meant by Tenancy by Holding Over. 8
12. Define Gift and explain its essentials. Explain Revocation of Gift. 8
13. What is a License and explain difference between Licence and Easement ? 8
14. Write short notes on **any two** : (2×2.5=5)
- Universal Donee
 - Anomalous Mortgage
 - Easement by quasi necessity.

LL.B. (Hons.) (Sem. - VI) Examination, April 2008

PROPERTY LAW

Duration : 3 Hours

Max. Marks : 75

Section I and Section II are compulsory.

SECTION - I

*Instructions : 1) Answer any four questions from Q. No.1 to 6. (4×8=32)**2) Q. No. 7 is compulsory. (2×3=6)*

1. Explain the meaning and import of the term "Transfer of Property". Can a person transfer property to himself ? 8
2. Explain rule against perpetuities and transfer of property to unborn person. 8
3. When is a person said to have a notice of fact as per Transfer of Property Act ? Explain in brief the actual notice and constructive notice. 8
4. Discuss the essentials of vested and contingent interests as defined under the provisions of Transfer of Property Act. 8
5. State the remedies available under Sec. 51 of the Transfer of Property Act for the improvements made by bonafide holder under defective title. 8
6. An absolute restraint on alienation is void but a partial restraint is not. Explain. 8
7. Render legal advice on any two of the following by giving reasons and citing relevant provisions of law. (2×3=6)
 - a) A transfers property to his wife, but in case she should die in his life time, transfers to B that which he had transferred to her. A and his wife perish together under circumstances which make it impossible to prove that she died before him. Does disposition in favour of B takes effect ?
 - b) A transfers Rs. 500/- to B on condition that he shall execute a certain lease within three months after A's death, and if he should neglect to do so, to C. B dies in A's life time. Does the disposition in favour of C take effect ?
 - c) A transfers Rs. 5,000/- to B on condition that he shall marry with the consent of C, D and E. B marries without consent of C, D and E but obtains their consent after the marriage. Whether B fulfilled the condition ?



SECTION - II

Instructions : 1) Answer **any four** questions from Q. No. 8 to 13. (4×8=32)
2) Q. No. 14 is **compulsory**. (2×2.5=5)

8. Examine critically the principles of "Clog on equity of Redemption". 8
9. Define lease and state how a lease agreement can be determined. 8
10. Discuss the nature of the obligations of the seller before completion of the sale and after completion of sale. 8
11. What do you mean by doctrine of Contribution ? Distinguish between the Marshalling and Contribution in Mortgage. 8
12. Define gift. Explain it's essentials and mode of transfer, can a gift of future property be valid ? 8
13. Define Easement and explain under what circumstances in which an easement is suspended, extinguished and revived. 8
14. Write short notes on **any two** : (2×2.5=5)
- a) Mortgage by deposit of title deeds
 - b) Tenancy at sufferance
 - c) Actionable claim.

LL.B. (Hons.) (Sem. - VI) Examination, 2007
PROPERTY LAW

Duration : 3 Hours

Max. Marks : 75

SECTION - I

Instructions: 1) Answer any four questions from Q. No. 1 to 6 (4×8=32).
 2) Q. No. 7 is compulsory (2×3=6).

1. Define Transfer of Property and explain who are competent to transfer.
2. "Transfer passes all the interest of transferor to the transferee". Explain.
3. Answer the following :
 - a) Immovable property
 - b) Attestation.
4. Explain the principles of Doctrine of Ostensible ownership. How far is a transfer by an ostensible binding on the persons interested in immovable property ?
5. What do you understand by Vested Interest ? Distinguish it from Contingent Interest.
6. "An act of Part Performance must be done in performance of the contract". Discuss in detail the doctrine of part performance.
7. Write short notes on any two :
 - a) Doctrine of Cy-pres
 - b) Oral transfers
 - c) Restrictive Covenant.

SECTION - II

Instructions: 1) Answer any four questions from Q. No.8 to 13 (4×8=32).

2) Q. No. 14 is compulsory (2×2.5=5).

