

2014

LAW

( Property Law )

Course No. 3:5

Full Marks : 100

Time : 3 hours

*The figures in the margin indicate full marks  
for the questions*

*Answer question no. 1 and any five questions from the rest*

1. a) Answer the following: 10+10
- i) Whether the attestation of a security bond by the Sub-Registrar and another witness is a valid attestation?
  - ii) Is the transfer by A, a Hindu widow, of her right to maintenance valid?
  - b) What do you understand by Transfer of property and what is the law relating to transfer of property with a condition subsequent?
2. What is rule against perpetuity? In what type of transfers such restrictions are not applicable. Explain 8+8
3. a) Discuss whether the following can be transferred. 8+8
- (i) Easementary right
  - (ii) Right to sue
- b) "A vested interest is not defeated" Discuss and give an example of vested interest. 16

*(Please turn over)*

4. Distinguish between: 2x8  
a) Mortgage and sale  
b) Mortgage and lease
5. a) Distinguish between condition precedent and condition subsequent. 8  
b) Point out the legal consequences of interest being vested and interest being contingent. Support your answer with suitable illustration. 8
6. a) Explain the rule of redeem up and foreclose down as applicable to mortgage 8  
b) Discuss the rule of subrogation under the T.P. Act. 8
7. What is doctrine of election? When does it become necessary in case of transfer of property? Write in detail, the rules of election under the T.P. Act. 4+4+8
8. What is an exchange? Distinguish between exchange and sale. Explain the law that govern an exchange of immovable property. 4+4+8
9. Explain what is easement. Also write a clear note on extinction and revival of easement. 8+8
10. Define licence. What are the different types of licence? Who may grant a licence? Discuss the duties of a grantor of a licence. 4+4+4+4

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