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**PRESIDENCY UNIVERSITY
BENGALURU**

SET B

**SCHOOL OF LAW
END TERM EXAMINATION - JAN 2024**

Semester : Semester V - 2021
Course Code : LAW2032
Course Name : Property Law
Program : B.Com LLB Honors

Date : 08-JAN-2024
Time : 1:00 PM - 4:00 PM
Max Marks : 100
Weightage : 50%

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Question paper consists of 1 part.
- (iii) Scientific and non-programmable calculator are permitted.
- (iv) Do not write any information on the question paper other than Roll Number.

ANSWER ALL THE QUESTIONS

10 X 10M = 100M

1. What is Lease? Explain the rights and liabilities of a Lessee.
(CO3) [Comprehension]
2. Salma mortgages her property to Dona with possession for 5 years. The rent and profits to be set off at the interest. The mortgage deed further provided that if the mortgage was not redeemed within a period of 20 years from the due date, the mortgagee should treat the land as sold to him absolutely. Salma filed a suit for redemption after 20 years from the due date. Will she succeed? Decide.
(CO2) [Comprehension]
3. Appu the lessor, gives Sachin the lessee notice to quit the property leased. The notice expires. Sachin tenders, and Appu accepts the rent which has become due in respect of property since the expiration of the notice. Can Sachin claim that the notice has been waived? Decide.
(CO4) [Comprehension]
4. Rishi executed a mortgage in favour of Chandru on 3rd May 2020. Chandru gave the money to Rishi on 10th May 2020. But in the meantime on 7th May, 2020 Rishi sold the mortgage property to Nandhan. Thus Nandhan purchased the property subject to mortgage. But Nandhan argued that since the consideration (money advanced as loan) was not paid before the sale, there was no mortgage after the sale, therefore he was not bound by the mortgage.
(CO4) [Comprehension]
5. Sarojam is an old lady living in Trissur. She had an apartment in Prestige Oasis, Trissur. She believed that her rights in the property was not absolute and has contracted to sell the property to Sojan at a very less price. But Sojan knew that Sarojam's right in the property was perfect. Despite his knowledge about absolute interest of that lady, the buyer did not disclose it to her. Can Sarojam claim to set aside the contract on the ground of Fraud?
(CO3) [Comprehension]

6. Ravi has five acres of sugarcane field in Mandya. In 23rd January, 2020 he has mortgaged the schedule property in Mandya Evening Bank for 10 lakh rupees. The mortgage period was for 7 years. In February 2023 Ravi has gifted the property to Kannan. Kannan accepted the gift but has refused to accept the liability. Can he do so?
(CO5) [Application]
7. State the circumstances under which the conditions imposed by the mortgagee amounts to clog on the right of redemption.
(CO4) [Application]
8. Explain the provisions governing the transfers made by unauthorised persons who subsequently acquires the interest in the property.
(CO4) [Application]
9. Manu has a five acre tea estate in Munnar. He transfers his tea estate to Chandru on condition that he shall touch the sky with his hand. Is this transfer valid?
(CO5) [Application]
10. Anand sells to Bharath a piece of land containing a coal mine of which Bharath is aware but not Anand. Anand comes to know of the Coal Mine after the completion of the contract but before the execution of the deed of sale. Can Anand claim to set aside the contract on the ground of Fraud?
(CO3) [Application]