

B.A., LL.B. (HONS) DEGREE FOURTH SEMESTER EXAMINATION, AUGUST 2017

LAW OF PROPERTY

PART-A

Answer ANY FOUR questions .Each question carries TEN marks.

(4x10=40)

- I. Explain the law relating to ostensible ownership with the support of cases laws and examine the validity of benami transactions in India in the light of recent developments. *41*
- II. The Power of alienation and enjoyment of property are the two basic features of ownership. State how far these rights have been protected under the Transfer of Property Act, 1882 and discuss the validity of restrictive conditions with the support of case laws. *10 11*
- III. Though redemption and foreclosure are right of mortgagor and mortgagee respectively, these rights can be invoked only in special circumstances. Compare the law relating to redemption and foreclosure. *subservient not dominant mortgage*
- IV. State how lease differs from easement and discuss the rights and liabilities of lessor and lessee. *105 4*
- V. Though the agreement for sale does not create any interest or charge up on the property, the equity principle of part performance bars the transferor from enforcing any right in respect of the property. Discuss the legal sanctity of agreement for sale and the circumstance under which the transferee can claim the protection of part performance. *govind v. shani Malhotra v. Alderson*

PART-B

Answer ANY TWO questions .Each question carries FIVE marks.

(2x5=10)

- VI. X alienated his property to 'F', the unborn son of his son 'Y' by executing a document in 2014. By the same document, 'X' granted permission to 'H' and 'I' to use income from the property for their higher studies. 'F' born on 27.05.2017, but the child died after his first birthday. Decide the validity of transfer. *R D D*
- VII. 'M' assigned his right to collect rent form his leased property to 'Y' for a period of ten years. Decide the nature and validity of the right transferred.
- VIII. 'A' gifted his existing and future property to 'B' by executing a gift deed. Decide the validity of transfer.