

Total No. of printed pages = 3

3 Sem LLB (N) 1 PL

2012

(December)

LAW OF PROPERTY

Paper : 301

(New Course)

Full Marks – 80

Pass Marks – 32

Time – Three hours

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

Answer question No.1 and any *four* from the rest.

1. Write short notes on any *five* : 4×5=20
- (a) Dakhhal Nama
 - (b) Lease
 - (c) Tenancy at will
 - (d) Attestation
 - (e) Pre-emption
 - (f) Fraudulent transfer

(g) Doctrine of election

(h) Clog on redemption

(i) S Pcs-successionist.

2. (a) Define attestation and execution. What are the essential conditions to constitute a valid attestation ? Discuss. $4+4=8$

(b) Explain the following : $3\frac{1}{2}+3\frac{1}{2}=7$

✓ (i) 'Mere attestation does not transfer rights'.

(ii) 'Mere signing of a document is not attestation'.

3. Define actionable claim. Whether the following are actionable claims ? $5+10=15$

(a) Right to realise money from the debtor.

(b) Hypothecation of movable property.

(c) Deposit of instalments.

(d) Exim script.

4. (a) Explain and illustrate the principle underlying the 'doctrine of Notice'.

(b) Distinguish between actual notice and constructive notice. $8+7=15$

5. What are the elements necessary to constitute Lis Pendant ? State and analyse the law laid down in T.P. Act regarding transfer of property pending a suit relating therein. 5+10=15

6. What is meant by doctrine of Part Performance? Explain how far the doctrine of Part Performance has received statutory form in the T.P. Act. 5+10=15

7. Distinguish between sale and exchange. What are the elements of a valid sale when sale is complete ? Discuss. 5+10=15

8. State the fact and laid down in the following case : 15

Bhalaram

Vs.

Amilchand

(1981 2 SC 414).