

2007

(July)

**PROPERTY LAW INCLUDING TRANSFER OF
PROPERTY ACT AND EASEMENT ACT**

Paper : 301

Full Marks : 80

Time : 3 hours

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

PART—A

Answer Question No. **1** and *any two* from the rest

1. Write short notes on any *five* of the following : 4×5=20

- (a) Subrogation
- (b) Tenancy sufferance
- (c) Redemption
- (d) Law against perpetuity
- (e) Spes successionis
- (f) Onerous gift
- (g) Usufructuary mortgage

2. Why is registration necessary in case of transfer of property? 10
- Discuss the validity of the following :
- (a) A executes an unregistered instrument of gift of his immovable property worth of Rs 60 to B. The instrument was duly executed, attested and the possession of the property was also delivered to B. 4
- (b) A sells his land to B for Rs 60 and the possession of the same was also delivered immediately. A again sells the same land to C for Rs 200 by a Registered Sale Deed. 4
3. What is the Rule of Benami Transfer? Is there any exception to the general rule that a person cannot confer a better title to the property than he himself has in it? 18
4. What do you mean by 'Exchange' and what are the rules that govern exchange? What are the rights and liabilities of the parties to the exchange? 18
5. "The accessory follows the Principal." How far this maxim is applicable to a transfer of property? Explain with illustrations. 10+4+4=18

6. State briefly the facts and the principles of law laid down in :

Bhalaram

vs.

Amirchand

(1981, 2 SC 414)

6+12=18

PART—B

Answer *any two* questions

7. Write short notes on any *two* of the following : 6×2=12
- (a) Profit a prendre
 - (b) Customary Easement
 - (c) Easement of Necessity
 - (d) Apparent Easement
8. Define Licence. What is the difference between Licence and Easement? 4+8=12
9. Define Easement. What are the various remedies available when the right of easement is disturbed? 4+8=12

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