8. Discuss the rights and liabilities of the seller under sale of immovable property.
9. Define Mortgage and explain mortgage by deposit of title deeds and English Mortgage.
10. "Once mortgage, always a mortgage and nothing but a mortgage". Discuss with reference to the doctrine of Clog on equity of redemption.
11. What is lease and distinguish it with licence ?
12. Define a gift. How a gift of immovable property effected ? When can a gift be suspended or revoked ?
13. What is Easement ? Explain acquisition of Easement.
14. Answer any two of the following with reasons :
 - a) X transfers the property to Y for life then to Z if he passes LL.B examination. Y dies and one year after the death of Y, Z passes LL.B examination and claims the property. Decide.
 - b) A, a Hindu who has separated from his father B, sells to C, three fields, X, Y and Z representing that A is authorized to transfer the same. Of these fields Z does not belong to A, it having been retained by B on partition, but on B's death A, as heir obtains field Z. Thereupon A immediately sells field Z to D. Discuss the right of C and D.
 - c) Murali, living at Margao, entered into a contract to sell a house owned by him to Kiran who lived at Vasco. Murali executed a sale deed in favour of Kiran and sent it to Kiran by registered post at Vasco. In the sale deed executed by him Murali left blank space to be signed by two attesting witnesses. Kiran took the sale-deed to his friends and got it attested. Is the attestation valid ?

LL.B. (Hons.) (Semester - VI) Examination, April 2007

TRANSFER OF PROPERTY ACT

Duration : 3 Hours

Max. Marks : 75

SECTION - I

Instructions: 1) Answer **any four** questions from Q. No. 1 to 6. (4×8=32)
2) Q. No. 7 is **compulsory**. (2×3=6)

1. "Property of any kind may be transferred". Discuss along with the exceptions if any, to the statement.
2. Discuss the law relating to transfer for the benefit of person not in existence at the date of transfer.
3. What is notice ? Discuss in detail the provisions relating to notice under Transfer of Property Act.
4. Define, explain and distinguish between Condition precedent and Condition subsequent.
5. "During litigation nothing new should be introduced". Discuss the doctrine of Lis Pendens.
6. Discuss the provisions relating to transfer by co-owners and joint transfers under Transfer of Property Act.
7. Write short notes on **any two** :
 - a) Operation of transfer.
 - b) Contingent Interest.
 - c) Oral transfer.

SECTION - II

Instructions: 1) Answer **any four** questions from Q. No. 8 to 13. (4×8=32)
2) Q. No. 14 is compulsory. (2×2.5=5)

8. Discuss the rights and liabilities of a buyer of immovable property.
9. What is Mortgage ? Explain Usufructuary Mortgage and Mortgage by Conditional Sale.
10. Explain the Doctrine of Marshalling and Contribution under the Transfer of Property Act.
11. Define lease and how a lease can be terminated.
12. What is gift ? What are the essential elements of a gift and state whether it is mandatory that every gift has to be registered.
13. Define Easement. Discuss the nature and characteristics of easement.
14. Answer **any two** of the following with reasons :
 - a) A sold a house to B and on the date of sale B executed a separate agreement that if he wished to sell the house, he would sell it back to A and to no one else. Examine the validity of the condition.
 - b) A and B exchanged their lands. A sold the exchanged land to Z. B was dispossessed by X who had a paramount title. Can B claim from Z the land given to A under the exchange ?
 - c) A, B and C are co-owners of a house to which an easement is attached. A without the consent of B and C releases the easement. Is the easement extinguished ?

LL.B. (Hons.) Semester – VI Examination, April 2006

PROPERTY LAW

Duration: 3 Hours

Max. Marks: 75

Instructions: 1) Answer **any 4** from questions 1 to 6 and **any 4** from questions 8 to 13. Questions 7 and 14 are compulsory.

2) Figures to the **right** indicate maximum marks.

SECTION – I (4×8=32)

1. What is transfer of property ? State the essentials of a valid transfer.
2. Discuss the effects of conditions in restraint of alienation and enjoyment of property transferred absolutely.
3. Explain the doctrine of feeding of grant by estoppel.
4. State the principles governing the direction for accumulation of income accruing from the property transferred.
5. Define 'Vested Interest' and 'Contingent Interest'. Distinguish between the two.
6. Define 'Condition Subsequent'. What are the characteristics of condition subsequent ?
7. Answer **any two** giving reasons : 6
 - a) A transfers his property to B for life and after B's death to his son who is not born, for life. And after the son's death D, an unborn person, shall have it absolutely. Discuss the validity of the transfer.
 - b) A transfers Rs. 15,000/- to B on condition that he shall marry with consent of C, D and E. B marries with consent of C but after the marriage obtains the consent of D and E. Will B take under the transfer ?
 - c) A transfers to B an estate belonging to C and as a part of the same transaction gives to C a coal mine. C takes possession of the mines and extracts substantially. What is the effect of C's act ?

