

PARUL UNIVERSITY
FACULTY OF LAW
LL.B. Summer 2018 – 19 Examination

Semester: 2
Subject Code: 17100153
Subject Name: Property Law

Date: 12/04/2019
Time: 10.30 am to 1.00 pm
Total Marks: 60

Instructions:

1. All questions are compulsory.
2. Figures to the right indicate full marks.
3. Make suitable assumptions wherever necessary.
4. Start new question on new page.

Q.1 Do as directed.**(15)**

(MCQ, True or False, Definitions, Explain terms) (1 marks each. All Compulsory)

1. The Transfer of Property Act, 1882 applies to-

a. Movable Property	b. Immovable Property
c. Both (a) and (b)	d. Only to testamentary dealings
2. Attestation is valid and complete when ____ witnesses sign the instrument.

a. 1	b. 4
b. 3	c. 2
3. The salary of a public officer can be transferred to any other person under Transfer of Property Act. **True or False**
4. What is not included in “Immovable Property”?

a. Standing timber, crops, grass	b. House
c. Land	d. All of above
5. The chance of an heir-apparent succeeding to an estate, the chance of a relation obtaining a legacy on the death of a kinsman, or any other mere possibility of a like nature, can be transferred. **True or False**
6. “Living person” includes a company or association or body of individuals, whether incorporated or not. **True or False**
7. A mere right to sue can be transferred. As per Section 6 (e) of the Transfer of Property Act. **True or False**
8. If person transfer property to another person with condition that property will be revert to transferor if transferee becomes insolvent, It is invalid condition. **True or False**
9. When transferor place restriction on the enjoyment of property which is transferred to transferee, restriction is treated as clog on property and such restriction is void. **True or False**
10. Prior interest is to be created before transferring property to unborn person. **True or False**
11. Explain Condition Precedent
12. Explain Immoveable Property.
13. Define Exchange.
14. Define Gift.
15. Define Charge.

Q.2 A) Write short notes on. (Each of three mark)**(15)**

1. Rule against perpetuity.
2. Doctrines of Lis Pendens.
3. Doctrines Of Fraudulent Transfer.
4. Transfer For The Benefit Of Unborn Person.
5. Right of Redemption and Foreclosure.

Q.3 A) Explain transfer of property by sale and rights and liabilities of seller and buyer under Transfer of Property Act, 1882.**(08)****OR**

- A) Explain 6 kinds of Mortgage under Transfer of Property Act, 1882.

(08)

- B) I** Explain any five types of property which cannot be transferred under Property Act? (07)
II State the difference between Moveable & immoveable property?

OR

- B)** Define Lease and its essential and state rights and liabilities of lessor and lessee under Transfer of Property Act, 1882. (07)

- Q.4 A)** In a place called wonderland a palace was situated, Kiyara, the owner of the place was living there from generation and was enjoying light and air through defined passage of palace like doors & windows. Now a builder wants to build Mall near palace which is affecting the right to light and air enjoyed by Kiyara for years. (07)

Kiyara seeks legal advice from you for infringement of her right to light and air.

- i.** What advice would you give her as her Lawyer?
- ii.** Explain Essential characteristics of easement.
- iii.** Difference between easement under the English and Indian Laws

- B) Answer the following short questions with option (Each of two mark) [Any Four] (08)**

1. Dominant and servient heritage
2. apparent and non-apparent easements

OR

Continuous and discontinuous easements

3. Actionable Claim
4. Universal Donee

OR

Onerous gifts