

2022

LAW

Property Law

Paper : 604

[NEW SYLLABUS]

Full Marks : 80

Time : 3 Hours

The figures in the right-hand margin indicate full marks.

Candidates are required to give answers in their own words as far as practicable.

Answer Question Number 1 and any five from the rest.

1. Answer any ten of the following questions:

2×10=20

- i) Define immovable property.
- ii) What is actionable claim?
- iii) What is non-transferrable interest?
- iv) What is meant by attestation?
- v) What is Lis-pendens?
- vi) What is contingent interest?
- vii) Doctrine of election.
- viii) Doctrine of priority.

[Turn over]

- ix) Distinguish between lease and licence.
 - x) Doctrine of equitable estoppel.
 - xi) Doctrine of part performance.
 - xii) What is onerous gift?
2. State briefly the history of the Transfer of Property Act, 1882. What are the objectives of the Act?
8+4
3. Explain "Transfer of Property", and give the general principles of transfer of property.
4+8
4. "A transfer of property passes to transferee all the interest which the transferor is capable of passing"— Explain.
12
5. "Transferability is the most inherent quality of property"—State the exceptions to this rule as per Section 6 of the Transfer of Property Act, 1882.
12
6. What is meant by Attestation? What are the requisites of a valid attestation? Point out the legal effects of attestation.
2+4+6
7. "Once a Mortgage always a Mortgage"— Explain the maxim with special reference to clog on redemption.
12

8. i) Define Mortgage. What are the essentials of a mortgage? 2+4

ii) Distinguish between Mortgage and Charge.

6

9. Explain the meaning and essentials of a Gift as provided in Section 122 of the Transfer of Property Act, 1882. Can a gift be suspended or revoked?

8+4
