

**JUNE/JULY 2014**

**Time: 3 Hours**

**Max.Marks: 100**

**UNIT – I**

1. (a) Define the term 'Immovable property'. State the properties which are judicially recognized as immovable properties.**(Refer Page No. 7)**

OR

State the rule against perpetuity as provided in the Transfer of Property Act.**(Refer Page No. 67)**

- b) Whether partition is transfer? Discuss.**(Refer Page No. 33)**

OR

An immovable property is transferred to 'X' for life and afterwards to all the children of 'X', when the last child attain majority. Discuss the validity of transfer.**(Refer Transfer of property Act - Volume - II, Separate book)**

**UNIT – II**

- 2.(a) "The Foundation of doctrine of election is that a person taking the benefit of an instrument must also bear the burden". Elucidate.**(Refer Page No. 97)**

OR

State the provisions relating to transfer by ostensible owner under Transfer of Property Act.**(Refer Page No. 122)**

- (b) Write a note on Apportionment.**(Refer Page No. 107)**

OR

State the effects of rent bonafidely paid to the holder under defective title.**(Refer Page No. 143)**

**UNIT – III**

3. (a) "Once a mortgage is always a mortgage". Discuss. **(Refer Page No. 224)**

OR

Explain the law relating to the mortgagors right of redemption. **(Refer Page No. 226)**

(b) 'X' executes a simple mortgage in favour of 'Y' and usufructuary mortgage in favour of 'Z'. 'Z' takes possession of property. 'Y' brings the property for sale. In execution, purchaser Evicts 'Z'. What is the remedy of 'Z'? **(Refer Transfer of property Act - Volume - II, separate book)**

OR

Write a note on Marshalling. **(Refer Page No. 258)**

#### UNIT - IV

4. (a) Define lease. State in brief rights and liabilities of leasee. **(Refer Page No. 279 & 288)**

OR

What are the essentials of gift? How gift can be effected? **(Refer Page No. 304 & 306)**

(b) What are the legal presumption as to the duration of lease? **(Refer Page No. 294)**

OR

Write a note on "Donatio mortis causa". **(Refer Page No. 313)**

#### UNIT - V

5. (a) Discuss the General authority of trustee and their statutory powers. **(Refer Page No. 410)**

OR

Define trust and distinguish trust from ownership and bailment.**(Refer Page No. 383 & 385)**

(b) Write a note on Public Trust.**(Refer Page No. 382)**

OR

Write a note on extinction of trust.**(Refer Page No. 437)**



**DECEMBER - 2014**

**Time: 3 Hours**

**Max.Marks: 100**

- 1. Answer Q. No. 9 and any five of the remaining questions.**
- 2. Q. No. 9 carries 20 marks and the remaining questions carry 16 marks each.**
- 3. Answers should be written either in English or Kannada completely.**

1. Define vested and contingent interest and distinguish between vested and contingent interest.**(Refer Page No. 78)**
2. The foundation of doctrine of election is that. “ A person taking the benefit of an instrument must also bear the burden”. Explain.**(Refer Page No. 97)**
3. Explain the doctrine of “Part performance”.**(Refer Page No. 164)**
4. “Mortgagors’ right of redemption is a statutory right and the same cannot be contracted out”. Discuss.**(Refer Page No. 224)**
5. Define Lease. State in brief rights and liabilities of leasee.**(Refer Page No. 279 & 288)**
6. Define Gift. Explain the essentials of Gift.**(Refer Page No. 303)**
7. Distinguish between “Trust and Bailment”.**(Refer Page No. 385)**

**8. Write short note on any two of the following:**

(a) Attestation.**(Refer Page No. 14)**

(b) Sale and contract for sale. **(Refer Page No. 171 & 175)**

(c) Write a note on extinction of trust. **(Refer Page No. 437)**

**9. Solve any two of the following problems.**

(a) Basavaraj executes a simple mortgage in favour of Usha and an usufructuar mortgage in favour of Manjula. Manjula takes possession of property. Usha brings the property for sale. The execution purchases evicts Manjula. What is the remedy for Manjula? **(Refer Transfer of property Act - Volume - II, separate book)**

(b) Prajwal makes a gift to Priyanka, Vinayaka and Ganesh. Priyanka and Vinayaka accept, while Ganesh refuses. What happens to the gift? **(Refer Transfer of property Act - Volume - II, separate book)**

(c) 'A' takes house on lease from 'B' thereafter without 'B's consent, 'A' constructs two additional rooms in the said house and sublets them to 'C' what is the remedy available to 'B' against 'A' and 'C'?