SECTION - II

(4×8=32)

8. "The right of redemption is a statutory right which cannot be taken away by any condition that prevents redemption" Discuss.
9. What is subrogation ? Explain the types of subrogation.
10. Define Lease giving the essentials of a Lease. How can a lease be determined ?
11. Define sale. What are the rights and liabilities of a seller ?
12. Define Gift. What is an 'Onerous Gift' ?
13. Explain with illustrations Continuous and Discontinuous, Apparent and Non-apparent easements.
14. Write short notes on **any two** of the following : 5
- a) Marshalling
 - b) Oral transfers
 - c) Condition precedent.

LL.B (HON) SEM-VI EXAMINATION 2005 Oct.

LAW OF PROPERTY
(INCULDING EASEMENT ACT)

MAX MARKS 75

TIME-- 3HOURS

Section I

INSTURCTIONS-- 1) Answer any 4 questions from Q.NO 1 to 6

2) Q.NO.7 is compulsory.

3) Each answer should begin on a fresh page.

Mention question number correctly before

You answer. $4 \times 8 = 32$

1. Transfer of property passes forthwith to the transferee all the interest which the transferor is then capable of passing -- critically evaluate.

2. Explain the rule against perpetuity.

3. Define condition Precedent and distinguish it with condition subsequent.

4. State and explain the doctrine of feeding the grant by estoppel.

5. Discuss the fraudulent transfer as laid down in sec.53 of transfer of property Act.

6. Property of any kind may be transferred. Explain what are the exceptions to this general rule.

7. Answer any two of the following --- $2 \times 3 = 6$

a) A grant a lease of Plot of land for 5 years to B.

Subsequently A transfers his right of re-entry at the expiry of 5 years to C. Is the transfer valid?

b) A made a gift of a house to B with a condition that if B sold during the lifetime of A's wife, she should have an

option to purchase it for Rs.10, 000. The value of the house was Rs.10, 00,000. Is the condition valid?

- c) A transfers property of which he is the owner to B in trust for A and his intended wife successively for their lives and after the death of the survivor for the eldest son of the intended marriage for life and after his death for A's second son. Is the transfer for the benefit of eldest son valid?

SECTION II

INSTRUCTIONS-- 1) Answer any 4 questions from Q.NO 8 TO 13.

2) Q.NO.14 is compulsory.

3) Each answer should begin on a fresh page.

Mention question number correctly before

You answer. $4 \times 8 = 32$

8. What is mortgage by conditional sale? Distinguish it with an English mortgage.

9. Examine critically the principle of Clog on redemption.

10. Define sale and distinguish between sale and contract for sale.

11. What is lease? Explain the circumstances for determination of lease.

12. Define Gift and state its essentials.

13. Under what circumstances an easement is, extinguished, suspended and revived.

14. Answer any two of the following $2 \times 2 \frac{1}{2}$

- Universal Donee
- Exchange
- Dominant heritage.



SECTION - II

LL.B. (Hons.) (Semester - VI) Examination, April 2005
LAW OF PROPERTY
(Including Easement Act)

Duration : 3 Hours

Total Marks : 75

SECTION - I

Instructions : 1) Answer any 4 questions from Q. No. 1 to 6.

2) Q. No. 7 is compulsory.

3) Each answer should begin on a fresh page. Mention question number correctly before you answer.

(4×8=32)

1. When is a person said to have a notice of fact as per the Transfer of Property Act ? Explain in brief the difference between actual notice and constructive notice.
2. Property of any kind may be transferred. Explain what are the exceptions for this general rule.
3. When an absolute interest is created in favour of a person any direction that the property should be enjoyed in a particular manner is void. Explain.
4. Who is an ostensible owner ? Explain the effect of transfer by ostensible owner.
5. Discuss the doctrine of Lis pendens as laid down in sec. 52 of Transfer of Property Act.
6. Discuss the essentials of a vested and contingent interest as defined under the provisions of Transfer of Property Act.
7. Answer any two of the following : (2×3=6)
 - a) X transfers a property to Y on condition that he renounces his religion and embraces Buddhism. Decide the fate of transfer.
 - b) X transfers his property to Y on condition that he shall execute a particular document within 6 months after X's death, and if he neglects to do so, to Z. Y dies in A's life time. What is the right of Z over the property ?
 - c) A contracts to buy goods from B. On due date A fails to delivery and B sells the goods in the market at a loss of Rs. 10,000. B transfers the right to recover the damages to C. Is the transfer valid ?

SECTION - II

Instructions : 1) Answer any four questions from Q. No. 8 to 13.

2) Q. No. 14 is compulsory.

3) Each answer should begin on a fresh page. Mention question number correctly before your answer.

