



**PRESIDENCY UNIVERSITY
BENGALURU**

SCHOOL OF LAW

MID TERM EXAMINATIONS

Roll No.

Sem & AY: Odd Sem 2019-20

Course Code: LAW 114

Course Name: PROPERTY LAW

Program & Sem: BBA/BA/BCOM, LL.B. & V

Date: 22.10.2019

Time: 9.30 AM to 11.30 AM

Max Marks: 60

Weightage: 30%

Instructions:

(i) *Write legibly.*

Part A [Memory Recall Questions]

Answer both the Questions. Each Question carries ten marks. (2Qx10M=20M)

1. Match the following:

- | | |
|---|---------------|
| a) Girjesh Dutt vs. Data Din | a) Section 43 |
| b) Tulk vs. Moxhay | b) Section 52 |
| c) Annoda Mohan vs. Nilphamari | c) Section 40 |
| d) Narayan Chandra Saha vs. Dipali Mukherjee | d) Section 13 |
| e) Supreme General Films Exchange Ltd. Vs. Sri Nath Singhji Deo | e) Section 41 |

2. Decide all the problems on the basis of relevant provisions and reason:

- "A" makes a gift to "B" provided "C" marries within one year of transfer. Decide whether the condition as well as transfer is valid or not.
- "A" makes a gift of his house to "B" with a direction that from rents of the house "B" shall pay Rs.500 per month towards the satisfaction of debt of Rs.1 lakh incurred by "A". Decide whether the condition is valid or not.
- "A" transfers a farm to "B" provided that, if "B" shall not go to England within three years after the date of transfer his interest in the farm shall cease. Decide whether the condition is valid or not.
- "A" transfers property to "B" for life and then to "C", an unborn child. Decide the kind of interest "C" is getting.
- "A" sells his agricultural lands to "B" with a condition that "B" can cultivate only wheat but cannot grow the crops of paddy. Decide whether "B" is bound to follow by condition or not.

(Q1&2)(C.O.NO.1) [Knowledge]

Part B [Thought Provoking Questions]

Answer both the Questions. Each Question carries ten marks. (2Qx10M=20M)

3. "Where the transfer is made with the fraudulent intention, the object of the transfer would be bad in the eyes of equity and justice though it is valid in law." In the light of this statement write an essay on fraudulent transfer.
(C.O.NO.1) [Comprehension]
4. "If a person having no authority, professes to transfer an immovable property, he is estopped from denying the transfer when he subsequently acquired such property." Explain the statement with the help of relevant provisions and case laws.
(C.O.NO.1) [Comprehension]

Part C [Problem Solving Questions]

Answer all the Questions. Each Question carries five marks. (4Qx5M=20M)

5. Wanda, the plaintiff, had entrusted her property to the defendant, Vision, for the management by executing power of Attorney and it could not be proved that Vision obtained possession and in furtherance of contact of sale. Vision filed a suit claiming the possession of the property of Wanda on the ground of power of Attorney executed by her. Decide the suit with the help of relevant provision and case laws. Support your answer with reason.
(C.O.NO.1) [Application]
6. Logan has made a gift of property to Jean Grey. Thereafter Storm, Logan's widowed sister in law, filed a suit against Logan for maintenance and also claimed a charge on the property gifted. During the pendency of this suit, Jean sold the property to Arya Stark. Logan died during the suit. Because of Logan's death, Jean was impleaded in Storm's suit as Logan's legal representative and the suit was decreed. Decide with the help of relevant provision and case laws whether Storm will succeed in her claim against Jean or not. Also give reason for your answer.
(C.O.NO.1) [Application]
7. After the death of Nawab of Jaipur, the Government while transferring chiefship to eldest son, transferred some cash allowance to Nawab's second son. The Nawab in his life-time had already granted two villages to the second son for his maintenance. The transfer of chiefship was challenged on the ground that eldest son cannot have both villages and chiefship. Decide with the help of relevant provision and case laws whether this challenge will succeed or not. Support your answer with reason.
(C.O.NO.1) [Application]
8. Abhishek is a Hindu who separates from his father Amitabh. On partition, the property in Juhu is retained by Abhishek and property Marine Drive goes to Amitabh. Representing that he owns both the properties, Abhishek sold both the properties to Salman Khan. After sometime when Amitabh died, Abhishek, became owner of both the properties. But, before Salman Khan could exercise his option to compel Abhishek to transfer property in Marine Drive to him, Abhishek secretly sold Marine Drive property to Kartik Aryan. Kartik Aryan purchased property in Marine Drive in good faith without having notice of the option of Salman Khan. Kartik Aryan files a suit for the possession of Marine Drive property. Decide with relevant provision and reason whether Kartik Aryan will succeed or not.
(C.O.NO.1) [Application]

