

Roll No



**PRESIDENCY UNIVERSITY
BENGALURU**

SET A

**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. Explain briefly the doctrine of *cy-pres* with relevant caselaws. (CO3) [Comprehension]
2. Define Trust. Explain the rights and liabilities of a beneficiary under Indian Trust Act. (CO2) [Comprehension]
3. What is Mortgage? Explain the different kinds of mortgages. (CO4) [Comprehension]
4. Navin, John and Sreeram are co-sharers in an apartment in Kormangala. Navin has paid the entire arrears of rent that has accrued since Navin, John and Sreeram started living in this apartment. Can Navin have a charge against John and Sreeram. (CO4) [Comprehension]
5. "Every transfer of immovable property made with the intent to defeat or delay the creditors shall be voidable at the option of the creditors so defeated or delayed." Discuss. (CO3) [Comprehension]
6. 'Condition repugnant to interest created is void'. Explain with exception. (CO5) [Application]
7. Narain the grandson of Sandeep is expecting legacy under Sandeep's will. During the lifetime of Sandeep, Narain transfers his expectancy to Karthik. Is this transfer valid. Decide. (CO4) [Application]

8. Manohar had a 6 acre rubber plantation in Alakode. The North boundary of his rubber plantation is Kadamba's 6 acre Palm estate. The East is the National Highway 47. The West is Panchayat Road and the South is a limestone quarry. Alakode is a drought prone area and the groundwater has been depleting drastically, henceforth Manohar could not dig an open well or a bore-well. Surprisingly, Kadamba has an underground spring in his estate as a result of which he has surplus water in his open well. On 1st January 2023 Manohar had entered into a contract with Kadamba to use water from the well located in the centre of Kadamba's plantation for irrigation. On 2nd January 2023 Kadamba filed a case for trespass against Manohar. Kadamba stated that Manohar used the path to the well through his plantation without his consent as the easementary right was only for the water in the well and not extended for the path. Decide.

(CO4) [Application]

9. Aithya had a 10 acres coffee estate in Coorg. He decided to transfer his property to the female descendent of his unborn child. At the time of the transfer his wife was 3 months pregnant. Is this transfer valid? Decide.

(CO5) [Application]

10. Arundhati a Hindu widow executed a deed of gift of part of her husband's property to Dhamodar. Bobby who was then the nearest reversioner joined in the deed. On the death of the widow Bobby claims the property, pleading that the gift was invalid. Will he succeed?

(CO3) [Application]