(4×8=32)

8. Define Mortgage and explain usufructuary mortgage.
9. What do you mean by doctrine of contribution, distinguish it with marshalling.
10. What are the essential ingredients of a sale and distinguish it with contract for sale.
11. Enumerate the rights and liabilities of a lessor and lessee.
12. Define gift. When can a gift be suspended or revoked ?
13. Define easement and explain various kinds of easements.
14. Answer any two of the following : (2×2½=5)
- ✓ a) Onerous gift
 - b) Exchange
 - ✓ c) Actionable claim.

27/11/04

3

LL.B. (Hons.) Sem.-VI Examination, 2004
PROPERTY LAW

Time: 3 Hrs.

Max. Marks: 75

SECTION-I

Instructions: 1) Answer any FOUR from Q.1 and Q. 6
2) Q. 7 is compulsory.

(4 x 8 = 32)

Q.1. Discuss as to when a person is said to have notice of a fact according to the provisions of transfer of Property Act. *see 3*

Q.2. Explain transfer for benefit of unborn person. *see 13*

Q.3. Law leans in favour of vesting and against divesting. Elaborate the statement citing the provisions of conditional transfer under transfer of Property Act.

(see 25-31) condition Prec & condition subseq

Q.4. Explain "Estoppel by holding out, what are the conditions under which the principle is applied. *see 41*

Q.5. What is fraudulent transfer under transfer of Property Act. State its essential ingredients. *see 53*

Q.6. Explain the Doctrine of Election. *see 35*

Q.7. Answer any two:-

(2 x 3 = 6)

- (a) Things attached to the Earth.
- (b) Doctrine of Cypres.
- (c) Actionable claim.

SECTION-II

(a) Answer any four from Q.No. 8 to 13.

(b) Q.No. 14 is compulsory.

(4 x 8 = 32)

Q.8. Define sale and distinguish between sale and contract for sale.

Q.9. Define mortgage and explain essential features of a mortgage by conditional sale and a simple mortgage.

Q.10. Once mortgage, always a mortgage and nothing but a mortgage. Explain this maxim in the light of decided cases.

Q.11. What is lease? Under what circumstances can termination of a lease takes place.

P.T.O.

Q.12. When does a transaction amount to an exchange. What are the rights of a Party deprived of a thing received in exchange.

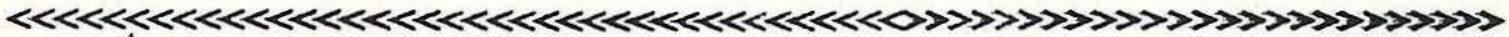
Q.13. Define easement and explain mode of Acquisition of Easement.

Q.14. Answer any two with reasons. (2 x 2 ½ = 5)

(a) A makes an absolute gift of a house to B with a direction that B shall reside in it. B wants to lease the house. Advise B.

(b) A entered his land in the revenue records in his wife's name and went on a pilgrimage. After his departure she sold the land to 'C' who purchased with good faith. On his return A wants to recover land. Can he do so.

(c) A transfers Rs.500 to B on condition that he shall marry with the consent of C, D and E. E dies. B marries with the consent of C and D. Can B claim the property.



LL.B. (Hons.) Semester – VI Examination, 2003
PROPERTY LAW

Duration : 3 Hours

Total Marks : 75

SECTION – I

Instructions : Answer any four from Q.No. 1 to 6 . Q. No. 7 is compulsory.

1. "Property of any kind may be transferred" – Critically evaluate.
2. "Transfer of property passes forthwith to the transferee all the interest which the transferor is then capable of passing in the property and in the legal incidents thereof" – Elucidate. 8
3. "Where, on a transfer of property, an interest therein is created for the benefit of a person not in existence at the date of transfer" – Explain. 8
4. Define and distinguish between condition precedent and condition subsequent. 8
5. "Transfer by unauthorised person who subsequently acquires interest in property transferred". – Explain. 8
6. What is the effect of "Improvements made by bonafide holders under defective title".
7. Answer **any two** : (2×3 = 6)
 - a) Immovable property
 - b) Actionable claim
 - c) Vested interest.

SECTION – II

Instructions : i) Answer any four from Q.No. 8 to 13. Q. No. 14 is compulsory.

