

BLOGS

Questions on Transfer of Property Act for CLAT PG 2026- PART V

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1. Which of the following is *not* essential for applying the doctrine of part performance (Section 53A)?

- a. Written contract
- b. Delivery of possession
- c. Registered deed
- d. Willingness to perform

Correct answer: c

Explanation: Section 53A does not require registration if other conditions are met, such as a written agreement, possession, and readiness to perform.

2. Who can redeem the mortgage if the mortgagor fails to do so?

- a. Sub-mortgagee
- b. Co-mortgagor
- c. Any person having interest in the property
- d. Tenant

Correct answer: c

Explanation: Section 91 allows any person with interest in or charge on the property to redeem the mortgage.

3. Under Section 43, if a transferor erroneously conveys property without title, the transfer:

- a. Is automatically void
- b. Confers future title if later acquired
- c. Becomes a lease
- d. Is valid for 12 years

Correct answer: b

Explanation: The doctrine of *feeding the grant by estoppel* under Section 43 allows the transferee to claim the title when the transferor later acquires it.

4. Which of the following can be transferred under the Act?

- a. Future wages
- b. Mere right to sue
- c. Easement
- d. Equity of redemption

Correct answer: d

Explanation: The equity of redemption (right to reclaim mortgaged property) is a transferable right unless contractually restricted.

5. A transfer of immovable property made without consideration to a relative is:

- a. Invalid
- b. A gift
- c. A lease
- d. A grant

Correct answer: b

Explanation: A transfer without consideration, voluntarily made to a relative, and properly registered is recognized as a gift under Section 122.

6. The term “transfer of property” in Section 5 excludes:

- a. Transfer by gift
- b. Transfer by inheritance
- c. Sale of leasehold
- d. Mortgage by deposit of title deeds

Correct answer: b

Explanation: Section 5 applies to transfers between living persons. Inheritance is governed by succession laws.

7. Which mortgage type allows the mortgagee to sell the mortgaged property without court intervention?

- a. Simple mortgage
- b. Mortgage by deposit of title deeds
- c. Usufructuary mortgage
- d. English mortgage

Correct answer: d

Explanation: In an English mortgage (Section 58(e)), the mortgagor binds himself to repay on a certain date and allows sale without court intervention.

8. What is the effect of a transfer made with intent to defraud a prior transferee?

- a. It is valid
- b. It is protected under lis pendens
- c. It is voidable at the option of the prior transferee
- d. It becomes a gift

Correct answer: c

Explanation: Under Section 53, such a transfer is voidable at the instance of the defrauded party.

9. In which of the following cases is *registration not mandatory*?

- a. Sale of immovable property over ₹100
- b. Lease for 2 years
- c. Mortgage of house worth ₹50,000
- d. Lease for 11 months

Correct answer: d

Explanation: Lease for less than one year does not require registration (Section 107).

10. Under Section 8, a transfer of property includes:

- a. Only the land, not easements
- b. All legal incidents of ownership
- c. Only possession
- d. Only built-up structure

Correct answer: b

Explanation: Unless otherwise stated, Section 8 presumes that all legal incidents of ownership: like easements, rents, and profits are transferred with the property.