

( 3 Hours )

[ Total Marks : 100

1. Answer in **not more than two** sentences :-

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- (a) Enumerate any **two** rights which cannot be acquired by prescription ?
- (b) List any one difference between condition precedent and condition subsequent.
- (c) What is meant by the expression 'attached to the earth' ?
- (d) Lis Pendens means
- (e) Define Sale.
- (f) What is dominant heritage ?
- (g) What is the exception to the rule that restriction on alienation is void ?
- (h) Who is an heir apparent ?
- (i) What are 'Res Extra commercium' ? Can they be transferred ?
- (j) List a difference between lease and sale.

2. Attempt any **four** from the following :-

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- (a) Doctrine of Election
- (b) Direction for accumulation
- (c) Transfer by Ostensible Owner
- (d) Rights of a Seller
- (e) Rights of redemption
- (f) Natural Rights.

3. Attempt any **two** from the following :-

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**(Give reasons for all your answers)**

- (a) **A** and **B** carry on the business of selling computers after retirement from Government jobs. They transfer to **C** the right to sue for damages relating to their business. They also transfer to **D** their right to receive pension.
  - (i) Is the transfer to **C** valid ? Why ?
  - (ii) Is the transfer to **D** valid ? Why ?
- (b) **A** transfers property to his minor daughter **D** for life with a condition that she shall not enjoy the property till she passes her LL.B. exams.
  - (i) Is **D** bound by the conditions ?
  - (ii) If the transfer by **A** is made to **D** absolutely, after she attains majority, but with the condition that she can not sell the property to anyone else, is **D** bound by the condition ?
- (c) **A** sues **B** in respect of a house in **B**'s possession. During the pendency of the suit, **B** sells the house to **C** for Rs. 80 Lakhs. **A**'s suit is decreed.
  - (i) What are the rights of **C** in respect of this property ?
  - (ii) What is the doctrine in this situation ?

4. Answer any **four** from the following :-

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- (a) Explain the basic conditions for a valid transfer. Discuss whether the following transactions amount to transfer :-
  - (i) surrender
  - (ii) charge
  - (iii) exchange
  - (iv) partition.
- (b) What is an easement ? Explain the essentials of an easement and different types of easement.
- (c) Explain the characteristics of Sale. Discuss the liabilities of a seller.
- (d) Discuss :-
  - (i) mortgage by conditional sale
  - (ii) usufructuary mortgage.
- (e) Discuss the rights and liabilities of the lessee
- (f) Explain the doctrine of fraudulent transfer.

[ TURN OVER