8. Define sale and discuss the rights and liabilities of the Buyer. 8
9. What is Mortgage ? Explain mortgage by deposit of title deeds and anomalous mortgage. 8
10. Critically evaluate "once mortgage always a mortgage". 8
11. Define Lease. How lease can be terminated ? 8
12. What is gift ? Explain suspension and revocation of gift. 8
13. Define Easement. Distinguish it with Licence. 8
14. Answer **any two** with reasons : (2×2½ = 5)
 - a) A transfers his property to B on condition that he shall execute a particular document within 6 months after A's death, and if he neglects to do so, to C. B dies in A's lifetime. What is the right of C to the property ?
 - b) A leases to B his flat at Mapusa for a period of three years which was not to a registered lease deed. B has observed all the terms and conditions contained therein. A threatens to evict B on the ground that there is no registered lease. Advise B.
 - c) M gifts an immovable property to N which is accepted by N. The gift is not registered even after two months of its execution. Now M seeks to revoke the gift, advise him.

28/11/13

ASM - 157

(3)

LL.B. (Hons) Sem. - VI Examination, 2003
PROPERTY LAW

Duration: 3 Hours

Total Marks: 75

SECTION - I

- i) Answer any four from Question No. 1 to 6.
- ii) Question No. 7 is compulsory.

1. Explain the following: (4 x 8=32)

- a) Immovable Property (b) Attestation.
- 2. Critically evaluate "Condition restraining alienation". sec-10
- 3. Rule against perpetuity is an extension of transfer to unborn person - elucidate. sec-13
- 4. Where a person professes to transfer property which he has no right to transfer, and as a part of the same transaction confers any benefit on the owner of property. Discuss.
- 5. What are the provisions of "Conditional transfer" under Transfer of Property Act? sec-25
- 6. Critically evaluate the "Principle of Part-Performance". sec-53-A

7. Answer any two with reasons: (2x3=6)

- a) A B C and D effected a partition of Joint family property and agreed that if any one should have no issue, he would have no power to sell his share but should leave it for other shares. A sold his share and died without any issue. B, C, D sued to recover the the shares. Will they succeed?
- b) X was in possession of a certain property with the consent of Y who was the real owner. X behaved as if he was actual owner and transferred the property to Z for a certain consideration. Y files a suit for declaration that the transfer by X to Z is void on the grounds that he was not real owner. How can Z defend the suit?
- c) M makes a conditional gift to N of a house with a condition that if N doesn't personally occupy it the gift will be revoked and the house will revert back to M. N contends that once a gift is made no directions could be imposed as to the mode of enjoyment. Is the contention of N correct?

SECTION - II

- i) Answer any 4 from Question no. 8 to 13.
- ii) Question no. 14 is compulsory.

8. Define sale and what are the rights and liabilities of seller? (4 x 8=32)

- 9. What is mortgage and explain Usufructuary and English mortgage.
- 10. Define lease with its characteristic, features and its kinds.
- 11. Critically evaluate Actionable claim. Explain mode and effect of Assignment.
- 12. What is subrogation and explain kinds of subrogation.
- 13. Define easement and how easement can be acquired. Elucidate.

14. Answer any two: (2 x 2 1/2 = 5)

- a) Charge
- b) Quasi-easement
- c) Onerous gift.

2nd set

16/10/02

3

ASM - 111

LL.B. (Hons.) (Semester VI) Examination, 2002
PROPERTY LAW

Duration: 3 Hours

Marks: 75

- Instructions:** i) Answer to the TWO Sections should be written **SEPARATELY**.
ii) Answer any **FOUR** from Q. No. 1 to 6 and Q. No. 8 to 13.
Q. No. 7 and Q. No. 14 are **COMPULSORY**.

SECTION - I

(4 × 8 = 32)

1. What are the exceptions to the rule that "all kinds of property can be transferred".
Discuss. *Sec. 6*
2. Explain fully the term "Immovable Property". *Sec. 3*
3. Transfer to unborn person..... Discuss. *Sec. 13*
4. Explain the doctrine of "feeding the grant by Estoppel". *Sec. 43*
5. "Nothing new can be added in a pending litigation".... Explain. *Sec. 52*
6. Transfer by ostensible owner..... Explain. *Sec. 41 - Holding out*
7. Answer any TWO: (2 × 3 = 6)
 - a) Attestation
 - b) Vested & contingent interest
 - c) Operation of transfer.

SECTION - II

(4 × 8 = 32)

8. Explain rights and liabilities of seller.
9. Define simple mortgage and usufructuary mortgage.
10. Define mortgage and explain doctrine of marshalling.
11. Explain rights and liabilities of lessor.
12. Define Gift. Explain when can a gift be suspended or revoked ?
13. Define Easement. Explain easement by necessity and quasi easement.
14. Answer any TWO: (2 × 2½ = 5)
 - a) Dominant heritage.
 - b) Universal Donee.
 - c) Redeem up and foreclose down.