Annexure- II: Format of Answer Scheme



SCHOOL OF LAW

SOLUTION

Semester: V

Course Code: LAW114

Course Name: PROPERTY
LAW

Date:

Time: 2 HRS

Max Marks: 60

Weightage: 30%

Part A

(2Q x10 M =20 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
1	A) D B)A C) C D) E E) B	10	15
2	A) VALID B) VALID C) VALID D) VESTED AND ABSOLUTE E) INVALID	10	15

Part B

(4 x 5 =20 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
3	SECTION 52	10	20
4	SECTION 53	10	20

Part C

(4 x 5 =20 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
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5	Section 52	5	15
6	Section 53	5	15
7	Section 42	5	15
8	Section 53A	5	15



Roll No																			
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**PRESIDENCY UNIVERSITY
BENGALURU**

SCHOOL OF LAW

END TERM FINAL EXAMINATION

Semester: Odd Semester: 2019 - 20

Date: 27 December 2019

Course Code: LAW 114

Time: 1:00 PM to 4:00 PM

Course Name: PROPERTY LAW

Max Marks: 80

Program & Sem: BA/BBA/B.Com., LL.B., & V

Weightage: 40%

Instructions:

(i) Read the all questions carefully and answer accordingly.

Part A [Memory Recall Questions]

Answer the Questions.

(4Q=40M)

1. Match the following:

[5Qx1M=5M]

- | | |
|--|-----------------|
| a) Transfer by Unauthorized person
subsequently acquiring interest in property | i) Section 9 |
| b) Oral Transfer | ii) Section 25 |
| c) Fulfillment of Condition subsequent | iii) Section 12 |
| d) Conditional Transfer | iv) Section 43 |
| e) Condition making interest determinable
on insolvency or attempted alienation | v) Section 29 |

2. Fill in the blank:

[5QX1M=5M]

- a) A gift comprising both existing and future property is ____ as to the latter.
- b) The subject-matter of a trust must be property _____ to the beneficiary.
- c) Equity looks to the _____ rather than the form.
- d) A lease of immovable property for agricultural or manufacturing purposes shall be terminable by _____ notice.
- e) A suit to obtain a decree that a mortgagor shall be absolutely barred of his right to redeem the mortgaged property is called _____.

3. Decide with the help of relevant provisions and give reason: [5QX4M=20M]

a) "A" lets a house to "B" for five years. "B" underlets the house to "C" at a monthly rent of Rs.100. The five years expire but "C" continues in the possession of the house and pays the rent to "A". Decide whether this lease is valid or not. Also state what will be the duration of lease in this problem? "

b) "A" bequeaths certain property to "B", desiring him to distribute it among such members of C's family as "B" should think most deserving. Decide with reason whether valid trust is created or not.

c) "A" transfers property to his wife but in case if "A's" wife die in his life-time then transfer to "B", that which he had transferred to her. "A" and his wife perish together, under circumstances which make it impossible to prove that she died before him. Decide whether the transfer to "B" will take effect or not.

d) A is the owner of three properties X, Y and Z. He mortgages these properties to D and takes a loan of Rs.20000. A then sells property X to S. Here D enforces the mortgage for recovery of Rs.20000. Decide what are the rights available to S.

e) The instrument of trust directs trustee to invest trust-money either in any of such securities or on mortgage of immovable property. The trustee does neither. Decide whether the trustee will be liable or not. (C.O.No.4) [Application]

4. Decide with the help of relevant provisions and give reason: [2QX5M=10M]

a) A, B and C are the co-owners of a land. The land is mortgaged jointly to X who advances a loan of Rs. 40000 to them jointly. A has half share in the land and B and C have one fourth each. The question is whether A by making payment of Rs. 20000 can redeem the mortgage to the extent of his share? Decide.

b) R, S and T mortgage their properties jointly to Z to secure a debt of RS.10000. In the mortgaged property S has half share and R and T have one-fourth each. The mortgagee Y recovers the debt by causing the sale of only that property which belongs to S. Decide whether S can ask R and T for contribution and what will be the amount.

