

[Time:2 Hours]

[Marks: 60]

1. All questions are compulsory

2. Figures to the right indicate full marks

Q1. Answer the following in two sentences. (Any six) (12 Marks)

- a. Explain the doctrine of contribution.
- b. State the rule related to consideration in a lease agreement as given in the definition of Lease.
- c. State the rule relating to notice of transfer of actionable claim.
- d. What is meant by accession to mortgaged property and who has right over it?
- e. State three methods of acquisition of an easement.
- f. Explain the doctrine of feeding the grant by estoppel.
- g. What is the meaning of 'transfer' in the Transfer of Property Act, 1882?
- h. What are restrictive covenants?
- i. What does the expression 'Attached to the Earth' mean in the Transfer of Property Act, 1882?
- j. What is meant by clog on the right to redemption?

Q2. Write Short notes (Any two) (12 Marks)

- a. Marshalling of Securities
- b. Differentiate between sale and contract for sale
- c. Fraudulent Transfer
- d. Easements by Prescription

Q3. Situational Problems (Any two) (12 Marks)

- a.) A sells his flat to B. B takes possession of the flat but fails to pay the amount of the flat to B.
 - i. Can A claim back the possession of the flat?
 - ii. What are the remedies available to A?

- b.) A has an immovable property and B is A's son. A is very ill and bed ridden. Believing that A would die soon, B, A's son sells the immovable property of A to X.
 - i. Is this transfer valid? Explain why?
 - ii. Can B sell A's immovable property after death of A? Explain.

c.) Rahul transfers his property to Amit for life and after him to Jay for his life and after Jay to unborn son of Rahul for his life and then to unborn son of Jay.

i. Is the transfer valid? Why?

ii. What would be the position if vested interest was given to unborn son of Rahul?

d) Alex has a bungalow in lonavala. Arpit makes a gift deed in which he professes to transfer the bungalow of Alex to Aman and give Alex Rs. 2 crore which is less than the market price of the bungalow.

i. Is the gift deed valid in favour of Aman. If yes, on what principles it is based on?

ii. What is the right and obligation of Alex?

Q 4. Answer in Detail (Any two)

(24 Marks)

a. Explain in detail, "once a mortgage always a mortgage."

b. What are the characteristics of a lease? Discuss the rights and liabilities of lessor and lessee.

c. Explain the validity of transfer of property by one co-owner. How do the co-owners of a property transfer a share in the common property?

d. Discuss essentials of License. Who can grant License? Explain the rights of grantor of license.