

Total No. of printed pages = 4

**3 SEM LLB 1 PL**

**2010**

(July)

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

Paper : 301

Full Marks - 80

Time - Three 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. Answer any *four* of the following :  $5 \times 4 = 20$

(a) State whether the right to property is a fundamental right or not.

Mention the Constitutional amendment in this respect.

(b) Explain the main object of the Transfer of Property Act.

(c) What do you mean by registration of documents ?

(d) *A*, Hindu widow, transfers her right to maintenance.

Discuss the validity of the transfer.

(e) Gift to an idol is valid or not.

(f) *A* mortgaged his property to *B*, can *A* grant lease of the same property to *C* ?

2. What do you mean by 'Doctrine of Part Performance'? Explain the law relating to doctrine of part performance as given in the T.P. Act. 8+7=15

3. What are the effects of Non-Registration of Documents, that are required to be registered? State the admissibility of such documents in evidence. 8+7=15

4. A person cannot confer a better title to the property than he himself has in it. Is there any exception to it? Discuss. 8+7=15

5. What is Lease ? What are the rights and liabilities of Lessor and Lessee ? 5+10=15
6. Explain any *three* of the following : 5×3=15
- (a) Sale and contract of sale
  - (b) Onerous gift and Universal donee
  - (c) Joint tenancy and Tenancy-in-common
  - (d) Doctrine of Election.

#### PART - B

Answer any *two* questions from this part.

7. (a) What is the effect of the extinction of easement on accessory rights ?
- (b) When an easement is suspended ? 8+7=15
8. (a) Distinguish between continuous and discontinuous easements, giving illustrations.
- (b) Explain and illustrate the Apparent and Non-apparent easements. 8+7=15

9. (a) Define, explain and illustrate 'Licence'.

(b) What are the main features of 'Licence' ?

8+7=15

10. Write short notes on any *three* of the following :

5+5+5=15

(a) Customary Easement

(b) Profit-a-Prendre

(c) Easement of Necessity

(d) Essentials of Easement.

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