(C.O.No.4) [Application]

Part B [Thought Provoking Questions]

Answer the Questions. The Question carries 5 marks.

(1Qx20M=20M)

5. Write a short note:

- a) Resulting Trust
- b) Universal Donee
- c) He who seeks equity must do equity
- d) Lease and Licence

(C.O.No.2) [Comprehension]

Part C [Problem Solving Questions]

Answer all the Questions. Each Question carries 5 marks.

(4Qx5M=20M)

6. "A" mortgages a land "X" to "B" for Rs.5000. Then mortgages same land to "C" and "D" for Rs.3000 and Rs.2000 respectively. Decide:

a) Whether D can pay Rs.5000 loan taken from B or not. Give reason for your answer along with provision?

b) Whether by paying the debt of B, can D take his place and become first mortgagee.

(C.O.No.4) [Application]

7. "A" having a lease for a term of years of a house at a rent which is more than the house can be let for. He gives the lease to B and as a separate and independent transaction gives to B also a sum of money. B refuses to accept the lease. Decide with the help of relevant provision whether B can refuse to accept lease or not. Also give reason for your answer.

(C.O.No.4) [Application]

8. Explain in detail the kinds of mortgage.

(C.O.No.3) [Comprehension]

9. In the light of the facts of Kreglinger vs. New Patagonia Meat and Cold Storage Co. Ltd. Explain in detail clog on redemption.

(C.O.No.3) [Comprehension]



SCHOOL OF XXXXXX

END TERM FINAL EXAMINATION

Extract of question distribution [outcome wise & level wise]

Q.NO	C.O.NO (% age of CO)	Unit/Module Number/Unit /Module Title	Memory recall type	Thought provoking type	Problem Solving type	Total Marks
			[Marks allotted]	[Marks allotted]	[Marks allotted]	
			Bloom's Levels	Bloom's Levels	[Marks allotted]	
			K	C	A	
1	1	I	10			
2	2	II	10			
3	3	III	10			
4	4	IV	10			
5	4	V		20		
6	4	II			5	
7	4	IV			5	
8	4	IV			5	
9	3	V	40		5	
	Total Marks		40	20	20	80

K =Knowledge Level C = Comprehension Level, A = Application Level

Note: While setting all types of questions the general guideline is that about 60%

Of the questions must be such that even a below average students must be able to attempt, About 20% of the questions must be such that only above average students must be able to attempt and finally 20% of the questions must be such that only the bright students must be able to attempt.

I hereby certify that all the questions are set as per the above guidelines.

Faculty Signature:

Reviewer Commend:

Format of Answer Scheme



SCHOOL OF ENGINEERING

SOLUTION

Semester: Odd Sem. 2019-20

Course Code: LAW114

Course Name: PROPERTY LAW

Program & Sem: ALL PROGRAMS & V

Date: 27.12.2019

Time: 1.00 P.M.-4.00P.M.

Max Marks: 80

Weightage: 40%

Part A

(4Q x 10M = 40Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
1	a) iv b) i c) v d) ii e) iii	10	15
2	a) void b) transferable c) intent d) one e) suit for redemption	10	20
3	a) valid and month to month b) not valid purpose to be certain c) Transfer to B will take effect d) Yes S is bound e) trustee will be liable	10	20
4	a) Section 60 and no partial redemption b) Section 82 and yes and 2500	10	15

Part B

(1Q x 20M = 20 Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
5	a) Meaning b) Meaning c) Meaning d) Meaning	20	45

Part C

(4Q x 5M = 20Marks)

Q No	Solution	Scheme of Marking	Max. Time required for each Question
6	a)yes b) yes	5	15
7	No he cannot do	5	15
8	Section 58	5	15
9	Section 69	5	15



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SCHOOL OF LAW

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(4Qx5M=20M)

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(C.O.No.3) [Comprehension]

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SCHOOL OF XXXXXX

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3	3	III	10			
4	4	IV	10			
5	4	V		20		
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