Bihar Judicial Service (Mains) 2000

Transfer of Property Act, Equity, Trusts and Specific Relief · optional paper

Part A

1. (a) Define property and mention which properties are transferable.
(b) Explain the difference between an agreement to sell and sale.

2. (a) "Transfer for the benefit of an unborn person is void." Discuss this statement with reference to the rule against perpetuity.
(b) Define gift.

3. (a) Define a mortgage. What are the different kinds of mortgage?
(b) Explain the liability of buyer of immovable property.

4. (a) Explain the doctrine of part performance.
(b) Explain the lease of an immovable property.

5. (a) Distinguish between condition precedent and condition subsequent.
(b) Distinguish between a sale and a lease.

Part B

6. Explain the following maxims: (a) Equity follows the law; (b) Delay defeats equity.

7. Explain the following maxims: (a) He who seeks equity must do equity; (b) He who comes to equity must come with clean hands.

8. Discuss the essentials of trust. How does a private trust differ from a public trust?

9. Discuss the rights and duties of trustee.

10. Distinguish between a temporary injunction and permanent injunction. Explain the circumstances when temporary injunction can be granted.