



'সমানো মন্ত্র: সমিতি: সমানী'

## UNIVERSITY OF NORTH BENGAL

B.A./BBA/B.Com. LL.B. General 8th Semester Examination, 2022

### PROPERTY LAW

Time Allotted: 3 Hours

Full Marks: 80

*The figures in the margin indicate full marks.*

*The students are advised to follow the word limit mentioned below strictly while answering questions. The marks will be deducted if answers exceed word limit. 20 marks- not more than 2000 words / 15 marks- not more than 1500 words / 10 marks- not more than 1000 words / 5 marks- not more than 500 words*

#### Answer Question No. 7 and any four from the rest

1. (a) What do you mean by the term 'transfer of property' as laid down under the Transfer of Property Act, 1882? 5+5+6=16  
(b) Explain the nature and scope of the Transfer of Property Act, 1882.  
(c) Define the term 'Immovable Property'.
2. Section 7 of the Transfer of Property Act, 1882 explains the provisions relating to 'persons competent to transfer' – with reference to the above-mentioned Section answer the following: 10+6=16  
(a) What are the essentials of a valid transfer?  
(b) Write a note on the competency of the transferor.
3. Section 10 of Transfer of Property Act, 1882 states that 'Where property is transferred subject to a condition or limitation absolutely restraining the transferee or any person claiming under him from parting with or disposing of his interest in the property, the condition or limitation is void'. —Explain. 16
4. A joint Hindu family property is partitioned between X, Y and Z with the condition that if any one of them have no issue, he will have no right to sell his share. Y sells his share and dies issueless.  
— Under the above-mentioned circumstances, whether X and Z are entitled to recover the property from the purchaser? Decide and cite the relevant provisions of the Transfer of Property Act, 1882 applicable here.
5. (a) Discuss the essential conditions of fraudulent transfer along with the exceptions recognized. 8+8=16  
(b) Elucidate the provisions of part performance with relevant case laws.

6. (a) Discuss the various kinds of mortgage. 6+10=16  
(b) Analyze the 'Right of Redemption of Mortgage' and 'Clog on Redemption'.
7. Answer any *four* from the following: 4×4 = 16
- (a) Actionable claim
  - (b) Spes-succession
  - (c) Ostensible owner
  - (d) Onerous gift
  - (e) Subrogation
  - (f) Exchange.

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