

**Department of Law**

**Midterm Examination**

**Semester: Summer - 2019**

**Course Title:  Law of Transfer of property**

**Program: LL. B. (Hon’s)                            Full Marks: 25**

**Course Code: LAW207                                       Time: 1.30 Hours.**

***[Answer any 3 from the following questions. Each question contains equal marks.***

***Note: Question no 5 is mandatory for all]***

1. Define immovable property. Differentiate between express and constructive notice. “Mere negligence is not penalized; it must be gross negligence”. - Explain with case references. **1.33+3+4**
2. a. Do you think that oral transfer of property and transfer in favor of unborn person is possible? Explain with relevant provision of TP Act**. 5**

b. X transfers 100000 tk to Y on condition that he will marry with the consent of A, B and C. A died. Y marries with the consent of B and C. Is the transfer good**? 3.25**

1. Define election. Describe the rules of election with exception under relevant provisions of the Transfer of Property Act 1882? **1.33+7**
2. (a)What do you understand by Estopell? In which provision of the Transfer of Property Act 1882 the provision for estoppels is enunciated? What are the conditions of Transfer according to the same provision**? 1.33+1+2**

(b) A, a Hindu, who has separated from his father B, sales to C three fields, X, Y and Z, representing that A is authorized to transfer the same. Of these fields Z does not belong to A, it having been retained by B on the partition; but on B's dying A as heir obtains Z. Afterwards A refused the transfer on the ground that at the time of the transfer he did not have title of the property. Advice ‘C’**. 4**

1. (a) Who is an Ostensible Owner? Can an ostensible owner transfer immoveable property? What are the conditions of transfer by an ostensible owner**? 1+2+2**

(b) A son of Mr. X transfers his father’s property to B appearing himself as the real owner of the property. Is the transfer valid? What would be the consequences if B does not take reasonable care & does not act with good faith**? 3.33**