

End Semester/Reappear (Semester III) Examination December 2022

Programme: LLB

Course: Property Law

Course Code: 24D. 202

Enrolment no. : _____

Full Marks: 70

Time: 3 Hrs.

Section I

- 1. Short Answer type questions. Answer any four. 4 x 5 = 20**
- Distinguish between movable and immovable property
 - Discuss the various types of property.
 - What is meant by the rule of Lis pendens?
 - Explain Actionable Claim, giving examples.
 - State the difference between vested and contingent interest.
 - Elaborate the term material defect.

Section II

- Long Answer type questions. Answer any three. 3 x 10 = 30**
- Write a note on who are competent to transfer property? Discuss with relevant case laws.
 - What happens when the lease agreement does not prescribe the time period of the lease? Comment.
 - Discuss the various conditions for restraining transfer.
 - Can property be transferred to an ostensible owner? Comment.
 - Enumerate the various essentials of a valid gift.

Section III

- Application based questions. Answer any one. 1 x 20 = 20**
- Discuss the doctrine of election with relevant case laws.
 - (a) "A person buying property in a municipal area must be deemed to be aware that municipal taxes are a charge on a property, that there is a possibility of such taxes being in arrear and that it is his duty to enquire about such arrears, if he fails to do so he would always be deemed to have notice of such taxes." *Naval Kishore vs. Agra Municipality 1943 ALJ 53*. How far do you agree with the above statement?
(b) What are the conditions subject to which a registered instrument operates as a constructive notice?
 - (a) Define Mortgage and discuss various kinds of mortgages contemplated under section 58 of the Transfer of property Act, 1882.
(b) A creates Anomalous Mortgage of property in favour of B for a period of 99 years with the condition that the entire amount along with interest would be payable at the time of redemption and property can be redeemed within 6 months after the completion of the term. Whether these conditions of the mortgage amounts to Clog on equity of Redemption? Decide.
