

[Time: Three Hours]

[ Marks:100]

Please check whether you have got the right question paper.

N.B: 1. All questions are compulsory.

- Q. 1** Answer the following in not more than two sentences: (20)
- Define Charge
  - Define Mortgage
  - What does "attached to the earth" mean
  - What does "attested" mean.
  - What is Profit A Prendre
  - Who is a "universal donee".
  - Who may impose an easement?
  - Persons competent to transfer.
  - Oral transfer
  - What is subrogation?
- Q. 2** Short Notes (Any four) (20)
- Condition restraining Alienation
  - Doctrine of Election
  - Conditional Transfer
  - Lis Pendens
  - Transfer by Ostensible Owner
  - Extinction of Easement
- Q. 3** Situational Problems (Any two) (12)
- A and B have a daughter C. C released her right of inheritance in A's prosperity in favour of B for consideration. Thereafter A dies. Can B resist C's claim to her share in A's property? Why? Explain the principle involved
  - A takes a loan of Rs.5Lacs from B under a mortgage by conditional sale. A fails to pay the amount to B. Can B file a suit to sell mortgaged property? Does B have a right of foreclosure?
  - 'A' is an owner of a flat at Mumbai, who left behind his wife B and child and went to Dubai and was not heard of for 5 years. The wife mortgaged the flat for SO Lakhs to C. Is the Mortgage valid? What are the rights of C in case A does not return after 7 years?
- Q. 4** Answer the following (any four) (48)
- What is an Exchange? What are the rights and liabilities of the parties to an Exchange?
  - What are the characteristics of a Lease? Discuss the rights and liabilities of the lesser and the lessee
  - What is Part Performance? What are the conditions to be fulfilled by a Transferee who wants to defend or protect his possession?
  - What is Easement and what are the different types of Easements under the Indian Easement Act, 1882? Explain.
  - What is Redemption? Who can redeem a mortgage besides the Mortgagor?
  - What is Rule against Perpetuity? What are the provisions regarding Transfer to an unborn child under Transfer of Property Act?