

2025

LAW

(Property Law)

Paper No. 3:5 (OLD COURSE)

Full Marks : 100

Pass Marks : 40

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. Write notes on *any four* of the following: 4x5
 - a) Marshalling and contribution
 - b) Nemo Dat Quod non-habit
 - c) Doctrine of part performance
 - d) Extinction in easement
 - e) Exchange and gift

2. What is fraudulent transfer? Explain the doctrine of Equitable Estoppel and doctrine of his pendens. 2+7+7

3. Discuss the rights and duties of the seller and buyer in a Sale of immovable property. How is ownership transferred under the Act, and what is the effect of non-registration where the registration is compulsory? 10+3+3

(Please turn over)

4. Discuss the essentials of a valid lease under the TOPA, 1882. How does a lease differ from a Sale, license and easement? Support your answer with examples. 7+7+2
5. What do you understand by easement right? Discuss the incidents of easement and disturbance of easement. 4+6+6
6. Discuss the scope and applicability of the Transfer of Property Act, 1882. What are the exceptions to its applications. Illustrate with case law. 7+7+2
7. Define an actionable claim. Under TOPA, 1882 and explain its essential ingredients and discuss the mode of transfer of actionable claims under Section 130. 6+6+4
8. Define immovable property under Section 3 of TOPA, 1882 and Section 3 (26) of the General Clauses Act, 1897. Explain with examples and case law. 8+8
9. Discuss the rule relating to oral transfer under Section 9 of TOPA. In what cases is writing compulsory? Refer to relevant provisions such as sales, mortgages, exchange, lease, gifts. 5+5+6
10. State the facts and the judgement of the case –
Smti Anguri
(Vs)
Jiwan Das
AIR 1988 SC 16